

**CARBON COUNTY**  
**Planning Office**  
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**CONDITIONAL USE – STAFF REPORT**

Date: March 16, 2022

To: Carbon County Board of County Commissioners

From: Forrest J. Mandeville, AICP (Contract Planner)

**RE: GROUP 3-01-2022 CONDITIONAL USE PERMIT-OIL AND GAS DEVELOPMENT (BALDWIN LYNCH ENERGY)**

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**Recommendation: Approval with Conditions**

**Recommended motion:** *Having reviewed and considered the application materials, project memorandum, public comment, Zoning Commission recommendation, and all of the information presented, I hereby move to approve of the Baldwin Lynch conditional use permit with the findings and conditions included in the project memorandum.*

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**Summary:**

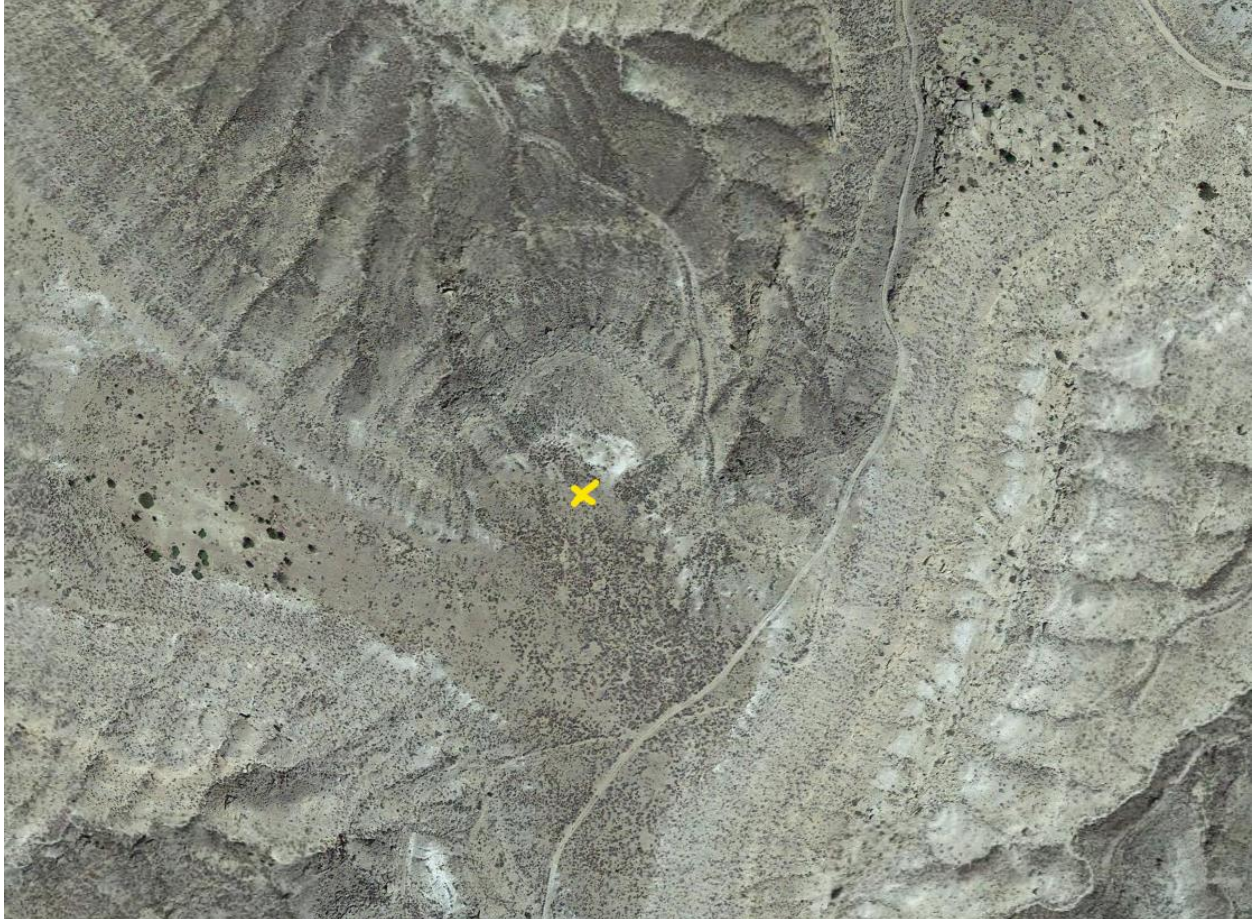
Richard Baldwin of Baldwin Lynch Energy has submitted a development permit application for a Conditional Use Permit (CUP) to drill and operate an oil well to be located on property in Section 16, T 9 S, R 22 E. This property is located south of Belfry, and is accessed from Hollenbeck Draw Road, which intersects with Highway 72. The project is located on State of Montana School Trust land.

The Carbon County Development Regulations require certain uses, including oil and gas development, to be subject to a conditional use permit. There are also additional requirements identified in the Regulations to which oil and gas development is subject.

**Required Commission Action:**

Under the Development Regulations, the Commission shall consider the recommendation of the Planning Board (acting in its role as the Zoning Commission) Written and spoken testimony provided at the public hearing, the conditional use permit application, the staff report, and approval criteria, and shall approve, approve with conditions, or deny the application within 60 days of receiving a complete

application. The application was submitted online on February 13. Staff requested additional information by email on Monday, February 14, which was provided on Sunday, February 20. Because the following Monday was President's Day, the complete application is considered received on February 22. A decision must be made by April 23, 2022.



**Aerial View of Proposed Well Site**

**Conditional Use Permit – Compliance Review Summary:**

**1. Regulations VIII-A-9a (Oil and Gas Development) – Summary of Intent:** The purpose of the oil and gas development section of the Development Regulations is to promote the effective, efficient and safe use of the County's oil and gas resources through well development to ensure public health, safety and welfare will not be jeopardized. The goals of this section are to require the placement and siting of such wells to be at a distance which will not harm residential structures in the vicinity, and to require oil and gas facilities to be located, to the extent possible, in areas where the adverse impact on the County is minimal;

**2. Regulations V-B-3c (Conditional Use) – Planning Board Criteria for Approval:** To protect public health and safety, the Planning Board may consider the following impacts of the proposed development in its recommendation to approve, conditionally approve, or deny a Conditional Use Permit.

a. Water Supply (and Sanitation)

The development must provide adequate water supply for the industrial operations and workers, along with adequate means of waste disposal. The water source must be able to provide adequate quantity and quality of water for the proposed use.

*No new buildings requiring water and wastewater is proposed as a part of this project. The applicant provided a copy of their Environmental Assessment and checklist completed for the Montana Board of Oil and Gas, which notes that water for drilling will be purchased from local irrigation sources, and that water for cementing will be purchased from Belfry or Bridger water supply.*

b. Floodplain

The development shall conform to the Carbon County Floodplain regulations. There shall be no development in the floodway. All development within the floodplain or Special Flood Hazard Area requires a floodplain permit.

*There is no floodplain in the development area.*

c. Site Design

The development must be properly graded and appropriate drainage facilities provided to remove surface run-off in a manner that will not adversely affect adjacent streams, lakes, reservoirs, or public roads.

*Documents submitted as part of the application indicate the site will be graded to level out the proposed pad site. A temporary pit will be excavated to store drilling fluids and cutting, and will be reclaimed upon completion of the well. There are no streams, lakes, or reservoirs in the area. The Road Use Easement and Access Agreement with the Sunlight Ranch Company includes provisions for sediment and erosion control methods on the easement.*

d. Setbacks

Any proposed structures may not be erected on property lines or within right-of-ways, and must adhere to minimum setback requirements.

*The proposed well site is not located on any property lines or within any rights-of-way. Setback requirements are exceeded, as the site is approximately ¼ mile from the nearest property boundary. The nearest adjacent properties are owned by the Bureau of Land Management.*

e. Easements

Easements or other legal rights-of-way shall be provided for utilities, this includes, but is not limited to, electric, telephone, and natural gas.

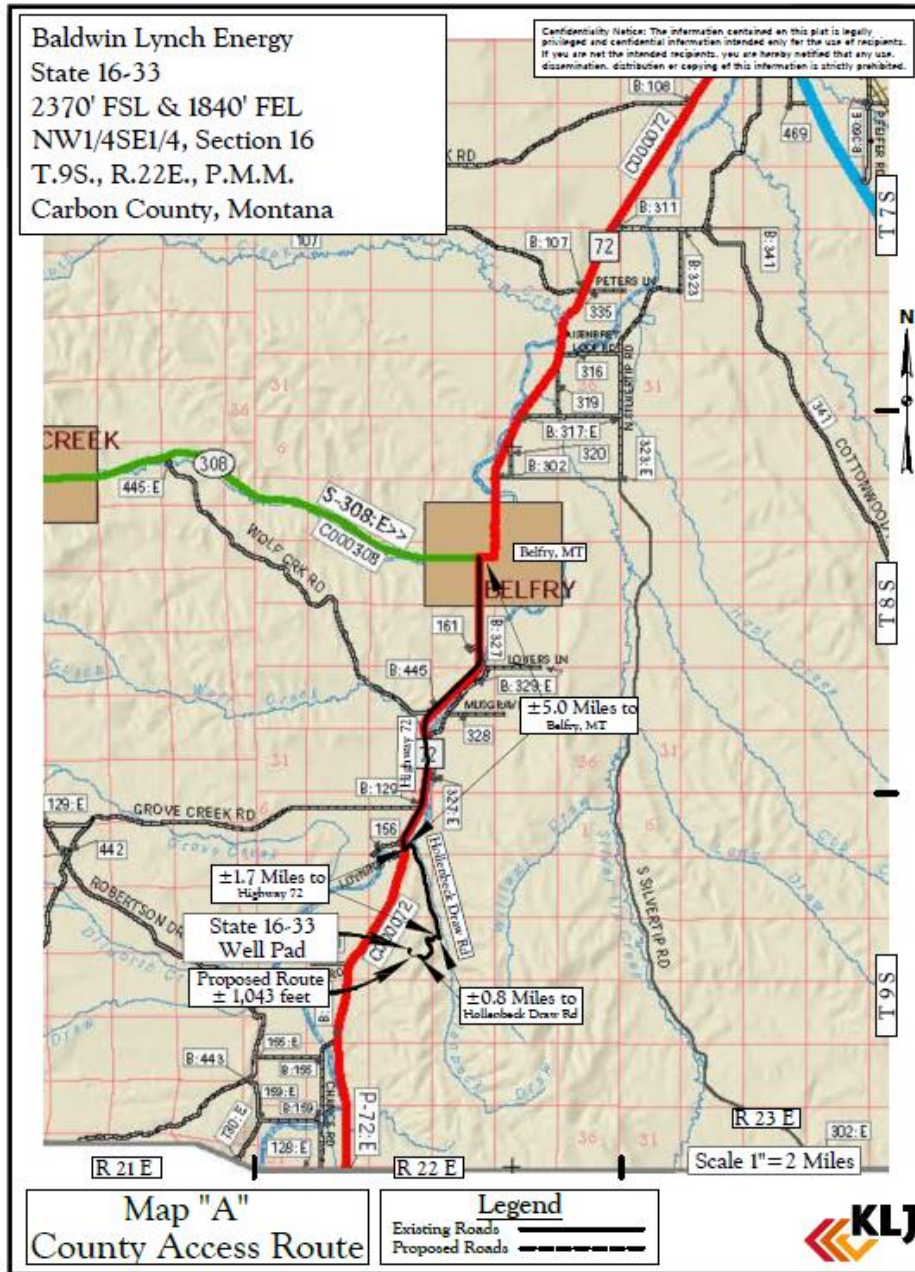
*The applicant included a copy of a Road Use Easement and Access Agreement with the Sunlight Ranch Company to use a portion of Hollenbeck Draw Road that cross Sunlight Ranch Company*

property. The rest of the access is on State and BLM land. There are no utilities proposed or available to the well site.

f. Utilities

The proposed development must be adequately served by public and/or private utilities. Written certification that capacity is available and that rights-of-way or easements have been provided may be required.

*There are no utilities available or necessary to the site.*



Vicinity Map Access to Proposed Well Site

g. Access

Approved legal and physical access must be provided to the proposed development from either a County road or state highway.

*Access is provided to the site by Hollenbeck Draw Road, which provides access to public lands (State Trust and BLM) in the area. The applicant has a Road Use Easement and Access Agreement with the Sunlight Ranch Company to utilize the portion of Hollenbeck Draw Road which cross Sunlight Ranch Company property. Hollenbeck Draw Road provides access to Highway 72.*

h. Parking

Off street parking and loading areas must be provided that adequately serve the number of full-time employees and square feet of building.

*Site maps provided with the CUP application indicate sufficient truck parking and turnaround will be provided on the pad site.*

i. Impact to Residential Areas

Proposed development should not be located within existing residential tracts. If development abuts residential use, screening or fencing at least eight feet in height is required. The installation of landscape buffers between potential incompatible land uses shall be considered as an alternative.

*There are no residential uses on the site. The nearest residences are located over 1 mile away and are accessed from Highway 72. The drilling rig may be visible from Highway 72 during construction, but after drilling is completed the only impacts to views will be in the immediate vicinity of the well. There is expected to be an increase in airborne pollutants and particulates during the pad construction and drilling.*

j. Agricultural Interference

Development cannot interfere with agricultural operations through the contaminations of livestock, water supply, or irrigation facilities.

*The development should have minimal or no interference with agricultural operations in the area. While privately negotiated and enforced, the Road Use Easement and Access Agreement between Baldwin Lynch Energy and the Sunlight Ranch Company includes provisions for assuring normal farming and grazing activities, cattle guard installation, and water quality and quantity integrity.*



**Proposed Well Site Looking East**

**Proposed Well Site Looking North**



**Proposed Well Site Looking South**

**Proposed Well Site Looking West**

k. *Additional Requirements*

All proposed conditional uses must meet identified approval criteria, regulations identified in the Conditional Use section, and any other conditions as supported by findings in order to mitigate impacts.

