

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 **BEARTOOTH OIL**) DOCKET NO. 1309-OV-22
AND GAS COMPANY, IN MOFFAT COUNTY, COLORADO)

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 will apply to the Commission at its September 16 & 17, 2013, hearing for an Order Finding Violation ("OFV") against Beartooth Oil and Gas Company ("Beartooth") (Operator No. 6975).

On March 1, 2006, Beartooth became the operator of record for the McWilliams 15-22 ("Well") (API # 05-081-06336) located in the SW ¼, SE ¼, Section 22, Township 8 North, Range 90 West, 6th P.M., Moffat County.

The Well has never produced, nor has it ever been tested for mechanical integrity.

On November, 15, 2010, COGCC Staff issued NOAV #200283969 to Beartooth.

On September 23, 2011, COGCC Staff issued NOAV #200322556 to Beartooth.

Rule 523. specifies a base fine of One Thousand dollars (\$1,000) for each day of violation of Rules 319. and Rule 326.b. 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 seeks an Order Finding Violation against Beartooth for alleged violation of Rule 319 for temporary abandonment of the Well in excess of 6 months without Director approval, and of Rule 326 for failure to perform mechanical integrity tests as required.

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, September 16, 2013
Tuesday, September 17, 2013

Time: 9:00 a.m.

Place: Colorado Oil and Gas Conservation Commission
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 August 30, 2013, briefly stating the basis of the protest or intervention. An original and two copies shall be filed with the Commission along with an electronic version. Anyone who files a protest or intervention must be able to participate in a prehearing conference during the week of September 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 _____


Robert J. Frick, Secretary

Dated: August 14, 2013

Colorado Oil and Gas Conservation Commission
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