

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 TOP ) DOCKET NO. 1410-OV-57  
OPERATING COMPANY, WELD 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 October 28-29, 2014, hearing for an Order Finding Violation ("OFV") against TOP Operating Company ("TOP") (Operator No. 39560).

TOP is the operator of record of the following Wells in Weld County:

Table 1

Well Name	Well API Number	NOAV Numbers
Counter #1	05-123-07371	200403550 200410693
Counter #2	05-123-08035	200403358 1772518
Counter #3	05-123-10297	200403377 1772519

On May 1, 2014, Commission Staff issued three Notices of Alleged Violation ("NOAVs") Nos. 200403550, 200410693, and 200403377 to TOP citing violations of the following COGCC Rules of Practice and Procedure, 2 CCR 404-1 ("Rule" or "Rules") at the three Wells in listed Table 1 above:

- a. Rule 603.f. (Statewide equipment, weeds, waste, and trash requirements).
- b. Rule 906.a. (Spills and Releases, General)
- c. Rule 605.a.(4) (Crude Oil and Condensate Tanks, Berm Construction)
- d. Rule 605.a(9) (Crude Oil and Condensate Tanks, Gauge Hatches)

On August 19, 2014, Commission Staff issued three Notices of Alleged Violation ("NOAV's") Nos. 200410693, 1772518, and 1772519 to TOP citing violations of Rule 309 (Form 7, Monthly Report of Operations) at the three Wells listed in Table 1 above.

COGCC staff requests that TOP be found in violation of the Rules cited above and assessed a penalty pursuant to Rule 523, and other relief as authorized by law.

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 500 Series Rules at 2 CCR 404-1, that the Commission has scheduled the above-entitled matter for hearing on:

Date: Monday, October 28, 2014  
Tuesday, October 29, 2014

Time: 9:00 a.m.

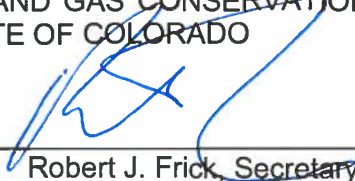
Place: Durango Public Library  
1900 E. 3<sup>rd</sup> Avenue  
Durango, CO 81301

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 10, 2014, 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 10, 2014. 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 21, 2014

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