

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. 181200917
118.5, C.R.S., GARFIELD COUNTY, COLORADO)
) TYPE: GENERAL
) ADMINISTRATIVE

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

WELLS

BAT 12A-24-07-96	(API No. 05-045-20553)
BAT 12B-24-07-96	(API No. 05-045-20562)
BAT 12C-24-07-96	(API No. 05-045-22095)
BAT 12D-24-07-96	(API No. 05-045-22106)
BAT 13A-24-07-96	(API No. 05-045-22093)
BAT 13B-24-07-96	(API No. 05-045-22108)
BAT 13C-24-07-96	(API No. 05-045-22098)
BAT 13D-24-07-96	(API No. 05-045-20556)
BAT 24A-24-07-96	(API No. 05-045-20549)
BAT 24B-24-07-96	(API No. 05-045-22419)
BAT 24C-24-07-96	(API No. 05-045-22418)
BAT 24D-24-07-96	(API No. 05-045-22425)
BAT 32A-24-07-96	(API No. 05-045-22105)
BAT 32B-24-07-96	(API No. 05-045-20550)
BAT 32C-24-07-96	(API No. 05-045-22044)
BAT 32D-24-07-96	(API No. 05-045-22100)
BAT 33A-24-07-96	(API No. 05-045-22102)
BAT 33B-24-07-96	(API No. 05-045-22097)
BAT 33C-24-07-96	(API No. 05-045-22094)
BAT 33D-24-07-96	(API No. 05-045-22107)
BAT 34A-24-07-96	(API No. 05-045-22092)
BAT 34B-24-07-96	(API No. 05-045-22416)
BAT 34C-24-07-96	(API No. 05-045-22424)
BAT 34D-24-07-96	(API No. 05-045-22417)
BAT 24A-18-07-95	(API No. 05-045-20530)
BAT 24B-18-07-95	(API No. 05-045-22836)
BAT 24C-18-07-95	(API No. 05-045-22837)
BAT 24D-18-07-95	(API No. 05-045-22838)
BAT 33A-18-07-95	(API No. 05-045-20535)
BAT 33B-18-07-95	(API No. 05-045-20532)
BAT 33C-18-07-95	(API No. 05-045-20531)
BAT 33D-18-07-95	(API No. 05-045-20543)
BAT 34A-18-07-95	(API No. 05-045-20528)
BAT 34B-18-07-95	(API No. 05-045-20540)
BAT 34C-18-07-95	(API No. 05-045-20534)

BAT 34D-18-07-95	(API No. 05-045-20533)
BAT 13A-17-07-95	(API No. 05-045-20565)
BAT 13C-17-07-95	(API No. 05-045-20542)
BAT 14A-17-07-95	(API No. 05-045-20539)
BAT 14C-17-07-95	(API No. 05-045-20527)
BAT 22D-17-07-95	(API No. 05-045-18713)
BAT 44A-18-07-95	(API No. 05-045-19089)
BAT 14B-17-07-95	(API No. 05-045-19109)
BAT 14D-17-07-95	(API No. 05-045-19067)
BAT 13B-17-07-95	(API No. 05-045-19108)
BAT 13D-17-07-95	(API No. 05-045-19098)
BAT 23B-17-07-95	(API No. 05-045-19095)
BAT 23D-17-07-95	(API No. 05-045-18714)
BAT 24B-17-07-95	(API No. 05-045-18715)
BAT 24D-17-07-95	(API No. 05-045-19082)
BAT 34B-17-07-95	(API No. 05-045-19101)
BAT 34D-17-07-95	(API No. 05-045-19066)
WATSON RANCH B 23A-17-07-95	(API No. 05-045-19092)
WATSON RANCH B 23C-17-07-95	(API No. 05-045-19100)
WATSON RANCH B 24A-17-07-95	(API No. 05-045-19721)
WATSON RANCH B 24C-17-07-95	(API No. 05-045-19719)
WATSON RANCH B 32B-17-07-95	(API No. 05-045-22803)
WATSON RANCH B 32C-17-07-95	(API No. 05-045-22799)
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WATSON RANCH B 33A-17-07-95	(API No. 05-045-22800)
WATSON RANCH B 33B-17-07-95	(API No. 05-045-22808)
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MONUMENT RIDGE B 21B-17-07-95	(API No. 05-045-22894)
MONUMENT RIDGE B 21A-17-07-95	(API No. 05-045-22893)
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MONUMENT RIDGE B 24B-08-07-95	(API No. 05-045-22910)
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MONUMENT RIDGE B 34A-08-07-95	(API No. 05-045-22912)
MONUMENT RIDGE B 34B-08-07-95	(API No. 05-045-22909)
MONUMENT RIDGE B 34C-08-07-95	(API No. 05-045-22911)

