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SECRETARY, BOARD OF
OIL, GAS & MINING

BEFORE THE BOARD OF OIL, GAS & MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF UTAH DIVISION OF OIL, GAS, AND MINING FOR A CESSATION ORDER AND CIVIL PENALTIES AGAINST MONTEZUMA WELL SERVICES, INC., AND EARL MARTINEZ, OWNER AND OPERATOR OF THE MONTEZUMA CREEK WASTE DISPOSAL FACILITY, SECTION 14, T 40 SO., R. 22 EAST, SAN JUAN COUNTY, UTAH.	**ORDER OF CONTINUANCE** Docket No. 2009-015 Cause No. WD-04-2009

This matter came on for hearing before the Utah Board of Oil, Gas and Mining ("Board") on Wednesday August 27, 2014 at 9:30 a.m. in the auditorium of the Utah Department of Natural Resources Building, 1954 West North Temple, Salt Lake City, Utah. The following Board members were present and participated in the hearing: Ruland J. Gill, Jr. Chairman, Kelly L. Payne, Carl F. Kendell, Susan S. Davis, and Gordon Moon. The Board was represented by Michael S. Johnson, Assistant Attorney General. The matter was set for hearing to further review the Respondent's compliance with the August 25, 2010 Stipulation and Order in this matter.

The Utah Division of Oil Gas and Mining, was represented by Steve Alder, Assistant Utah Attorney General, and Lisha Cordova, Division Compliance Officer, appeared as a witness for the Division. The Respondent did not appear based upon agreement with the Division and without

objection from the Board that a the Division would present a written report documenting the compliance actions since the last hearing and subject to the understanding that Respondents would appear at a subsequent hearing if the Board desired to address any questions.

The Division's witness presented its written report documenting the Respondent's efforts to comply with the 2010 Stipulation and Order, indicated that the Division believed there has been good progress toward full clean-up of the facilities but that the work was not completed at this time, and recommended continuation of the matter for one additional year at which time a further review of compliance should be made by the Board. The Board unanimously approved the motion to continue on those terms

Now Therefore, upon the motion of the Division, based on the testimony and evidence presented and being fully advised, the Board herby Orders as follows:

1. The hearing of this matter is continued to the August 2015 Board Hearing at which time the Board will review the Respondent's compliance with Board's 2010 Order and take further action as appropriate.

2. At the August 2015 Hearing the Board will accept a written report to be filed on or before August 10, 2015 and hear testimony from the Division without requiring the attendance of the Respondent, unless Respondent is provided written notice from the Board or Division that their attendance is required.

DATED this 2nd day of October, 2014.

BOARD OF OIL, GAS AND MINING

Ruland J. Gill Jr., Chairman

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing ORDER OF CONTINUANCE for Docket No. 2009-015, Cause No. WD-04-2009 to be mailed with postage prepaid to the address shown and emailed, this 3rd day of October, 2014, to the following:

Earl Martinez
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