

DUCHESNE COUNTY ZONING ADMINISTRATOR

FINDINGS REPORT

July 13, 2026

REQUEST TYPE:	Administrative Conditional Use Permit for Oil and Gas Drilling and Production Sites
APPLICANT:	WEM Operating
PROPOSAL:	Three (3) wells on the Horse 2 Pad
LOCATION:	Parcels #00-0009-8164, located roughly two (2) miles southeast from Duchesne City.
ZONING DISTRICT:	A-2.5, Agricultural two and a half acre minimum.

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FINDINGS OF FACT

1. Proposal Description

WEM Operating proposes to drill and operate three (3) oil wells at the Horse 2 Pad located roughly two (2) miles southeast from Duchesne City on Parcels #00-0009-8164. Specifically, the proposed wells are:

Pinto 4-4-8-11-6H

Pinto 4-4-8-11-4H

Pinto 4-4-8-11-45H

As an oil and gas drilling and production site, the proposed operation is permitted within the A-2.5 zoning district with an administrative conditional use permit.

2. History of Events

July 8, 2026	Application was submitted.
July 9, 2026	Application payment made.
July 9, 2026	Application payment confirmed. Application deemed complete.
July 13, 2026	Notice mailed to property owners within 660 feet of the subject properties.
July 20, 2026	Zoning Administrator decision.

3. Duchesne County Zoning Ordinance

8-13-1: SCOPE AND PURPOSE:

- A. Issuance: Conditional use permits may be issued as provided by this title for any of the uses for which a conditional use permit is required as identified in the table of uses and the table of site development standards, as set forth in Chapter 6 of this title.
- B. Purpose: The purpose of the issuance of a conditional use permit is to allow the proper integration into the county of uses which may be suitable only in specific locations in a zoning district, or only if such uses are designed, arranged or conducted on the site in a particular manner.
- C. Conditions: A conditional use permit shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed land use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use permit may be denied.

8-13-5-4: OIL AND GAS DRILLING AND PRODUCTION SITES:

All construction and development of Oil and Gas Drilling and Production sites on private lands in the county shall be carried out in accordance with the following standards and specifications. In the event of conflict between this section and the statutes, rules, orders and decisions of the Utah division of oil, gas and mining (DOGM) and Utah board of oil, gas and mining (BOGM), the statutes, rules, orders and decisions of DOGM/BOGM will control.

- A. Compliance With Applicable Regulations: All Oil and Gas Drilling and Production Sites shall comply with applicable federal, state and local regulations.

FINDINGS: Applicant commits to full compliance with all applicable federal, state, and local regulations of Oil & Gas Drilling and Production Sites.

- B. Surface Disturbance: Surface disturbance, including loss or damage to agricultural lands, irrigation systems, crops or surface improvements due to oil and gas drilling and production sites, shall be limited to that which is reasonably necessary and practical to extract minerals. Operations shall be designed to allow the drill oil and gas drilling and production site owner reasonable use of the surface. Nothing in this subsection shall prohibit the surface disturbance associated with oil and gas drilling and production sites when the associated surface disturbance is addressed by the terms of a surface use agreement or other authorization to proceed allowed by law.

FINDINGS: Applicant commits to limit surface disturbances, including loss or damage to agricultural lands, irrigation systems, crops, or surface improvements due to Oil and Gas Drilling and Production Sites, to that which is reasonably necessary and practical to extract minerals. Surface disturbance is addressed in the SURFACE USE AGREEMENT.

- C. Road Encroachment Permits: An encroachment permit is required from the county public works department for new road approaches to a county road, for excavations within the county's road right of way associated with oil and gas drilling and production sites or for the placement of pipelines (surface or buried) within the county road right of way.

FINDINGS: Applicant declared no new road encroachments as part of the proposed site. Operations will occur from existing oilfield roads.

- D. Painting Oil and Gas Drilling and Production Sites: Wed Oil and gas drilling and production site equipment, such as pumps, tanks, separators and appurtenances, shall be painted to blend with the surroundings, with the color choice to be made from the standard-BLA4 environmental colors, with drill site owner concurrence.

