



02554015

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

IN THE MATTER OF THE PROMULGATION)	
AND ESTABLISHMENT OF FIELD RULES TO)	CAUSE NO. 1
ESTABLISH MOQUI MEADOWS AS A)	
DESIGNATED OUTSIDE ACTIVITY AREA,)	DOCKET NO. 1001-GA-02
LARIMER COUNTY, COLORADO)	

MAGPIE'S EXHIBIT LIST

EXHIBITS

Most of the exhibits listed were used in depositions and are identified the same as at deposition to avoid confusion.

- | | | |
|-----|---------|--|
| 1. | Sutak 1 | Calendar generated by Mike Sutak and transcribed from other sources. |
| 2. | Sutak 2 | Aerial color photo of Moqui Meadows showing 318A drilling windows. |
| 3. | Sutak 3 | Three oversized calendars from April, September, and October 2009. |
| | | Note: We have not produced this Exhibit because of its size. It is the same Exhibit used in the Deposition of Mr. Sutak. |
| 4. | Sutak 4 | Twelve-month calendar (partially redacted). Calendar printed by the WWF. |
| 5. | Sutak 5 | Copy of handwritten notes from small piece of paper. |
| 6. | Chase 1 | Release of Liability from Angelika Beutel. |
| 7. | Chase 2 | Email from Mary Lewis to Lorna Burgess, <i>et al.</i> , dated May 24, 2009. |
| 8. | Chase 3 | Copy of handwritten notes with a list of trainers and names. |
| 9. | Chase 4 | Copy of handwritten lists of names from August 3, 2009. |
| 10. | Chase 5 | Moqui Meadows, LLC formation documents. |
| 11. | Chase 6 | Eric Smiley USEA Eventing Clinic flyer. |

12. Chase 7 Mountain States Eventing Association schooling information website printout.
13. Chase 8 Letter from Michael Whitley of Larimer County, Colorado, Planning and Building Services Division to Robert Clim [sic] of Contex Energy Company dated January 12, 2009.
14. Chase 9 Memorandum dated January 4, 2010, from Steven Lindblom to Dave Neslin of the Colorado Oil and Gas Conservation Commission, including all Attachments.
15. Magpie 15 Email from Mary Lewis to Wendy Chase, *et al.*, dated May 24, 2009.
16. Magpie 16 Excerpts of the draft deposition transcript of Mike Sutak.

Note: We have not produced this Exhibit because it is not prepared. We expect to produce this Exhibit prior to Hearing.
17. Magpie 17 Excerpts of the draft deposition transcript of Laura W. "Wendy" Chase.

Note: We have not produced this Exhibit because it is not prepared. We expect to produce this Exhibit prior to Hearing.
18. Magpie 18 Excerpts of transcripts from COGCC rulemaking at which the Designated Outside Activity Area definition and rule were adopted.
19. Magpie 19 Mike Power expert report.
20. Magpie 20 Aerial color photo of Moqui Meadows showing 318A drilling windows and 350' setback.
21. Magpie 21 Composite high-resolution map of Moqui Meadows.

Note: We have not produced this Exhibit because of its size. It is a larger version for demonstrative purposes of Exhibit No. 2.
22. Magpie 22 Map of Longmont DOAA.

2009 dates with 20 or more attendance

April	8
	11
	15
	22
	23
	29
May	3
	6
	8
	13
	20
	27
June	3
	6
	7
	10
	17
	22
	23
24	

July	1
	7
	8
	15
	19
	22
	25
29	
August	2
	3
	5
	7
	8
	9
September	12
	23
	23
	25
	26
27	
October	17
November	7
	8

total 43 days

7 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	8 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	9 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
--	--	--

Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4

3	4	5	6	7	8	9	10	11
12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29
30	31							

Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	31	1	2	3	4
			11			Frederick Boulton Clinic (16 mg) cancelled rain
5	6	7	8	9	10	11
Frederick Boulton Clinic (16 mg) cancelled rain			20+ 2 groups			25 mg clis +
12	13	14	15	16	17	18
18			20+ 3 groups	rain	rain	Laramie Group cancelled →
19	20	21	22	23	24	25
			20+ 2 groups	Laramie Group 20+ children 4+ Erin		13
26	27	28	29	30	1	2
19 2 groups	rain		20+ 2 groups			

1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
25	26	27	28
29	30	31	

1	2	3	4	5	6	7	8
9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	

1	2	3	4	5	6	7	8
9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	

Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	1	2
3	4	5	6	7	8	9
2-2 2 groups			2+ 2 groups		20+	Rock Picking Work Group Counseling Prayer
10 6 Prayer			20+ 2 groups			Open House Prayer Group Counseling Prayer
17	18	19	20	21	22	23
			20+ 3 groups			
24	25	26	27	28	29	30
			20+ 2 groups 1 marriage only			
31	1	2	3	4	5	6

1	2	3	4	5	6	7	8
9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	

1	2	3	4	5	6	7	8
9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	

1	2	3	4	5	6	7	8
9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	

Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
31	1	2	3 Zot 3 groups	4	5	6 Zot
7	8	9	10 Zot arena only no kc	11	12	13
14	15	16	17 Zot	18	19	20 12
21 18	22 John Staples lessons 2:40	23 John Staples lessons 2:40	24 Zot	25	26	27
28	29	30	1	2	3	4

3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	1	2	3	4
			2ot		1 group cancelled not group	2 groups cancelled not group
5	6	7	8	9	10	11
1 group cancelled		2ot 2 groups	2ot 3 groups			
12	13	14	15	16	17	18
			2ot 2 groups			
19	20	21	22	23	24	25
19 3 groups + Utah people			2ot 2 groups			2ot 2 groups
26	27	28	29	30	31	1
			2ot 2 groups			

July 2009						
S	M	T	W	T	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August 2009						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September 2009						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	31	
2	3	4	5	6	7	8
26 Shaun	22 Lynn		20+ 2 groups Michelle Dana		20+ Utah group Hannah group parents	20+ Utah group Hannah group parents
9	10	11	12	13	14	15
20+ Utah Hannah parents			20+ 2 groups Chelsea			6
16	17	18	19	20	21	22
						16
23	24	25	26	27	28	29
20+ Laura Bachus						
30	31	1	2	3	4	5

1	2	3	4	5
6	7	8	9	10
11	12	13	14	15
16	17	18	19	20
21	22	23	24	25
26	27	28	29	30
31				

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31	1	2	3	4	5
			17			15
6	7	8	9	10	11	12
		4	3	2	2	8
13	14	15	16	17	18	19
2	4		18 or 19			6
20	21	22	23	24	25	26
			26 3 groups	8	Frederick-Boulard Clinic 30+	Frederick-Boulard Clinic 30+
27	28	29	30	1	2	3
Frederick-Boulard Clinic 30+	4	3	14 2 groups			

6	7	8	9	10
11	12	13	14	15
16	17	18	19	20
21	22	23	24	25
26	27	28	29	30
31				

S	M	T	W	T	F	S
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Handwritten notes in the calendar grid:

- On Sunday, 10: "8"
- On Saturday, 10: "Cancelled"
- On Sunday, 11: "5"
- On Saturday, 17: "20+
- On Wednesday, 28: "Cancelled"
- On Saturday, 31: "Cancelled"

October 2008						
S	M	T	W	T	F	S
						3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November 2008						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 2008						
S	M	T	W	T	F	S
						3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
					8	Eric Smiley Clinic 47
8	9	10	11	12	13	14
Eric Smiley Clinic 47						
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	1	2	3	4	5

Moqui Meadows – No Setbacks

Township 5 North, Range 68 West
Section 36: All

Note: Section 36 outline in Black;
Moqui Meadows outline in Blue;
Rule 318A 400' and 800' drilling windows in White



Approximate Scale: 1" = 1000'

Two tiger cubs (*Panthera tigris*) lying down, one sleeping, close-up - Getty Images, Inc. / Martin Harvey. Inset: View of snow-covered Annapurna, Nepal - © WWF / Galen Rowell.

