

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

IN THE MATTER OF A WASTEWATER)	CAUSE NO. 1
DISCHARGE PERMIT RENEWAL AND REQUEST)	
TO ALLOW THE DISCHARGE OF TREATED)	DOCKET NO. 1102-GA-04
PRODUCED WATER FROM THE WELLINGTON)	
MUDDY UNIT INTO THE BOXELDER CREEK)	
ALLUVIUM, LARIMER COUNTY, COLORADO)	

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

On August 15, 2005, the Commission issued Order No. 1-108, which authorized Staff to process and approve a variance from Rule 901.f. and Rule 904.a.(2) to allow Wellington Operating Company, LLC ("Wellington") to discharge treated produced water from the Wellington Muddy Unit into the Boxelder Creek alluvium at the following location:

Township 9 North, Range 68 West, 6th P.M.
Section 7: SE¼

This authorization was subject to Staff imposing conditions of approval on the variance, including the following: 1) amount of financial assurance to be provided; 2) identification of the responsible party(ies); 3) establishment of points of compliance (POC) closer to the infiltration pit than the property boundary; 4) installation of additional monitoring wells spaced at regular intervals across the paleo-channel of Boxelder Creek and between the POC and the infiltration pit; 5) establishment of type, monitoring frequency and location of each monitoring well; 6) preparation of a contingency plan; 7) establishment of a process for immediate notification of the Commission and Water Quality Control Division ("WQCD") Staffs if an upset occurs; 8) monitoring of irrigation wells; and 9) any other conditions Commission Staff, in consultation with WQCD, believe are appropriate.

On December 5, 2005, the Commission issued Wellington a discharge permit (Pit Permit #281818 and #281824) for the 3W Production Water Treatment Facility. The permit term ran through December 31, 2010.

On October 7, 2010, Wellington, by its representative, filed with the Commission a verified application for a permit renewal, and requested a hearing before the Commission. The matter was heard during the Commission's November 29, 2010 hearing; however a final permit was not ready for consideration at that time. Instead the Commission issued Order No. 1-161, which continues the Permit until such time as a renewal permit is approved by the Commission, or this Order is otherwise modified by action of the Commission.

Staff has now completed a draft permit in cooperation with the WQCD. The draft permit is available for inspection at the offices of the Commission, and can be found attached to the Wellington Application on the Commission website at: <http://cogcc.state.co.us/>, navigating through the main menu "Hearings" link, "Fiscal Year 2010/2011" link, "Docket" link, and the clicking on the Wellington's name.

Staff proposes to issue a permit to Wellington, containing largely the same terms and conditions as the previous permit, with the exception of reducing monitoring frequency in some cases from monthly to quarterly.

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: Tuesday, February 22, 2011
Wednesday, February 23, 2011

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 January 28, 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 January 31, 2011.** 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. In accordance with the practices of the Commission, should no protests or interventions be filed in this matter by **January 28, 2011, the Applicant may request that an administrative hearing be scheduled during the week of January 31, 2011.** 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 _____
Robert A. Willis, Acting Secretary

Dated at Suite 801
1120 Lincoln Street
Denver, Colorado 80203
January 24, 2011

Attorneys for Applicant:
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