FINDINGS: Applicant agrees to paint all Oil and Gas Drilling and Production Site equipment, such as pumps, tanks, separators, and appurtenances, to blend with the surroundings using standard environmental colors, and with drill site owner concurrence.

- E. Lighting: Oil and gas drilling and production site lighting shall be oriented and/or installed with shielded fixtures so that light is directed toward the work area in accordance with safety standards but reduces glare on nearby roads or on lands used for residential purposes.

FINDINGS: Applicant agrees to orient and/or install shielded fixtures on all lighting at Oil and Gas Drilling and Production Sites so that light is directed toward the work area in accordance with safety standards but reduces glare on nearby roads or on lands used for residential purposes.

- F. Dust Control: Operators of oil and gas drilling and production sites shall control dust at each individual site and along access roads, in accordance with the fugitive dust rule contained in the Utah administrative code.

FINDINGS: Applicant commits to dust control measures at each site and along access roads, in accordance with the Fugitive Dust Rule of the Utah Administrative Code.

- G. Sanitary Facilities: Oil and gas drilling and production sites, during the drilling and completion phases, shall be served by sanitary facilities for employees and/or contractors, as required by the Utah administrative code.

FINDINGS: Applicant agrees that sanitary facilities provided for employees and contractors at Oil and Gas Drilling and Production Sites during the drilling and completion phase will be in compliance with the Utah Administrative Code.

- H. Staking: All surface owners shall be notified of oil and gas drilling and production site, pipeline and access road survey staking operations affecting their property prior to such staking taking place.

FINDINGS: Applicant agrees that all surface owners shall be notified of Oil and Gas Drilling and Production Site, pipeline, and access road survey staking operations affecting their property prior to such staking taking place.

- I. Noise: Motors located on an Oil and gas drilling and production site shall be powered by electricity when located within six hundred sixty feet (660') of a primary or secondary dwelling, or building open to the public provided that the power company has adequate capacity and availability of easements to supply such power. Engines within six hundred sixty feet (660') of a primary or secondary dwelling or building open to the public that are not powered by electricity shall be muffled or situated to mitigate noise impacts.

FINDINGS: The nearest residence is roughly eight hundred forty feet (840') away to the south of the proposed wellheads.

Applicant has agreed to power all motors located on Oil and Gas Drilling and Production Sites with electricity when located within six hundred sixty feet (660') of a primary or secondary dwelling, or building open to the public, provided that the power company has adequate capacity and availability of easements to supply such power and to situate and muffle engines not powered by electricity within six hundred sixty feet (660') of a primary or secondary dwelling or building open to the public to mitigate noise impacts.

- J. Minimum Setback: In the interest of public health, safety and welfare, no oil or gas drilling and production site wellhead shall be located closer than three hundred feet (300') to the exterior wall of a primary or secondary dwelling as defined in the county tax rolls or to the exterior wall of a building open to the public, unless such minimum setback is waived in writing by the drill site owner or impacted owner.

FINDINGS: The nearest residence is roughly eight hundred forty feet (840') away to the south of the proposed wellheads.

There are no exterior walls of primary or secondary dwellings or buildings open to the public within three hundred feet (300') of the site's wellhead(s).

- K. Location Of Site Equipment: To the extent practical, oil and gas drilling and production site equipment, such as, but not limited to, tank batteries, flares and heater treaters, shall be consolidated at centralized locations. If centralized equipment is not practical, such equipment shall be located, when reasonably possible, on the opposite side of the site from the nearest impacted owners, unless such owners waive this requirement in writing. For purposes of siting under this section, construction, structural and engineering requirements such as, without limitation, placement of facilities on cut rather than fill shall be considered and given deference.

FINDINGS: The nearest residence is roughly eight hundred forty feet (840') away to the south of the proposed wellheads.

There are no impacted owners within six hundred sixty feet (660') of the proposed wellheads.

