

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 COMMISSION BY **WESTERN**) DOCKET NO. 1109-OV-28
OPERATING COMPANY, KIOWA COUNTY, COLORADO)

NOTICE OF ORDER FINDING VIOLATION HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

Pursuant to Rule 522.c., the Colorado Oil and Gas Conservation Commission ("Commission" or "COGCC") Staff will apply to the Commission at its September 19, 2011 hearing for an Order Finding Violation ("OFV") against Western Operating Company ("Western") (Operator No. 95620).

King-Pyles #2

On January 24, 1968, McBride Inc. spud the King-Pyles #2 Well (API No. 05-061-06027), located in the SW¼ SW¼ of Section 9, Township 19 South, Range 45 West, 6th P.M. Subsequently, the well was sold to Inexco Oil Company, Park Oil & Gas, and Whiting Oil and Gas Corporation, before finally being sold to Western, the present operator of the well. The well has been listed as an injection well since September 12, 1991.

On June 8, 2010, Staff issued a Notice of Alleged Violation ("NOAV") #200253999 to Western for its operation at the King-Pyles #2 Well. Said NOAV cited violations for COGCC Rules 906.b.(1), 906.b.(3), 906.b.(5), and 906.c.

Abatement or corrective actions found in the NOAV required Western to submit Form 19 to report the spill, submit Form 27 to include a remediation plan, sample all impacted areas and submit results to the COGCC for review, and provide documentation to the COGCC and the surface owner as to why the spill was not reported as required and what policies and procedures will be implemented to prevent future infractions. Abatement or corrective action was required to be performed by Western by June 30, 2010, and Staff asserts that Western has not performed the required abatement or corrective action.

The COGCC Staff requests that Western be found in violation of **Rules 906.b.(1), 906.b.(3), 906.b.(5), and 906.c.** for its operations at the King-Pyles #2 Well.

Foster #1

On June 4, 1967, Fremont Petroleum company spud the Foster #1 Well (API No. 05-061-06010), located in the NE¼ NW¼ of Section 15, Township 19 South, Range 45 West, 6th P.M., and completed the well for production of the Mississippian Formation. Subsequently, the well was sold to Inexco Oil Company, Park Oil and Gas, Whiting Oil and Gas Corporation, and finally, to Western, the present operator of the well. The well has been listed as producing as of May 15, 2010.

On June 8, 2010, COGCC Staff issued NOAV #200254000 to Western for its operation at the Foster #1 Well for an alleged violation of COGCC Rules 902.c., 906.b.(1), 906.b.(5), and 906.c.

Abatement or corrective actions found in the NOAV required Western to submit Form 19 to report the spill, submit Form 27 to include a remediation plan, remove free oil, sample the area and provide the results to the COGCC, submit documentation as to why the spill was not reported and free oil was not removed as required, and include in the documentation what policies and procedures will be implemented to prevent future infractions. Abatement or corrective action was required to be completed by Western by June 30, 2010, and Staff asserts that Western has not performed the required abatement or corrective action.

The COGCC Staff requests that Western be found in violation of **Rules 902.c., 906.b.(1), 906.b.(5), and 906.c.** for its operations at the Foster #1 Well.

Dawson A 1

On October 14, 1967, Fremont Petroleum spud the Dawson A 1 Well (API No. 05-061-06023), located in the NE¼ NW¼ of Section 9, Township 19 South, Range 45 West, 6th P.M., and completed the well for production in the Mississippian Formation. Subsequently, the well was sold to Inexco Oil Company, Park Oil & Gas, Whiting Oil and Gas, and finally, to Western, the present operator of the well. The well has been listed as producing as of November 24, 1967.

On July 7, 2010, COGCC Staff issued NOAV #200259849 to Western for an alleged violation of Rule 906.a. for its operation of the Dawson A 1 Well.

Said NOAV required Western to sample the affected area and submit the results along with a plan to remediate the affected area to include the area under the tanks. Abatement or corrective action was required to be completed by Western by August 15, 2010, and Staff asserts that Western has not the required abatement or corrective action, and Staff asserts that Western has not performed the required abatement or corrective action.

The COGCC Staff requests that Western be found in violation of **Rule 906.a.** for its operations at the Dawson A 1 Well.

Dawson #4

On September 8, 1968, Fremont Petroleum spud the Dawson #4 Well (API No. 05-061-06041), located in the NE¼ SW¼ of Section 3, Township 19 South, range 45 West, 6th P.M., and completed the well for production of the Mississippian Formation. Subsequently, the well was sold to Inexco Oil Company, Whiting Oil and Gas, and finally to Western, the present operator of the well. The well has been listed as an abandoned completion since December 21, 1994.

On July 2, 2010, COGCC Staff issued NOAV #200258815 to Western for an alleged violation of Rule 1004.a. for its operation of the Dawson #4 Well.

Said NOAV required Western to remediate any contaminated soil, and seed the location in accordance with Rule 1004.a. by October 2, 2010, and Staff asserts that Western has not performed the required abatement or corrective action..

The COGCC Staff requests that Western be found in violation of **Rule 1004.a.** for its operations at the Dawson #4 Well.

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: Monday, September 19, 2011
Tuesday, September 20, 2011

Time: 9:00 a.m.

Place: City & County of Broomfield
City & County Building – Council Chambers
One DesCombes Drive
Broomfield, Colorado 80020

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 September 2, 2011, 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 September 2, 2011.

IN THE NAME OF THE STATE OF COLORADO

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By 
Robert A. Willis, Enforcement Officer

Dated at Suite 801
1120 Lincoln Street
Denver, Colorado 80203
August 23, 2011

Western Operating Address of Record:
Western Operating Company
518 17th Street, Suite 1680
Denver, CO 80202