



State of Colorado
Department of Natural Resources
Colorado Oil and Gas Conservation Commission

November 21, 2011

Charles Kinney – President
Rocky Mtn Bluebird Ranch
5826 Presley Way
Oakland, CA 94618

U. S. Mail Certified Return Receipt No.
7008 0500 0001 5234 8427

Re: Notice of Allege Violation – Issued September 15, 2011 Document No. 200320926
Stephen Kinney #1
NESW 11 35N 14W NMPM
API No. 05-083-06631

Mr. Kinney,

You have complied with all the abatement items as required by the Notice of Alleged Violation except for:

- The interim reclamation of the pit (rule 1003)
- Constructing berms around the tanks (604. A. (4)).

In a letter from you, you expressed a desire to keep that pit available for plugging and abandonment purposes as a final resolution. You also pointed out that the tanks are empty and not being used but only stored on site and you have plans to remove them.

By email dated November 5, 2011, I agreed to your plan in concept with instructions to have form 6 – Notice of Intent submitted to me within 30 days of receipt of that email and that work being done this fall. The COGCC received the form 6 on November 18, 2011 and I approved it on November 21, 2011. There were no indications on the form 6 or any other communication as to when the P&A is scheduled.

I did instruct you to have the well plugged sometime this fall, but did not declare an exact extension date to comply with the NOAV that date is hereby declared as **December 21, 2011** or 30 days from the approval of the form 6.

To fulfill the abatement requirements of the NOAV you must accomplish the following by **December 21, 2011**:

- Plug the well
- Reclaim the pit
- Remove all tanks from the property

In the event of in climate weather and ground conditions, submit a form 4 –Sundry Notice requesting a new date to complete the abatement requirements.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Weems".

Mark Weems, P.E.

Regional Engineer -SW Colorado
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