- L. H₂S Gas: Operators of oil and gas drilling and production sites in areas where H₂S gas is likely to be or is actually encountered shall provide notice to those around the site according to the requirements of the Pipeline and Hazardous Materials Safety Administration (PHMSA) prior to drilling when H₂S gas is likely to be encountered, and as soon as reasonably practicable after H₂S gas is actually encountered or as required by the PHMSA.

FINDINGS: Applicant shall ensure that operators of Oil and Gas Drilling and Production Sites in areas where H₂S gas is likely to be or is actually encountered shall provide notice to those around the site according to the requirements of the Pipeline and Hazardous Materials Safety Administration (PHMSA) prior to drilling when H₂S gas is likely to be encountered, and as soon as reasonably practicable after H₂S gas is actually encountered or as required by the PHMSA.

- M. Oil and Gas Drilling and Production Sites located near impacted owners shall comply with the following:

1. If the drill oil and gas drilling and production site owner owns all dwellings or buildings open to the public within six hundred sixty feet (660') of the wellhead or the closest edge of a compressor station or water handling facility, the surface use agreement or alternative arrangement approved by the Utah Board of Oil, Gas and Mining, that satisfies the requirements of the Utah Surface Owner Protection Act, together with the requirements of this section, including an administrative conditional use permit granted under this section, shall govern the location and development of the oil and gas drilling and production site.
2. If the oil and gas drilling and production site owner is not the owner of all dwellings or buildings open to the public within six hundred sixty feet (660') of the wellhead, or closest edge of a compressor station or water handling facility, the following process pertaining to impacted owners shall be followed:
 - a. The operator shall notify, by certified mail, the impacted owners of the operator's intent to locate the oil and gas drilling and production site a minimum of forty five (45) days prior to applying for a permit to drill (APD) to DOGM and offer to discuss the well site oil and gas drilling and production site location and mitigation measures with the impacted owners;
 - b. The operator shall consult in good faith with any responsive impacted owners regarding the location of the oil and gas drilling and production site and take reasonable actions to mitigate impacts to the impacted owners. Examples of impacts that may need to be mitigated include, but are not limited to, the following:
 - i. Noise.
 - ii. Lighting.
 - iii. Dust.
 - iv. Site security.
 - v. Emergency notification procedures.
 - vi. Location of roads, pipelines, and production equipment.

- c. If all impacted owners do not respond to the operator within twenty one (21) days of the date when the notice above was mailed, the operator may proceed with filing an application for permit to drill (APD) for the proposed oil and gas drilling and production site location.
- d. If an impacted owner does respond within the twenty one (21) day period, the operator or designee shall notify the county of the results of the consultation and whether an agreement regarding mitigation has been reached. If an agreement is reached, the operator or designee may proceed to file the application for a permit for drill (APD). If an agreement is not reached, the operator or designee and impacted owners are encouraged to mediate their differences, if reasonably possible.

FINDINGS: The nearest residence is roughly eight hundred forty feet (840') away to the south of the proposed wellheads.

There are no impacted owners within six hundred sixty feet (660') of the proposed wellheads.

- N. Administrative Conditional Use Permit Required: Notwithstanding the dimension of the oil and gas drilling and production site setback; in all zoning districts, the following additional requirements shall apply:
 - 1. The operator of a proposed oil and gas drilling and production site shall, at least thirty (30) days prior to spudding or construction, apply for an administrative conditional use permit, which shall be considered subject to the standards and mitigation measures outlined above.
 - 2. Notwithstanding the requirements of sections 8-13-2 and 8-13-3 of this chapter, the zoning administrator is given the authority to grant or deny administrative conditional use permits for oil and gas drilling and production sites in all zoning districts. If an operator's permit application complies with the provisions of this chapter the administrator shall approve the permit or approve the permit with conditions designed to reasonably mitigate anticipated adverse impacts. The administrator may deny a permit only if it is not possible to impose reasonable conditions of approval to mitigate the anticipated impacts. Such administrative decisions may be made after seven (7) days' mailed notice to property owners within six hundred sixty feet (660') of the boundaries of the oil and gas drilling and production site owner's property. Decisions of the zoning administrator made under this section may be appealed to the planning commission within ten (10) days of the date the decision is mailed. Decisions of the planning commission may be appealed to the county commissioners as set forth in section 8-16-3 of this title. An exception to this administrative conditional use permit requirement shall be granted by the Zoning Administrator when an oil or gas well has been spudded, or construction of a compressor station or water handling facility has commenced, prior to the effective date of this ordinance.
- O. In addition to the requirements of the conditional use permit, the surface use agreement or other contractual agreement entered into between the oil and gas drilling and production site operator and the surface owner or impacted owner shall govern the well oil and gas drilling and production site location and mitigation measures to be implemented. The oil and gas drilling and production site operator and site or surface owner shall not be required to

