

Subject: RE: Beaver Creek "C3-11" and "D4-11"
From: "Nelson, Kelley (DEQ)" <NelsonK5@michigan.gov>
Date: 9/22/2015 9:48 AM
To: Ellis Boal <ellisboal@voyager.net>

Ellis,

To answer your questions, please see below.

So nothing at all is available about D4-11, not even the permit number, the name of the applicant, the fact it was permitted, the date it was permitted, the date drilling ended, or the date it was completed?

A: you are correct, nothing is available for any part 625 test well. It is confidential for 10 years.

From others, I have heard of a well in this area called the "Science" well, I believe from a label seen on a stake. Have you heard of a well with that informal name? Would it possibly be the same as D4-11 (if you know)?

A: As for the science well, it is an informal name, we have no further information about it.

That is, according to statute the application and permit do not become confidential until the date of completion. Has D4-11 been completed?

A: whether the D4-11 has been completed is confidential information and cannot be released to you.

Was there a time limit within which drilling had to start, in default of which the permit expired?

A: Drilling of a Part 625 well must begin within 2 years of permit issuance date.

Finally, was it legal to put stumps on state land?

A: Please contact the Local State Forrester to have this question answered.

Thank you!

From: Ellis Boal [mailto:ellisboal@voyager.net]
Sent: Friday, September 18, 2015 8:13 PM
To: Nelson, Kelley (DEQ)
Subject: Re: Beaver Creek "C3-11" and "D4-11"

Got it Kelly. Thank you.

So nothing at all is available about D4-11, not even the permit number, the name of the applicant, the fact it was permitted, the date it was permitted, the date drilling ended, or the date it was completed?

>From others, I have heard of a well in this area called the "Science" well, I believe from a label seen on a stake. Have you heard of a well with that informal name? Would it possibly be the same as D4-11 (if you know)?

MCL 324.62509(5) says "information and records pertaining to the application for and issuance of permits for wells subject to this part shall be held confidential in the same manner as provided for logs and reports on these wells." The statute regarding confidentiality for logs and reports is MCL 324.62508(d). It says the 10-year confidentiality goes "for 10 years after completion...."

That is, according to statute the application and permit do not become confidential until the date of completion. Has D4-11 been completed?

Also, as mentioned, when I was there in August no clearing or drilling or completing had begun, other than that someone lined up stumps along an old two-track. Was there a time limit within which drilling had to start, in default of which the permit expired?

Finally, was it legal to put stumps on state land? It took someone a good deal of effort and expense to place them there. It would have been easier to abandon them somewhere else.

Thank you.

Ellis

On 9/18/2015 12:15 PM, Nelson, Kelley (DEQ) wrote:

Ellis,

Please see attached email (this is for FOIA 6250-15 that you submitted). It came back to me one time prior to me compressing it into a zip file. It never came back to me after that, so I assumed that you got it. My apologies.

But as I mentioned in the email, State Beaver Creek D4-11 is a part 625 well and is Confidential. State Beaver Creek C3-11(which is plugged and abandoned) is the Pilot hole of the State Beaver Creek 1-23 HD1 and that is why they are both on the same letter that I wrote to Encana at the time, as they requested confidentiality together for the C3-11 and the 1-23HD1.

As for the 2-23 and 1-26, no applications have been received.

Thank you!

From: Ellis Boal [<mailto:ellisboal@voyager.net>]

Sent: Friday, September 18, 2015 11:56 AM

To: Nelson, Kelley (DEQ)

Subject: Re: Beaver Creek "C3-11" and "D4-11"

Kelley,

No. The "permit" referred to, "Standard Well Connection Permit 2920," received from MPSC, is attached. The letter from you is on page 66-67.

I have nothing from you dated 9/1/15.

Thanks for getting on this.

Ellis

On 9/18/2015 11:08 AM, Nelson, Kelley (DEQ) wrote:

Ellis,

I will look into this and talk to permits to get you a response. First, may I ask are you referring to the permit for 1-14 when you say, "reading through the permit" (highlighted in red below)? Did you ever get my email to you regarding the State Beaver Creek D4-11 sent to you on 9/1/15? Thanks Ellis.

From: Ellis Boal [<mailto:ellisboal@voyager.net>]
Sent: Friday, September 18, 2015 10:47 AM
To: Nelson, Kelley (DEQ)
Subject: Beaver Creek "C3-11" and "D4-11"

Kelley,

By a FOIA request asking about "State Beaver Creek D4-11" seen on the attached plat, MPSC recently sent me a 145-page document titled "Standard Well Connection Permit 12920".

Surprisingly, it showed plans for two wells in addition to Beaver Creek 1-23 (2-23 and 1-26), which have never been applied for. Instead 1-14 was permitted this summer.

Reading through the permit, unless it escaped my notice I saw no reference to "State Beaver Creek D4-11". Instead there was a reference to "State Beaver Creek C3-11." See the attached pages extracted from the permit, one of which is an 8/10/12 letter from you containing this reference.

Can you explain to me the relation between D4-11 and C3-11, if any, and what stage it is at, or they are at, in terms of construction and operation. What are they for, and do you anticipate any new or modified pipelines to be associated with them?

Are there still plans for 2-23 and 1-26?

I walked in the area of D4-11 last month. There was only the forest, a maze of old two-tracks, and stakes and flags with mystifying labels.

Puzzlingly, one of the two-tracks was blocked with a line of some 40 yards of stumps. I attach a picture of one, with my sandal on it to show proportion. My first reaction was whoever put them there did it illegally. But maybe there is a legitimate explanation.

Thank you.

Ellis