BEFORE THE OIL AND GAS CONSERVATION COMMISSION OF THE STATE OF COLORADO

IN THE MATTER OF THE PROMULGATION AND ESTABLISHMENT OF FIELD RULES TO GOVERN OPERATIONS IN THE IGNACIO-BLANCO FIELD, LA PLATA COUNTY, COLORADO	)))))	Cause No. 112 Docket No. _____

APPLICATION OF XTO ENERGY

COMES NOW, XTO Energy ("Applicant"), by its undersigned attorneys, and petitions the Commission to approve its amended plan of development ("the Plan") for operations in the Ignacio-Blanco Field, La Plata County, Colorado.

In support of its Application, Applicant states:

1. Applicant is a company registered to conduct business in Colorado, and is an operator in good standing with the Commission.

2. The Commission has jurisdiction over the subject matter of this Application.

3. On June 17, 1988, the Commission approved Order 112-60, which, among other things, approved the Fruitland Coal Seams as a separate source of supply and established 320 acre drilling and spacing units with one well at a designated location in each unit.

4. On August 15, 1988, the Commission approved Order 112-61, which among other things, amended parts of Order No. 112 60 and established additional field rules for the production of coalbed methane.

5. On November 24, 1997, the Commission approved Order 112-138, which, among other things, approved the request of J.M. Huber Corporation, to amend Order No. 112-61 to allow, at the discretion of the operator, an additional well in certain 320-acre drilling and spacing units in Townships 34 and 35 North, Range 8 West, N.M.P.M., for production from the Fruitland Coal Seams, subject to presentation and approval of a plan of development to address health, safety and welfare issues. At the March, 1998, hearing, said plan of development was presented to and approved by the Commission as an adjunct to Order 112-138.

6. Applicant is the successor-in-interest to J.M. Huber Corporation ("Huber") by a transaction concluded in January, 2003, and certain of its leasehold interests and wells in La Plata County are subject to Order 112-138 and the Plan. Pursuant to this transaction, Applicant was not informed by Huber regarding the existence and contents of the Plan, and it has languished since that time.

7. Last year, Karen Spray, Southwest Environmental Protection Specialist and Acting Environmental Manager, rediscovered the Plan in the course of her activities, and notified Applicant. However, over the course of time, certain elements of the Plan had become outdated. Accordingly, Applicant has been working with Ms. Spray to update the 1998 version of the Plan. In

conjunction with this Plan revision, Applicant has already conducted certain domestic water well sampling.

8. A side-by-side comparison of the 1998 version and the current revision of the Plan is attached to this Application. Exhibit B. Applicant requests that the Commission amend Order 112-138 by adopting the revised Plan.

9. Applicant avers that the relevant "interested party" in this matter, aside from the Commission staff, is the La Plata County local government designee ("LGD") and certifies that a copy of this Application and the Plan will be served on said LGD within 7 days of the filing hereof. Exhibit A.

10. Applicant agrees to be bound by the oral order of the Commission in this matter.

WHEREFORE, Applicant respectfully requests that this matter be set for hearing in October, 2012, notice be given as provided by law, and that upon such hearing the Commission enter its order consistent with Applicant's request:

A. Adopting and approving the revised Plan as an amendment to Order 112-138; and,

B. For such other findings and provisions as the Commission may deem advisable in this matter.

Dated: August 1, 2012.

Respectfully submitted:

XTO ENERGY INC.

By: _____

Kenneth A. Wonstolen
Beatty & Wozniak, P.C.
Attorneys for Applicant
216 16th Street, Suite 1100
Denver, Colorado 80202
(303) 407-4499

Applicant's Address:
Kyle Littrell, EH&S Coordinator
XTO Energy
72 Suttle Street, Suite J
Durango, CO 81303

VERIFICATION

STATE OF COLORADO)
) ss.
COUNTY OF LA PLATA)

Kyle Littrell, EH&S Coordinator for XTO Energy Inc., upon oath deposes and says that he has read the foregoing Application and that the statements contained therein are true to the best of his knowledge, information and belief.