*The site is located in Sage Grouse General Habitat according to the Montana Sage Grouse Habitat Conservation Program. The application provided evidence of coordination with the Program, including mitigation required by the Program.*

### 3. Additional Requirements Specific to Oil and Gas Development per Regulations VIII-A-9c

a. Site Design/Development Plan

The applicant shall prepare and submit upon application of a conditional use permit a site design and development plan. At minimum the plan shall include all existing and proposed structures, well pad location(s), rights-of-way, pipelines, pertinent surface features, surface water and well locations within ¼ mile of the proposed drilling site, and retaining ponds. Applicant shall submit color photos of well location, and of area from well to north, south, east and west.

*The applicant submitted the ~~requires~~required site and development design documents. There are no surface or water well locations within ¼ mile of the site, though there are other oil and gas wells nearby.*

b. Residential Setbacks

Any proposed drilling activity shall be setback from all residential dwellings a minimum of 750'. The 750' setback requirements shall be waived if the dwelling owner submits a notarized statement declaring their acceptance of a lesser setback. The notarized statement shall be submitted with the Conditional Use Permit application materials.

*There are no residences within 750 feet of the proposed well site.*

c. Baseline Water

The applicant, at their expense, shall provide baseline water testing analysis as a part of the Conditional Use Permit application. The testing must be completed by a qualified professional licensed or certified in the state of Montana. A minimum of 4 samples will be required within ¼ mile of the proposed drilling activity. The samples shall consist of both ground and surface water when available. If there are no ground or surface water sources within a ¼ mile, the testing area shall be extended to ½ mile. In the event 4 testing sites are not located within ½ mile, the requirements shall be waived to include only the sources available. If a property owner will not allow the applicant to access the water sources for testing, this requirement shall be waived. Initial testing must occur within 12 months prior to setting a conductor pipe in a well or the first well on a multi-well site, or commencement of drilling an injection well. The baseline water testing shall account for certain criteria as outlined in the Development Regulations.

*There are no ground or surface water sources within ½ mile of the proposed well site.*

d. Dust Mitigation Plan

The applicant shall provide a dust mitigation plan which identifies haul roads. These roads must be located so they are not directed through recreational, residential or rural residential areas to the extent possible. Dust free (site) access roads may be required near concentrated residential areas. The governing body shall approve the dust mitigation plan on a case-by-case basis.

*The applicant stated that due to the lack of residential development in the area and minimal recreational interest, as well as the limited amount of operational use, no dust mitigation plan was considered. It should be noted, though, that the Road Use Easement and Access Agreement requires Baldwin Lynch Energy to employ dust suppression on the easement and other disturbed lands, including speed limits, watering, and chemical treatment.*

**4. Regulations V-B-3d (Conditional Use) – Planning Board Approved Conditions:** The Planning Board may recommend modifications or conditions to approval of a development based on, but not limited to, the following:

- a. Street and road capacity
- b. Ingress and egress to adjoining streets and roads
- c. Off-street parking
- d. Fencing, screening, and landscaping
- e. Building bulk and location
- f. Usable open space
- g. Signs and lighting
- h. Noise, vibration, air pollution, and similar environmental influences
- i. Weed control

**Summary of Public Comment and Board Discussion:**

The Planning Board, acting in its capacity as the Zoning Commission, held a public hearing as part of their meeting of March 15, 2022, during which public comments was received. Representatives from Baldwin Lynch Energy were present and spoke in favor of the proposal.

The Board discussed the application and staff report. There was some discussion about whether or not a change in use application from DNRC would be necessary in order to use irrigation water for drillings. A motion was made to require DNRC approval, but after discussion a majority of the Board felt the matter was covered in Condition 5, which requires that all required local, state, and federal permits be obtained.



**Zoning Commission Recommendation:**

The Zoning Commission held a public hearing on this matter at their meeting of March 15, 2021, received and considered public comment, and subsequently recommended approval subject to the following conditions:

1. Ingress and egress is limited to Hollenbeck Draw Road as shown on the site plan and application materials.
2. The site shall be fenced appropriately to discourage unauthorized access. A no trespassing sign shall be posted at the entrance to the well site and the telephone number of the owner/operator provided to call in case of emergency.
3. Any significant changes to the Conditional Use Permit or supplemental materials, as determined by the Carbon County Planning Staff or Carbon County Board of County Commissioners, shall require submittal of a new/amended Conditional Use Permit Application, and public notice and review requirements as per the Carbon County Development Permit Regulations.
4. The representations and obligations presented in the Conditional Use Permit applications and attachments submitted as part of the application shall be binding conditions upon the construction and operation of the facility(s).
5. The applicant/owner shall obtain all required Local, State and Federal agency permits as applicable to this project prior to the commencement of any activities or construction of the project.

## CHECKLIST ENVIRONMENTAL ASSESSMENT

<b>Project Name:</b>	State 16-33 Oil Well
<b>Proposed Implementation Date:</b>	Q1 2022
<b>Proponent:</b>	Baldwin Lynch Energy 1001A E Harmony Rd #368 Fort Collins, CO 80525
<b>Location:</b>	Section 16-T9S-R22E (Common Schools Trust)
<b>County:</b>	Carbon

### I. TYPE AND PURPOSE OF ACTION

Baldwin Lynch Energy has requested permission to drill a new Lakota Wildcat well in Sec. 16 T9S-R22E. A well pad and access road would be constructed to drill and maintain the well. This document will review the drilling and completion of the well along with effects to the surface. The well's APD shows it would be drilled to a vertical depth of approximately 8900 feet TVD and would produce out of the Lakota formation. If the well is economically viable, pertinent production equipment will be installed downhole and on the surface.

### II. PROJECT DEVELOPMENT

#### 1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

*Provide a brief chronology of the scoping and ongoing involvement for this project.*

Baldwin Lynch Energy applied for a permit to drill an oil well on State Trust Lands through the Montana Board of Oil and Gas. Baldwin Lynch Energy leases the right to develop the oil and gas minerals within the proposed section. Ben Jones, Petroleum Engineer for the Board of Oil and Gas approved the APD on October 19, 2021. The document was then sent to Zack Winfield, Petroleum Engineer, Minerals Management Bureau – Trust Lands, for review. An authorization letter from the Minerals Management Bureau would need to be received by the proponent prior to drilling activities. The Southern Land Office of the TLMD and the surface lessee for the tract have been notified of the company's intent to drill the well. Surface damage settlements would be negotiated between Baldwin Lynch Energy and the surface lessee. Baldwin Lynch Energy has obtained consultation through the Montana Sage Grouse Habitat Conservation program. They have already paid the debits through the program, for this project.

#### 2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

Baldwin Lynch Energy has submitted Permit Form 22 to the Montana Board of Oil and Gas Conservation to drill the State 16-33 well.

Carbon County requires a conditional use permit for oil and gas development. The permit can be acquired from their website and submitted to the county for review.

**3. ALTERNATIVES CONSIDERED:**

No Action Alternative: The application for permit to drill the State 16-33 well would not be authorized and a well would not be drilled.

Action Alternative: Baldwin Lynch Energy, would obtain authorization to construct an access road, build a well pad, and drill a Lakota formation well on State Trust Lands.

**III. IMPACTS ON THE PHYSICAL ENVIRONMENT**

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

**4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:**  
*Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.*

The geology in section 16 is comprised of one main member. The Fort Union Formation, Tongue River Member is described as Yellowish orange sandstone, sandy and silty carbonaceous shale, and coal. Alluvial plain. Thickness as much as 300 m (984 ft)

The soils in section 16 that will be affected by the building of the road are comprised of the Travessilla Complex and a sandstone outcrop. Neither of these members are rated for compatibility, suitability for roads or erosion hazards through the USGS database. Nearby soils contained within the NW4NW4 of section 16 have slight to moderate ratings for soil compatibility, suitability for roads, and erosion hazards.

**5. WATER QUALITY, QUANTITY AND DISTRIBUTION:**  
*Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.*

Wills Ditch runs through the NW4NW4 of section 16 for approximately 700 feet.

The well would be drilled in two primary stages. The first stage is the surface portion, while the secondary stage is the intermediate interval or the production portion. The surface hole would be drilled with a 12.25" bit and would use a freshwater gel mud to protect fresh-water aquifers. Lost circulation is expected during the drilling of porous formations such as loose gravel or coal seams. This has occurred in nearby wells. To mitigate lost circulation, the crew would add lost circulation material to the mud, which thickens the fluid and helps to prevent losses. The surface hole would be drilled to 900' MD and would be cased and cemented back to surface. The remaining wellbore would be drilled with a 7.875" bit and cased with 5.5" production casing which would be cemented as well.

A temporary pit would be constructed to store drilling fluids and cuttings. Upon completion of the well, the pit would be reclaimed, and become part of the well pad. The size of the pad would also be reduced if the well is successful.

There are no freshwater wells according to Montana's GWIC database contained within section 16.

Water for drilling would be purchased from local irrigation water sources and water for cementing would be purchased from Belfry or Bridger City water supply.

Water used for the drilling of the well would have minimal impacts to the abundance of water in the area.

There are no anticipated effects to the ground water or surface water quality in the area.

**6. AIR QUALITY:**

*What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.*

A short duration increase in airborne pollutants and particulates would occur from machinery exhaust and dust during proposed well pad construction and drilling activities. Minimal short-term impacts to air quality are expected. If commercial quantities of hydrocarbons are found, associated natural gas may likely be produced along with the oil. Depending on proximity of gas lines, natural gas flaring is allowed on a temporary basis as is permitted by the Board of Oil and Gas Conservation. The products of natural gas flaring are carbon dioxide and water.

**7. VEGETATION COVER, QUANTITY AND QUALITY:**

*What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.*

Vegetation in Section 16 consists of the following: western wheatgrass, bluebunch wheatgrass, sedge, crested wheatgrass, fringed sagewort, prickly pear, broom snakeweed, big sagebrush, cheatgrass.

Surface damages would occur at the site of the well pad and the corresponding access road. Upon abandonment of the well, Baldwin Lynch Energy would be expected to reclaim the surface disturbance using stocked topsoil and a seeding mixture approved by the DNRC's Southern Land Office.

Surface damage compensation would be negotiated between the operator and the surface lessee.

**8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:**

*Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.*

Disruption to wildlife would occur during the life of the well. The construction of the well pad, and access road along with the drilling of the well, would create temporary disruptions to the species inhabiting the area. If the well is economic, a portion of the pad would be reclaimed and there would be trucks going to and from the well for maintenance. If the well is non-economic, the pad and access road would be reclaimed completely. The scope of this project would not change enough area to permanently effect the wildlife.

**9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:**

*Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.*

A search was conducted using the Montana Natural Heritage Program database to identify point observations of species of concern in the section of the proposed activity. There were no point species of concern documented in Section 16 in the last 10 years.

Section 16 is contained within general sage grouse habitat. The proponent has consulted the Montana Sage Grouse Habitat Conservation Program. They have paid the debits and have received authorization to move forward with the project from the program.

The project is contained within the Greater Yellowstone Ecosystem. This Ecosystem contains grizzly bears which are a threatened species according to the federal government. This project would not significantly change the Greater Yellowstone Ecosystem and would have miniscule affects on the grizzly population held within the ecosystem.

The project is also contained within a buffer area for Townsend's Big-eared bat, a species of concern. Lights and noise from the drilling rig may have adverse effects on the bats temporarily, however there are no long-term negative effects anticipated.

**10. HISTORICAL AND ARCHAEOLOGICAL SITES:**

*Identify and determine effects to historical, archaeological or paleontological resources.*

A Class III cultural and paleontological resources inventory was conducted of this project's area of potential effect (APE) in 2008 for a seismic project. Despite a detailed examination, no cultural or fossil resources were identified in APE. No additional archaeological or paleontological investigative work is recommended. The proposed project will have *No Effect* to *Antiquities* as defined under the Montana State Antiquities Act. A formal report of findings from the 2008 inventory work is on file with the DNRC and the Montana State Historic Preservation Officer.

**11. AESTHETICS:**

*Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.*

Impacts to aesthetics would be minimal during the scope of this project. The drilling rig may be visible from MT HWY 72 during the construction of the well pad and drilling of the well. After drilling activities are completed, aesthetics would only be changed within the surface area of the well pad and access road. Depending upon the production success of the proposed well, traffic to and from the well may increase for the maintenance and operation of the well.

**12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:**

*Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.*

There are other oil and gas wells within the general vicinity of the proposed project. Oil in its nature is non-renewable and a limited resource, however the utilization of that resource may only be achieved by extraction. Nearby wells could potentially be affected from the drilling of this well, however this effect is expected to be minimal, and is mitigated by spacing orders issued by the MT BOGC.

**13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:**

*List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.*

If Baldwin Lynch Energy were to drill a successful well, other wells in section 16 and neighboring lands may be proposed to utilize and develop an oil resource.

**IV. IMPACTS ON THE HUMAN POPULATION**

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

**14. HUMAN HEALTH AND SAFETY:**

*Identify any health and safety risks posed by the project.*

No human and health safety risks were identified because of the proposed project other than the typical occupational hazards that coincide with drilling and production operations.

**15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:**

*Identify how the project would add to or alter these activities.*

The proposed project would temporarily alter grazing activities where the well pad is constructed. The pad is approximately 300 feet by 200 feet. This ground would not be utilized for grazing production until it is reclaimed. The surface lessee of the tract would be properly compensated through the State's surface damages agreement.

**16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:**

*Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.*

The proposed project has the potential to create jobs based upon the success of the well.

**17. LOCAL AND STATE TAX BASE AND TAX REVENUES:**

*Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.*

No significant impact from a single well. However, if multiple wells are successful in the area, the local tax revenue could increase.

**18. DEMAND FOR GOVERNMENT SERVICES:**

*Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services.*

No significant impact.

**19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:**

*List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.*

No known zoning or management plans exist for this area.

**20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:**

*Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.*

The public hunts for big game and bird species on this tract. However, the construction of the road and well pad, along with the drilling of the well should not hinder the ability to hunt the tract.

**21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:**

*Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.*

No impact.

**22. SOCIAL STRUCTURES AND MORES:**

*Identify potential disruption of native or traditional lifestyles or communities.*

No impact.

**23. CULTURAL UNIQUENESS AND DIVERSITY:**

*How would the action affect any unique quality of the area?*

No impact.