MONUMENT RIDGE B 34D-08-07-95	(API No. 05-045-22959)
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MONUMENT RIDGE B 43A-08-07-95	(API No. 05-045-22960)
MONUMENT RIDGE B 43B-08-07-95	(API No. 05-045-22915)
MONUMENT RIDGE B 43C-08-07-95	(API No. 05-045-22914)
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MONUMENT RIDGE B 44A-08-07-95	(API No. 05-045-22961)
MONUMENT RIDGE B 44B-08-07-95	(API No. 05-045-22916)
MONUMENT RIDGE B 44C-08-07-95	(API No. 05-045-22964)
MONUMENT RIDGE B 44D-08-07-95	(API No. 05-045-22917)
B&V 11A-18-07-95	(API No. 05-045-22713)
B&V 11B-18-07-95	(API No. 05-045-22845)
B&V 13A-07-07-95	(API No. 05-045-22718)
B&V 13B-07-07-95	(API No. 05-045-22719)
B&V 13C-07-07-95	(API No. 05-045-22712)
B&V 13D-07-07-95	(API No. 05-045-22717)
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B&V 14B-07-07-95	(API No. 05-045-22706)
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B&V 14D-07-07-95	(API No. 05-045-22715)
B&V 21A-18-07-95	(API No. 05-045-22711)
B&V 23A-07-07-95	(API No. 05-045-22710)
B&V 23B-07-07-95	(API No. 05-045-22708)
B&V 23C-07-07-95	(API No. 05-045-22707)
B&V 23D-07-07-95	(API No. 05-045-22723)
B&V 24A-07-07-95	(API No. 05-045-22716)
B&V 24B-07-07-95	(API No. 05-045-22705)
B&V 24C-07-07-95	(API No. 05-045-22722)
B&V 24D-07-07-95	(API No. 05-045-22714)
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B&V 33D-07-07-95	(API No. 05-045-22846)
B&V 41A-13-07-96	(API No. 05-045-22709)
ENYEART 17-8C (PL16), 7S, 95W	(API No. 05-045-17969)
GARDNER 17-8 (PL 16), 7S, 95W	(API No. 05-045-15800)
GARDNER 17-8BB (PL 16) 7S, 95W	(API No. 05-045-15799)
TOMPKINS 21A-08-07-95	(API No. 05-045-22823)
TOMPKINS 21B-08-07-95	(API No. 05-045-22821)
TOMPKINS 21C-08-07-95	(API No. 05-045-22822)
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TOMPKINS 32A-08-07-95	(API No. 05-045-22477)
TOMPKINS 32B-08-07-95	(API No. 05-045-22475)
TOMPKINS 32C-08-07-95	(API No. 05-045-22472)
TOMPKINS 41A-08-07-95	(API No. 05-045-22480)
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YATER 42A-18-07-95	(API No. 05-045-22824)
YATER 42B-18-07-95	(API No. 05-045-22827)
YATER 42C-18-07-95	(API No. 05-045-22826)
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YATER 43A-18-07-95	(API No. 05-045-22763)
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BMC D 12C-18-07-95	(API No. 05-045-23308)
BMC D 21B-18-07-95	(API No. 05-045-23316)
BMC D 21C-18-07-95	(API No. 05-045-23313)
BMC D 21D-18-07-95	(API No. 05-045-23317)
BMC D 22A-18-07-95	(API No. 05-045-23315)
BMC D 22B-18-07-95	(API No. 05-045-23314)
BMC D 22C-18-07-95	(API No. 05-045-23326)
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BMC D 31B-18-07-95	(API No. 05-045-23271)
BMC D 31C-18-07-95	(API No. 05-045-23276)
BMC D 31D-18-07-95	(API No. 05-045-23277)
BMC D 32A-18-07-95	(API No. 05-045-23269)
BMC D 32B-18-07-95	(API No. 05-045-23270)
BMC D 32C-18-07-95	(API No. 05-045-23262)
BMC D 32D-18-07-95	(API No. 05-045-23272)
BMC D 34A-07-07-95	(API No. 05-045-23275)
BMC D 34B-07-07-95	(API No. 05-045-23266)
BMC D 34C-07-07-95	(API No. 05-045-23268)
BMC D 34D-07-07-95	(API No. 05-045-23273)
BMC D 41A-18-07-95	(API No. 05-045-23265)
BMC D 41B-18-07-95	(API No. 05-045-23278)
BMC D 41C-18-07-95	(API No. 05-045-23264)
BMC D 44D-07-07-95	(API No. 05-045-23263)
BMC D 32E-07-07-96	(API No. 05-045-23274)

APPLICATION

On October 1, 2018, Paradise Valley Minerals, LLC and Paradise Valley Minerals II, LLC, Colorado Limited Liability Companies (collectively "PVM"), by their attorneys, filed an Application for an Order Determining Whether the Commission has Jurisdiction Over Applicant's Royalty Underpayment Claims Against Ursa Operating Company, LLC ("Ursa") pursuant to §34-60-118.5, C.R.S., and Rule 503.b.(10), for an order to:

1. Declare that the Commission does not have jurisdiction over PVM's royalty underpayment claims against Ursa, and that such royalty underpayment claims should be determined in a district court lawsuit; or
2. In the alternative, if the Commission decides to exercise jurisdiction over PVM's underpayment claims against Ursa, then the Commission should compel Ursa and certain third parties to produce relevant documents, electronic data, set depositions, and set the parties' dispute for a hearing on the merits.

APPLICABLE STATUTE

- Section 34-60-118.5(5), C.R.S. provides that absent a bona fide dispute over the interpretation of a contract for payment, the Colorado Oil and Gas Conservation Commission has jurisdiction to determine 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(5.5), C.R.S., provides that (5.5) before hearing the merits of any proceeding regarding payment of proceeds pursuant to this section, the oil and gas conservation commission shall determine whether a bona fide dispute exists regarding the interpretation of a contract defining the rights and obligations of the payer and payee. If the commission finds that such a dispute exists, the commission shall decline jurisdiction over the dispute and the parties may seek resolution of the matter in district court.

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:

Date: December 17-18, 2018

Time: 9:00 a.m.

Place: Colorado Oil and Gas Conservation Commission
The Chancery Building
1120 Lincoln Street, Suite 801
Denver, Colorado 80203

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 December 3, 2018.** 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 December 3, 2018, if a prehearing conference is requested by the Applicant, or any person who has filed a protest or intervention.** 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



Julie Spence Prine, Secretary

Dated: November 8, 2018

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

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