disclose the provisions of any surface use agreement or other contractual agreement to the administrator nor may the conditional use permit application require an operator or oil and gas drilling and production site owner to include such agreement or the provisions of the same.

- P. Notwithstanding the foregoing, if future development of any primary or secondary dwelling (as designated in the county tax rolls) or any building open to the public, encroaches within six hundred sixty feet (660') of an existing oil and gas drilling and production site, the requirements of this section shall not apply.
- Q. Nothing in this chapter shall require an operator to compensate a drill site owner, impacted owner, or any third party for any mitigation pursuant to this chapter. However, all surface use agreements or other contractual agreements between the oil and gas drilling and production site owner, surface owner or impacted owner and the operator shall clearly state which party shall cover the costs of implementing the mitigation measures agreed to by the parties.
- R. Transportation Considerations: Notwithstanding the dimension of the oil and gas drilling and production site setback; in all zoning districts, Oil and Gas Drilling and Production Sites proposed within Duchesne County shall be reviewed for compliance with the Duchesne County Transportation Master Plan, as amended, including the payment of a transportation service fee as set forth in all applicable ordinances, prior to the commencement of spudding or construction. (Ord. 12-308, 5-13-2013; amd. Ord. 24-409, 11-18-2024)

FINDINGS: Applicant agrees that, notwithstanding the dimension of the Oil and Gas Drilling and Production Site setback, in all zoning districts, Oil and Gas Drilling and Production Sites proposed within Duchesne County shall be reviewed for compliance with the Duchesne County Transportation Master Plan, as amended. The requirement of payment of a transportation mitigation fee as set forth in said Master Plan, prior to the commencement of spudding or construction, is not enforced at this time.

8-13-6: TERM OF PERMIT:

Unless there is substantial action under a conditional use permit within a period of eighteen (18) months of its issuance, the permit shall be considered null and void.

8-13-7: REVOCATION OR MODIFICATION OF PERMIT:

- A. Authority: If there is cause to believe that grounds exist for revocation or modification of an approved conditional use permit, the planning commission shall hold a public hearing on the question of modification or revocation of a conditional use permit granted under the terms and the provisions of this title.
- B. Conditions: A conditional use permit may be modified or revoked if the planning commission finds that one or more of the following conditions exist:
 - 1. The conditional use permit was obtained in a fraudulent manner.
 - 2. The use for which the conditional use permit was granted has now ceased for at least six (6) consecutive calendar months.
 - 3. One or more of the conditions of the conditional use permit have not been met.
- C. Modification by Planning Commission: Additionally, the conditions under which a conditional use permit was originally approved may be modified by the planning commission without the consent of the property owner or operator, if the planning commission finds that the use or related development constitutes or is creating a demonstrated nuisance. Should

reclamation be necessary, complete restoration, to such an extent that the area will not depreciate the surrounding property or impair the beauty of the landscape, shall be accomplished within a twelve (12) month time frame.

CONCLUSIONS

1. The request will comply with the Conditional Use Permit requirements found in Title 8 Zoning Regulations of the Duchesne County Code, if conditions are imposed.
2. The request is valid.

