

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

IN THE MATTER OF CHANGES TO THE RULES) CAUSE NO. 1R
OF PRACTICE AND PROCEDURE OF THE OIL)
& GAS CONSERVATION COMMISSION OF THE) DOCKET NO. 1211-RM-03
STATE OF COLORADO)

**ORDER ON DISPOSITION OF MOTIONS
RELATING TO THE SUBPOENA TO LAURA AMOS**

On November 30, 2012, Western Colorado Congress, Grand Valley Citizens Alliance and NFRIA-WSERC Conservation Center ("Requestors") filed with the Commission a Motion for Leave to Issue a Subpoena to Appear to Laura Amos to secure her testimony at the rulemaking hearing on statewide groundwater sampling and monitoring. On December 3, 2012, Colorado Petroleum Association (CPA) filed an objection to the motion or alternatively a request for continuance of the rulemaking hearing. On December 4, 2012, Chevron USA, Inc. and its affiliates joined in CPA's and COGA's objections to the issuance of the subpoena.

On December 4, 2012, the Commission Secretary signed a subpoena to appear to Laura Amos. On December 5, 2012, Encana Oil and Gas filed a motion to strike the subpoena and also filed a motion *in limine* to limit the testimony of Ms. Amos should the motion to strike be denied. Ms. Amos is subject to a Confidentiality Agreement entered into with Encana relating to an enforcement matter that was resolved by the Commission pursuant to an Administrative Consent Order by Consent, Cause No.1V, Order IV- (March 16, 2006). The Colorado Oil and Gas Association (COGA) joined in Encana's motions. On December 5, 2012, Requestors filed a reply to the objections to the issuance of the subpoena to Ms. Amos.

On December 6, 2012, a hearing was held before the Hearing Officer on Encana's motions to strike or limit testimony. After hearing argument from the attorneys for Requestors and Encana, the Requestors agreed to withdraw the request to subpoena Ms. Amos and refrain from calling her as a witness. It was also agreed Ms. Amos' written testimony filed with the Commission on November 30, 2012, would be accepted into and remain part of the rulemaking record. Requestors subsequently filed with the Commission a Motion to Withdraw Subpoena.

Given this resolution of Encana's motions, the objections to the subpoena and request for continuance of the hearing filed by CPA are deemed moot.

Dated: December 6, 2012

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By: /s/ Casey Shepell
Hearing Officer