January 2009

SUN	MON	TUE	WED	THU	FRI	SAT
DECEMBER 2008 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	FEBRUARY 2009 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28			1 New Year's Day	2	3
 First Quarter 4	5	6	7	8	9	10
 Full Moon 11	12	13	14	15	16	17
 Last Quarter 18	19 Martin Luther King, Jr. Day	20 Inauguration Day	21	22	23	24
25	 New Moon 26	27	28	29	30	31

The **tiger**, largest of all cats, is one of the most threatened species on Earth. It is estimated that only about 5,000-7,000 remain in the wild, most in isolated pockets spread across increasingly fragmented forests, stretching from India to southeastern China and from the Russian Far East to Sumatra, Indonesia.



8 happened
 8 cancel

April 2009

SUN	MON	TUE	WED	THU	FRI	SAT
MARCH 2009 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	MAY 2009 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24/31 25 26 27 28 29 30		1  April Fool's Day	2  First Quarter	3	4 WORK DAY 
5 Schooling DAY  Palm Sunday	6	7 O.D. ARROWHEAD	8  Passover Begins	9  Full Moon	10 <hr/> 4:00 PATTY LORENTZ  Good Friday	11 Pony Club  +++ (307) 399-8410
12 FREDRICK BOULAND Easter Sunday	13 3 days 4 or 5 groups per day w/ spectators	14 O.D. CHPHT	15 1:00 Jen Bolger (303) 257-0460	16	17  Last Quarter 9:00 Dexter or Bussy	18 Christian Eagles Mauren BARROWS (307) 760-5744 
19	20	21 2:00 Jenny Hunt (303) 478-7439	22  Earth Day Administrative Professionals Day	23 2:45 DR. CHENAY WINDSOR	24 National Arbor Day	25  New Moon PINE RIDGE Pony Club
26  ERIN w/ STUDENTS	27	28 O.D. ROUNDTOP	29 	30		

The red-eyed leaf frog is found high in the trees of tropical rain forests. Although its green back provides camouflage against a leafy background, the dazzling array of color on its flanks, thighs, and underside startle would-be predators when the quiet tree frog suddenly leaps from its perch.

8 days

May 2009

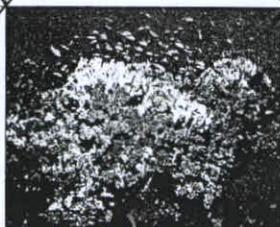
SUN	MON	TUE	WED	THU	FRI	SAT
APRIL 2009 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	JUNE 2009 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30				First Quarter 1	2 CHP Derby
* 3	4	5	8:30 * 6 NANCY CARR w/group	9:30 Donut + RIVER 7	1:00 PM SARAH BARNES w/group * 8	Full Moon ERIN 9 w/STUDENTS * NANCY CARR
ERIN 10 Mother's Day	11	12	* 13 O.D. ABBE	14	15	16 SPRING GULCH Armed Forces Day
Last Quarter 17 SPRING GULCH	18	19	* 20 CAR TO INTEGRAL	21 11:00 RIVER	22	23 DEEDA w/group * ARROWHEAD
24 New Moon CHP 31	AM 3 AM + LOA * 25 Memorial Day	26	* 27 O.D. POWDER BASIN	28	29	30 CHP →

Orangutans are the largest tree-climbing mammals and the only great apes found in Asia. They have a characteristic ape-like shape, shaggy reddish fur, and grasping hands and feet, with long arms that may grow more than 6 feet in length.

8 days

June 2009

SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3 SAM & LOU	4	5	6 LINDY MOONROCK
7 Full Moon ERTI SAM & LOU	8 Jenny Hunt	9 8:30 CATS to vet	10 9:00 Deeda w/students	11	12	13 ROUND TOP
14 Flag Day	15 Last Quarter	16 kelly KRAMER 227-9250 KRISTI	17 GUNNER & GABBY DEEDA w/STUDENTS 720-939-5819	18 BANDIT & MURRAY	19	20 TOUR
21 BANDIT & MURRAY	22 New Moon 3-3:30 (719) 207-0405 ZLEDE	23 MARY LEWIS 303 437-5234 JOHN STAPLES 20 STUDENTS	24 Deeda w/STUDENTS groups @ 9:00 10:30 11:00	25	26	27 KIT & LORI ABBE
28 KIT & LORI Fathers Day First Day of Summer ABBE	29 First Quarter	30 KODA 218-7852 O.D. Rooky MT. H.T.				



MAY 2009

3	4	5	6	7	8	9		
10	11	12	13	14	15	16		
17	18	19	20	21	22	23		
24/31	25	26	27	28	29	30		

JULY 2009

	1	2							
5	6	7	8	9	10	11			
12	13	14	15	16	17	18			
19	20	21	22	23	24	25			
26	27	28	29	30	31				

Having traveled the seas for over 100 million years, marine turtles have outlived almost all of the prehistoric animals with which they once shared the planet. Marine turtles survived the extinction of the dinosaurs and are still present in the world's oceans today.

worldwildlife.org



Adult female mountain gorilla (Gorilla beringei beringei) with infant riding on her back
 Getty Images Inc. / James Hager. Inset: Park guards patrolling on the boundary of Virunga National Park, Democratic Republic of the Congo - © WWF-Canon / Martin Harvey.

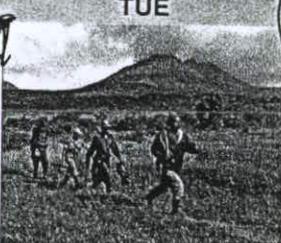
Michelle LARSON

(970) 353-1720

720-352-3639
 cell

July 2009

9:00 AM Deeda w/students
 LINDY w/STUDENTS

SUN	MON	TUE	WED	THU	FRI	SAT
JUNE 2009 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	AUGUST 2009 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23/30 24/31 25 26 27 28 29		7:00 AM Sam! Love Julie 962-9303 MIKI IDAM (303) 960-7595	2	8:30 Bob to shoe Donut + River Independence Day (observed)	(303) 435-5455 MARY 4 Independence Day
5	6	SAM Before LOU Moon DOON LINDY w/STUDENTS	8 Deeda w/STUDENTS (several groups)	9	10	11 POWDER BASIN
12 POWDER BASIN	13	14 O.D. NIGHT	9:00 Deeda Last Quarter 1:00 → 6 PM LINDY w/3 or 4 GROUPS	15	16	17
9:30-10:00 AM Chelsea Zimmerman (720) w/group of students n.d. day ERIN w/2 or 3 GROUPS	20	21	9:00 Deeda New Moon NAXY *2 Shavi Murdock	22	23	24 10-15 LAURA BUSTOS 412-9372 w/ERIN
26	27	First Quarter 28	9:00 EMILY + SARAH BARNES (303) 817-2783	29	30	31
				NISHA 4:00 BROOKIE		

The largest of the great apes, the gorilla is among our most endangered species. Having endured decades of civil war in Central and East Africa, gorillas are confronted by the devastating consequences of increased habitat loss and poaching for the bushmeat trade. WWF continues to work in the field and engage its conservation partners in order to address these threats and protect this wondrous species.

