

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

IN THE MATTER OF THE APPLICATION)	CAUSE NO. 1
OF CORSENTINO DAIRY FARMS FOR A)	
GRANT OF FUNDS FROM THE OIL AND)	DOCKET NO. 1003-GA-04
GAS CONSERVATION AND ENVIRONMENTAL)	
RESPONSE FUND, HUERFANO COUNTY,)	
COLORADO)	

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

Section 34-60-122 of the Oil and Gas Conservation Act establishes the oil and gas conservation and environmental response fund (“CERF”), the environmental response account within the CERF, and authority for expenditures from the environmental response account. §34-60-122(5), C.R.S. (2009). Section 34-60-124 of the Oil and Gas Conservation Act establishes monies that shall be credited to the CERF and the purposes for which monies may be expended from the CERF. §34-60-124(1) through (10), C.R.S. (2009).

On January 29, 2010, Corsentino Dairy Farms, Inc. (“Corsentino Dairy”), by its attorney, filed with the Commission an application for an order to grant funds from the CERF to Corsentino Dairy to mitigate the losses it incurred to the value of its property and operations as a result of the coalbed methane operations conducted by Petroglyph Energy, Inc. (“Petroglyph”).

Corsentino Dairy is located in portions of the following sections of land:

Township 27 South, Range 65 West, 6th P.M.
Section 31

Township 27 South, Range 66 West, 6th P.M.
Sections 35 and 36

Township 28 South, Range 66 West, 6th P.M.
Sections 1 and 2

Petroglyph’s coalbed methane production operations have ceased temporarily and are located on portions of the following sections of land:

Township 28 South, Range 67 West, 6th P.M.
Sections 22, 35, and 36

Township 29 South, Range 66 West, 6th P.M.
Sections 5 through 8

Township 29 South, Range 67 West, 6th P.M.
Sections 2 through 5, 8 through 10, 12, and 13

Petroglyph is alleged to have discharged produced water from 1999-2007 into the Cucharas River pursuant to a point source water discharge permit (No. CO-0048020) issued by the Colorado Water Quality Control Division of the Colorado Department of Public Health and Environment causing damage to Corsentino Farm’s lands due to the high sodium content of the discharged water.

Corsentino Farm requests unspecified payment of monies from the CERF as partial mitigation of the damages it suffered to its crops, milk production, and dairy herd from 2002 through 2008, which allegedly totaled \$3,459,804.58 (three million, four hundred fifty-nine thousand, eight hundred four dollars and fifty-eight cents).

NOTICE IS HEREBY GIVEN, that the Oil and Gas Conservation Commission of the State of Colorado, pursuant to the above, has scheduled the above-entitled matter for hearing on:

Date: Thursday, March 25, 2010
Friday, March 26, 2010

Time: 9:00 a.m.

Place: Suite 801, The Chancery Building
1120 Lincoln Street
Denver, Colorado 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 March 11, 2010, briefly stating the basis of the protest or intervention. Such interested party shall, at the same time, serve a copy of the protest or intervention to the person filing the application. An original and 13 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 March 15, 2010.** Pursuant to Rule 503.f., 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. In accordance with the practices of the Commission, should no protests or interventions be filed in this matter by **March 11, 2010, the Applicant may request that an administrative hearing be scheduled during the week of March 15, 2010.** In the alternative, pursuant to Rule 511., if the matter is uncontested, the applicant may request, and the Director may recommend approval on the basis of the merits of the verified application and the supporting exhibits.

IN THE NAME OF THE STATE OF COLORADO

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By: _____
Carol Harmon, Secretary

Dated at Suite 801
1120 Lincoln Street
Denver, CO 80203
February 26, 2010

Attorney for Corsentino Farm:
John D. Faught
Fognani & Faught, PLLC
1700 Lincoln Street, Suite 2222
Denver, CO 80203
(303) 382-6200