

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

IN THE MATTER OF THE PAYMENT OF ) CAUSE NO. 1  
PROCEEDS FROM THE PRODUCTION OF OIL )  
AND GAS AS ESTABLISHED BY SECTION 34-60- ) DOCKET NO. 170300100  
118.5, C.R.S., BUSCADERO FIELD, KIOWA )  
COUNTY, COLORADO ) TYPE: GENERAL ADMINISTRATIVE

SECOND NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

WELLS

Tallman 23-2 Well (API No. 05-061-06220)

APPLICATION

On December 30, 2016, Janet Schiel, Linda Tallman, and Marla Hindes ("Payees" or "Applicant"), *pro se*, filed a Form 38 Request for Hearing pursuant to §34-60-118.5, C.R.S., and Rule 503.b.(10), for an order to award payment of proceeds and interest due from Trinity Bay Oil and Gas, Inc. Operator No. 10367 ("Trinity" or "Payor") for production attributable to the abovementioned Well located in Kiowa County, Colorado, and to award relief for all associated costs and attorney's fees due to Payees attributable to the payment due from Trinity.

APPLICABLE STATUTE

- On July 1, 1990, Section 34-60-118.5, C.R.S. provided the Colorado Oil and Gas Conservation Commission with exclusive jurisdiction concerning the payment of proceeds derived from the sale of oil, gas or associated products from a well in Colorado including the following:
  - (a) The date on which payment of proceeds is due a payee under section (2) of the section;
  - (b) The existence or nonexistence of an occurrence pursuant to subsection (3) of this section which would justifiably cause a delay in payment; and
  - (c) The amount of the proceeds plus interest, if any due a payee or payer.
- Section 34-60-118.5(2)(a), C.R.S., provides that payment of proceeds derived from the sale of oil, gas, or associated products shall be paid by a payer to the payee commencing not later than six months after the end of the month in which production is first sold, and, thereafter, on a monthly basis not later than sixty days for oil and ninety days for gas and associated products following the end of the calendar month in which subsequent production is sold.

NOTICE IS HEREBY GIVEN, pursuant to §§ 34-60-101 to -130, C.R.S. and the Commission's Rules of Practice and Procedure, 2 CCR 404-1, that the Commission has scheduled this matter for hearing on:

Dates: June 12-13, 2017  
Time: 9:00 a.m.  
Place: Rio Blanco County Courthouse  
555 Main Street  
Meeker, CO 81641

Additional information about the hearing on this Application will be in the Commission's Agenda, which is posted on the Commission website approximately 3 days before the hearing.

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.

At hearing, the Commission will consider the Application and enter an order pursuant to its authority under the statute. **Any interested party desiring to protest or intervene should file with the Commission a written protest or intervention in accordance with Rule 509., no later than May 26, 2017.** Such interested party shall, at the same time, serve a copy of the protest or intervention to the person filing the application. One electronic (cogcc.hearings\_unit@state.co.us), 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 May 26, 2017.** Pursuant to Rule 511., if the matter is uncontested, it may be approved without a hearing.

OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF COLORADO

By   
Peter Gowen, Acting Secretary

Dated: May 2, 2017

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

**Payees:**  
Janet Schiel  
7723 E. Kettle Ct.  
Centennial, Colorado 80112-2648  
Phone: (303) 868-7722  
[j.schiel@comcast.net](mailto:j.schiel@comcast.net)

Linda Tallman  
618 46<sup>th</sup> Court  
Greeley, Colorado 80634  
970-356-7383  
[rlrtol@earthlink.com](mailto:rlrtol@earthlink.com)

Marla Hindes  
1506 Sunset Place  
Lamar, Colorado 81052  
719-691-1305  
[mhindes@csb-lamar.com](mailto:mhindes@csb-lamar.com)