August 2009

36 GROUPS



SUN	MON	TUE	WED	THU	FRI	SAT
 						w/Lyn 9:10 Alan 11:30 (720) 244-6467 NISHA →
OR SAT *2 Sean Worrell & Ashley NISHA →	11:00AM *3 Lynn Klisavage (720) 373-1925	SW 226 ARR 12:50PM 4 O.D. WIDDY	9:00 Deeda *5 10:30 Rachelle Costanza (303) 229-1081 2 or 3 groups	Full Moon 6	Kelly DALE, KATHY & TRISH w/ horses 7	8 Rocky MT. HT →
9 Rocky MT. HT →	10	11	9:00AM DEEDA *12 w/STUDENTS 4:00PM Chelsea ZIMMERMAN w/STUDENTS	Last Quarter 13	14	9:45A 12 793 15
16	11:00AM *17 Shockwave	18	19	New Moon 20	21	w/0 w/kit + Lori 22
LAURA BACKUS *28 NCHT 30	24 31	25	26	First Quarter 27	28 Julie Post	29 NCHT

Clownfish have a unique lifestyle, living within the poisonous tentacles of the sea anemone. They have a mucous coating that makes them immune to the stinging tentacles. Clownfish live in a mutually beneficial relationship with their hosts, protected by the living arrangement and serving as a "groomer" to the sea anemone by cleaning debris and waste from the tentacles.

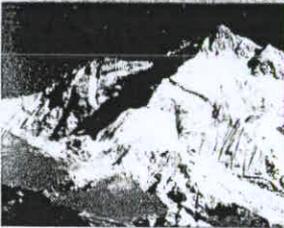


September 2009

SUN	MON	TUE	WED	THU	FRI	SAT																																																																																
		1	9:00 DEEDA 2	3	4 Full Moon	5																																																																																
6	7 1-308-478-7439 1:00 Jenny Hubert Labor Day	8	9:00 9	10	11 Patriot Day	12 Last Quarter AEC's																																																																																
13 Grandparents Day	14 (970) 493-3797	15	9:00 DEEDA 16 *	17 9:00 cat	18 New Moon	19 Windy WYO																																																																																
20	21	22 First Day of Autumn	23 9:00 Deeda	24	25 * GROVER NOONISH	26 * FREDRICK CLINIC																																																																																
27 * FREDRICK →	28 10:00 AM Bob for lockie	29 4:30 Bob to trim Riv GROVER	30 7:00 PM			<p>AUGUST 2009</p> <table border="1"> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td></tr> <tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr> <tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr> <tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr> <tr><td>23/30</td><td>24/31</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr> </table> <p>OCTOBER 2009</p> <table border="1"> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td></tr> <tr><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td></td><td></td></tr> <tr><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td></td><td></td></tr> <tr><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td></td><td></td></tr> <tr><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td></td><td></td></tr> </table>							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23/30	24/31	25	26	27	28	29							1	2	3	4	5	6	7	8	9	10			11	12	13	14	15	16	17			18	19	20	21	22	23	24			25	26	27	28	29	30	31		
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Elephants are the largest living land animals, with adults sometimes weighing 6 tons or more. Of the two species, the African elephant is larger and more plentiful than the Asian elephant, but both are threatened by shrinking living space and poaching for the ivory trade.

October 2009

SUN	MON	TUE	WED	THU	FRI	SAT
	SEPTEMBER 2009 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	NOVEMBER 2009 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30		1	2	3
 Full Moon 4	5	6	7	8	9:00 AM 9	10
 Last Quarter 11	10: AM Bob to shoe 12	ROHO 13	10:00 DEEDA w/? STUDENTS 14	15	16	Ruth Peterson (303) 579-1033 ROHO → ~4 PM
	Columbus Day		2:00 LINDY		AM →	NANCY CARR ~9 AM Deeda * 17 Chelsea Zimmerman 720-273-9680 w/STUDENTS ~3 PM
 New Moon 18	19	20	21	22	23	24
						melinda HARRIS (405) 340-6664 TONKS & RIKY → United Nations Day
472-5068 → 25	 First Quarter 26	27	28	29	30	31
						Halloween

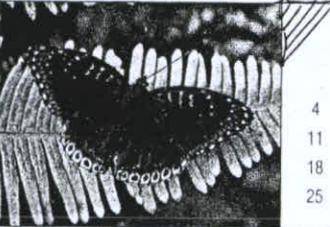
The snow leopard has a thick, spotted fur coat that serves as winter camouflage and helps to keep the cat warm in the bitter cold of its mountain habitat. Snow leopards are also protected from the cold by a dense, wooly underfur.

LIZ
 (720) 470-3072

worldwildlife.org



November 2009

SUN	MON	TUE	WED	THU	FRI	SAT
1 Daylight Saving Time Ends	2 Full Moon 9:00 AM LIZ (720) 470-3072	3 Election Day	4	5	6 *	7 *
8 * E.S. →	9 Last Quarter	10	11 JACKIE Veterans Day	12 2PM Deany	13 ERIC SMILEY →	14 LAS CRUCES
15	16 New Moon	17	18 6:30 PLANNING COMMISSION	19	20	21
22	23	24 First Quarter	25 COURT 11AM NISHA (970) 222-9138 ~8:00 AM	26 Thanksgiving Day	27	28 ~4:30 OR 5:00 PM
29	30 Meeting				OCTOBER 2009 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	DECEMBER 2009 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

Found only in China, the **giant panda** is a shy, elusive creature that lives in remote areas and is hard to study in the wild. Despite being one of the most popular animals in the world, it is threatened by habitat fragmentation and unsustainable development. It is estimated that as few as 1,600 pandas live in the wild today.



Polar bear (*Ursus maritimus*) mother with twin cubs – Team Husar Wildlife Photography.
 Inset: Harp seal (*Pagophilus groenlandicus*) pup rests on the snow, Arctic – © WWF / Steven Morello.