DECISION

This application for an administrative conditional use permit for an oil and gas drilling and production site requested by WEM Operating to drill and operate the following three (3) oil wells at the Horse 2 Pad:

Pinto 4-4-8-11-6H

Pinto 4-4-8-11-4H

Pinto 4-4-8-11-45H

Which is located roughly two (2) miles southeast of Duchesne City on Parcels #00-0009-8164. Based upon the findings for this application, we recommend approval of this request, subject to the following conditions:

1. Applicant maintains full compliance with all applicable federal, state, and local regulations of Oil & Gas Drilling and Production Sites.
2. Applicant limits surface disturbances, including loss or damage to agricultural lands, irrigation systems, crops, or surface improvements due to Oil and Gas Drilling and Production Sites, to that which is reasonably necessary and practical to extract minerals.
3. Applicant paints all Oil and Gas Drilling and Production Site equipment, such as pumps, tanks, separators, and appurtenances, to blend with the surroundings using standard environmental colors, and with drill site owner concurrence.
4. Applicant orients and/or installs shielded fixtures on all lighting at Oil and Gas Drilling and Production Sites so that light is directed toward the work area in accordance with safety standards but reduces glare on nearby roads or on lands used for residential purposes.
5. Applicant follows dust control measures at each site and along access roads, in accordance with the Fugitive Dust Rule of the Utah Administrative Code.
6. Applicant provides sanitary facilities for employees and contractors at Oil and Gas Drilling and Production Sites during the drilling and completion phase, compliant with Utah Administrative Code.
7. Applicant notifies all surface owners of Oil and Gas Drilling and Production Site, pipeline, and access road survey staking operations affecting their property prior to such staking taking place.
8. Applicant powers all motors located on Oil and Gas Drilling and Production Sites with electricity when located within six hundred sixty feet (660') of a primary or secondary dwelling, or building open to the public, provided that the power company has adequate capacity and availability of easements to supply such power. Engines within six hundred sixty

feet (660') of a primary or secondary dwelling or building open to the public that are not powered by electricity shall be muffled or situated to mitigate noise impacts.

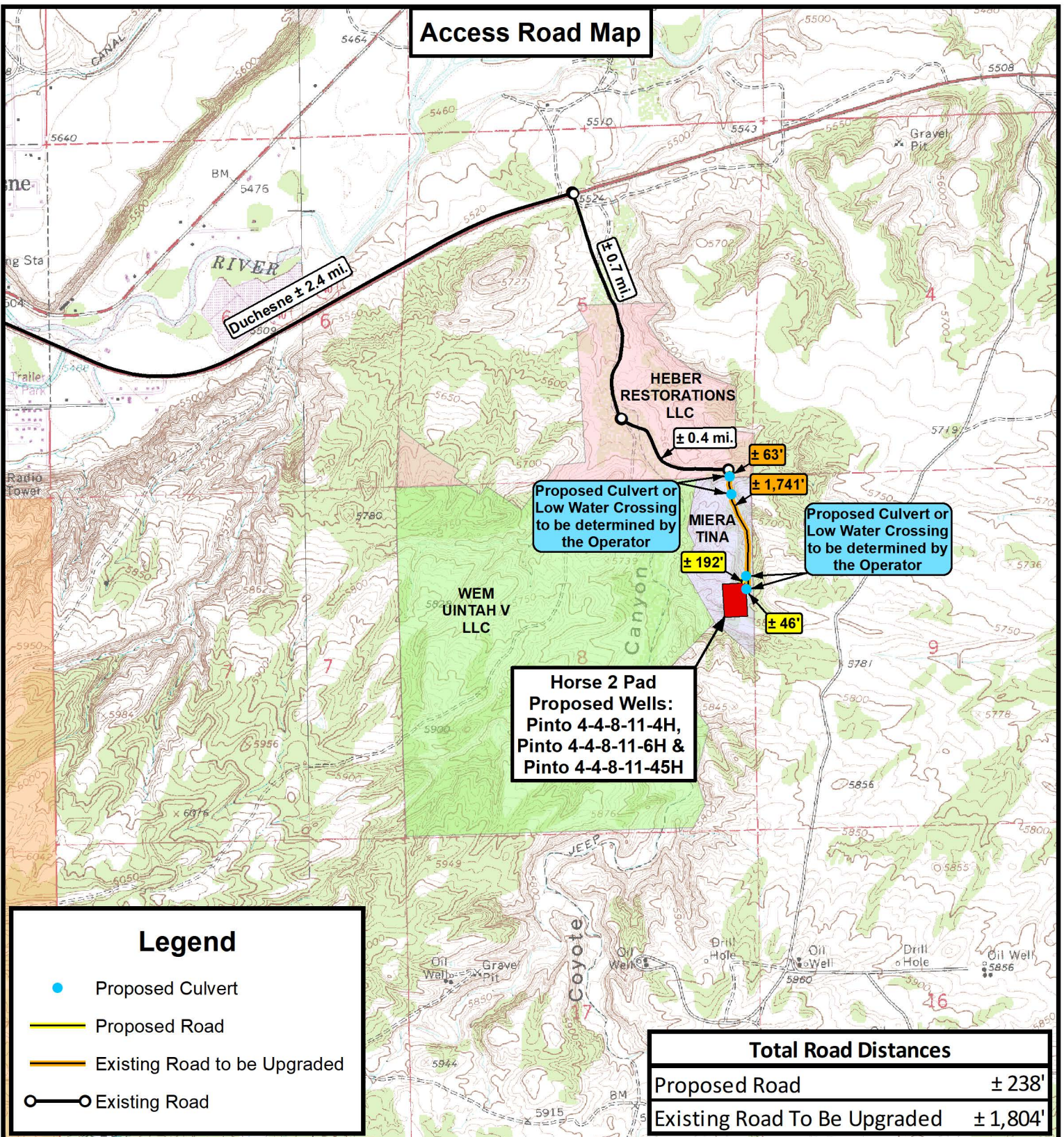
9. Applicant ensures operators of Oil and Gas Drilling and Production Sites in areas where H₂S gas is likely to be or is actually encountered shall provide notice to those around the site according to the requirements of the Pipeline and Hazardous Materials Safety Administration (PHMSA) prior to drilling when H₂S gas is likely to be encountered, and as soon as reasonably practicable after H₂S gas is actually encountered or as required by the PHMSA.

Respectfully submitted:

A handwritten signature in blue ink that reads "Duncan Kading". The signature is fluid and cursive, with a large, sweeping underline that loops around the bottom of the name.

Duncan Kading
Assistant Community Development Administrator
Duchesne County Planning Division

Access Road Map



Legend

- Proposed Culvert
- Proposed Road
- Existing Road to be Upgraded
- Existing Road

Total Road Distances

Proposed Road	± 238'
Existing Road To Be Upgraded	± 1,804'

THE PARCEL INFORMATION SHOWN HAS NOT BEEN SURVEYED BY TRI-STATE LAND SURVEYING, INC. - TRI-STATE DOES NOT WARRANTY PROPERTY PARCEL DATA OR ANY ASSOCIATED INFORMATION. A PROPERTY SURVEY IS REQUIRED TO DETERMINE THE ACTUAL LOCATION OF PROPERTY LINES AND SHOW ACCURATE DISTANCES ACROSS PARCELS.

Tri State Land Surveying, Inc.
180 NORTH VERNAL AVE. VERNAL, UTAH 84078
P: (435) 781-2501
F: (435) 781-2518



WEM OPERATING, LLC

Horse 2 Pad
Proposed Wells: Pinto 4-4-8-11-4H,
Pinto 4-4-8-11-6H & Pinto 4-4-8-11-45H
Sec. 8, T4S, R4W, U.S.B.&M.
Duchesne County, UT.

DRAWN BY:	C.N.F.	REVISED:	07-02-26
DATE:	05-20-26		
SCALE:	1" = 2,000' (1:24,000)		

TOPOGRAPHIC MAP

SHEET
B