XTO ENERGY INC.

By: _____
Kyle Littrell, EH&S Coordinator

Subscribed and sworn to before me this 31 day of July, 2012, by Kyle Littrell.

Witness my hand and official seal.

My commission expires: 7-29-2014

_____
Notary Public

NOTARY PUBLIC
KELLY C. THOMPSON
STATE OF COLORADO
MY COMMISSION EXPIRES 7/29/14

BEFORE THE OIL AND GAS CONSERVATION COMMISSION OF THE STATE OF COLORADO

IN THE MATTER OF THE PROMULGATION AND ESTABLISHMENT OF FIELD RULES TO GOVERN OPERATIONS IN THE IGNACIO-BLANCO FIELD, LA PLATA COUNTY, COLORADO	)	Cause No. 112 Docket No. _____

AFFIDAVIT OF MAILING

STATE OF COLORADO)
)ss.
CITY AND COUNTY OF DENVER)

Kenneth A. Wonstolen of lawful age, and being first duly sworn upon his oath, states and declares:

That he is the attorney for XTO Energy Inc., that on or before August 1, 2012, he caused a copy of the attached Application to be deposited in the United States Mail, postage prepaid, addressed to the parties listed on Exhibit A to the Application.

KWonstolen
Kenneth A. Wonstolen

Subscribed and sworn to before me on July 31, 2012.

Witness my hand and official seal.

My commission expires: 10-04-13.

TERESA L. PETERSON NOTARY PUBLIC STATE OF COLORADO

Teresa L. Peterson
Notary Public

EXHIBIT A
INTERESTED PARTIES

Courtney Krueger
La Plata County Planning Department
1060 East 2nd Avenue
Durango, CO 81301

EXHIBIT B

COMPARISON OF 1998 HUBER DEVELOPMENT PLAN AND XTO PROPOSED CHANGES – JANUARY 2012

Section	Proposed Language	Old Language
1 Water Production Monitoring	XTO Energy currently submits the Operators Monthly Production Report for all wells and complies with COGCC Rule 309. Gas and water production data for XTO operated wells can be found on the COGCC website. XTO Energy will also comply with any applicable regulations set by the State Engineers Office.	Huber will submit the following to the Colorado Oil and Gas Conservation Commission ("Commission" or "COGCC") • Plot of historical monthly water production vs. time for 22 existing wells submitted to COGCC by March 30, 1998 • Plot of historical cumulative water production vs. time for 22 existing wells submitted to COGCC by March 30, 1998 • Plot of monthly water production vs. time for new wells quarterly • Plot of monthly water production vs. time for 22 existing wells quarterly • Plot of cumulative water production vs. time for 22 existing wells quarterly • An annual routine water analysis (cation/anion) of produced water • Collect and analyze water samples from the new Fruitland pressure monitoring well described in Section V Based on the Commission's review of any of the data provided pursuant to this Development Plan or similar data, if the Director concludes that further water production would be likely to cause a significant adverse environmental impact or an adverse Impact to public health, safety, or welfare, the Director may recommend water production curtailment or a shut-in order Huber will receive notice and opportunity to respond as outlined in the Miscellaneous/General Provisions section below, prior to Implementation of such order
II Fruitland Coal Outcrop Monitoring in T35N, R8W	XTO has contracted with LT Environmental, Inc. (LTE) to conduct annual monitoring of the Fruitland Formation (Kf) outcrop. The Kf outcrop monitoring will consist of the following tasks: 1) Conduct annual detailed seep mapping at active seep areas along the Kf outcrop utilizing a portable flux meter capable of detecting methane, carbon dioxide, and hydrogen sulfide or carbon monoxide. The four active seep areas as of December 2011 Include the following: • Basin Creek to Carbon Junction (subdivided Into Basin Creek. Basin Creek North, and Carbon Junction); • Florida River; • Vosburg Pike, and • South Fork Texas Creek (SFTC) to Pine River (subdivided into West SFTC, Central SFTC, East SFTC; BP Highlands, and Pine River) Additional annual detailed mapping will be conducted in newly Identified methane	• Huber will attempt with the aid of the County and BLM to secure access rights and install 15 soil gas monitoring probes at SE boundary of the proposed Edgemont subdivision (See page 4 of Attachment IV - LT Environmental Report for details of installation) • Data will be collected four times per year at the Edgemont area consistent with data collection from existing probes • Huber has contracted with LT Environmental to conduct reconnaissance surveys of the outcrop consistent with the Phase I survey by Stonebrook The initial survey work Will commence during April of 1998 Such survey shall include => Surface inspection/reconnaissance to locate significant seeps or stressed vegetation with an FID Monitor. This initial reconnaissance shall commence upon adoption of this Development Plan. A subsequent reconnaissance shall occur using the same methodology one year later (See pages 3 and 4 of plan of LT Environmental for further description and parameters of this monitoring plan)

