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

|  |  |  |
| --- | --- | --- |
| IN THE MATTER OF THE PROMULGATION AND ESTABLISHMENT OF FIELD RULES TO GOVERN OPERATIONS FOR THE [XX] FORMATIONS, [XXX] FIELD, [XXX] COUNTY, COLORADO | )))))) | CAUSE NO. 1DOCKET NO. 23[XXX]TYPE: VARIANCE |

APPLICATION

COMES NOW [ ] (Operator No. [ ] ***if applicable***) (“Applicant”) [by and through its attorneys [ ]–***please note applicants for a variance from ECMC rules do not need to be represented by an attorney***], respectfully submits this Application to the Colorado Energy & Carbon Management Commission (the “Commission” or the “ECMC”) for a Variance to Rule [ ]. In support of its Application, Applicant states as follows:

1. The Applicant is a [*insert business formation type if applicable*] and is a registered operator in good standing with the Commission **[*If you are not a registered operator with the ECMC please explain who you are, e.g. a landowner]***.
2. Applicant seeks Commission approval of a Variance to Rule [ ]. The relief requested in this Application affects the below-described lands (“Application Lands):

Township [ ] [ ], Range [ ] [ ], [ ]P.M.

Section [ ]: [ ]

**Nearby Public Crossroads:**

 A reference map of the Application Lands is attached hereto as Exhibit A.

**[Please note that for most variance applications, identification of the public crossroads and a map must be submitted. However, staff recognizes that there may be variance requests where identification of the nearby public crossroads and inclusion of a map may not be necessary. For example, if the variance request is for relief from a ministerial paperwork filing requirement, nearby crossroads and a map may not be relevant to the request.]**

1. In support of this variance request, Applicant asserts the following:

(a) **[Describe how you have made a good faith effort to comply, or are unable to comply with the rule you are seeking a variance from. Please refer to Rule 502.c(1).]**

(b) **[Address whether the requested variance will or will not violate the basic intent of the Oil and Gas Conservation Act. Please refer to Rule 502.c(2).]**

(c) **[Describe whether you will suffer an undue hardship if you comply with the rule you are seeking relief from. Please refer to Rule 502.c(3).]**

(d) **[Address whether the Commission were to grant the variance would there be an adverse impact to public health, safety, welfare, the environment, or wildlife resources**. **Please refer to Rule 502.c(4).**

(e) **[If the variance is granted, describe what steps you have taken or propose to take that will avoid, minimize, or mitigate adverse impacts to public health, safety, welfare, the environment, and wildlife resources. Please refer to Rule 502.c(5).]**

1. [Applicant] certifies that copies of this Application and the Notice of Hearing will be served on each interested party as required by Rule 504.a, and Rule 504.b.(7). The Interested Parties list is attached hereto and submitted with this Application as Exhibit B.
2. The granting of this Application is in accord with the Oil and Gas Conservation Act, found at C.R.S. §§ 34-60-101 et seq., and the Commission Rules.
3. Applicant requests that relief granted under this Application should be effective on oral order by the Commission, and Applicant hereby agrees to be bound by said oral order.

WHEREFORE, [Operator Name] respectfully requests that this matter be set for hearing in accordance with applicable Commission Rules, that notice be given as required by law, and that upon such hearing this Commission enter its order to:

1. Approve Applicant’s request for relief from compliance with Rule [ ];
2. For such other findings and orders as the Commission may deem proper or advisable in this matter.

APPLICANT NAME

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Applicant’s Contact Information **[If filed by an attorney, please have the attorney sign the application]**

Applicant’s Contact Information: