

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 COMMISSION BY ) DOCKET NO. 1403-OV-06  
**MAGPIE OPERATING, INC.**, IN LOGAN COUNTY, )  
COLORADO )

NOTICE OF 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 March 17-18, 2014 hearing for an Order Finding Violation ("OFV") against Magpie Operating, Inc. ("Magpie") (Operator No. 52530).

Magpie is the operator of the Warnecke #1 well (API No. 05-075-05621) in Logan County located at SE ¼, SE ¼, Section 30, Township 8 North, Range 53 West, 6<sup>th</sup> P.M.

On March 4, 2013, Magpie submitted a Site Investigation and Remediation Workplan (Form 27), which the Commission conditionally approved and assigned Remediation Project #7677. Magpie proposed an anticipated completion date of June 4, 2013, for proper skim pit closure.

In response to a citizen complaint, Commission Staff inspected the location on September 11, 2013, and observed numerous violations related to improper skim pit closure and general site maintenance, as addressed below. A follow-up inspection on November 6, 2013 showed Magpie had failed to institute the required corrective actions.

On November 14, 2013, Commission Staff issued Magpie a Notice of Alleged Violation ("NOAV"), No. 200389384, for the following violations of COGCC Rules of Practice and Procedure, 2 CCR 404-1 ("Rule" or "Rules") at the Warnecke #1 well:

- a. Rule 210 (Signs and Markers)
- b. Rule 603.j [now Rule 603.f.] (Statewide equipment, weeds, waste, and trash requirements)
- c. Rule 804 (Visual Impact Mitigation)
- d. Rule 905 (Closure of Pits, and Buried or Partially Buried Produced Water Vessels)
- e. Rule 906 (Spills and Releases)
- f. Rule 907.b.2. (Management of E & P Waste, Waste Generator Requirements)
- g. Rule 910 (Concentrations and Sampling for Soil and Ground Water)
- h. Rule 1002.f.2 (Site Preparation and Stabilization, Stormwater Management)
- i. Rule 1003.f (Interim Reclamation, Weed Control)

COGCC staff requests that Magpie Operating be found in violation of rules cited above 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, March 17, 2014  
Tuesday, March 18, 2014

Time: 9:00 a.m.

Place: COGCC Main Office  
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 March 3, 2014, 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. 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

  
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Robert J. Frick, Secretary

Dated: January 24, 2014

Colorado Oil and Gas Conservation Commission  
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