

Jamie Olivarez

From: Lynn Hyde <LHyde@lpcgov.org>
Sent: Friday, September 29, 2023 4:22 PM
To: Jamie Olivarez
Cc: Roby Douglas
Subject: [EXTERNAL] RE: Transfer of Operator

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Jamie,

I have not worked on this exact question but we often receive Notice of Intent (NOI) from applicants that we take to the BoCC. That may be what ECMC is referring to? If you need me to track this down further I can discuss with our attorneys, however I suspect if ECMC is requesting it we would be in alignment with that request.

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From: Jamie Olivarez <jolivarez@hilcorp.com>
Sent: Thursday, September 28, 2023 2:02 PM
To: Lynn Hyde <LHyde@lpcgov.org>
Cc: Roby Douglas <RDouglas@lpcgov.org>
Subject: Transfer of Operator

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Good Afternoon Lynn,

Hilcorp Energy Company is working on a small acquisition of wells from Red Willow Production Company. Pursuant to 90-2. II.E.1 of the County code, the Southern Ute Indian Tribe doing business as Red Willow Production Company is exempt from County Oil and Gas regulation and is not required to submit notices of this transfer to LaPlata County. Furthermore, the wells are located on lands with tribal trust surface or trust minerals which essentially exempt Hilcorp as well as it is within the boundaries of the Southern Ute Indian Tribe lands. The roadblock that I am facing is that ECMC is requiring an attestation of the notification to the local government. Before I contact ECMC, I wanted to refer to your guidance if you have faced a similar scenario. I know all of the regulation revisions have been quite extensive and will take some time getting use to but I want to ensure that I am following through with all required notices. Have you encountered this before?

Subsequent - Attachments

BUYER NOTIFIED LOCAL GOVT ATTESTATION is required. (Rule 218.d.(1).C.iii.)

An attestation signed by the Buying Operator that the Buying Operator notified Relevant Local Government in which any Transferable Item is located of the completed transaction in writing.

FORM 9 SUBSEQUENT ATTESTATION is required. (Rule 218.d.(1).C.i.)

An attestation signed by the Selling Operator and the Buying Operator attesting all contents of the Form 9 - Subsequent.

SELLER RETAINS RESPONSIBILITY ATTESTATION is conditional. (Rule 218.d.(1).C.i.)

If applicable, an attestation signed by the Selling Operator attesting that the Selling Operator retains responsibility for compliance with the Commission's Rule for any Transferable Item listed in Rules 218.d.(1).B.ii.aa [related] or 218.d.(1).B.iii.aa [not transferred].

TRANSFER OF OPERATORSHIP COMPLIANCE PLAN is conditional. (Rule 218.e.(2).)

If a Permit described in Rule 218.d.(1).B.i. is not in compliance with the Act, the Commission's Rules, and all terms and conditions of existing Permits and Commission orders on the date of transfer, the Director has determined that the Selling Operator, Buying Operator, or Prior Operator has submitted a satisfactory plan to bring such Permit into compliance.

Slide

Jamie Olivarez

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