

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

IN THE MATTER OF ALLEGED VIOLATIONS OF THE) CAUSE NO. 1V
 RULES AND REGULATIONS OF THE COLORADO OIL)
 AND GAS CONSERVATION COMMISSION BY KINDER) DOCKET NO. 1306-OV-12
MORGAN CO2 CO LP, MONTEZUMA AND DOLORES)
 COUNTIES, COLORADO)

CORRECTED NOTICE OF ORDER FINDING VIOLATION HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

Pursuant to Rule 522.c., the Colorado Oil and Gas Conservation Commission ("Commission" or "COGCC") Staff has applied to the Commission at its May 6-7, 2013 hearing for an Order Finding Violation ("OFV") against Kinder Morgan CO₂ CO LP ("Kinder Morgan") (Operator No. 46685).

Kinder Morgan CO₂ CO LP ("Kinder Morgan") (Operator No. 46685) operates the following wells ("Wells") in Montezuma and Dolores Counties:

YG #1 (API No. 05-083-06697) HA #4 (API No. 05-083-06693)
 YA #6 (API No. 05-083-06694) Doe Canyon #11 API No. 05-033-06171)

COGCC Staff conducted inspections at the Wells and found multiple alleged statute and Rule violations. The dates of citation, Notice of Alleged Violation ("NOAV") numbers, alleged Rule violations, and alleged violations of conditions of approval of permits cited are identified in the following table:

Well Name	YG #1	YA #6	HA #4	Doe Canyon #11
NOAV #	200374896	200375003	2369024	2369006
NOAV Date	2/11/2013	2/14/2013	2/18/2013	3/7/2013
Alleged Rule Violations				
Rule 603- Drilling Operations		X	X	X
Rule 902 – Pits	X	X	X	X
Rule 904 – Pit Lining	X	X	X	
Rule 906 - Spills/Releases	X	X	X	X
Rule 907 - E & P Waste	X	X	X	X
Rule 1002 - Site Preparation	X	X	X	X
Rule 1003- Interim Reclamation		X		
Alleged § 34-60-121(1) C.R.S. Violations by Violating Permit Conditions of Approval				
48hrs notice prior to pit construction.	X	X	X	
48hrs notice prior to pit liner installation.	X	X	X	
Drill cuttings properly contained.	X	X	X	
Netted Pit	X	X	X	
Fenced pit		X		
Total site disturbance	X	X	X	X
110% containment of contained liquids	X			
<i>De minimis</i> moisture content of cuttings.	X	X	X	
Wattle installation	X	X	X	

Rule 523 (Procedure for Assessing Fines) specifies a maximum base fine of \$1,000 for each day of violation of Rule 603, Rule 902, Rule 904, Rule 906, Rule 907, Rule 1002, Rule 1003, and each violation of a condition of permit approval pursuant to §34-60-121(1) C.R.S. Rule 523.a.(3) specifies that "the maximum penalty for any single violation shall not exceed \$10,000 regardless of the number of days of such violation," unless the violation results in significant waste of oil and gas resources, damage to correlative rights, or a significant adverse impact on public health, safety or welfare or the environment. Staff is not alleging significant waste of oil and gas resources, damage to correlative rights, or a significant adverse impact on public health, safety or welfare or the environment.

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: Monday, June 17, 2013
Tuesday, June 18,, 2013
Time: 9:00 a.m.
Place: Two Rivers Convention Center
159 Main Street
Grand Junction, CO 81501

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 June 3, 2013, briefly stating the basis of the protest or intervention. 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 June 3, 2013. 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.

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By Peter J. Gowen
FOR Robert J. Frick, Secretary

Dated: April 24, 2013
Colorado Oil and Gas Conservation Commission
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Denver, Colorado 80203
Website: <http://cogcc.state.co.us>