COMPARISON OF 1998 HUBER DEVELOPMENT PLAN AND XTO PROPOSED CHANGES – JANUARY 2012

Section	Proposed Language	Old Language
	seep areas through regional reconnaissance surveys (as described below In Task 2) or through visual observations of stressed/dead vegetation by L TE personnel and/or landowners 2) Conduct regional reconnaissance surveys every 3 years utilizing infrared (IR) Imagery and field verification surveys. IR imagery is acquired and used to assist In the regional reconnaissance monitoring of the Kf outcrop to Identify areas of stressed/ dead vegetation as an Indicator of potential methane seepage In between detailed mapping areas These suspect areas are defined as areas observed within the IR Imagery that reflect color anomalies when compared to the surrounding areas Field verification surveys Will accompany the identification of suspect areas to verify the presence or absence of methane. In the event methane is detected in any of the suspect areas, detailed mapping of those areas will be conducted during the subsequent annual monitoring event 3) Conduct annual detailed seep mapping surrounding abandoned production wells Baird 1-25 (API #05-067-06568) and Federal 34-112-34-1 (API #05-067- 07514) and shut-in production well Pole Barn Monitor Well #1 (API #05·067·07969) utilizing a portable flux meter capable of detecting methane, carbon dioxide, and hydrogen sulfide or carbon monoxide,. Detailed mapping Will be conducted in a Similar manner as the detailed seep mapping In the active seep areas 4) Conduct annual natural spring monitoring during the spring runoff of those known and accessible natural springs within the Kf outcrop At each accessible and flowing natural spring L TE personnel will monitor for methane near the springs using the portable flux meter When possible, an estimated water discharge rate will be measured using a graduated cylinder and stopwatch. Water quality measurements including pH, electrical conductivity (EC), and temperature will be collected at each accessible and flowing natural spring. In addition to collecting field water quality measurements, water samples will be collected and submitted to an analytical laboratory for general water chemistry (major ions, total dissolved solids and pH) and dissolved methane analyses. • Annual Kf outcrop monitoring data will be provided to the Colorado Oil and Gas Conservation Commission (COGCC) Director and La Plata County. • All work will be performed on behalf of the Group, which is comprised of the majority lease holders (Chevron, BP, and XTO) near the Kf outcrop	=> Huber, through LT, will document on topographic base maps, areas of visibly stressed vegetation of 25 feet or greater along the outcrop and will collect representative surface gas seepage concentration data from the identified stressed areas. Such data will be provided to the COGCC Director and the County => Each Identified seep location Will be determined with a 2 meter accuracy using GPS system • As directed by the COGCC Director and in accordance with the Response Chart attached hereto as Attachment III, Huber will address affected areas, if any, determined to have been caused by Huber operations on a case-by-case basis • Huber will conduct a follow-up reconnaissance survey wlthin three years after completion of the second reconnaissance survey and report the results to the COGCC Director and the County. The Commission may require additional reconnaissance surveys