**24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:**

*Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.*

The existing oil and gas lease provides approximately \$960 in rental fees, annually. If the well is drilled and proves to be economic, the revenue generated from this tract will increase. A production royalty rate of 16.67% will be paid for all oil and gas produced from the well. This would generate significant revenue to the trust and would create a sustainable source of income for the life of the well, if successful.

<b>EA Checklist Prepared By:</b>	<b>Name:</b> Zackary Winfield	<b>Date:</b> 11/24/21
	<b>Title:</b> Petroleum Engineer	

**V. FINDING**

**25. ALTERNATIVE SELECTED:**


After reviewing the Environmental Assessment, I have selected the Action Alternative, to authorize the proponent's APD. I believe this alternative can be implemented in a manner that is consistent with the long-term sustainable natural resource management of the area and generate revenue for the common school trust.

**26. SIGNIFICANCE OF POTENTIAL IMPACTS:**

Wildlife in the area may be affected in the short and long term from increased activity and habitat alteration. The scope of the project is small enough that any wildlife species will be able to adapt and move to nearby areas where they will be less exposed to the impacts of the project.

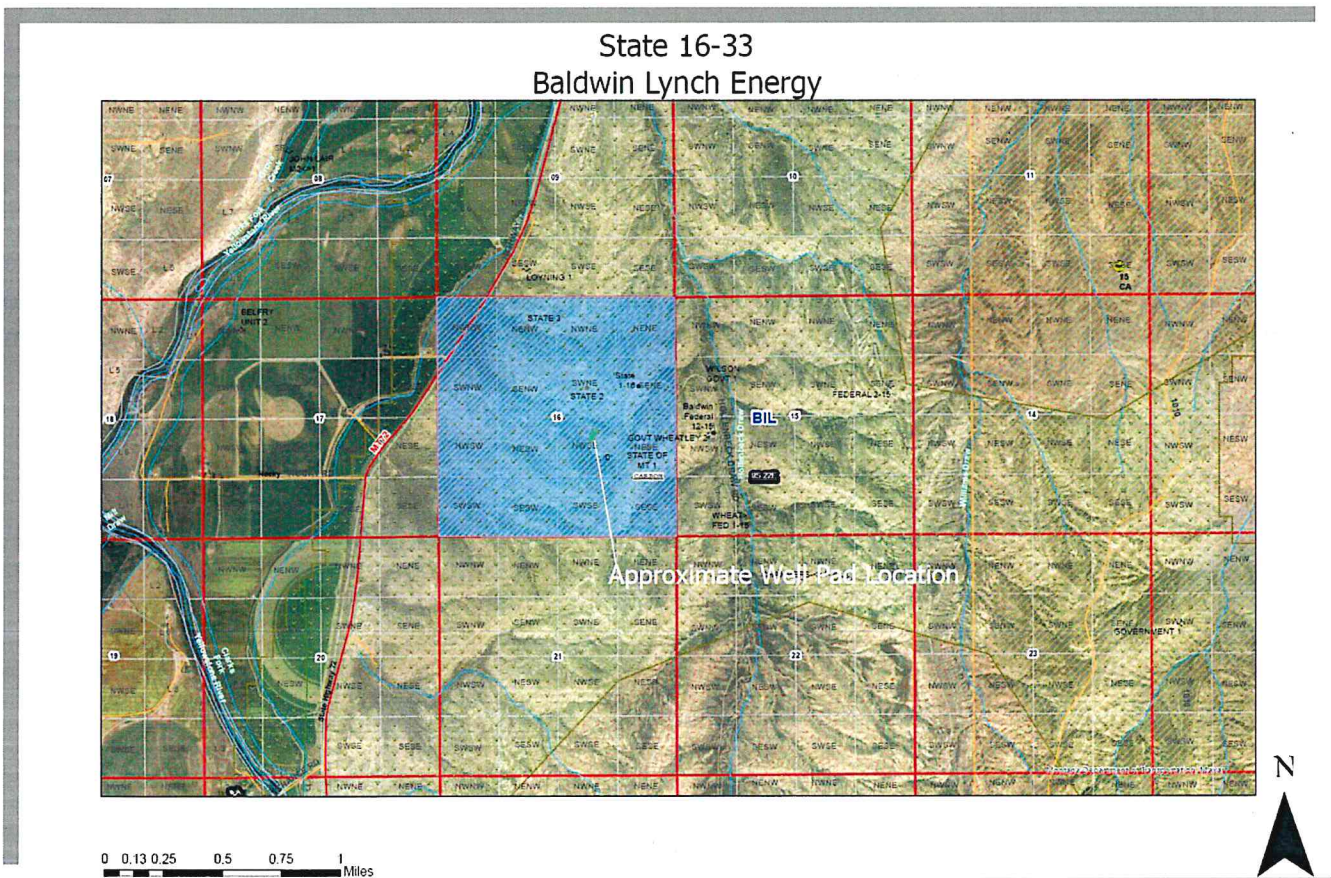
**27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:**

- EIS                     
 More Detailed EA                     
 No Further Analysis

<b>EA Checklist Approved By:</b>	<b>Name:</b> Trevor Taylor	<b>Date:</b> 11/24/21
	<b>Title:</b> MMB Bureau Chief	
<b>Signature:</b> 		



Map showing the approximate location of the well pad.



**ROAD USE EASEMENT AND ACCESS AGREEMENT**

This ROAD USE EASEMENT AND ACCESS AGREEMENT (“Agreement”), effective as of the date executed (“Effective Date”), is by and between SUNLIGHT RANCH COMPANY, a Wyoming corporation, with an address of 431 Pass Creek Road, Parkman, WY 82838 (“SRC”), and BALDWIN-LYNCH ENERGY CORP., with an address of 1001 A East Harmony Road, #368, Fort Collins, CO 80525, (“Baldwin”).

**RECITALS**

A. WHEREAS, SRC owns the surface of certain lands located in Carbon County, Montana, more particularly described as follows:

Township 9 South, Range 22 East, P.M.M.

Section 4: SW¼SW¼

(“Subject Lands”);

B. WHEREAS, Baldwin desires to cross the Subject Lands in order to access adjacent lands that are covered by oil and gas leases, the lands and leases more particularly described as follows:

<b>Federal Oil and Gas Lease MTM 96325</b>	<u>Township 9 South, Range 22 East, P.M.M.</u> Section 15: ALL
<b>State of Montana Oil and Gas Lease OG-36538-06</b>	<u>Township 9 South, Range 22 East, P.M.M.</u> Section 16: ALL
<b>Federal Oil and Gas Lease MTM 110977</b>	<u>Township 9 South, Range 22 East, P.M.M.</u> Section 22: N½

(“Baldwin Leases”); and

C. WHEREAS, subject to the terms and conditions of this Agreement, SRC is amenable to granting Baldwin access to and use of portions of an existing road located on the Subject Lands, for the limited purposes described in this Agreement.

**AGREEMENT**

NOW THEREFORE, for and in consideration of the covenants and agreements contained herein, and other valuable consideration, the receipt and sufficiency of which are acknowledged, SRC and Baldwin agree as follows:

1. SRC grants to Baldwin, its successors and assigns, a temporary, non-exclusive easement and right of way (“Easement”) for the limited purpose of ingress and egress between Montana State Highway 72 and the Baldwin Leases, as depicted in the plat attached hereto as Exhibit A, in order to access oil and gas wells located on the Baldwin Leases (“Subject Wells”).

2. SRC grants to Baldwin, its agents, employees, and assigns, a temporary, non-exclusive license to use, maintain, upgrade, and repair the Easement depicted on Exhibit A, including normal and reasonable improvements and moderate leveling and scraping thereto, for the purposes specified in this Agreement.
3. Baldwin shall maintain the current grade of the Easement and shall not change the arc of any corners or curves in the Easement. Baldwin shall maintain the entire roadway, from Highway 72 to Baldwin's Leases, in usable condition, free from ruts and erosions.
4. All surface and mineral uses not inconsistent with the rights of Baldwin in this Agreement, including the right to grant successive easements on or across the Subject Lands, are reserved to SRC. The rights granted to Baldwin in this Agreement are subject to any other rights that may have been granted by SRC or their predecessors with respect to the Subject Lands, as well as rights that may be presently outstanding with respect to the Subject Lands, such as rights to explore and extract minerals, whether such rights are held by SRC, their lessees, assignees, or successors.
5. Baldwin agrees, at its sole cost, risk and expense, to exercise caution in use of the Easement to ensure that normal farming or grazing activities presently used on the Subject Lands can be maintained without interference. Baldwin shall at all times use the Easement in a reasonable and prudent manner so as to prevent damage to the Easement and the Subject Lands.
6. Baldwin shall comply with all applicable laws, rules and regulations of any lawful governmental authority that apply to its activities on the Easement and Subject Lands, including those pertaining to environmental reviews and land reclamation.
7. Baldwin shall use sediment and erosion control methods on all disturbed areas of the Easement and Subject Lands in accordance with federal and state regulations, if applicable.
8. Baldwin shall employ dust suppression methods on the Easement and all disturbed areas of the Subject Lands, including but not limited to speed limits on the Easement; watering of the Easement during construction and high-traffic periods; and ongoing chemical treatment of Easement with dust suppressing compounds. SRC may reasonably require Baldwin to employ additional dust suppression methods. Baldwin may use additional or alternative dust suppression methods with the prior written approval of SRC in SRC's sole discretion.
9. Upon written request from SRC, Baldwin shall install a heavy-gauge steel cattle guard and locking gate ("Improvements") at a location of SRC's choice, near Highway 72. Said Improvements shall be of sufficient size and width to accommodate livestock transport trucks and other ranch equipment as well as Baldwin's oil-field equipment. Upon cessation of Baldwin's use of the Access Road, any and all Improvements, including cattle guards and gates, shall immediately become the property of SRC.
10. Baldwin shall provide SRC with notice of any fresh water Baldwin encounters during its drilling operations, and such additional information available to Baldwin that may be necessary for SRC to locate such fresh water.
11. Baldwin agrees to protect the integrity of SRC's water wells in the immediate area, if any, and the water quality and quantity from said wells from any damage that may occur from Baldwin's use of the Easement and Subject Lands.
12. Baldwin shall monitor the integrity of Owners' water quality and water wells, if any, in accordance with relevant law, as applicable. Should the integrity of water wells be adversely

affected by Baldwin's use of the Easement, Baldwin will be responsible for repairing and/or remediating SRC's water wells and/or drilling a new water well.

13. BALDWIN AGREES TO INDEMNIFY, HOLD HARMLESS, PROTECT AND DEFEND SRC, ITS OFFICERS, DIRECTORS, EMPLOYEES AND CORPORATE AFFILIATES FROM ANY AND ALL CLAIMS OR CAUSES OF ACTION BROUGHT OR FILED FOR ANY REASON WHATSOEVER AS A RESULT OF BALDWIN'S USE OF THE EASEMENT OR SUBJECT LANDS.
14. Unless sooner terminated as provided for herein, this Agreement shall remain in force for the economic life of the Subject Wells, for the limited purpose of ingress and egress between Montana State Highway 72 and the Baldwin Leases ("Term"). During the Term, at its sole cost, risk and expense and following consultation with SRC, Baldwin, its operator or consultants shall be allowed to improve the Easement to achieve a more durable and sustainable condition of the Easement.
15. In the event production attributable to the Baldwin Leases shall cease and the Easement is no longer necessary, following consultation with SRC and after Baldwin, its successors or assigns have plugged or abandoned the Subject Well, Baldwin shall vacate the Easement. Baldwin shall leave the Easement and Subject Lands in a condition reasonably close to the original condition or as improved, as agreed to by SRC.
16. This Agreement shall apply to all successors, assigns, employees, affiliates, insurance carriers, contractors, lessees, agents and representatives of Baldwin and SRC. The parties agree to act in good faith throughout the term of this Agreement with respect to the conditions and obligations herein set forth.
17. SRC reserves the right to terminate this Agreement at any time if Baldwin breaches any material provision herein.

IN WITNESS WHEREOF, the parties have executed this Agreement this 20 day of January, 2022.

**BALDWIN-LYNCH ENERGY CORP.**

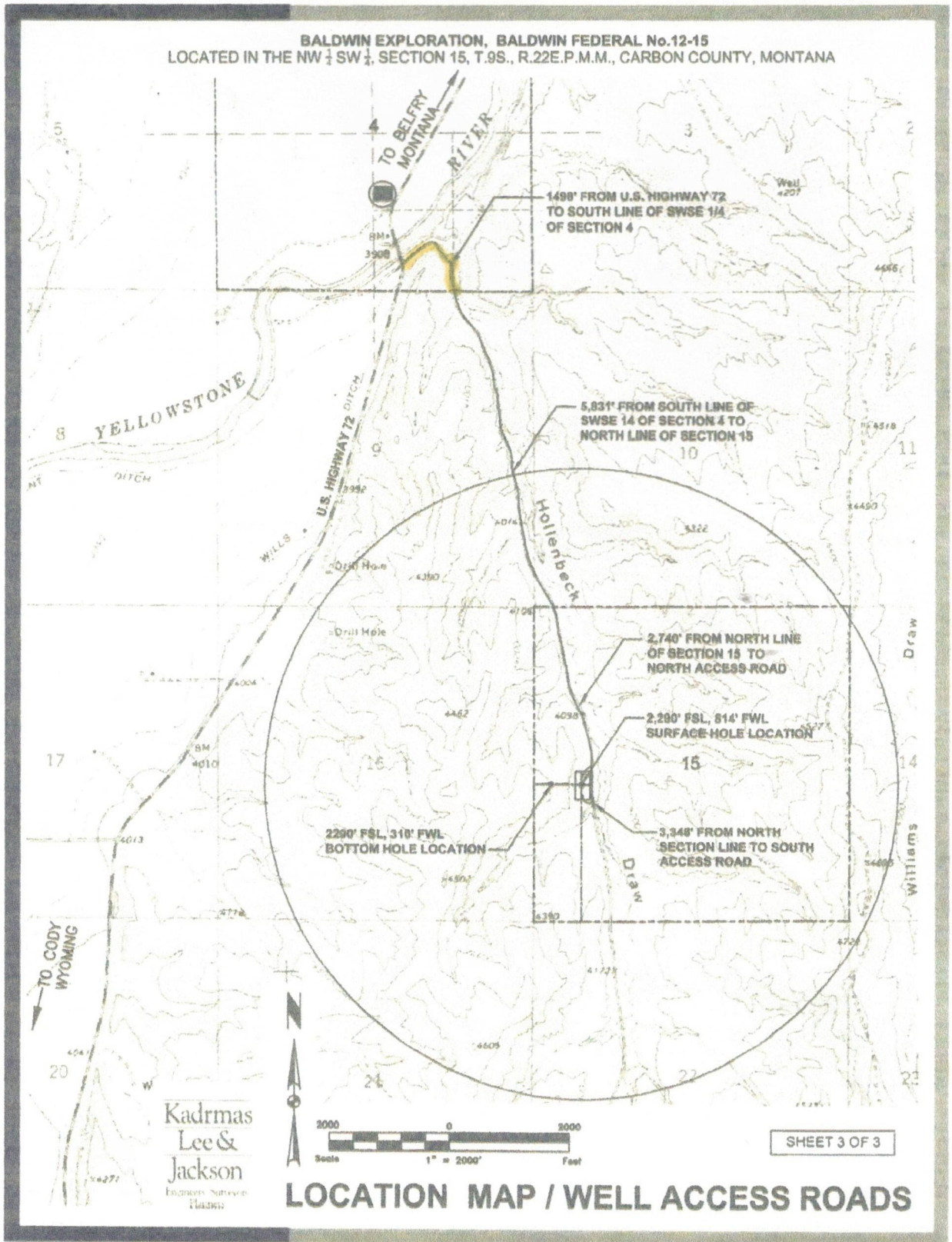
By: 

