

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

IN THE MATTER OF APPROVAL OF A SUPPLEMENTAL)
ENVIRONMENTAL PROJECT IN SATISFACTION OF AN)
ADMINISTRATIVE ORDER BY CONSENT FOR ALLEGED)
VIOLATIONS OF RULES AND REGULATIONS OF THE)
COLORADO OIL AND GAS CONSERVATION COMMISSION BY)
BERRY PETROLEUM COMPANY, GARFIELD COUNTY,)
COLORADO)

CAUSE NO. 1

DOCKET NO. 1205-GA-10

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

On June 27, 2011, the Commission entered into an Administrative Order by Consent (AOC), Order No. 1V-372, with Berry Petroleum Company ("Berry") in resolution of outstanding Rules violations at Berry's Chevron #12-213D Well (API #05-045-10938), and associated pad located in the SW¼ NW¼ of Section 12, Township 6 South, Range 97 West, 6th P.M., Garfield County, Colorado. The AOC assessed a fine of \$173,000 in the form of a \$100,000 cash fine payable within 30 days of entry of the AOC, and a payment of \$173,000 to fund a public project in Colorado in accordance with Rule 523.e.

Berry has proposed an appropriate public project in cooperation with the Colorado River Water Conservation District, ("CRWCD") and the Middle Colorado River Watershed Partnership ("MCRWP"). The public project is generally described in a proposal by the MCRWP as a Riparian Restoration Project, dated December 11, 2011. A memorandum of understanding (MOU) has been prepared by Commission Staff, CRWCD and the MCRWP which approves the project as consistent with the AOC, further establishing the procedures governing Berry's payment for the project, CRWCD managing the project, and MCRWP implementing the project. The Berry funds will be the local match for a grant from the U.S. Environmental Protection Agency grant pursuant to Section 319 (h) of the Clean Water Act.

NOTICE IS HEREBY GIVEN, pursuant to: 1) the general jurisdiction granted to the Oil and Gas Conservation Commission of the State of Colorado (Commission) under § 34-60-105 C.R.S.; 2) specific powers granted pursuant to § 34-60-106 C.R.S.; 3) the Colorado Administrative Procedures Act at § 24-4-105 C.R.S.; and 4) the Commission's Series 500 Rules at 2CCR 404-1, that the Commission has scheduled the above-entitled matter for hearing on:

Date: Tuesday, May 29, 2012
Wednesday, May 30, 2012

Time: 9:00 a.m.

Place: COGCC Offices
1120 Lincoln Street, Suite 801
Denver, Colorado 80203

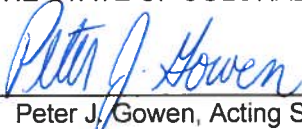
In accordance with the Americans with Disabilities Act, if any party requires special accommodations as a result of a disability for this hearing, please contact Margaret Humecki at (303) 894-2100 ext. 5139, prior to the hearing and arrangements will be made.

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 May 14, 2012, 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 May 14, 2012.** 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 THE NAME OF THE STATE OF COLORADO

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By 
Peter J. Gowen, Acting Secretary

Dated at Suite 801
1120 Lincoln Street
Denver, Colorado 80203
May 4, 2012