December 2009

SUN	MON	TUE	WED	THU	FRI	SAT																																																																						
		1	 Full Moon	2	3	4																																																																						
6	7 Pearl Harbor Day	8	 Last Quarter	9	10	11 Hanukkah Begins																																																																						
13	14	15	 New Moon	16	17	18 Christmas																																																																						
20	21 First Day of Winter	22	23	 First Quarter	24	25 Kwanzaa																																																																						
27	28	29	30	 Full Moon	31	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>NOVEMBER 2009</p> <table border="1"> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td></tr> <tr><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td></tr> <tr><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td></tr> <tr><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td></tr> <tr><td>29</td><td>30</td><td></td><td></td><td></td><td></td><td></td></tr> </table> </div> <div style="width: 45%;"> <p>JANUARY 2010</p> <table border="1"> <tr><td></td><td></td><td></td><td></td><td></td><td>1</td><td>2</td></tr> <tr><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td></tr> <tr><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td></tr> <tr><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td></tr> <tr><td>24/31</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td></tr> </table> </div> </div>	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30											1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24/31	25	26	27	28	29	30
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Polar bears are the world's largest terrestrial carnivore. Adult males can measure more than 9 feet in length and weigh between 770 and 1,430 pounds; adult females are about half that size. They are excellent swimmers and spend most of their lives in or around water. As the southern edge of the Arctic ice cap melts in the summer, polar bears follow retreating sea ice.



worldwildlife.org



Wm. 6 auditors registered

leslie
Angeleka + Altheim

Mary ~~Wicks~~ 1 + ~~...~~

Sarah Barke

Esther + ~~...~~

Jean (Hansen)

auditor 843-SVP

Bonnie

Jolen & Kari & Mother & friend

auditor 842 WKS

2 auditors 232 & 662

Debra & friend

2 auditors 816 UNF

auditor 399 TDA

Mary Hirsch

~~Misty Kisti~~

Heidi & Tracy + 3 other Fairplay auditors

A-4

A-7

Business Development

Den Michaels +

Karen Paul #1 313 MFB

2 auditors, WVA

2 (K + 1) Jacky +

2 (K + 1) Thomas +

Kristi Radisovic

Margret

2 truck drivers

Andy (Andy #2) 772-312-8276

process server

Kristi Brick, Trans

107 975

107 975

107 975

107 975

Release of Liability

Chase Ex. 1

ANGELIKA BEUTEL

This Release of Liability is made and entered into on 09-30, 2009, by and between **Moqui Meadows LLC** and Angelika Beutel hereinafter designated **Rider**, and if Rider is a minor, Rider's parent or guardian, _____ . In return, today and on all future dates, for the use of the property, facilities, and services of Moqui Meadows LLC, the Rider, his heirs, assigns, and legal representatives hereby expressly agree to the following:

1. Under Colorado Law an equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities pursuant to Section 13-21-119 Colorado Revised Statutes.
2. It is the responsibility of the Rider to carry full and complete insurance coverage on his horse, personal property, and himself.
3. Rider agrees to assume any and all risks involved in or arising from the Rider's use of or presence upon Moqui Meadows LLC property and facilities including, without limitation but not limited to, risks of death, bodily injury, property damage, falls, kicks, bites, collisions with vehicles, horses or stationary objects, fire or explosion, and unavailability of emergency medical care, or the negligence or deliberate act of another person.
4. Rider agrees to hold Moqui Meadows LLC and all of its partners, successors, assigns, subsidiaries, affiliates, officers, directors, employees and agents, completely harmless and release them from all liability whatsoever and agrees not to bring any legal action against them on account of or in connection with any claims, causes of action or inaction, injuries, damage, cost or expenses arising out of Rider's use of or presence upon Moqui Meadows LLC property or facilities, including without limitation, those based on death, bodily injury, property damage, including consequential damages.
5. Rider agrees to waive the protection afforded by any statute or law in any jurisdiction whose purpose, substance and/or effect is to provide that a general release shall not extend to claims, material or otherwise, which the person giving the release does not know or suspect to exist at the time of executing the release.
6. Rider agrees to indemnify and defend Moqui Meadows LLC against and hold it harmless from any and all claims, causes of action, damages, judgments, costs or expenses, including attorney's fees, which in any way arise from the rider's use of or presence upon the Manager's property and facilities.
7. Rider agrees to never jump unsupervised and to abide by all of Moqui Meadows LLC other rules and regulations. All time using the cross country course must be under the supervision of a qualified trainer.
8. If Rider is using his horse, the horse shall be free from infection, contagious or transmissible disease. Moqui Meadows LLC reserves the right to refuse horse if not in proper health or is deemed dangerous or undesirable for any reason.
9. This contract is non-assignable and non-transferable and is made and entered into under the laws of the State of Colorado and shall be enforced and interpreted under the laws of this state. Should any clause be in conflict with State Law, then that clause is null and void. When the Moqui Meadows LLC and Rider and Rider's parents or guardian, if Rider is a minor, sign this contract, it will then be binding on all parties, subject to the above terms and conditions.

Mike Suter
Trainer or Witness Signature

Rider's Parent or Guardian signature

A. Beutel
Rider Signature

7265 Spring Creek Cir
Rider's address / phone number

Niwot, CO 80503
720-206-7169

PRODUCER Equisure, Inc. 13790 E Rice Pl Ste 100 Aurora CO 80015 Phone: 303-614-6961 Fax: 303-614-6967	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
	INSURED Angelika Beutel 7265 Spring Creek Cr. Niwot CO 80503	INSURERS AFFORDING COVERAGE
	INSURER A: Underwriters at Lloyds, London	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADDITIONAL LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	664/62501A09-DEMBAN1	09/10/09	09/10/10	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMPIOP AGG \$ 1,000,000
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	This Contract is Delivered as a Surplus Lines Coverage Under the Surplus Lines Insurance Act. The Insurer Issuing this Contract is Not Licensed by the Colorado Division of Insurance But Rather is Approved As A Surplus Lines Insurer. The Contract Holder and/or Named Insurer are not protected by the Provisions of the Colorado Insurance Guaranty Act.			COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$ / / /
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A		OTHER Professional	664/62501A09-DEMBAN1	09/10/09	09/10/10	Included Included

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 \$50,000 Horse Limit any one horse in your care, custody and control.
 \$100,000 In the Aggregate for horses in your care, custody and control.
 100,000 PD Limit for prop rented/loaned to you for covered activity in your CCC. Certificate is for proof of insurance.

CERTIFICATE HOLDER Angelika Beutel Named Insured 7265 Spring Creek Cr Niwot CO 80503	000000	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE 
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PRODUCER Equisure, Inc. 13790 E Rice Pl Ste 100 Aurora CO 80015 Phone: 303-614-6961 Fax: 303-614-6967	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.												
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INSR ADDL	LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS								
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 100,000 PD Limit for prop rented/loaned to you for covered activity in your occ. Certificate holder is for proof of insurance regarding the general liability exposures of the named professional only.

CERTIFICATE HOLDER 0000000 Green Tree Equine Facility Facility 4508 Oxford Rd Longmont CO 80503	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE
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Chase Ex. 2

Diz & Wendy & Mike

From: "Mary Lewis" <mm_lewis@att.net>
To: "Burgess, Lorna" <LBurgess@parsonsbehle.com>; <bgrigsby11@yahoo.com>; <jno_jump@yahoo.com>; "Natalie Lewis" <qh_girl@att.net>; <shannon_bogie@att.net>; <marceld1217@aol.com>; "Kim & Julia Spatt" <kimdavidjulia@aol.com>; "Deb Henderson" <bayfield@mesanetworks.net>; <ruayers@Mines.EDU>; "Eileen Owens" <eco@realwest.com>; "Dan Michaels" <dmichaels_2@msn.com>
Cc: "Wendy" <Wendy@mesanetworks.net>; <Day3goober@aol.com>
Sent: Sunday, May 24, 2009 9:41 AM
Attach: Directions and _Release of Liability_.eml
Subject: RE: Cross Country Schooling with John Staples May 25
 Hello again,

Here's tomorrow's schedule again. The weather's looking to be pretty good!

