

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

IN THE MATTER OF A REQUEST FOR PAYMENT ) CAUSE NO. 1  
OF PROCEEDS APPLICATION PURSUANT TO )  
C.R.S. § 34-60-118.5 IN AN UNNAMED FIELD, ) DOCKET NO. 1205-GA-08  
WELD COUNTY, COLORADO )

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

The Colorado Oil and Gas Conservation Act, C.R.S. § 34-60-118.5(2.3), provides that royalty owners are entitled to specified information regarding royalty payments. Pursuant to C.R.S. § 34-60-118.5 (2.5), a royalty owner may request a written explanation of calculation of royalty payments, including deductions or adjustments to the royalty payment, and the operator is bound to respond with 60 days of receipt of such a request.

Section 34-60-118.5(7) C.R.S. states “[a]s a prerequisite to seeking relief under this section for the failure of a payer to make timely payment, a payee shall give the payer written notice by certified mail of such failure and the payer shall have twenty days after receipt of the required notice in which to pay the proceeds, plus interest due thereon, in accordance with the provisions of this section or to respond in writing explaining the reason for nonpayment.”

Rule 328.g. and Rule 329.e. of the Rules and Regulations of the Oil and Gas Conservation Commission, provides that a payee may submit a Form 37 to the payer requesting additional information concerning the payee’s interest in the well, price of the oil sold, taxes applied to the sale of oil, differences in well production and well sales, and other information as described in § 34-60-118.5, C.R.S. The payer shall return the completed form to the payee within 60 days of receipt. Submittal of the Form 37 to the payer fulfills the requirement for “written request” described in § 34-60-118.5(2.5), C.R.S., and is a prerequisite to filing a complaint with the Commission.

On January 9, 2012, Elaine Walford, an interested royalty owner (“Walford” or “Applicant”), submitted Form 37 to Noble Energy, Inc. (“Noble”) via certified mail, requesting Payment of Proceeds Information on the Canepa 6-12 (API No. 05-123-25103), Canepa 6-13 (API No. 05-123-25101), and Canepa 6-15 Wells (API No. 05-123-25102). Noble did not respond to the Payment of Proceeds Request within 60 days as required by Rules 328.g. and 329.e.

On March 12, 2012, Walford filed Form 38, Payment of Proceeds Hearing Request, with the COGCC, requesting a hearing on Noble’s failure to respond to the Form 37 request.

NOTICE IS HEREBY GIVEN, pursuant to: 1) the general jurisdiction granted to the Oil and Gas Conservation Commission of the State of Colorado (Commission) under § 34-60-105 C.R.S.; 2) specific powers granted pursuant to § 34-60-106 C.R.S.; 3) the Colorado Administrative Procedures Act at § 24-4-105 C.R.S.; and 4) the Commission’s Series 500 Rules at 2CCR 404-1, that the Commission has scheduled the above-entitled matter for hearing on:

Date: Tuesday, May 29, 2012  
Wednesday, May 30, 2012

Time: 9:00 a.m.

Place: COGCC Offices  
1120 Lincoln Street, Suite 801  
Denver, Colorado 80203

In accordance with the Americans with Disabilities Act, if any party requires special accommodations as a result of a disability for this hearing, please contact Margaret Humecki at (303) 894-2100 ext. 5139, prior to the hearing and arrangements will be made.

Pursuant to said hearing in the above-entitled matter at the time and place aforesaid, or at any adjourned meeting, the Commission will enter such orders as it deems appropriate to protect the health, safety and welfare of the public and to prevent the waste of oil and gas, either or both, in the operations of said field, and to carry out the purposes of the statute.

In accordance with Rule 509., any interested party desiring to protest the granting of the application or to intervene on the application should file with the Commission a written protest or intervention no later than May 14, 2012, briefly stating the basis of the protest or intervention. Such interested party shall, at the same time, serve a copy of the protest or intervention to the person filing the application. An original and 13 copies shall be filed with the Commission. **Anyone who files a protest or intervention must be able to participate in a prehearing conference during the week of May 14, 2012.** Pursuant to Rule 503.g., if a party who has received notice under Rule 503.b. wishes to receive further pleadings in the above-referenced matter, that party must file a protest or intervention in accordance with these rules. In accordance with the practices of the Commission, should no protests or interventions be filed in this matter by **May 14, 2012, the Applicant may request that an administrative hearing be scheduled beginning May 14, 2012.** In the alternative, pursuant to Rule 511., if the matter is uncontested, the applicant may request, and the Director may recommend approval on the basis of the merits of the verified application and the supporting exhibits.

IN THE NAME OF THE STATE OF COLORADO

OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF COLORADO

By   
Peter J. Gowen, Acting Secretary

Dated at Suite 801  
1120 Lincoln Street  
Denver, Colorado 80203  
April 20, 2012

Pro Se Applicant:  
Elaine Walford  
1434 Baseline Road  
Boulder, Colorado 80302