COMPARISON OF 1998 HUBER DEVELOPMENT PLAN AND XTO PROPOSED CHANGES – JANUARY 2012

Section	Proposed Language	Old Language
III Domestic Water Well Monitoring COGCC will require a sampling of the wells listed in Attachment 1 prior to approval	XTO requests to revise the language of the JM Huber Development Plan (COGCC Order 112-138) to reflect the current rule promulgated by the COGCC (Order 112-156). This modification will enable XTO and the COGCC to be consistent in sampling procedures and the reporting of analytical data. See Attachment I for domestic water wells that were required to be sampled under the JM Huber Development Plan. The sampling dates and analytical results from those wells are found in Attachment II. NOW, THEREFORE, IT IS ORDERED, that Order Nos 112-60, 112-61 and 112-85 are hereby amended to allow an optional additional well to be drilled for production of gas from the Fruitland Coal seams for the 320-acre drilling and spacing units described below, with the permitted well to be located in any undrilled quarter section no closer than 990 feet to any outer boundary of the unit nor closer than 130 feet to any interior quarter section line. Additional wells located In the E1/2 of the irregular sections of Township 341/2 North shall be located no closer than 990 feet to any outer boundary of the unit. nor closer than 130 feet to any interior quarter section line Township 34 North, Range 6 West, N M.P.M (N.U.L) Sections 3-10: All Sections 15-17: All Township 34 North, Range 7 West, N.M.P.M (N.U.L) Sections 1 thru 8: All Section 9- E1/2 Section 10: All Section 11 W1/2 Section 12: W1/2 Section 13: All Section 14: All Sections 16 thru 18: All Township 34 North, Range 8 West. N.M P.M. (N U.L) Section 1: All Section 2: All Section 5: W1/2 Section 7: All Section 8: All Section 10: E1/2 Sections 11 and 12: All Sections 14 thru 16: All Section 18: All Township 34 North, Range 9 West, N.M.P.M (N.U. L) Section 1: All Section 2: All Section 3: E1/2 Section 9 thru 12: All Township 341/2 North, Range 9 West. N. M. P.M (N U L.) Section 35: All Section 36: All Township 35 North, Range 6 West, N.M.PM. Section 19: W1/2 Section 20: W1/2 Section 21: S1/2 Sections 27 thru 34: All Township 35 North, Range 7 West. N.M.P. M. Section 16: W1/2 Section 17: S1/2 Sections 18 thru 21: All Section 22: W1/2 Section 23: E1/2 Section 24: S1/2 Sections 25 thru 33: All Section 34: E1/2 Section 35: All Section 36: All Township 35 North, Range 8 West, N. M. P.M. Sections 13 and 14: All Section 15: S1/2 Sections 20 thru 23: All Section 25: S1/2: Section 27: W1/2 Sections 28 thru 30: All Section 34: S1/2 Section 35: N1/2 Section 36: S1/2 Township 35 North, Range 9 West. N. M. P.M Section 25 S1/2 Section 36· All	Huber will commence its Domestic Water Well Monitor Program during April of 1998 as follows: • Monitor at least one domestic water well per square mile in the Application Area and in selected adjacent domestic water wells as listed on Attachment II • Such Monitor wells which are also depicted on Attachment V, have been selected from the list of wells sampled during the 1994 BLM/COGCC Survey. The wells to be sampled llsted on Attachment II have been approved by the BLM and the County. • Perform routine water analysis (catlon/anlon) consistent with BLM protocol • Conduct field tests of the water in the domestic water wells for methane concentration, pH, temperature, specific conductance and H2S • Perform a carbon 13 Isotope test for any sample measuring greater than 1 mg/ liter methane • Perform one sample per year of each of the water wells for the next 2 years If no significant change, samples will be rotated on a three (3) year schedule • Report results of testing to COGCC, the County and water well owner Within two (2) months of receipt of the results • As directed by the COGCC Director and in accordance with the Response Chart attached as Attachment III, Huber will verify its initial results and will take appropriate remedial action if a water well contamination issue is determined to have been caused by Huber operations. Costs of any remedial action ordered by the COGCC may be apportioned among operators of adjoining acreage or gas wells if such operations are found to contribute to or cause the water well Issue