Don't forget your \$25 per horse facility fee and ROL. And – Wendy is to smoking like Susan Farmer is to dogs! NO Smoking anywhere on the property!

Thanks! And have a great ride,
 Mary

From: Mary Lewis [mailto:mm_lewis@att.net]
Sent: Thursday, May 21, 2009 3:25 PM
To: 'Burgess, Lorna'; 'bgrigsby11@yahoo.com'; 'jno_jump@yahoo.com'; 'Natalie Lewis'; 'shannon_bogie@att.net'; 'marceld1217@aol.com'; 'Kim & Julia Spatt'; 'Deb Henderson'; 'ruayers@Mines.EDU'; 'Eileen Owens'; 'Dan Michaels'
Cc: 'Wendy'; 'Day3goober@aol.com'
Subject: RE: Cross Country Schooling with John Staples May 25

Let me try the attachment again! Sorry – thanks Reed!

From: Mary Lewis [mailto:mm_lewis@att.net]
Sent: Thursday, May 21, 2009 2:30 PM
To: 'Burgess, Lorna'; 'bgrigsby11@yahoo.com'; 'jno_jump@yahoo.com'; 'Natalie Lewis'; 'shannon_bogie@att.net'; 'marceld1217@aol.com'; 'Kim & Julia Spatt'; 'Deb Henderson'; 'ruayers@Mines.EDU'; 'Eileen Owens'; 'Dan Michaels'
Cc: 'Wendy'; 'Day3goober@aol.com'
Subject: Cross Country Schooling with John Staples May 25

Hello everyone,

Following is the schedule for Monday. I've also attached an email from Wendy with directions to her facility and the Release of Liability you'll need to sign and bring with. The facility fee is \$25 per horse. Wendy will be there so you can pay cash or write a check. John's fee is \$55 per horse. You can pay that via his website at www.windmererestables.com, or you can write a check to Windermere. If you pay with cash, please place the cash in an envelope with the riders name on the front.

Please let me know of any questions or concerns.

Thanks!
 Mary
 303-437-5234

**Group 1 10:00 -
11:30**

Adrian Burgess
Lorna Burgess
Beth Jauquet
Ali Stover
Natalie Red
Ellen Truitt

**Group 2 11:30-
12:45**

Amelia Metzler
Shannon
Delaney Dennis
Brian Berry

Group 3 1:00 - 2:15

Ashlyn Dorsey
Julia Spatt
Sammy Achterberg
Jessica Usery

Group 4 2:15 - 3:45

Natalie Scout
Tiffany
Brittany
Gerianne
Reed Ayers

Group 4 3:45 - 5:45

Natalie Trusty
Leslie Harrison
Eileen Owens
Hannah Bartel
Dan Michaels

Sean Worrall

Heidi Longaberger
LORNA BURGESS
KATHY COMING
JAN D'ALESSANDRO
CAT HOLTMAN
* MARY JANE MOSCH

Rockelle Costanza

HALLEY RICH
MARISA ADAMS
Vicki DUDASKH

JESS

KAYLA BAKER
MONA BAKER
Nicole DOWD
BRYAN HOFFMAN
KATE HOMAN

DEEDA

KRISTEN ERICKSON
Al. Allen-Skin
KARI BRIGHT
NANCY CARR
PAT HAYWARD

HENZE
AMY HENBEY

EMILY BARNES
SARAH BARNES
SALLY DALTON
NANCY EHRENREICH
KATHY JOHNSON

John STAPLES

NANCY ABERG
Julia BARTEL
ASLYN DORSEY
LESLIE HARRISON
BETH JAQUET

LAURA BACKUS

Kelli Hicks
MADELINE BACKUS
JAKE CIAFONE
NANI CIAFONE
CRICKET DONHO
LYNDEN FOSSO
NADINE JANELEK

ERIN CONTINO

HEIDI AAS
JASMINE AAS
JESS BORCHERS
GARRETT BROUGHTON
AMEDIA BRUSS
MARTY BXTLEY
HANNA CANGILLA
SUZIE DALLOW
MYRA FRISBEE

* KRISTIE GALLANT
ANNE GASTOLI

LYN KRISAVAGE

Nicole ACKERMAN
KATIE CURMINGS
CHELSEA DAVIS
GWYN DAVIS
ANNETTE REALES
CHRISTINA HEYNE

Phillip

CALLIE BARKER
JEN HUFF

ANDREA GIB
LAWA GIB
AMAND HENS

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



date AUGUST 3, 2009

Name ERIN JONES w/mother

for RIDING

Name LAURA JONES

for _____

Name SARAH PETERS

for _____

Name SARAH BRADFORD

for _____

Name ALAN O'CONNOR

for _____

Name w/^{both}PARENTS

for _____

Name ERYN SPENCER

for _____

Name w/BOTH PARENTS

for _____

Name BRITTANY CROWN

for _____

Name LYNN KLISAVAGE

for _____

Name GILLIAN WEBSTER

for _____

Name NANNY w/KIDS

for _____

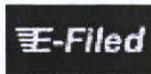
Name 6 spectators

for _____

Name _____

for _____

10



Colorado Secretary of State
 Date and Time: 11/13/2008 10:23 AM
 ID Number: 20081598389

Document must be filed electronically.
 Paper documents will not be accepted.

Document processing fee
 Fees & forms/cover sheets
 are subject to change.

\$50.00

Document number: 20081598389
 Amount Paid: \$50.00

To access other information or print
 copies of filed documents,
 visit www.sos.state.co.us and
 select Business Center.

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Organization

filed pursuant to § 7-80-203 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

Moqui Meadows, LLC

(The name of a limited liability company must contain the term or abbreviation "limited liability company", "Ltd. liability company", "limited liability co.", "Ltd. liability co.", "limited", "L.L.C.", "llc", or "Ltd.". See §7-90-601, C.R.S.)

(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

2. The principal office address of the limited liability company's initial principal office is

Street address

8445 East County Road 14

(Street number and name)

Loveland

(City)

CO

(State)

80534

(ZIP/Postal Code)

United States

(Country)

(Province - if applicable)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City)

(State)

(ZIP/Postal Code)

(Province - if applicable)

(Country)

3. The registered agent name and registered agent address of the limited liability company's initial registered agent are

Name

(if an individual)

Chase

(Last)

Laura

(First)

W.

(Middle)

(Suffix)

OR

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Street address

8445 East County Road 14

(Street number and name)

Loveland

(City)

CO

(State)

80534

(ZIP Code)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City) CO _____
(State) (ZIP Code)

(The following statement is adopted by marking the box.)

The person appointed as registered agent has consented to being so appointed.

4. The true name and mailing address of the person forming the limited liability company are

Name

(if an individual)

Chase

Laura

W.

(Last)

(First)

(Middle)

(Suffix)

OR

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Mailing address

8445 East County Road 14

(Street number and name or Post Office Box information)

Loveland

CO

80534

(City)

(State)

(ZIP/Postal Code)

United States

(Province - if applicable)

(Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.

5. The management of the limited liability company is vested in

(Mark the applicable box.)

one or more managers.

OR

the members.

6. (The following statement is adopted by marking the box.)

There is at least one member of the limited liability company.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

Chase	Laura	W.	
<small>(Last)</small>	<small>(First)</small>	<small>(Middle)</small>	<small>(Suffix)</small>
8445 East County Road 14			
<small>(Street number and name or Post Office Box information)</small>			
<hr/>			
Loveland	CO	80534	
<small>(City)</small>	<small>(State)</small>	<small>(ZIP/Postal Code)</small>	
United States			
<small>(Province - if applicable)</small>		<small>(Country)</small>	

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

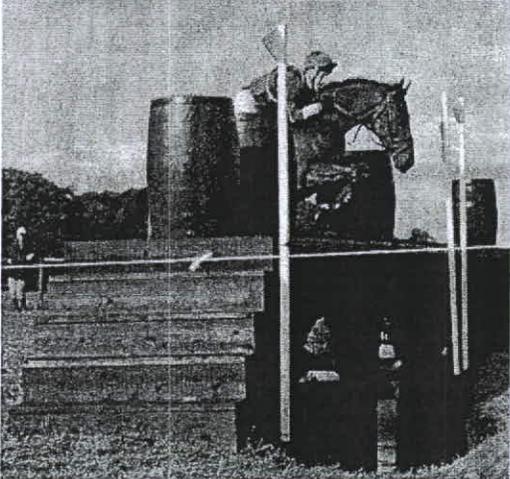
This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

SVB Equestrian, LLC Presents:

Eric Smiley USEA Eventing Clinic

November 6-9, 2009

Successful Competitor Outstanding Instructor



- Fellow, British Horse Society (highest teaching qualification available)
- Chief Examiner, British Horse Society
- Two-time Olympian, representing Ireland in Barcelona and Atlanta; short-listed for Sydney and Athens
- Three-time member of Ireland's eventing squad for the World Equestrian Games
- Team bronze medalist for Ireland in two European Championships
- International judge; President, Ground Jury at Rebecca Farms, 2009.

As chief examiner for the British Horse Society, Eric is a master instructor. He enjoys teaching all levels and ages of riders, and any breed of horse. Take advantage of this unique opportunity to benefit from Eric's clear, positive and effective approach. No matter what your level or experience, you and your horse will gain confidence from working with Eric, as well as the tools to continue to improve.

Format: Friday: private dressage lessons;
Sat/Sun: Eventing clinic (dressage/SJ/ XC);
Monday: private dressage lessons.

Cost: Private dressage \$175; 2-day Eventing clinic \$375; Saturday only \$200 (participants must ride Saturday in order to ride XC on Sunday)

Auditors welcome: \$30 entire or \$15/day

Location: Private dressage at Windy Creek Ranch, 10500 N. 49th, Longmont, CO
Eventing Clinic at Wendy Chase's Moqui Meadows, 8445 E. Cty. Rd. 14, Loveland, CO 80534

Limited stabling available.

Opening date: October 1. Early registration discounts available.

For more information and registration forms, contact Sarah Barnes at sarahvbarnes@yahoo.com
303 817-2783

Cross Country Schooling Opportunities in MSEA

Below are a listing of known cross country schooling area available at times to the public. If you know of additional places, please email Heather at slush@drqw.net and we will get them posted. If circumstances change with any of the listed places, please also let us know.

Spring Gulch Horse Park - Littleton, Colorado. Pay Park Fee on entry, (honor system). See Omnibus for date restrictions for Horse Trial entrants. Water jump will not be available for schooling. Schooling is now available year round and the gate is open from sun up to sun down. **Schooling is no longer allowed on the spillway, which is the Northeast corner of the park, near the soccer fields. Please stay off this area.**

Mile High Horse Ranch - Parker, CO. An outstanding schooling facility with over 20 varied types of well built fences at each level (Elementary through Training) including 2 water jumps, banks and a mound. We have added a marked gallop track where you can time your speed at E- P levels. Open all summer by appointment. Must be accompanied by an insured trainer. If you don't have a trainer, Lynn Klisavage will be happy to work with you. \$25 per per horse. To make an appointment or for info. e-mail vandaw@comcast.net.

Aspen Ridge - Monument, Colorado. Call ahead for appointment. \$30 per horse fee. Course generally open only on Wed. and Sat. Must be accompanied by Trainer. Trainer must show proof of insurance. (719) 487-9516. See omnibus under Bijou Springs HT listing and the Aspen Ridge Two Phase listing for course closed dates.

Norris-Penrose Event Center - Colorado Springs, Colorado. By previous arrangement. Office open Mon.-Fri. Call 635-1101.

Powder Basin X-Country Schooling - Gillette, Wyoming. Course is on county land and open year round. Stadium area is locked. Must be a PBEA member to use or ride with member. Dressage Ring open for schooling. Cross-country jumps from Elementary to Preliminary. Water, ditches, drops and banks included. In parking area look for iron box to right of bulletin board with release forms. \$20 schooling fee for non-members—deposit in locked box. Please do not ride and school the course when ground is wet.

Triple Creek Ranch - Longmont, Colorado. Come enjoy 64 acres of XC riding with wonderful footing, water jumps, banks and more. Polling hills and excellent for Elem. -Novice horses and riders. Open year round, \$20 per horse, call for reservations to Lynn McChesney 303-444-4291. Includes using the stadium jump ring and dressage ring. Check it out at www.triple-creek-ranch.com.

Wendy Chase - Loveland, Colorado. Wendy will be hosting cross-country schooling at her farm on Wednesday and Saturdays. The cost is \$25 and the rider must be accompanied by an approved trainer who has insurance. Please contact Wendy at 970.587.5262 for further information and/or an appointment.

Colorado Horse Park - Parker, Colorado. Times are scheduled by the hour. Time on the course may begin at 9:00 a.m. The last scheduled hour will be at 4:00 p.m. The course will be closed at 5:00 p.m. The cost is \$40.00 per horse or rider. It is required that each rider be accompanied by a trainer on the course. Release forms may be obtained from the office prior to ride times. Release forms must be completed by trainer and rider prior to being on the course. Pinnys will be distributed on the day of riding and should be returned to the office after use. Please be aware of the weather for your ride. Call the office before leaving to check that the course is open if there has been excessive moisture. The schooling course is separate from our regular cross country course. The regular cross country course is closed and off-limits to all schooling riders. The schooling course is marked by signs for your convenience. If you are found on the off-limits area, you will be asked to leave and will not be permitted to school again in 2009. A map of the schooling area is available to all riders as they sign in. There will be no more than 10 riders on the course during any one hour. The schedule will be set - first come first scheduled. Please plan ahead and let me know how the office can make your time here as pleasant and useful as possible. Contact bev@cohorsepark.com - or 303 841 5550 x 110.

January 12, 2009

Mr. Robert Clim
Contex Energy Company
621 17th Street
Denver, CO 80293

RE: Parcel ID Numbers 85360-00-011 & 85360-00-003, Section 36, Township 5 North,
Range 68 West of the 6th P.M.

