

APRIL 23, 2014, MEETING MINUTES
BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
IN AND FOR THE STATE OF UTAH



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A PUBLIC MEETING WAS HELD ON WEDNESDAY, APRIL 23, 2014, IN THE AUDITORIUM OF THE DEPARTMENT OF NATURAL RESOURCES, 1594 WEST NORTH TEMPLE, SALT LAKE CITY, UTAH.

ATTENDEES:

BOARD MEMBERS:

Ruland Gill, Board Chair
Kelly Payne, Vice-Chair
Mike R. Brown, BOGM
Susan S. Davis, BOGM
Chris Hansen, BOGM - Excused
Carl Kendell, BOGM
Gordon L. Moon, BOGM - Excused

Dustin Doucet, Petroleum Engineer
Susan White, Administration
Paul Baker, Mining Program Mgr.
Lynn Kunzler, Mining Program
Leslie Heppler, Mining Program
Daron Haddock, Coal Program Mgr.
Wayne Hedburg, AMR Program
Jan Morse, AMR Program

DIVISION:

Mike Johnson, AAG, BOGM
Douglas J. Crapo, AAG, Division
Steven F. Alder, AAG, Division - Excused
Kassidy J. Wallin, AAG, Division
John R. Baza, Director
Earlene Russell, Admin. Assistant
Jim Springer, PIO
Dana Dean, Assoc. Dir. Mining
John Rogers, Assoc. Dir. Oil & Gas
Steve Schneider, Admin. Policy Coord.
Julie Ann Carter, Board Secretary
Brad Hill, Permit Manager, Oil & Gas
Clinton Dworshak, Compliance

MEMBERS OF THE PUBLIC:

Lowell Braxton, Western Energy Alliance
Elise Erler, School and Institutional Trust
Lands Administration

EARTH DAY AWARD RECIPIENTS:

Robert Miller, Anadarko
Lynn Hadlock, Anadarko
Ryan Angus, QEP
Kirk Fleetwood, QEP
Jim Hewitt, Intermountain Power Agency
Ken Fleck, Pacificorp Energy West
Dan Proctor, Proctor/LeGarza Explorations
and Grand Central Silver Mines

The Board Chairman, Ruland J. Gill, Jr., called the meeting to order at 8:00 a.m.

THE DIVISION OF OIL, GAS AND MINING WILL CONDUCT A BRIEFING SESSION AT 8:00 AM:

1. Presentations of Earth Day Awards

The Board recognized five companies that have gone above and beyond what is required by law to protect natural resources, and for the use of innovative environmental technology. The Board gave an award to Robert Miller and Lynn Hadlock of Anadarko; Ryan Angus and Kirk Fleetwood of QEP; Jim Hewitt of Intermountain Power Agency; Ken Fleck of Pacificorp Energy West; and Dan Proctor of Proctor/LeGarza Exploration and Grand Central Silver Mines.

2. May Field Trip

Dana Dean gave a brief report on the Division's plans for the May field trip. The trip will take place on Thursday, May 29, 2014. The Board will take a day trip out to Tooele County to see the Intrepid Potash mine-site, the reclaimed mine-site that Proctor/LeGarza Exploration won an Earth Day award today, and some abandoned mines in the area.

3. Other

The Board requested that pre-filed testimony and the proffer of evidence for uncontested issues be made use of in future hearings when the agenda is heavy.

4. Next Month's Agenda and Division Calendar

- The IMCC meeting is in Reno next week
- The IOGCC meeting is in May
- Black Wax comments by Susan Davis - they are talking about doing a heat wrapped pipeline to transport black wax to the Wasatch Front, and about building a facility in the Uintah Basin to remove the paraffin from black wax so it can more easily be transported to the Wasatch Front.

5. Opportunity for Public Comment

The Chairman opened the meeting for public comment, and seeing none, the Briefing Session was concluded.

The briefing session concluded at 9:00 a.m.

THE BOARD WILL HEAR THE FOLLOWING MATTERS AT 9:00 AM:

Please note: Transcripts of the formal items will be available for review at the Division offices approximately fifteen business days after the hearing date. Copies of individual transcripts may be purchased by calling Atkinson-Baker at (800) 288-3376 and requesting Job No. A70ACBC, and the individual docket number.