Section	Proposed Language	Old Language
	IT IS FURTHER ORDERED, that the following shall be applied to additional wells where the surface location is proposed to be sited on lands subject to Commission jurisdiction In addition to any requirements of applicable existing Commission Rules and Regulations : Well Permit Limitations A Commission hearing shall be required before a drilling permit may be issued for a well site located within one and one-half (1 ½) miles of the outcrop contact between the Fruitland and Pictured Cliffs Formations. The purpose of the hearing shall be to address potential adverse impacts to the Fruitland outcrop Water Well Sampling The Director shall apply appropriate drilling permit conditions to require water well sampling near proposed additional wells. The following shall be used as guidance for the Director in establishing permit conditions requiring water well sampling: If a conventional gas well exists within one quarter (1/4) mile of a proposed additional well, then the two (2) closest water wells within a one-half (1/2) mile radius shall be sampled ("water quality testing wells"). Ideally, if possible, the water wells selected should be on opposite sides of the existing conventional gas well not exceeding a one-half (1/2) mile radius. If water wells on opposite sides of the conventional gas well cannot be Identified, then the two (2) closest wells within a one-half (1/2) mile radius shall be sampled. If two (2) or more conventional wells are located within one quarter (1/4) mile of the proposed additional well, then the conventional well closest to a proposed additional well shall be used for selecting water wells for sampling. If no conventional gas wells are located within a one quarter (1/4) mile radius of the proposed additional well, then the selected water wells shall be within one quarter (1/4) mile of the proposed additional well. In areas where two (2) or more water wells exist within one quarter (1/4) mile of the proposed additional well, then the two (2) closest water wells shall be sampled. Ideally, If possible, the water wells selected should be on opposite sides of the proposed additional well. If water wells on opposite sides of the proposed additional well cannot be identified, then the two (2) closest wells within a one quarter (1/4) mile radius shall be sampled. If two (2) water wells do not exist within a one quarter (1/4) mile radius. then the closest single water well within either a one quarter (1/4) mile radius or within a one-half (1/2) mile radius shall be selected.	

Section	Proposed Language	Old Language
	If no water well IS located within a one quarter (1/4.) mile radius area or if access is denied, a water well within one-half (1/2) mile of the proposed additional well shall be selected. If there are no water quality testing wells meeting the foregoing criteria, then sampling shall not be required. If the BLM or the COGCC have already acquired data on a water well within one quarter (1/4) mile of the conventional well, but it is not the closest water well, it shall be given preference in selecting a water quality testing well. The "initial baseline testing" described In this paragraph shall include all major cations and anions, TDS, iron and manganese, nutrients (nitrates. nitrites, selenium), dissolved methane, pH. presence of bacteria and specific conductance and field hydrogen sulfide. If free gas or a methane concentration level greater than 2 mg/l is detected in a water quality testing well, compositional analysis and carbon isotopic analyses of methane carbon shall be performed to determine gas type (thermogenic, biogenic or an intermediate mix of both). If the testing results reveal biogenic gas. no further isotopic testing shall be done If the carbon isotope test results in a thermogenic or intermediate mix signature, annual testing shall be performed thereafter and an action plan shall be drafted by the operator to determine the source of the gas. If the methane concentration level increases by more than 5 mg/L between sampling periods, or increases to more than 10 mg/L, an action plan shall be drafted to determine the source of the gas. The initial baseline testing shall occur prior to the drilling of the proposed additional well. Within one (1) year after completion of the proposed additional well, a "post completion" test shall be performed for the same parameters above and repeated three (3) and six (6) years thereafter. If no significant changes from the baseline have been identified after the third test (the six year test), no further testing shall be required. Additional "post completion" test(s) may be required if changes in water quality are Identified during follow-up testing. The Director may require further water well sampling at any time in response to complaints from water well owners. Copies of all test results described above shall be provided to the COGCC, La Plata County or Archuleta County and the landowner where the water quality testing well is located within three (3) months of collecting the samples used for the test.	