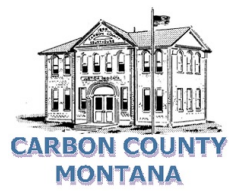
Title: President

**SUNLIGHT RANCH COMPANY**

By: 

Title: GM / VP





# Development Permit Package

Carbon County Montana

Submitted On:  
February 13, 2022 2:20pm  
America/New\_York

<b>What permits are you applying for today?</b>	Conditional Use Permit
<b>Applicant Full Name</b>	Richard Baldwin
<b>Business Name (If Applicable)</b>	Baldwin Lynch Energy
<b>Applicant Mailing Address</b>	1001A E Harmony Rd #368 Fort Collins CO 80525
<b>Applicant Email</b>	rickbaldwin@baldwinlynch.com
<b>Applicant Primary Phone Number</b>	775-691-3074
<b>Type of Primary Phone</b>	Cellular
<b>Cellular provider for Primary Phone</b>	Verizon
<b>Applicant Secondary Phone Number</b>	775-750-3491
<b>Type of Secondary Phone</b>	Cellular
<b>Cellular provider for Secondary Phone</b>	Verizon
<b>Preferred Contact Method</b>	Email
<b>How would you like to receive your permits?</b>	Digital copy (email)
<b>Do you own, rent, or lease the property?</b>	Lease
<b>Are you applying on behalf of a client?</b>	No
<b>Certificate of Survey or Plat Number (include lot or tract number if applicable)</b>	Project # 2107-00531
<b>Has a physical address been assigned to the property?</b>	No
<b>Legal Description of property if known</b>	16 9S 22E
<b>Access to Property</b>	Existing
<b>Current Property Use</b>	Oil and Gas Development

<b>Property Acreage</b>	1.97
<b>Proposed Use / Development to Property</b>	Drill an Oil and Gas Well
<b>What kind of conditional use are you applying for?</b>	Oil and Gas Development (Regulations VIII-A-6)
<b>Describe in detail the proposed conditional use:</b>	Baldwin Lynch Energy seeks approval to drill an oil well.
<b>What type of business activities will be on the property?</b>	Oil Production
<b>Is there surface water on the property?</b>	No
<b>Is the property located in a floodplain?</b>	No
<b>Is the proposed development located in Sage Grouse habitat?</b>	Yes, and I have approval for the development from the Montana Sage Grouse Conservation Program
<b>Are there covenants and/or restrictions on the property that may prohibit the proposed development?</b>	No
<b>Please list any covenants or restrictions that may be in conflict with the proposed development.</b>	There are none
<b>Are there any road, ditch, utility or other easements that exist on the property?</b>	No
<b>Describe existing and proposed water, sewer and wastewater facilities:</b>	None
<b>Describe existing access to the property and how traffic related to the commercial and industrial activity will be directed through the site.</b>	Access by way of Highway 72, then up Hollenback Draw Road.
<b>For construction of new buildings or facilities related to this permit, please state how far they will be set back from each property line:</b>	Not Applicable
<b>Will the proposed activity interfere with agricultural operations by contaminating water sources or interfering with irrigation facilities?</b>	No
<b>Will our conditional use be fenced?</b>	No

<b>Are State or Federal permits needed to conduct this activity on the proposed property?</b>	Yes, I've obtained them
<b>What are the current uses adjacent to the proposed property?</b>	None
<b>Neighboring Property Owner 1</b>	
<b>Neighboring Property Owner 1 Full Address</b>	
<b>Neighboring Property Owner 2</b>	
<b>Neighboring Property Owner 2 Full Address</b>	
<b>More Adjacent Property Owners?</b>	No
<b>Property Site Plan submission</b>	Upload Now
<b>Property Site Plan Upload</b>	<a href="https://seam.ly/jsDjInBE">https://seam.ly/jsDjInBE</a> State16-33_Set210615 (3).pdf <a href="https://seam.ly/q6lqdRJM">https://seam.ly/q6lqdRJM</a> doc03388220211004112643 (2).pdf <a href="https://seam.ly/NnYLIZvh">https://seam.ly/NnYLIZvh</a> Baldwin Lynch Energy State 16-33 EA Final.pdf <a href="https://seam.ly/nWpPDI75">https://seam.ly/nWpPDI75</a> BLE Road Use Easement and Access Agreement.pdf
<b>Time Schedule Submission</b>	Upload Now
<b>Time Schedule Upload</b>	<a href="https://seam.ly/LGiqSATm">https://seam.ly/LGiqSATm</a> State 16-33 Schedule.docx
<b>Estimated number of trips per day</b>	3
<b>Amount to be Paid</b>	850
<b>Signature Data</b>	First Name: Richard Last Name: Baldwin Email Address: rickbaldwin@baldwinlynch.com    Signed at: February 13, 2022 1:51pm America/New_York
<b>Receipt</b>	DPP-0000194



**STATE OF MONTANA  
SAGE GROUSE STEWARDSHIP ACCOUNT  
CONTRIBUTION FORM**



Developer's Name Richard Baldwin  
 Address 1001A East Harmony Road #368  
 City Cort Collins State CO Zip 80525  
 Phone (775) 691-3074

Date July 12 2021

**Description of Purpose of Funds**

**Amount**

The Program completed a review of the Baldwin Lynch Energy State 16-33 Project , on July 12, 2021. The October 2018 v1 Habitat Quantification Tool Technical Manual and the October 2018 v1 Policy Guidance documents were used to determine the total number of debits associated with this project. The mitigation method HC Resources selected to fulfill the mitigation obligation is to make a payment to the Sage Grouse Stewardship Account, as provided for in MCA 76-22-111.

**\$3,718.65**

Baldwin Lynch Energy may be eligible for a refund if the well is a dry hole. The refund applies to only the Operations Phase of your Habitat Quantification Tool results. The Construction and Reclamation Phases of your HQT results are not refundable.

NOTICE: If the well is unsuccessful, Baldwin Lynch Energy should notify the Program and Montana Board of Oil and Gas Conservation (MBOGC) immediately. Refund requests must be made within two years of the date of your MBOGC approval of plug and abandonment of the well.

See Payment Acknowledgment and Refund Request forms included in your letter package for detailed information for requesting a refund.

RETURN THIS FORM WITH PAYMENT

Developer's Signature: Richard T. Baldwin

Date: 9-27-21

**COMMENTS FOR SPECIAL INSTRUCTION:**

Funds can be remitted by check or wire.

**Check Payments:**

**Make checks payable to:**

DNRC  
 Re: Sage Grouse Stewardship  
 P.O. Box 201601  
 1539 11th Avenue  
 Helena, MT 59601

**Wire Instructions:**

Name on Account: State of Montana  
 Routing # 092900383 (last digit is a check digit)  
 Checking Account # 156041200221  
 Bank: US Bank NA MT  
 US Bank Contract: Terri Kunz at 406-447-5252  
**Please include on wire info:**  
 DNRC 57060, Sage Grouse Stewardship

**Sage Grouse Contact:**

Therese Hartman  
 thartman@mt.gov  
 https://sagegrouse.mt.gov/

**RECEIVED**

**SEP 30 2021**

**D.N.R.C.**



**PAYMENT ACKNOWLEDGEMENT**  
FOR DNRC AND SAGE GROUSE PROGRAM USE ONLY

**Developer Name (Payor):** Baldwin Lynch Energy  
**Project Name:** Baldwin Lynch Energy State 16-33  
**Project ID No:** 4409  
**Total Number of Debits:** 395.02  
**Sage Grouse Service Area of Project:** Central Service Area  
**Major and Minor Version of the HQT Technical Manual:** October 2018 v1  
**Major and Minor Version of the Policy Guidance:** October 2018 v1

**APPROVED / DATE**  
MSGOT: \_\_\_\_\_  
SG Program Manager: \_\_\_\_\_  
CARDD Administrator: \_\_\_\_\_  
Anna Miller: \_\_\_\_\_  
FSO: \_\_\_\_\_



**Amount of Deposit:** \$3,718.65  
**Amount of Non-Refundable Funds for Construction and Reclamation** \$322.74  
**Amount Held in Trust for Potential Refunded:** \$3,395.91  
**Date of Wire Transfer or Check Deposit:** \_\_\_\_\_  
**Multiple Payments Expected:** Yes/ No If Yes, date anticipated: \_\_\_\_\_  
**Purchasing Stewardship Account Credits:** Yes / No If Yes, Grant Project Name: \_\_\_\_\_  
**Contribution Equivalent to Average Cost of Credits:** Yes / No If yes, Average Cost / Credit: \$13.00  
**Donation for Purposes Other than Mitigation:** Yes/ No Purpose: \_\_\_\_\_

**Fund Name:** Sage Grouse Stewardship Account (Payee) **Fund No:** 02318 **Org No:** 13 **Speed Chart** R2310

**THIS FORM TO BE SUBMITTED TO THE PROGRAM BY THE DEVELOPER WITH PAYMENT TO FULLFILL MITIGATION OBLIGATION**

Taken together, Executive Orders 12-2015 and 21-2015 and the 2015 Greater Sage Grouse Stewardship Act (Act) set forth that Montana will observe the mitigation hierarchy and that compensatory mitigation is consistent with the purpose of incentivizing voluntary conservation measures for sage grouse habitat and populations. MCA §§ 76-22-102, 76-22-111(1)(a)-(b), (2), and (3). The number of debits attributed to a development project, and ultimately the final mitigation obligation is determined by applying the Habitat Quantification Tool (HQT) and accompanying policy guidance, and as approved by the Montana Sage Grouse Oversight Team. MCA §§ 76-22-103(5), 76-22-103(9), 76-22-103(10), 76-22-105(1)(g), 76-22-111(1)-(3).

Once the amount of compensatory mitigation is determined and approved, developers select their own method for offsetting debits. The Act provides for many different methods, and developers can use more than one method. MCA § 76-22-110(1)(b). Among the available methods, the Act provides that developers can purchase an equal number of credits from the available credits tracked by the Montana Sage Grouse Oversight Team or, if sufficient conservation credits are unavailable for purchase, making a financial contribution to the Sage Grouse Stewardship Account established in MCA § 76-22-109. MCA §§ 76-22-103(4), 76-22-109, 76-22-111(1)(b)(i)-(ii).

This payment to the Sage Grouse Stewardship Account is made by **Baldwin Lynch Energy** to provide compensatory mitigation for the debits of the **Baldwin Lynch Energy State 16-33 Well** in designated sage grouse habitat pursuant to MCA §§ 76-22-111(1)-(3). The purpose of the funds is to mitigate and offset impacts to sage grouse populations and habitats resulting from the Project. Additional details can be found in the approved mitigation plan and donation form.

In October 2020, the Oversight Team approved a modified policy approach for unsuccessful oil and gas wells (dry holes) if properly plugged and abandoned and the proponent has selected the Stewardship in October 2020. The modified policy is applicable to this project. The modified approach requires **Baldwin Lynch Energy** to make the contribution to the Account assuming the well will be successful. If the well is unsuccessful and

results in a dry hole, **Baldwin Lynch Energy** is eligible for a partial refund from the Account corresponding to the Operations phase of the project. The Account retains Construction and Reclamation Phase portions.

If the well is unsuccessful, **Baldwin Lynch Energy** should notify the Program and Montana Board of Oil and Gas Conservation (MBOGC) immediately. You must provide documentation and meet specific timing deadlines to be entitled to a refund for a portion of your mitigation obligation. **Baldwin Lynch Energy** must provide the Program with documentation from the Montana Board of Oil and Gas Conservation of the date the wells were plugged and abandoned to MBOGC requirements. This documentation will demonstrate proper plugging and abandoning of the well and initiation of site reclamation. Written notice must be sent to [sagegrouse@mt.gov](mailto:sagegrouse@mt.gov)

The refund applies to only the Operations Phase of your mitigation obligation. The Construction and Reclamation phases of the project is not eligible for a refund. Refund Request must be sent to [sagegrouse@mt.gov](mailto:sagegrouse@mt.gov)

Refunds for the Construction Phase of the project is applicable to this well. If the well is plugged and abandoned, and new roads or other infrastructure are removed and reclaimed, you may be entitled to up to \$3,395.91. The Construction and Reclamation phases are not refundable. The Account will retain \$322.74 for construction impacts and reclamation.

Additional HQT calculations may be needed if the well is unsuccessful and the final remaining infrastructure turns out to be different from what would occur if the well had been successful. If the well is unsuccessful, **Baldwin Lynch Energy** should proceed with the work necessary to properly plug and abandon the well following MBOG procedures. **Baldwin Lynch Energy** must notify the Program immediately of any changes in the proposed project for additional analysis.