Dear Mr. Clim,

The properties identified by Larimer County Parcel ID Numbers 85360-00-011 & 85360-00-003 are located in unincorporated Larimer County and are zoned FA – Farming.

Parcel ID Number 85360-00-011 has a street address of 8445 E. County Road 14 and is 35.25 acres in size. It contains a single-family home and a number of agricultural accessory buildings. A summary of the building permit on record can be found on the attached Code Compliance Section Records Review Certificate.

Parcel ID Number 85360-00-003 is 42.5-acres in size and is directly north of the property at 8445 E. County Road 14. There are no building permits on record for the 42.5 acre parcel. Both parcels appear to contain land in agricultural production.

The current residential and agricultural uses on the properties are allowed by right in the FA zoning district.

A private riding area was constructed on the property at 8445 E. County Road 14 in 2006. An affidavit was recorded with the Larimer County Clerk & Recorder's Office (under reception number 2006-0066249) stipulating:

Use of the riding arena shall be accessory to the agricultural/residential use on the property and shall be used as allowed by the Larimer County Land Use Code. It shall not be used for shows, rodeos or other public assembly type uses or any other commercial uses unless and until proper county approval is granted for such uses. This affidavit specifically does allow for and anticipate that the facility may be used by the landowner for up to four 3-day clinics per year.

According to your letter, the property owner has petitioned the Colorado Oil and Gas Conservation Commission to have the property designated as a Designated Outdoor Activity Area which is defined as a "well defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by

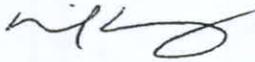
twenty (20) or more persons on at least forty (40) days in any twelve (12) month period or by at least five hundred (500) or more people on at least three days in any twelve (12) month period.”

The riding arena is currently allowed to operate as stipulated in the affidavit. The property owner has the ability to apply for a Special Review process to establish a commercial boarding stable or riding academy but to date has not done so. Other potential uses in the FA zoning district can be found in Section 4.1.1.A of the Larimer County Land Use Code (attached). The property owner would have to identify the intensity of any proposed use in their application materials. Special Review applications require public hearings with the Planning Commission and the Board of County Commissioners with the Board having final decision-making authority.

The Colorado Oil and Gas Conservation Commission must make the decision as to whether or not to designate the property as a Designated Outdoor Activity Center given the current and potential uses on the property. Larimer County does not wish to either support or oppose the proposed designation.

Should you require any additional information you can contact me at 970-498-7720 or mwhitley@larimer.org.

Sincerely,



Michael Whitley
Planner II, Larimer County

Cc: Laura Chase

**CODE COMPLIANCE SECTION
 RECORDS REVIEW CERTIFICATE**
 (For Planning and RLUC Applications)

Pre-application meetings for land-use applications require confirmation that County records have been reviewed for outstanding Land Use and Building Code issues for the subject property(s). In an effort to provide continued customer service, property owners are supplied with this certificate verifying that the required research has been conducted. Outstanding issues, if any, are shown on this certificate. A physical inspection of the property has not been conducted. **Please see reverse side of this form for more detailed information on why this records search has been prepared.**

PROPERTY INFORMATION PER THE LARIMER COUNTY ASSESSOR'S RECORDS:

Parcel Number: 85360-00-011
 Street Address: 8445 E County Rd 14 Johnstown, CO 80534
 Name of Current Owner(s): Laura W. Chase

IMPROVEMENT INFORMATION PER THE LARIMER COUNTY ASSESSOR'S RECORDS:

Number, Size and Description of Buildings on Property:
Ranchi-style residence built in 1925 & remodeled in 1982 (1888 ft²) with a basement (1226 ft²); Barn built in 2000 (3700 ft²); Farm utility building built in 1950* (1813 ft²);
 Loafing shed built in 1999 (6100 ft²); Loafing shed built in 1999 (325 ft²).

BUILDING PERMITS OF RECORD:

Permit No.	Date Issued	Description/Status of Permit
<u>99-B0059</u>	<u>1/20/1999</u>	<u>Hay barn (3600 ft²). Permit finalized.</u>
<u>00-B0706</u>	<u>5/8/2000</u>	<u>Barn (3650 ft²). Permit finalized.</u>
<u>03-M0785</u>	<u>9/18/2003</u>	<u>Re-roof residence. Permit finalized.</u>
<u>03-M0791</u>	<u>9/19/2003</u>	<u>Re-roof. Permit voided.</u>
<u>06-B0953</u>	<u>8/8/2006</u>	<u>Hiding arena (81 x 218) with a dirt floor. Permit finalized, ^{Letter of completion issued.}</u>

CODE COMPLIANCE FILES OF RECORD:

File No.	Date Initiated	Description of Violation
		<u>None of Record</u>

COMMENTS: * Built prior to building permit requirements.

Parcel research for planning applications is conducted for properties from 1988 forward. Property research prior to 1988 is not readily available and requires that records be pulled from microfilm/microfiche. For information on research prior to 1988, please call the Larimer County Code Compliance Section at (970) 498-7683.

CODE COMPLIANCE STAFF: Jake Culler

Signature

12/24/2008

Date

FILE NO. 08-PBPS-284



PLANNING AND BUILDING SERVICES DIVISION

P.O. Box 1190
 Fort Collins, Colorado 80522-1190
 Planning (970) 498-7683 Building (970) 498-7700
 Planning Fax (970) 498-7711 Building Fax (970) 498-7667
<http://www.larimer.org/planning>

**CODE COMPLIANCE SECTION
 RECORDS REVIEW CERTIFICATE**
 (For Planning and RLUC Applications)

Pre-application meetings for land-use applications require confirmation that County records have been reviewed for outstanding Land Use and Building Code issues for the subject property(s). In an effort to provide continued customer service, property owners are supplied with this certificate verifying that the required research has been conducted. Outstanding issues, if any, are shown on this certificate. A physical inspection of the property has not been conducted. **Please see reverse side of this form for more detailed information on why this records search has been prepared.**

PROPERTY INFORMATION PER THE LARIMER COUNTY ASSESSOR'S RECORDS:

Parcel Number: 85360-00-003
 Street Address: No Address Assigned
 Name of Current Owner(s): Laura Chase

IMPROVEMENT INFORMATION PER THE LARIMER COUNTY ASSESSOR'S RECORDS:

Number, Size and Description of Buildings on Property:
Vacant Land/No Improvements

BUILDING PERMITS OF RECORD:

Permit No.	Date Issued	Description/Status of Permit
		<u>None of Record</u>

CODE COMPLIANCE FILES OF RECORD:

File No.	Date Initiated	Description of Violation
		<u>None of Record</u>

COMMENTS:

Parcel research for planning applications is conducted for properties from 1988 forward. Property research prior to 1988 is not readily available and requires that records be pulled from microfilm/microfiche. For information on research prior to 1988, please call the Larimer County Code Compliance Section at (970) 498-7683.

CODE COMPLIANCE STAFF: Jane Culler 12/24/2008

FILE NO. 08-PBPS-285 **Signature** Jane Culler **Date**
 PRINTED ON RECYCLED PAPER

4.1. ZONING DISTRICTS

A. The purpose of zoning districts is to implement the Larimer County Master Plan, promote compatible land use patterns and establish standards appropriate for each zoning district.