COMPARISON OF 1998 HUBER DEVELOPMENT PLAN AND XTO PROPOSED CHANGES – JANUARY 2012

Section	Proposed Language	Old Language
	Plugged and Abandoned Wells. The operator shall attempt to identify all plugged and abandoned ("P&A") wells located within one quarter (1/4) mile of a proposed additional well. Any P&A well within one quarter (1/4) mile of a proposed additional well that is identified shall be assessed for risk taking into account cementing practices reported in the P&A. The operator shall notify the Director of the risk assessment of plugging procedures. The Director shall review the risk assessment and take appropriate action to pursue further investigation and remediation if warranted.	
IV Bradenhead Monitoring	XTO requests to revise the language of the JM Huber Development Plan (COGCC Order 112-138) to reflect the current rules promulgated by the COGCC (Rule 608(e)). This modification will enable XTO and the COGCC to be consistent in testing procedures and reporting requirements. Upon completion of any well, and on wells presently completed, the operator shall equip the bradenhead access to the annulus between the production and surface casing as well as any intermediate casing with approved fittings to allow safe and convenient determination of pressure and fluid flow. This rule shall apply to all wells, regardless of function, completed for CBM production or below the coal bearing formation. All wells capable of production, injection, or observation shall be tested by the operator for pressure and flow with results submitted to the Director on a bradenhead test report, Form 17 and to other applicable regulatory agencies. Bradenhead tests shall be performed on all wells on a biennial basis. Remedial requirements shall be determined by the appropriate regulatory agency. The bradenhead testing requirement shall not apply if the operator demonstrates to the satisfaction of the Director annular cement coverage greater than fifty (50) feet above the base of surface casing and zonal Isolation is confirmed by reliable evidence such as a cement bond log or cementing ticket indicating that the height of cement coverage is fifty (50) feet above the base of the surface casing, and zonal isolation is confirmed by two consecutive bradenhead tests preceded by a minimum shut- in period of seven (7) days each • The COGCC may direct soil gas testing on plugged and abandoned wells, if any, and on wells with Bradenhead problems to be conducted by the Operator of record	• The COGCC will continue to conduct annual bradenhead tests on all Huber operated wells in the Application Area • In accord with Rule 207, the COGCC will continue to review all bradenhead test data and reports within the Application Area • If the COGCC determines that there is not adequate cement across the Fruitland interval or that isolation of the Fruitland has not occurred, the Operator of record will be directed to conduct at least two bradenhead pressure tests per year and perform any necessary remediation to such wells • The COGCC may direct soil gas testing on plugged and abandoned wells, if any, and on wells with Bradenhead problems to be conducted by the Operator of record

COMPARISON OF 1998 HUBER DEVELOPMENT PLAN AND XTO PROPOSED CHANGES – JANUARY 2012

Section	Proposed Language	Old Language
v Fruitland Coal Scam Pressure Monitoring: Program	XTO Energy maintains the Marie Shields GU #A- I and the Huber Garcia #1-22 as pressure monitoring wells. There are also two (2) additional monitoring wells in that township that are maintained by the COGCC. They are the Palmer Ranch 1 (API# 05-0 67-09804) and the Fiddler 1 (API# 05-067-09803). Pressure monitoring data from the Marie Shields GU #A-I and the Huber Garcia #1-22 is submitted to the COGCC annually. Also, reference Section II for additional Fruitland Coal Pressure Monitoring conditions.	In order to effectively monitor Fruitland Coal Seam Formation pressures, Huber will: • Maintain the Marie Shields GU #A-1 as a pressure monitor well • Convert the Huber-Garcia #1-22 to a pressure monitor well by April 30,1998 • Secure a new pressure monitor well m the area of Section 12, T35N-R8W prior to December 31, 1998 Attachment V depicts the location of these monitoring wells • Monitor the bottom hole pressure in the pressure monitor wells through a quarterly dip-in • Submit the pressure data quarterly to COGCC, COGCC will forward data to the County
VI Emergency Preparedness Plan	XTO Energy submits updated Emergency Preparedness Plans to La Plata County annually as required by COGCC Order 112-156 and La Plata County code section 90-51 and 90-52.	Huber will submit an updated Emergency Preparedness Plan to La Plata County by March 30, 1998
VII Surface Considerations/Well Locations	XTO Energy will comply with La Plata County revised oil and gas provisions (Chapter 90) adopted December 7, 2010, the terms of any applicable Memorandum of Understanding with La Plata County, COGCC Order 111-156 and COGCC Rules 306 (a) and (c) as well as all other COGCC Rules effective May 1, 2009 for Federal lands and April 1, 2009 for all other land when submitting Applications for Permit to Drill.	• In addition to its obligation to comply with Rule 306(a) and (c) as amended regarding Surface Owner/County consultation, Huber Will periodically update Stephen Clay (or any subsequent LGD for the County) on outstanding surface owner well location issues • Huber's 1998 proposed seven development wells are listed on Attachment I. APDs for such wells will be filed with the COGCC during April of 1998. Huber recognizes that such APDs shall be issued by the Commission subject to the terms of this Development Plan. Depending upon the results of these operations, Huber may submit future APDs for additional development wells in the Application Area under the terms and conditions set forth herein. • Huber will continue to work with La Plata Planning Department re any reaming issues concerning the seven initial locations identified on Attachment I •If necessary, Huber Will enter into a mediation process similar to the current mediation provisions contained in the La Plata County/COGCC Cooperative Agreement regarding the location of drilling locations and facilities within established windows. Huber expects to have specific footages added to Attachment I after completion of consultation with County and surface owner representatives. The County will support

COMPARISON OF 1998 HUBER DEVELOPMENT PLAN AND XTO PROPOSED CHANGES – JANUARY 2012

Section	Proposed Language	Old Language
		Huber efforts to propose exception locations where existence of platted subdivisions makes locations within established windows difficult to establish. Pursuant to existing La Plata County regulations, during April of 1998 Huber will file with the County Planning Department, concurrently with each APD to the Commission, a complete La Plata County Oil & Gas Facility Permit Application on current application forms for the wells listed on Attachment I
VIII Miscellaneous/General Provisions	• XTO Energy will comply with all COGCC Rules and Regulations including compliance with all specific permit conditions for any individual well as imposed by COGCC. • XTO Energy annually submits the data collected from the monitoring of the Fruitland Formation (Kf) outcrop to the COGCC and GORT.	• Huber will comply with all COGCC Rules and Regulations including compliance with all specific permit conditions for any individual well as imposed by COGCC • Huber will periodically submit the data collected in accord with this Development Plan to GORT • Huber recognizes that pursuant to Sec 34-60-108(3) that in the event of an Emergency Situation as defined under COGCC rules, the Commission may issue an emergency order to be effective for no more than fifteen (15) days. Otherwise, any major remedial action shall be imposed by the Commission after notice and hearing. Huber is willing to engage in hearing process with a notice period of a minimum of twenty (20) days to facilitate the ability of the COGCC to fashion a prompt remedial order, if necessary, in the discretion of the Commission. Furthermore, the Commission may also use the COGCC's powers granted under §34-60-124(6) and (7) and Rules 518 and 524 to involve other potentially responsible parties. Moreover, Huber is willing to voluntarily participate in meetings called by the Director from time to time to provide information or answer questions Once adopted by the Commission, this Development Plan will be an attachment to and become part of final Order No 112-138 This Development Plan shall continue for as long as the Order remains in effect or is otherwise modified or terminated by the Commission Huber recognizes the existence of the current Cooperative Agreement dated July 8, 1997 between the Commission and the County and the provisions for surface owner dispute resolution