Refund requests must be made within two years of the date of your MBOGC approval of plug and abandonment of the well.

Failure to submit a refund request to the Program within two years from the date MBOGC approves the wells have been properly plugged and abandoned, may result in forfeiture of the Operations Phase of your Stewardship Account contribution. The Account may retain funds because, either the well was not properly plugged and abandoned to MBOGC requirements; or the Operator missed the deadline to submit refund request.

The Montana Sage Grouse Oversight Team will approve expenditures of funds deposited to the Sage Grouse Stewardship Account consistent with the approved mitigation plan, the Greater Sage Grouse Stewardship Act, and applicable administrative rules to offset the impacts of the **Baldwin Lynch Energy Baldwin Lynch Energy State 16-33 Well.**

\_\_\_\_\_  
Date 9-27-21

By: *Richard Bullock*  
Developer or Authorized Representative (Payor)

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Sage Grouse Habitat Conservation Program (Payee)

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Department of Natural Resources & Conservation (Payee)

## Forrest Mandeville

---

**From:** Richard Baldwin <rickbaldwin@baldwinlynch.com>  
**Sent:** Sunday, February 20, 2022 10:46 AM  
**To:** Forrest Mandeville  
**Subject:** Re: Conditional Use Permit - Carbon County, MT  
**Attachments:** Pictures.zip

**Forrest - Good talking with you the other day and please let me know if you have any other questions, please see clarification responses below:**

1. The Carbon County Development Regulations, Section VIII-A.9.c.i, requires a map showing surface water and wells within 1/2 mile of the drilling site. Can you confirm if there is surface water or wells within 1/2 mile, and if so, please provide the locations of each on a map.
- **No map is necessary as there are no surface water or wells within a 1/2 mile. A google earth image of the drill site location and surrounding areas was provided in the attached compressed folder.**
1. The above referenced section of the Development Regulations also requires color photos of the drilling location and of the area to the north, south, east, and west. Please provide such photos.
- **Pictures provided as attachment, let me know if there are issues opening attachment.**
1. Section VIII-A.9.c.iii requires baseline water sampling of four samples of ground/surface water within 1/4 of the site if available. If there are not 4 sampling sites, the testing area is extended to 1/2 mile. Are there four suitable and available testing sites for ground or surface water within 1/2 mile of the drilling site?
- **No water sampling is necessary as there is no surface water within the 1/2 mile range of the proposed drilling site.**
1. Section VIII-A.9.c.iv requires a dust mitigation plan. Has a dust mitigation plan been prepared or considered?
- **With no residential and minimal recreational interest in the area, as well as limited amount of operational use required, no dust mitigation plan considered**

Regards,

**Rick Baldwin**  
**775-691-3074**

On Mon, Feb 14, 2022 at 2:58 PM Forrest Mandeville <[Forrest@forrestmandevilleconsulting.com](mailto:Forrest@forrestmandevilleconsulting.com)> wrote:  
Mr. Baldwin,

I am the contracted planner for Carbon County and am reviewing the Conditional Use Permit you submitted. I wanted to reach out because I have a couple of questions in order to process your application.

1. The Carbon County Development Regulations, Section VIII-A.9.c.i, requires a map showing surface water and wells within 1/2 mile of the drilling site. Can you confirm if there is surface water or wells within 1/2 mile, and if so, please provide the locations of each on a map.
2. The above referenced section of the Development Regulations also requires color photos of the drilling location and of the area to the north, south, east, and west. Please provide such photos.
3. Section VIII-A.9.c.iii requires baseline water sampling of four samples of ground/surface water within 1/4 of the site if available. If there are not 4 sampling sites, the testing area is extended to 1/2 mile. Are there four suitable and available testing sites for ground or surface water within 1/2 mile of the drilling site?
4. Section VIII-A.9.c.iv requires a dust mitigation plan. Has a dust mitigation plan been prepared or considered?

Please let me know if you have any questions. The Development Regulations are available online for your reference: [Carbon-County-Development-Regulations-Adopted-May-2021.pdf](#).

You can reply to this email with requested information if that is most convenient.

Thank you,

Forrest J. Mandeville, AICP

Owner/Planner

Forrest Mandeville Consulting

PO Box 337

Columbus, MT 59019

Forrest@ForrestMandevilleConsulting.com

Phone: (406) 690-1933

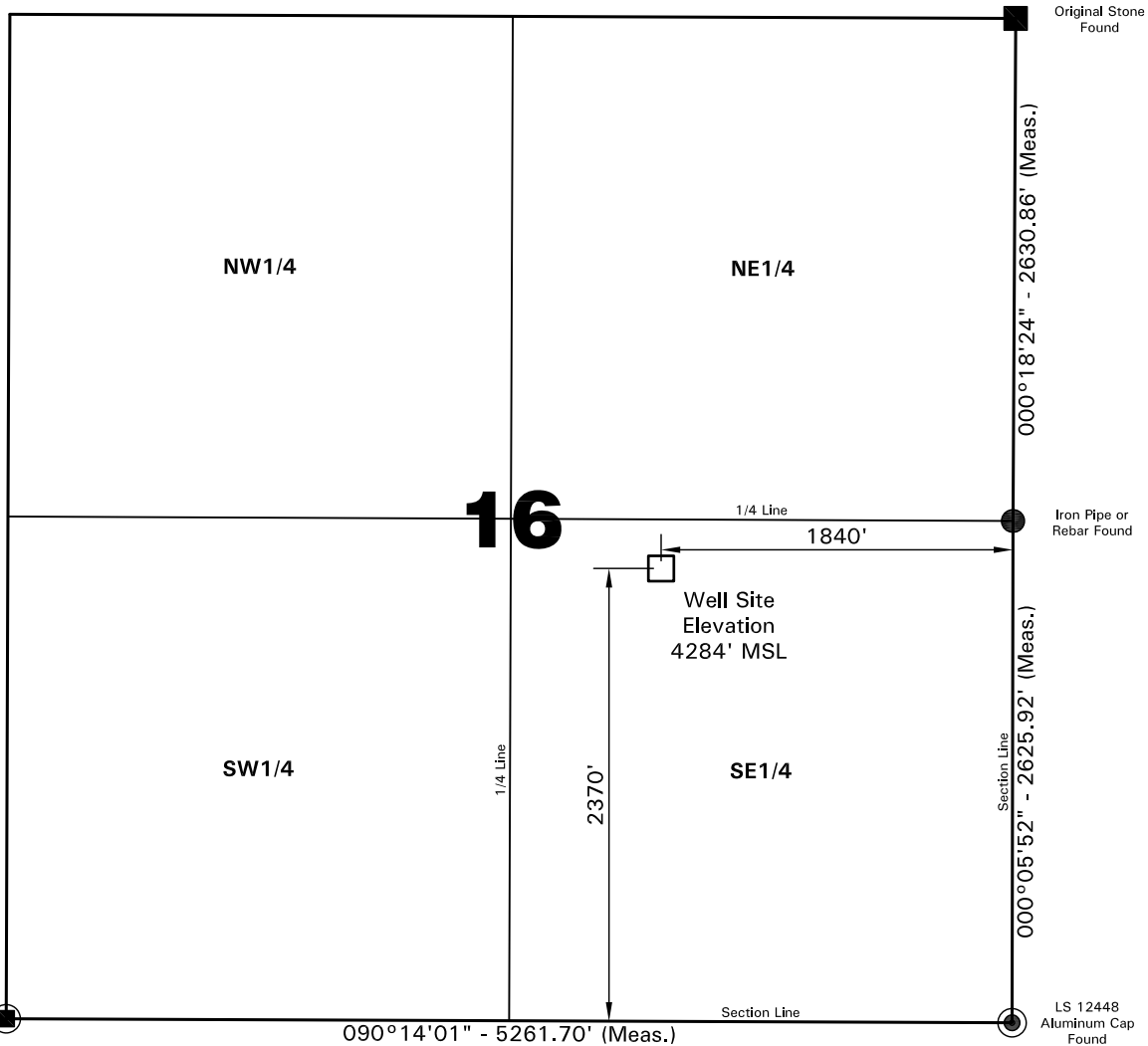
[www.ForrestMandevilleConsulting.com](http://www.ForrestMandevilleConsulting.com)

# WELL LOCATION PLAT

**Baldwin Lynch Energy**  
 1101A East Harmony Road #368, Fort Collins, CO, 80525  
 State 16-33

**2370 feet from the south line and 1840 feet from the east line (surface location)**  
 Section 16, T. 9 S., R. 22 E., P.M.M.  
 Carbon County, Montana  
 Surface owner @ well site - State of Montana  
**Latitude 45°03'02.297" North; Longitude 109°02'00.501" West (surface location)**  
 [Derived from OPUS Solution NAD-83(2011)]

Confidentiality Notice: The information contained on this plat is legally privileged and confidential information intended only for the use of recipients. If you are not the intended recipients, you are hereby notified that any use, dissemination, distribution or copying of this information is strictly prohibited.



**NOTE:**

All corners shown on this plat were found in the field as shown hereon. Distances to all others are calculated. The azimuths shown on this plat are grid, based upon **Geodetic North** derived from GPS measurements at the center of the project origin located at the NW corner of Section 15 T.9S., R.22E., P.M.M., Latitude 45°03'30.721" North; Longitude 109°01'34.675" West. Azimuths represent the calculated value from the central meridian using the forward bearing. The well location shown hereon is not an as-built location.

**Scale 1"=1000'**

I, Darryl Magnuson, Professional Land Surveyor, MT, No. 17791, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief.

Darryl Magnuson 5/21/2021  
 Surveyed By MT. P.L.S. # 17791 Date

Vertical Control Datum Used  
 North American Vertical Datum 1988 (NAVD 88)  
 Based on elevation derived from OPUS Solution on CP\*1 (60D Nail) Located a distance of 1972.73' on an azimuth of 354°40'42" from the NW corner of Section 22 T.9S., R.22E., P.M.M. being at 4354.56' Elevation MSL.

Professional Consulting Engineers and Surveyors  
 Registered in  
 North Dakota, South Dakota  
 Montana, Wyoming & Minnesota  
 Tele-Fax No. 855-288-8055  
 Bus. Phone No. 406-245-5499  
 P.O. Box 80303  
 2611 Gabel Road.  
 Billings, Montana 59108-0303  
 Certificate of Authorization #37-EF



Project No. 2107\_00531  
 Book 02-14 Pg. 31-33 Staking

**Baldwin Lynch Energy**  
**State 16-33**  
**Section 16, T 9 S, R 22 E, P.M.M.**  
**Carbon County, Montana**

**Well Site Elevation 4289.9' MSL**  
**Well Pad Elevation 4283.9' MSL**

**Excavation 21,431 C.Y.**

**Embankment 16,349 C.Y.**  
**Plus Shrinkage (+ 30%) 4,905 C.Y.**  


---

**21,254 C.Y.**

**Stockpile Topsoil (2") 765 C.Y.**

**Road Embankment & Stockpile from Pad 177 C.Y.**

**Disturbed Area From Pad 1.97 Acres**

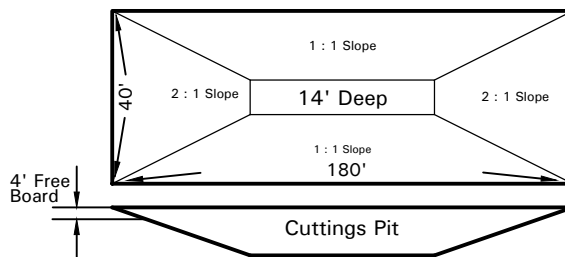
**NOTE:**

**All cut end slopes are designed at 1:1 slopes &  
All fill end slopes are designed at 2:1 slopes**

**Well Site Location**

**2370' FSL**

**1840' FEL**



**Confidentiality Notice:**

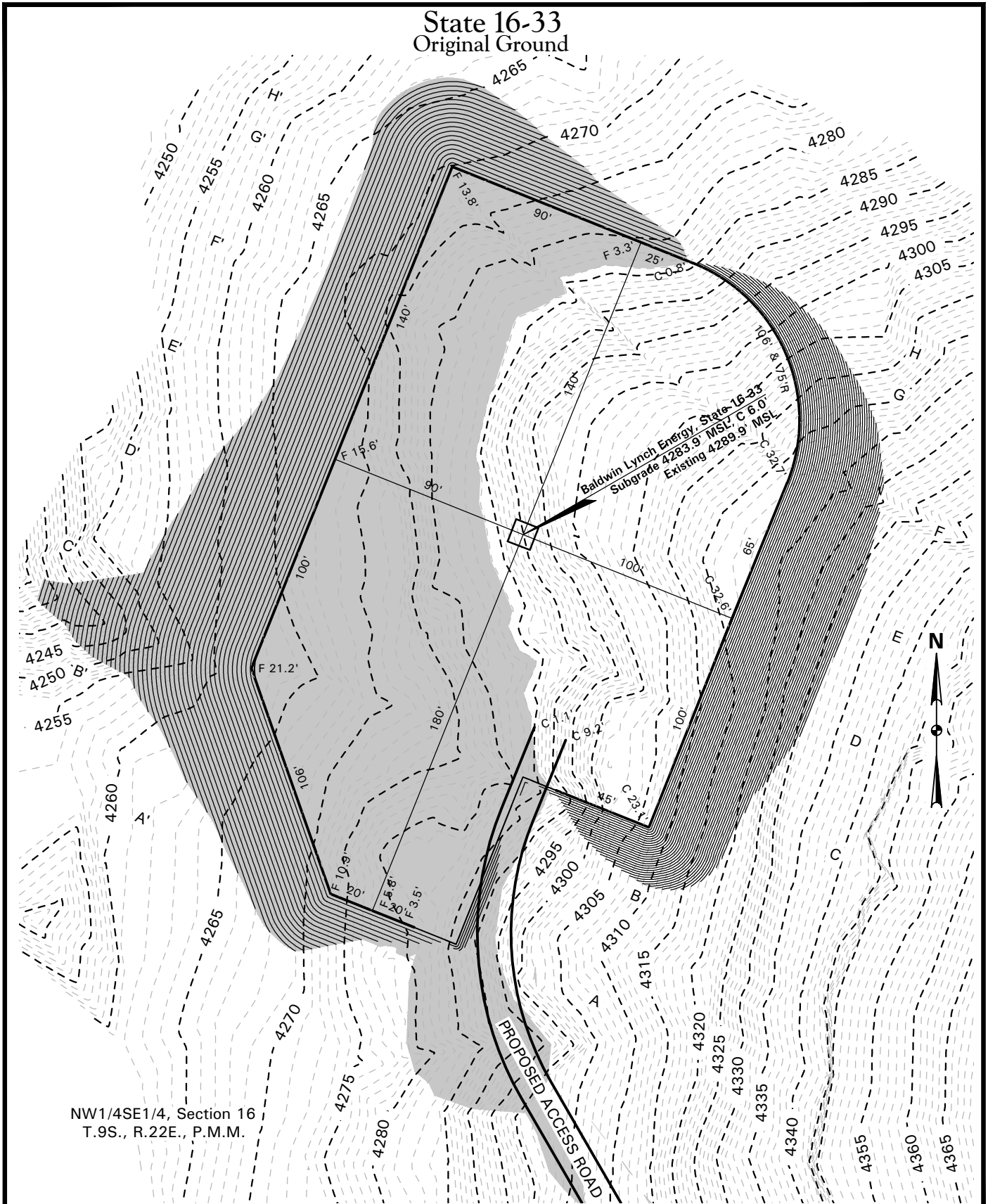
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REVISED: 6/15/2021

Computed & Drawn By <b>M.B. &amp; A.C.</b>	Surveyed By <b>D. Magnuson</b>	Approved By <b>R. Baldwin</b>	Scale <b>None</b>	Date <b>5/21/2021</b>
Field Book <b>02-14</b>	Material <b>Quantities</b>	Revised <b>-</b>	Project No. <b>2107-00531</b>	Drawing No. <b>2</b>



# State 16-33 Original Ground



NW1/4SE1/4, Section 16  
T.9S., R.22E., P.M.M.

