

BEFORE THE ENERGY AND CARBON MANAGEMENT COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF TRANSFER OF ADVERSELY)	CAUSE NO. 1
IMPACTED SURFACE WATER IN THE VICINITY)	
OF 40.08706°N, -105.23414°W BOULDER)	DOCKET NO. 250100004
COUNTY, COLORADO TO THE ORPHANED)	
WELL PROGRAM, BOULDER COUNTY,)	TYPE: ORPHANED WELL
COLORADO)	PROGRAM
)	
)	ORDER NO. 1-391

ORDER GRANTING STAFF'S REQUESTED RELIEF

The Staff of the Colorado Energy and Carbon Management Commission ("ECMC" or "Commission") seeks approval for its request to transfer any abandoned oil and gas related tools, equipment, wells, locations, facilities, and/or impacts related to energy and carbon management operations within a 1000 yard radius of surface water impacts identified at a seep in Boulder County (the "Seep") to the Orphaned Well Program ("OWP"), and to take certain enforcement actions pertaining to the Seep.

I. PROCEDURAL HISTORY AND FINDINGS

1. On January 9, 2025, ECMC Staff ("Staff") filed a Notice and Application for Hearing, seeking approval to permanently transfer any abandoned oil and gas related tools, equipment, wells, locations, facilities, and/or impacts related to energy and carbon management operations within a 1000 yard radius of surface water impacts identified at the Seep located at approximately 40.08706°N, -105.23414°W to the Orphaned Well Program. The Commission Secretary docketed the matter under Docket No. 250100004.

2. On January 10, 2025, the Commission Secretary issued a Notice of Hearing in Docket No. 250100004 with a hearing date of March 5, 2025 ("NOH"). The NOH set a petition deadline of February 17, 2025.

3. Staff did not serve the NOH on any Operator because the cause of the Seep and any chain of ownership related thereto remain unclear.

4. On January 13, 2025, Enforcement Staff requested the hearing take place on February 18, 2025 – the day after the petition deadline – so the cause of the Seep could be investigated and any impacts remediated as expeditiously as possible. The Hearing Officer agreed and set a hearing via video conference for February 18, 2025.

5. On February 7, 2025, notice of this matter was published in the Daily Journal, a newspaper of general circulation printed and published in the City and County of Denver, in satisfaction of C.R.S. § 34-60-108(4).

6. On February 9, 2025, notice of this matter was published in the Boulder Daily Camera, a newspaper of general circulation printed and published in Boulder County, in satisfaction of C.R.S. § 34-60-108(4).

7. On February 11, 2025, Enforcement Staff filed a proposed recommended order

into the docket.

8. On February 18, 2025, Enforcement Staff presented its findings regarding the Seep to the Hearing Officer.

II. CONCLUSIONS

1. The Commission has jurisdiction over the Parties and the subject matter of this proceeding, pursuant to the Oil and Gas Conservation Act, C.R.S. §§ 34-60-101 – 143 (“the Act”), and Commission Rules, 2 C.C.R 404-1.

2. Staff, as Applicant herein, is an interested party in the subject matter of the above-referenced proceeding.

3. Since the cause of the Seep remains unknown at this time, the last known Operator cannot be identified.

4. Due notice of this proceeding has been given as required by the Act and the Rules.

5. Pursuant to Rule 520.b, having reviewed the recommended order and being fully advised on the relevant matters, the Hearing Officer finds Staff’s requested relief complies with the Act, the Rules, and Commission policies and makes this written order recommending approval of Staff’s request for relief.

III. ORDER

The Commission ORDERS as follows:

1. Staff’s requested relief is granted, as described specifically below.

2. The following are declared “Orphaned Wells” or “Orphaned Sites,” as defined in the 100-Series Rules:

- a. Any impacts within a 1000 yard radius of, and associated with, the Seep;
- b. Any abandoned energy and carbon management related tools, equipment, wells, locations, and facilities; and
- c. Any personal property related to energy and carbon management operations located within a 1000 yard radius of the Seep and which may be deemed the cause of the impacts identified at the Seep in Boulder County.

3. The Director is authorized, but it not required, to take any or all of the following actions:

- a. Use funds awarded or appropriated to the ECMC to investigate, prevent, monitor, or mitigate conditions that threaten to cause, or that actually cause, significant adverse environmental impacts at non-federal and non-tribal wells and locations located within a 1000 yard radius of the Seep;
- b. Claim all equipment, saleable product, and appurtenances related to energy and carbon management operations located within a 1000 yard radius of the Seep as property of the Commission, provided that any proceeds from the disposition of

the assets will be credited to the cost of plugging and abandonment of the wells and/or funds awarded or appropriated to the ECMC

4. In the event the Director determines, in the Director's discretion and consistent with the Director's independent determination of operational priorities, that there is a need to use funds awarded or appropriated to the ECMC to remediate conditions that threaten to cause, or that actually cause, significant environmental impacts within a 1000 yard radius of the Seep, the Director will confer with the Commission regarding expenditure of these funds at the earliest practical opportunity.

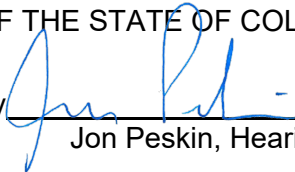
5. Pursuant to Rule 520.b, if no exceptions are filed within 20 days after service of this Recommended Order, or unless the order is stayed by the Commission upon its own motion, the Recommended Order will become a final order of the Commission subject to judicial review as provided by C.R.S. § 34-60-111.

6. The Commission expressly reserves its right, after notice and hearing, to alter, amend, or repeal and and/or all of the above orders.

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ENTERED this 18th day of March, 2025.

ENERGY AND CARBON MANAGEMENT COMMISSION
OF THE STATE OF COLORADO

By  _____
Jon Peskin, Hearing Officer

CERTIFICATE OF SERVICE

On March 18, 2025, a true and correct copy of the foregoing order was transmitted via the ECMC eFiling system and electronic mail to the following addresses:

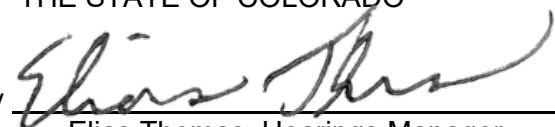
Siera Schroeder, Enforcement Advisor, ECMC Staff
siera.schroeder@state.co.us

Also on this date, the Hearing Officer transmitted the record and exhibits of this proceeding to the Commission by electronic mail.

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ENTERED this 14th day of April, as of the 26th day of March, 2025.

ENERGY AND CARBON MANAGEMENT COMMISSION
OF THE STATE OF COLORADO

By  _____
Elias Thomas, Hearings Manager