

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. 150500173
COMMISSION BY **TOP OPERATING COMPANY,**)
WELD COUNTY, COLORADO) TYPE: ENFORCEMENT

NOTICE AND APPLICATION FOR HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

Pursuant to Rule 522.d., the Colorado Oil and Gas Conservation Commission ("Commission" or "COGCC") Staff will apply to the Commission at its July 20-21, 2015 hearing for an Order Finding Violation ("OFV") against TOP Operating Company ("TOP") (Operator No. 39560). This Notice and Application is being served to adjudicate the allegations made in the below-described Notice of Alleged Violation ("NOAV"), the allegations of which are incorporated herein.

TOP is the operator of the Haley 10 Well (API No. 05-123-38400) ("Well"), which was spud on December 27, 2013. TOP did not collect groundwater samples prior to drilling the Well, nor did it file a Sundry Notice requesting an exception prior to drilling the Well.

On July 31, 2014, Commission Staff issued a Notice of Alleged Violation ("NOAV") (No. 200409733) to TOP for a violation related to its failure to collect groundwater samples as described above. The NOAV cited violation of Rule 318A.e.(4) (now Rule 318A.f.) (Groundwater baseline sampling and monitoring) of the COGCC Rules of Practice and Procedure, 2 CCR 404-1 ("Rule" or "Rules").

COGCC staff requests that TOP be found in violation of the rule 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, July 20, 2015
Tuesday, July 21, 2015

Time: 9:00 a.m.

Place: COGCC offices
The Chancery Building
1120 Lincoln Street, Suite 801
Denver, CO 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 July 6, 2015, 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 July 6, 2015. 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  _____
Julie Murphy, Secretary

Dated: April 27, 2015

Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, Colorado 80203
Website: <http://cogcc.state.co.us>
Phone: (303) 894-2100
Fax: (303) 894-2109