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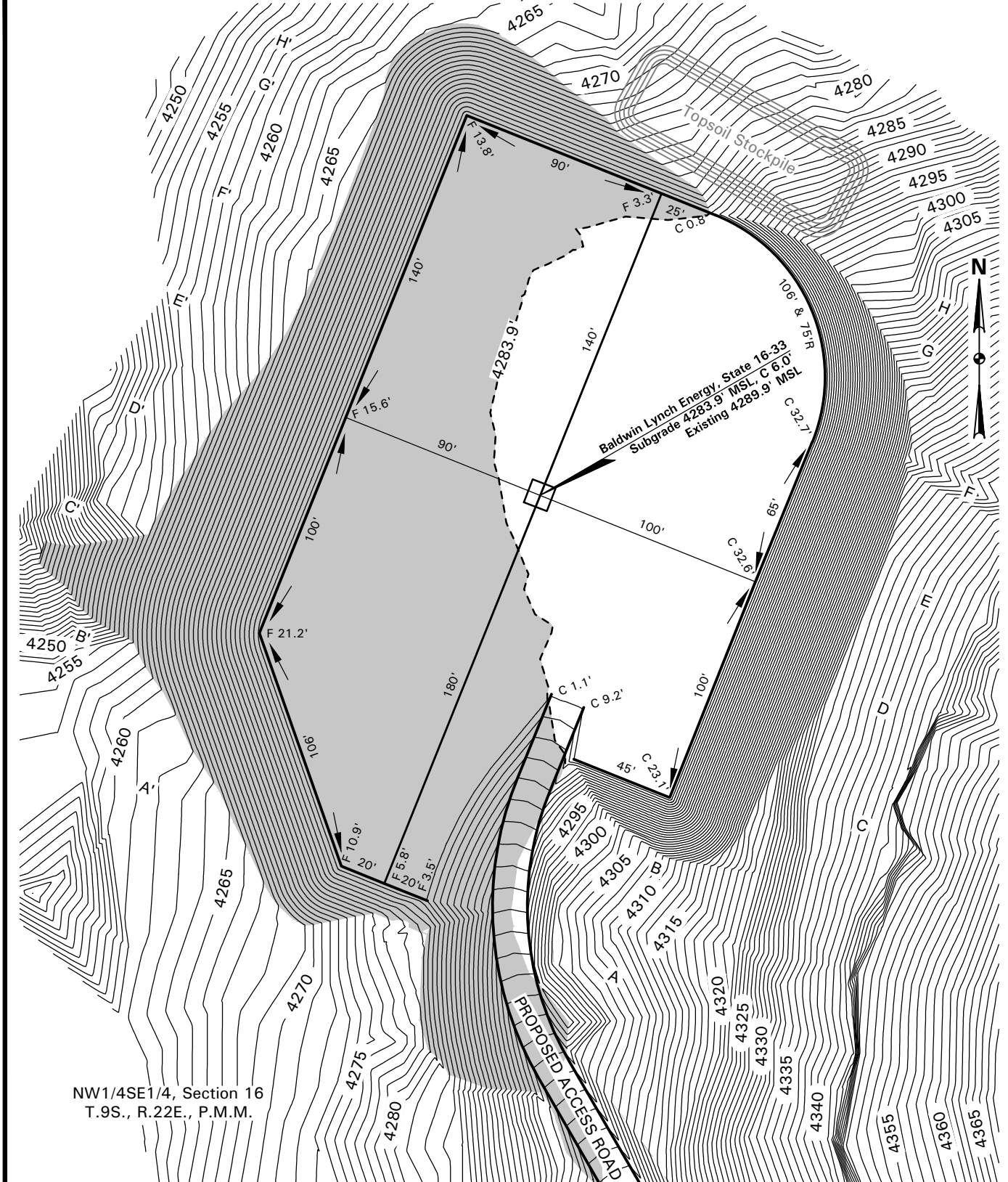
REVISED: 6/15/2021

Computed & Drawn By <b>M.B. &amp; A.C.</b>	Surveyed By <b>D. Magnuson</b>	Approved By <b>R. Baldwin</b>	Scale <b>1" = 60'</b>	Date <b>5/21/2021</b>
Field Book <b>02-14</b>	Material <b>Original Ground</b>	Revised <b>-</b>	Project No. <b>2107-00531</b>	Drawing No. <b>3</b>





# State 16-33 Pad Layout



NW1/4SE1/4, Section 16  
T.9S., R.22E., P.M.M.

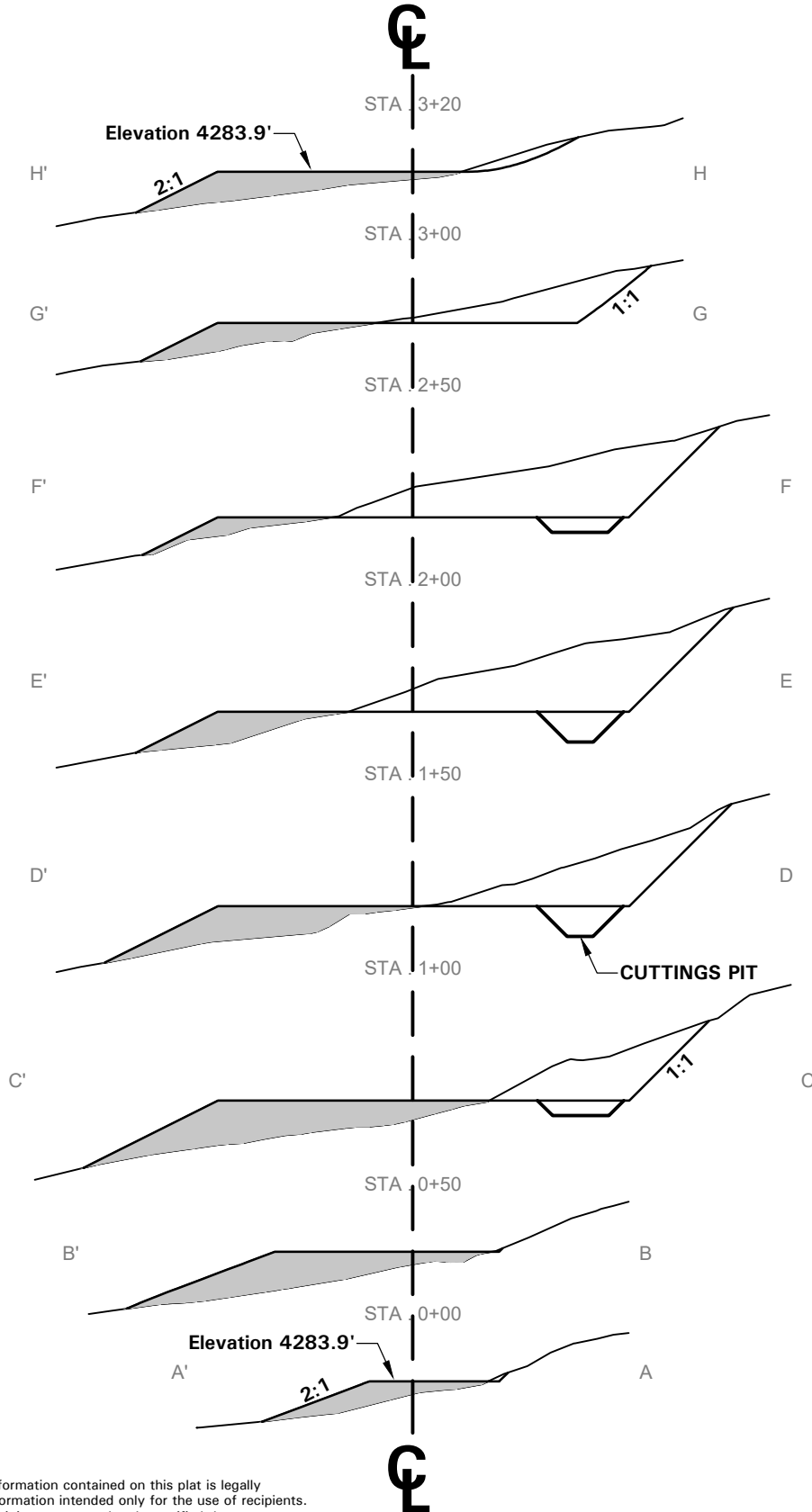
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REVISED: 6/15/2021

Computed & Drawn By <b>M.B. &amp; A.C.</b>	Surveyed By <b>D. Magnuson</b>	Approved By <b>R. Baldwin</b>	Scale <b>1" = 60'</b>	Date <b>5/21/2021</b>
Field Book <b>02-14</b>	Material <b>Pad Layout</b>	Revised <b>-</b>	Project No. <b>2107-00531</b>	Drawing No. <b>4</b>



# State 16-33 Cross Sections



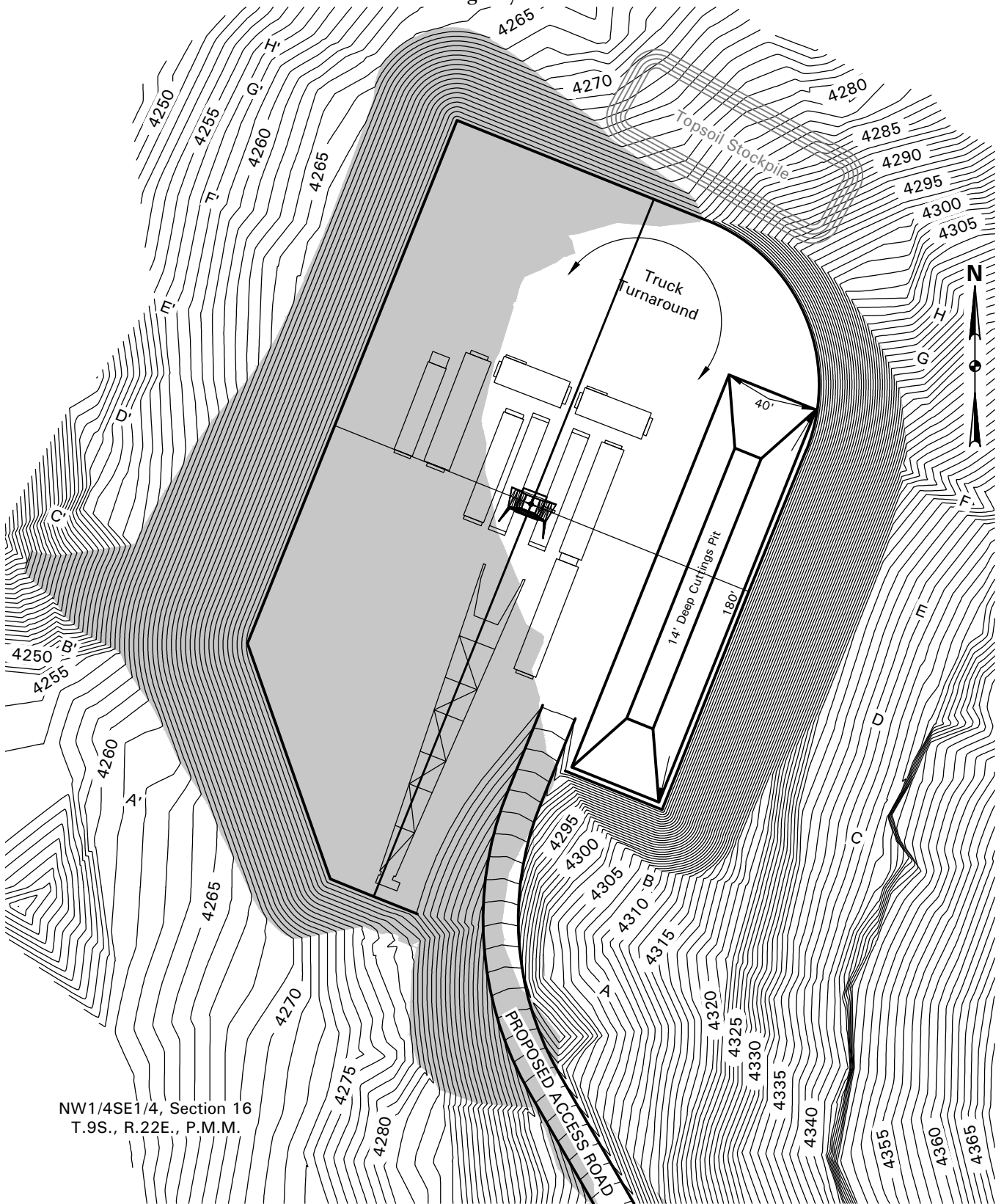
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REVISED: 6/15/2021

