

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

IN THE MATTER OF ALLEGED VIOLATIONS OF ) CAUSE NO. 1V  
THE RULES AND REGULATIONS OF THE )  
COLORADO OIL AND GAS CONSERVATION ) DOCKET NO. 1310-OV-34  
COMMISSION BY MCELVAIN ENERGY INC., )  
WELD 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 October 28, 2013 hearing for an Order Finding Violation ("OFV") against McElvain Energy Inc. ("McElvain") (Operator No. 55575).

On November 28, 2012, McElvain hydraulically fractured the Wingfield 25-32 Well (API # 05-125-11504) and the Moellenberg 33-41 Well (API # 05-125-11588) ("Wells").

Rule 205A. requires that for hydraulic fracturing treatments performed on or after April 1, 2012, the hydraulic fracturing chemical disclosure registry form must be completed within 60 days following the conclusion of a hydraulic fracturing and in no case later than 120 days after the commencement of such hydraulic fracturing treatment. McElvain did not meet this requirement for the Wells.

On August 31, 2013, Commission Staff issued a Notice of Alleged Violation ("NOAV") (No. 1772370) to McElvain for violations related to the hydraulic fracturing described above. The NOAV cited violations of the following COGCC Rules of Practice and Procedure, 2 CCR 404-1 ("Rule" or "Rules"): 205A (Hydraulic Fracturing Chemical Disclosure).

COGCC staff requests that McElvain be found in violation of Rule 205A and assessed a penalty pursuant to Rule 523.

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, October 28, 2013  
Tuesday, October 29, 2013

Time: 9:00 a.m.

Place: Limon Community Center  
477 D Avenue  
Limon, CO 80826

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 October 11, 2013, briefly stating the basis of the protest or intervention. One electronic, one original and two 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 October 11, 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: September 30, 2013

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