1. [Docket No. 2014-017 Cause No. 139-116](#) – In the Matter of the Request for Agency Action of NEWFIELD PRODUCTION COMPANY for an Order amending the Board's Order entered in Cause No. 139-90 to provide for Retroactive Application to the respective dates of first production from the drilling units established thereunder comprised of Section 28, Township 3 South, Range 2 West, USM, and Section 12 of Township 3 South, Range 3 West, USM, Duchesne County, Utah.

Time: 9:01 a.m. - 9:03 a.m.

Board Members present - Ruland J. Gill, Jr., Chairman, Kelly L. Payne, Vice-Chairman, Michael R. Brown, Susan S. Davis, and Carl F. Kendell. Chris D. Hansen and Gordon L. Moon were excused.

Counsel for the Board - Michael S. Johnson, Assistant Attorney General, Natural Resources.

Counsel for Newfield Production Company – Frederick M. MacDonald, MacDonald & Miller Mineral Resources, PLLC. Not present.

Counsel for the Division – Douglas J. Crapo, Assistant Attorney General, Natural Resources.

This matter is continued to the May 28, 2014, Board Hearing.

2. [Docket No. 2014-004 Cause No. 272-03](#) – In the Matter of the Request for Agency Action of BERRY PETROLEUM COMPANY for an Order establishing 40-acre drilling and spacing units for production of oil and gas from the Green River and Wasatch Formations underlying Sections 5 and 7 in Township 6 South, Range 4 West, USM, Duchesne County, Utah.
(Continued from the March 26, 2014, Board Hearing)

Time: 9:03 a.m. - 9:04 a.m.

Board Members present - Ruland J. Gill, Jr., Chairman, Kelly L. Payne, Vice-Chairman, Michael R. Brown, Susan S. Davis, and Carl F. Kendell. Chris D. Hansen and Gordon L. Moon were excused.

Counsel for the Board - Michael S. Johnson, Assistant Attorney General, Natural Resources.

Counsel for Berry Petroleum Company – A. John Davis, and Mark L. Burghardt, Holland & Hart, LLP. Not present.

Counsel for the Division – Douglas J. Crapo, Assistant Attorney General, Natural Resources.

This matter is continued to the May 28, 2014, Board Hearing.

3. [Docket No. 2014-012 Cause No. 272-04](#) – In the Matter of the Request for Agency Action of BERRY PETROLEUM COMPANY, LLC, a Wholly Owned Subsidiary of Linn Energy, LLC, as Successor in Interest to Berry Petroleum Company, for an Order Force-Pooling the Interests of all Owners Refusing or Failing to Bear Their Proportionate Share of the Costs of Drilling and Operating the Drilling and Spacing Units Located in Sections 5 and 7 in Township 6 South, Range 4 West, USM, Duchesne County, Utah.
(Continued from the March 26, 2014, Board Hearing)

Time: 9:04 a.m. - 9:05 a.m.

Board Members present - Ruland J. Gill, Jr., Chairman, Kelly L. Payne, Vice-Chairman, Michael R. Brown, Susan S. Davis, and Carl F. Kendell. Chris D. Hansen and Gordon L. Moon were excused.

Counsel for the Board - Michael S. Johnson, Assistant Attorney General, Natural Resources.

Counsel for Berry Petroleum Company – A. John Davis, and Mark L. Burghardt, Holland & Hart, LLP. Not present.

Counsel for the Division – Douglas J. Crapo, Assistant Attorney General, Natural Resources.

This matter is continued to the May 28, 2014, Board Hearing.

4. [Docket No. 2014-015 Cause No. 142-12](#) – In the Matter of the Request for Agency Action of QEP ENERGY COMPANY for an Order establishing a 320-acre drilling and spacing unit for a single horizontal well, the OP 4G-12-7-20 WELL, for production of oil and gas from the Green River Formation underlying the W½ of Section 12 in Township 7 South, Range 20 East, SLM, Uintah County, Utah.

Time: 9:05 a.m. - 9:06 a.m.

Board Members present - Ruland J. Gill, Jr., Chairman, Kelly L. Payne, Vice-Chairman, Michael R. Brown, Susan S. Davis, and Carl F. Kendell. Chris D. Hansen and Gordon L. Moon were excused.

Counsel for the Board - Michael S. Johnson, Assistant Attorney General, Natural Resources.

Counsel for QEP Energy Company – William E. Ward and Mark L. Burghardt, Holland & Hart, LLP. Not Present.

Counsel for the Division – Douglas J. Crapo, Assistant Attorney General, Natural Resources.

This matter is withdrawn.

The meeting adjourned at 9:06 a.m.