Computed & Drawn By <b>M.B. &amp; A.C.</b>	Surveyed By <b>D. Magnuson</b>	Approved By <b>R. Baldwin</b>	Scale <b>1" = 80'</b>	Date <b>5/21/2021</b>
Field Book <b>02-14</b>	Material <b>Cross Sections</b>	Revised <b>-</b>	Project No. <b>2107-00531</b>	Drawing No. <b>5</b>



# State 16-33 Rig Layout



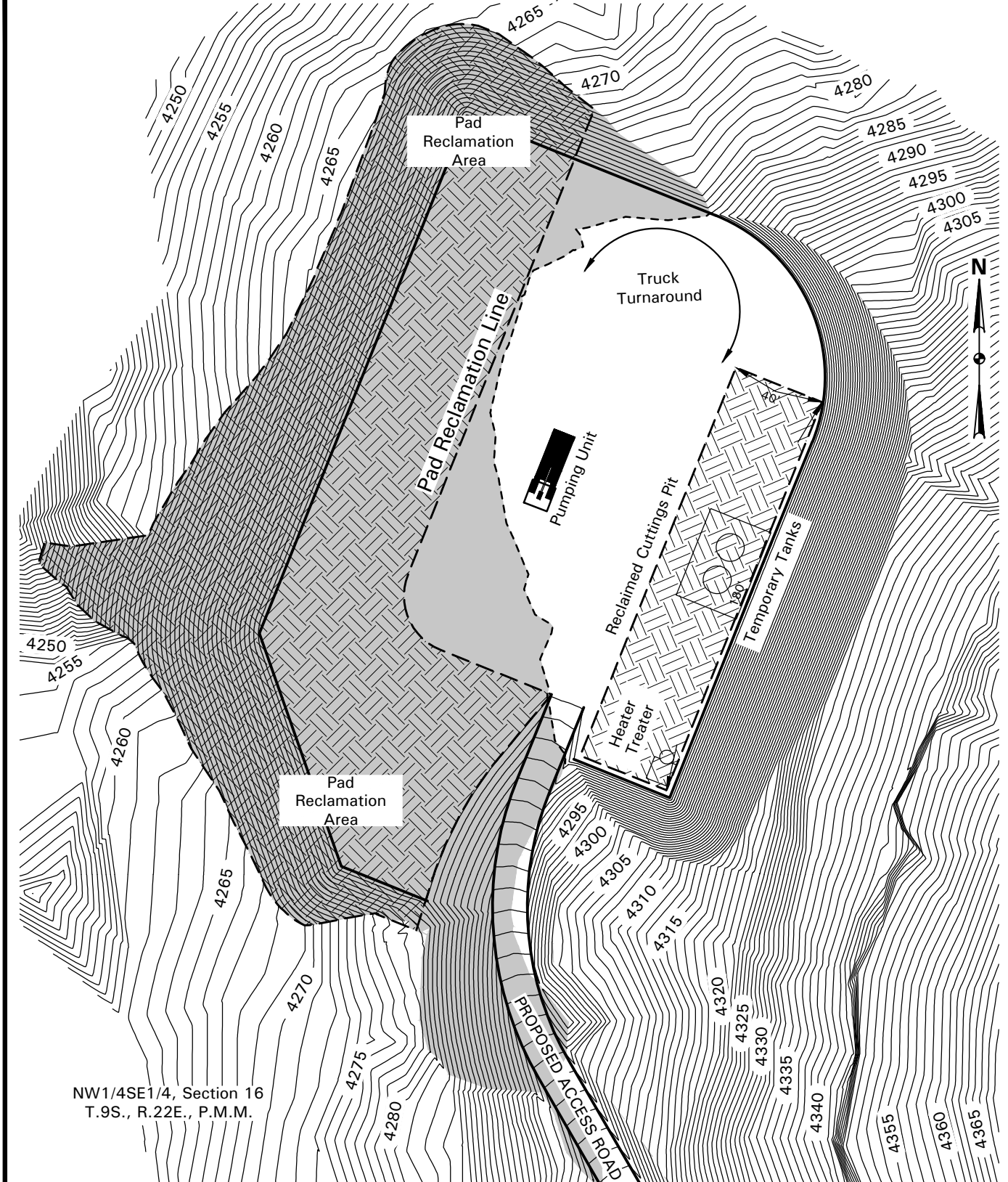
NW1/4SE1/4, Section 16  
T.9S., R.22E., P.M.M.

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Computed & Drawn By <b>M.B. &amp; A.C.</b>	Surveyed By <b>D. Magnuson</b>	Approved By <b>R. Baldwin</b>	Scale <b>1" = 60'</b>	Date <b>5/21/2021</b>
Field Book <b>02-14</b>	Material <b>Rig Layout</b>	Revised <b>-</b>	Project No. <b>2107-00531</b>	Drawing No. <b>6</b>



# State 16-33 Production Layout



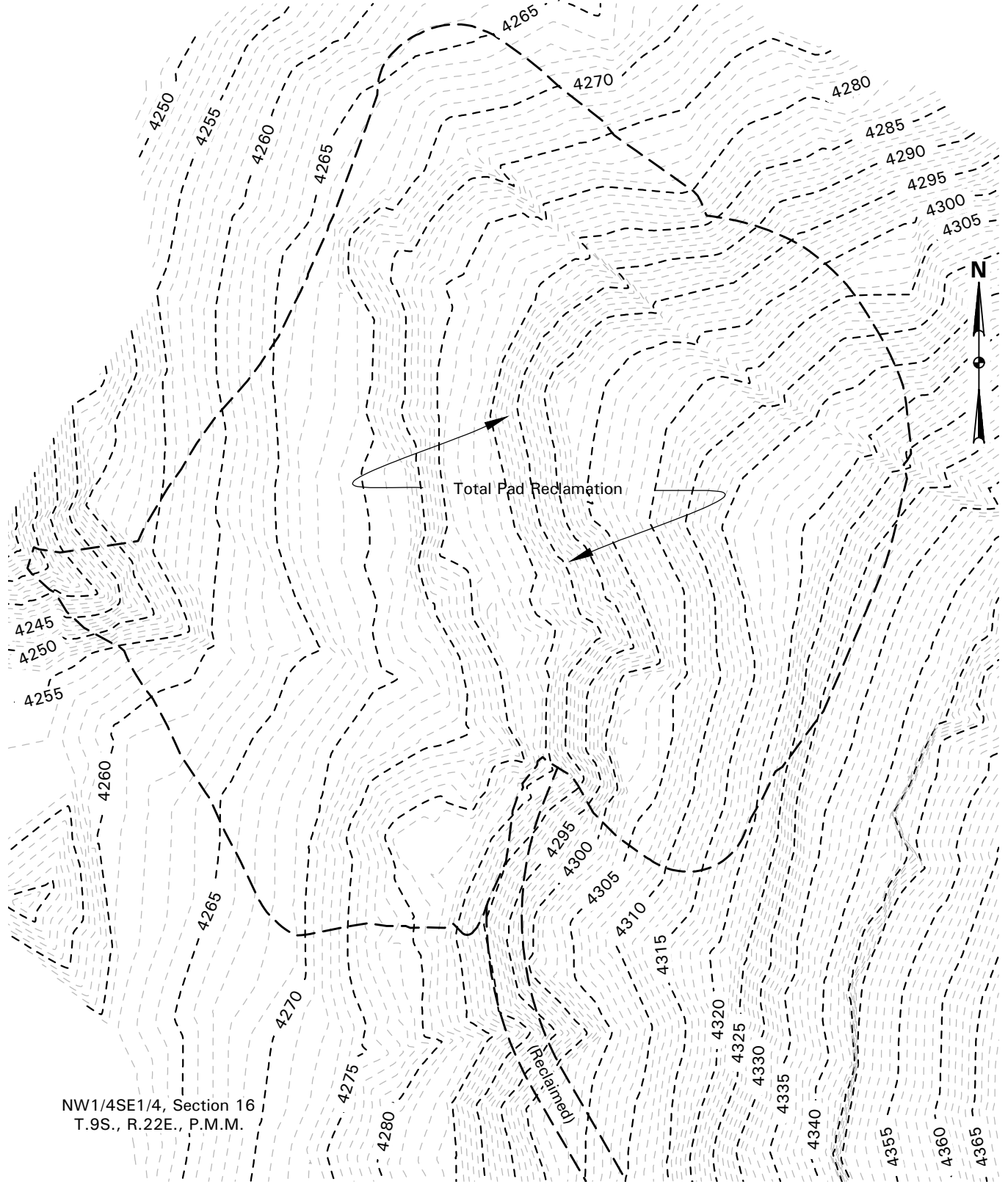
NW1/4SE1/4, Section 16  
T.9S., R.22E., P.M.M.

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Computed & Drawn By <b>M.B. &amp; A.C.</b>	Surveyed By <b>D. Magnuson</b>	Approved By <b>R. Baldwin</b>	Scale <b>1" = 60'</b>	Date <b>5/21/2021</b>
Field Book <b>02-14</b>	Material <b>Prod Layout</b>	Revised <b>-</b>	Project No. <b>2107-00531</b>	Drawing No. <b>7</b>



# State 16-33 Reclamation Layout



NW1/4SE1/4, Section 16  
T.9S., R.22E., P.M.M.

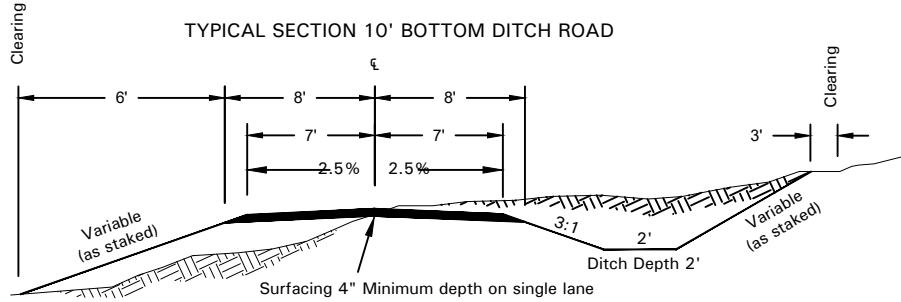
Confidentiality Notice: The information contained on this plat is legally privileged and confidential information intended only for the use of recipients. If you are not the intended recipients, you are hereby notified that any use, dissemination, distribution or copying of this information is strictly prohibited.

REVISED: 6/15/2021

Computed & Drawn By <b>M.B. &amp; A.C.</b>	Surveyed By <b>D. Magnuson</b>	Approved By <b>R. Baldwin</b>	Scale <b>1" = 60'</b>	Date <b>5/21/2021</b>
Field Book <b>02-14</b>	Material <b>Reclam Layout</b>	Revised <b>-</b>	Project No. <b>2107-00531</b>	Drawing No. <b>8</b>



# State 16-33 Roadway Typical Sections



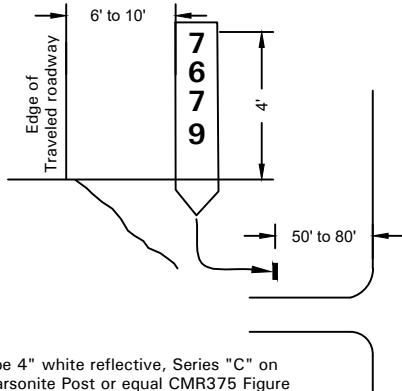
**TYPICAL "B"**  
No Scale

**FILL SLOPES**  
3:1 Under 4' Height  
2:1 Over 4' Height  
(-) Slopes steeper than 2:1 will be subject to BLM approval

**FILL WIDENING**  
2' to 5' high/add 1'  
Over 5' high/add 2'  
**CURVE WIDENING**  
130 / R

**CUT SLOPES**  
3:1 Under 10' height  
2:1 10' to 20' height  
(-) Variable over 20' height  
W/BLM approval

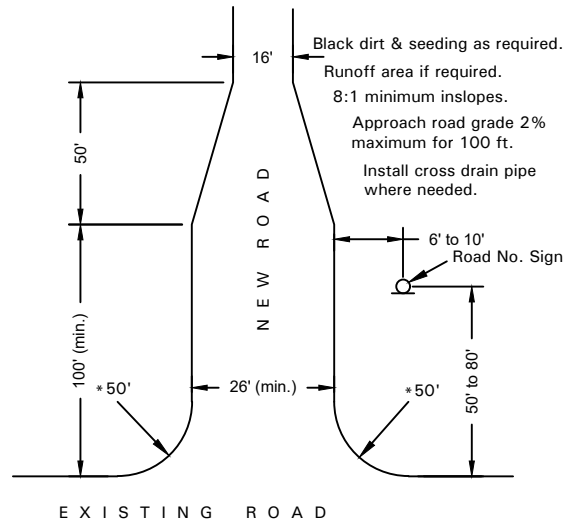
**TYPICAL SECTION VERTICAL ROUTE MARKER**



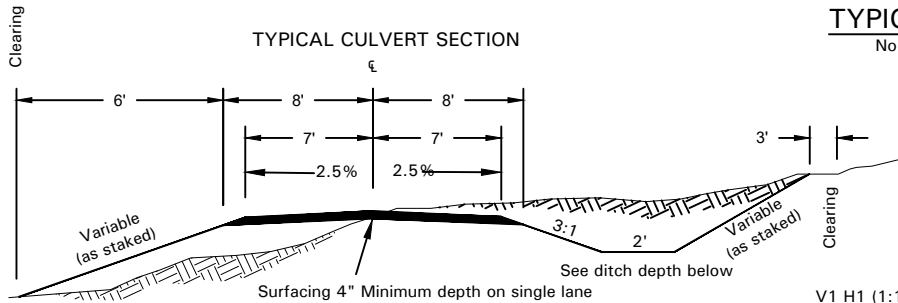
Letters shall be 4" white reflective, Series "C" on Brown 6' 6" Carsonite Post or equal CMR375 Figure 11-28.- Typical Signage for Vertical Route Markers

**TYPICAL "F"**  
No Scale

**TYPICAL APPROACH ROAD CONNECTION**  
Note: State or County road approach fill slope shall be constructed to applicable State/County standard. BLM road approach fill slope shall be 4:1 minimum.



