

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) DOCKET NO. 150700141
BLACK DIAMOND MINERALS LLC, GARFIELD) TYPE: ENFORCEMENT
COUNTY, COLORADO)

NOTICE AND APPLICATION FOR HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

Pursuant to Rule 522.e.(2), 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 Black Diamond Minerals LLC ("Black Diamond") (Operator No. 10244). 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.

Black Diamond was the operator of the TPR Well Pad/36A (Location No. 334460) ("Location") in Garfield County when these violations occurred. On March 17, 2014, COGCC Staff inspected the Location and discovered violations. On June 18, 2014, COGCC Staff inspected the Location and observed that the violations were ongoing. On June 18, 2014, Black Diamond merged with MRD Operating LLC ("MRD"). As a result of the merger, MRD currently owns the Location.

On December 15, 2014, COGCC Staff issued Notice of Alleged Violation ("NOAV") No. 200419071 to Black Diamond for violations at the Location of the following:

- a. Rule 210.d. (Signs & Markers, Tanks) of the COGCC Rules and Regulations of the Colorado Oil and Gas Conservation Commission, 2 CCR 404-1 ("Rule" or "Rules") for the failure to properly mark the tanks at the site;
- b. Rule 603.f. (Statewide Requirements for Weeds, Unused Equipment, Debris, and Trash) for the failure to keep the site, which is within a Sensitive Area, free of unused equipment and debris; and
- c. §34-60-121(1), C.R.S. (Violation of a Permit) of the Colorado Oil and Gas Conservation Act ("Act") for the failure to meet the requirements of the Conditions of Approval attached to the Location's Form 2A, Oil and Gas Location Assessment.

COGCC Staff requests that Black Diamond 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 Commission under § 34-60-105 C.R.S.; 2) specific powers granted pursuant to § 34-60-106 C.R.S.; 3) the State Administrative Procedure Act at § 24-4-105 C.R.S.; and 4) the 500-Series Rules, 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: Colorado Oil and Gas Conservation Commission
1120 Lincoln St. 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: May 20, 2015

Colorado Oil and Gas Conservation Commission
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