**TYPICAL "E"** \*As noted on road sheets  
No Scale



Fill slopes are V1 H1.5 (1.5:1) or as staked

Ditch width shall be the larger of the following:  
A. Standard ditch width  
B. 2 times the pipe diameter  
C. 4.25'

Ditch depth shall be:  
CMP diameter      Ditch depth  
18"                    2.5'  
24"                    3.0'  
36"                    4.0'  
48"                    5.0'

**TYPICAL "A"**  
No Scale

V1 H1 (1:1) or as staked

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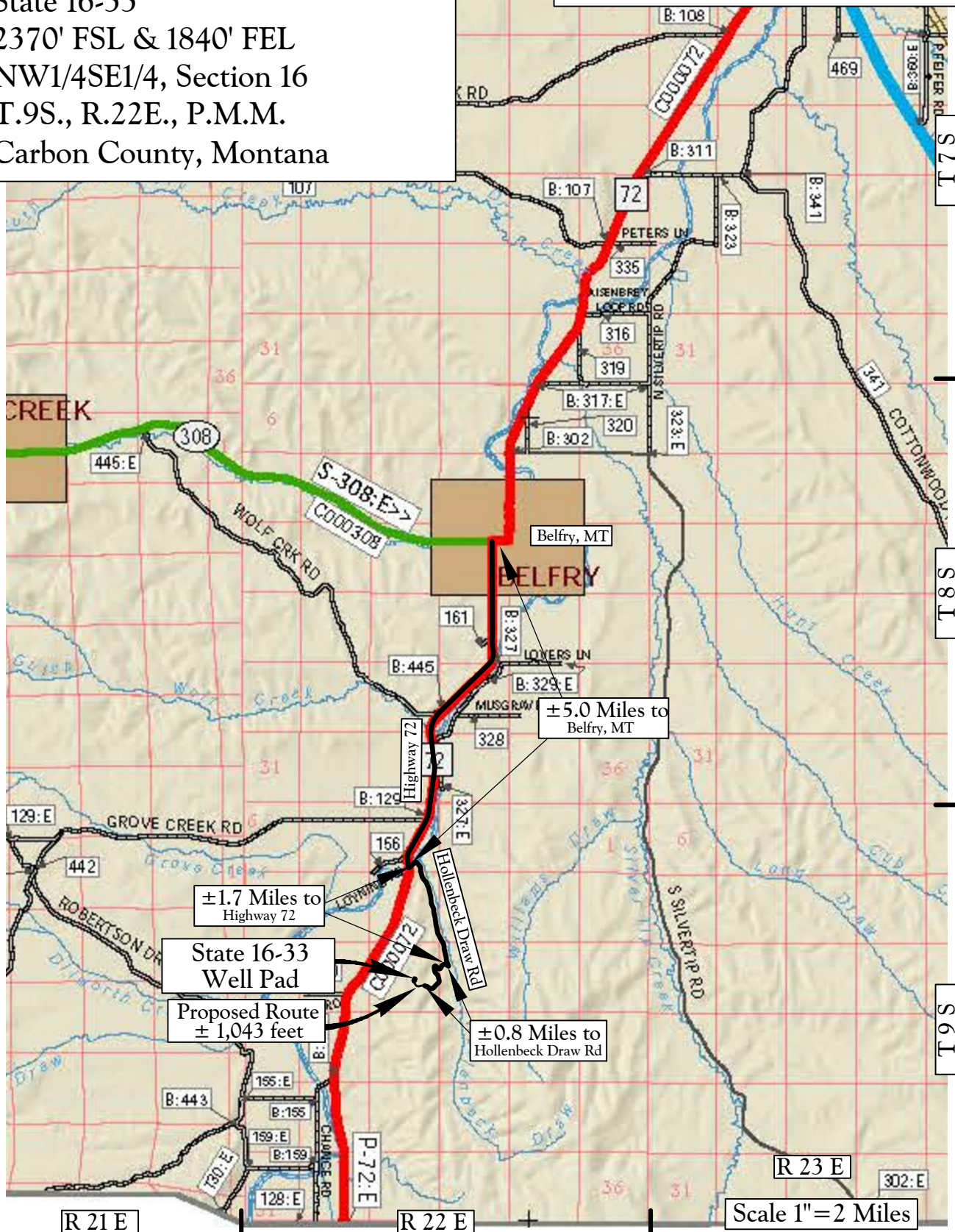
REVISED: 6/15/2021

Computed & Drawn By <b>M.B. &amp; A.C.</b>	Surveyed By <b>D. Magnuson</b>	Approved By <b>R. Baldwin</b>	Scale <b>None</b>	Date <b>5/21/2021</b>
Field Book <b>02-14</b>	Material <b>Road Typical</b>	Revised <b>-</b>	Project No. <b>2107-00531</b>	Drawing No. <b>9</b>



Baldwin Lynch Energy  
 State 16-33  
 2370' FSL & 1840' FEL  
 NW1/4SE1/4, Section 16  
 T.9S., R.22E., P.M.M.  
 Carbon County, Montana

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±1.7 Miles to Highway 72

State 16-33 Well Pad

Proposed Route ± 1,043 feet

± 5.0 Miles to Belfry, MT

±0.8 Miles to Hollenbeck Draw Rd

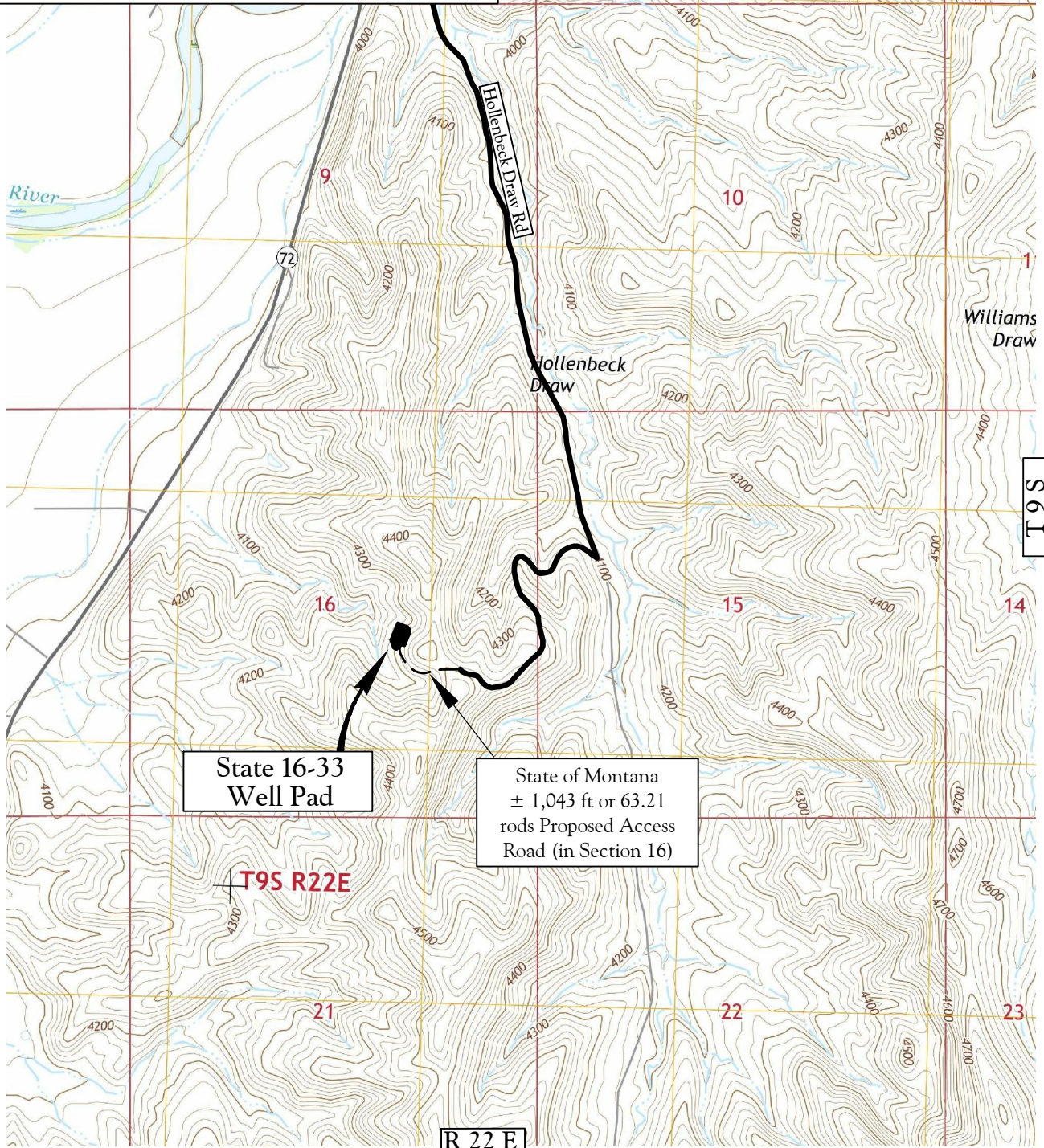
Map "A"  
 County Access Route

**Legend**  
 Existing Roads —————  
 Proposed Roads - - - - -



**Baldwin Lynch Energy**  
**State 16-33**  
**2370' FSL & 1840' FEL**  
**NW1/4SE1/4, Section 16**  
**T.9S., R.22E., P.M.M.**  
**Carbon County, Montana**

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**State 16-33**  
**Well Pad**



State of Montana  
 $\pm 1,043$  ft or  $63.21$   
 rods Proposed Access  
 Road (in Section 16)

**T9S R22E**

**R 22 E**

**T 9 S**

**Map "B"**  
**Quad Access Route**

**Legend**  
 Existing Roads   
 Proposed Roads 

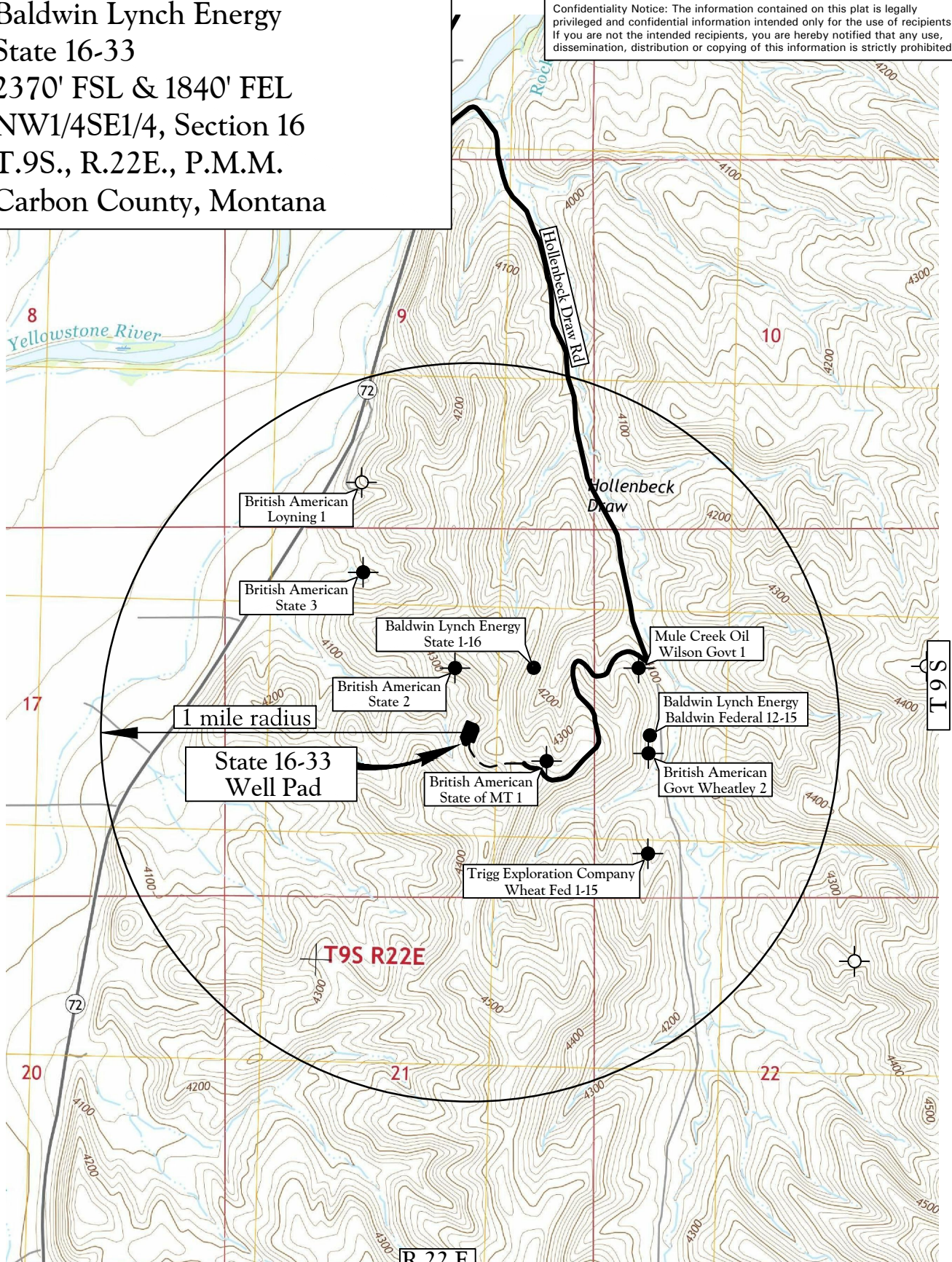
**Scale 1" = 2000'**





**Baldwin Lynch Energy**  
**State 16-33**  
**2370' FSL & 1840' FEL**  
**NW1/4SE1/4, Section 16**  
**T.9S., R.22E., P.M.M.**  
**Carbon County, Montana**

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**Map "C"**  
**One Mile Radius Map**

**Legend**  
 Existing Roads —————  
 Proposed Roads - - - - -

Scale 1" = 2000'