B. Uses followed by an (R) are allowed by right but they may be subject to Section 6 (site plan review) and all other requirements of this code.

Uses followed by an (MS) require approval through the minor special review process.

C. Uses followed by an (S) require approval through the special review process described in section 4.5.

D. Uses followed by an (R/S) may be allowed by right or require special review approval based on thresholds in section 4.3 (use descriptions).

E. Uses followed by an (L) require review through the location and extent review process described in section 13.0.

F. Use descriptions in section 4.3 contain conditions that apply to certain uses.

G. The number of dwelling units allowed on a site is based on the presumption that all other applicable standards will be met. The maximum density established for a zoning district is not a guarantee that such densities may be obtained, nor a valid justification for varying other dimensional or development standards.

(Res. No. 06172003R009, 6-17-2003; Res. No. 01222008R001, Exh. A, 1-22-2008)

4.1.1. FA-Farming.

A. Principal uses:

Agricultural.

1. Farm (R)
2. Sod farm, nursery (R)
3. Tree farm (R)
4. Greenhouse (R)
5. Garden supply center (S)
6. Commercial poultry farm (S)
7. Feedyard (S)
8. Boarding stable (S)
9. Pet animal facility (MS/S)
10. Fur farm (S)
11. Agricultural labor housing (S)

12. Packing facility (R)
13. Pet animal veterinary clinic/hospital (MS/S)
14. Livestock veterinary clinic/hospital (MS/S)

Residential

15. Single-family dwelling (R)
16. Group home for developmentally disabled (R)
17. Group home for the aged (R)
18. Group home (R)
19. Storage buildings and garages (R)--See section 4.3 (use descriptions and conditions)
20. Group home for the mentally ill (R)

Institutional

21. Cemetery (S)
22. Hospital (S)
23. School, public (L)
24. School, nonpublic (R/S)--See section 4.3 (use descriptions and conditions)
25. Church (R/S)--See section 4.3
26. Child/elderly care center (S)
27. Child/elderly care home (R)
28. Community hall (R/S)
29. Sheriff/fire station (L)
30. State-licensed group home (S)

Recreational

31. Golf course (S)
32. Country club (S)
33. Riding academy (S)
34. Public park, playground (L)
35. Trail/trail head (L)

Accommodation

36. Bed and breakfast (MS/S)
37. Seasonal camp (S)

Industrial

38. Mining (S)
39. Oil and gas drilling and production (R)

Utilities

40. Utility substation (L)
41. Water storage facility (L)
42. Treatment plant (L)
43. Commercial mobile radio service (R/S)--See section 16
44. Radio and television transmitters (S)



DEPARTMENT OF NATURAL
RESOURCES
Bill Ritter, Jr., Governor
1120 Lincoln St. Suite 801
Denver, CO 80203
Phone: (303) 894-2100
FAX: (303) 894-2109
www.oil-gas.state.co.us

Memorandum

To: Dave Neslin, Director

From: Steven Lindblom

CC: Mike Sutak and Wendy Chase – Surface Owners
Ryan Warner – Magpie Operating, Inc., Mineral Lessee, Protestant
Alex Fischer – COGCC

Date: January 4, 2010

Re: Background and staff analysis – Chase-Sutak Application for Designated Outdoor Activity Area

BACKGROUND

On June 13, 2008, Magpie Operating, Inc. (Magpie or operator) submitted Applications for Permits to Drill – Form 2 (APDs) for the State-Chase 33-36 and State Chase 34-36 wells in the Southeast Quarter of Section 5, Township 5 North, Range 68 West, in Larimer County, Colorado. These proposed wells are located in an area with private surface ownership and minerals owned by the State of Colorado. Prior to APD submittal, Magpie initiated contact with the surface owners to solicit input regarding locations of wells and associated facilities as required by Rule 306 (See Attachment 1: Magpie Chronology of Contacts).

Colorado Oil and Gas Conservation Commission (COGCC) staff became involved upon receipt from the surface owners of an Onsite Inspection Request, dated December 7, 2007. Subsequent to receipt of the Onsite Inspection request, COGCC staff participated in extensive correspondence with both the operator and surface owners prior to and after APD submittal (See Attachment 2: COGCC Staff Chronology of Contacts) Consultation between COGCC staff, the operator and the surface owners culminated in an Onsite Inspection attended by interested parties held on August 27, 2008. (See Attachment 3 for a summary of discussions and developments at the Onsite Inspection).

At the conclusion of the Onsite Inspection, COGCC staff requested that Magpie locate and survey a possible alternate location for the State Chase 33-36 Well in the Northwest Quarter of the Southeast Quarter of Section 5, Township 5 North, Range 68 West. The intent of this request was to determine if an alternate location would eliminate impacts to the equestrian event track while still lying within the Greater Wattenberg Area (GWA) drilling window defined by COGCC Rule 318A. Further, COGCC staff efforts to establish site specific Conditions of Approval based upon the results of the Onsite Inspection were stayed pending the results of the requested survey.



DEPARTMENT OF NATURAL
RESOURCES

Bill Ritter, Jr., Governor
1120 Lincoln St. Suite 801
Denver, CO 80203
Phone: (303) 894-2100
FAX: (303) 894-2109
www.oil-gas.state.co.us

Prior to completion of the requested survey and development of Conditions of Approval, the surface owners filed with the COGCC an application to designate their property an Outside Activity Area, as defined in the COGCC 100 Series Rules.

The requested survey was completed on November 30, 2009 after several unsuccessful efforts. Based upon the survey results and the location of the drilling window, this alternate location would fall outside the drilling window established by COGCC Rule 318A. (See Attachment 4 for a figure illustrating the originally proposed and alternate locations.

STAFF ANALYSIS

After review of correspondence between parties, results from the Onsite Inspection, APDs and subsequent survey data submitted by the operator, COGCC staff present the following analyses and recommendations:

- Locations for both the State Chase 33-36 and State Chase 34-36, as originally proposed in the APDs, lie within the drilling windows as required by Rule 318A and are in compliance with COGCC Rules. Magpie has an active \$25,000 surface blanket bond with the COGCC and would be within its rights to drill and complete these wells at the locations originally proposed in the APDs.
- Magpie has undertaken extensive efforts to solicit input from the surface owners as shown by the Chronologies included as Attachments 1 and 2.
- Based upon the conflicting positions described in the Chronologies in Attachments 1 and 2 and upon recommendation from the Director, the COGCC staff strongly encourages the Commission to rule on the surface owners' Application.
- If the Commission chooses not to approve the surface owners' Application for designation as an Outside Activity Area, COGCC staff recommends that the surface and bottom hole locations for the State Chase 34-36 well be placed as originally proposed in the APD.
- Further, if the Commission chooses not to approve the surface owners' application for designation as an Outside Activity area, COGCC staff also recommends that the surface and bottom hole locations for the State Chase 33-36 be located at the alternate location surveyed by Magpie on November 30, 2009. This location is approximately 160 feet south of the GWA drilling window on the south side of the irrigation ditch. This recommendation is based both upon safety considerations and an effort to minimize impacts to the area of the property where soil and vegetation are managed for the purpose of hosting equestrian events. COGCC approval of this location would be authorized under Rule 318A.h., which permits exception locations in the GWA comparable to those granted pursuant to Rule 318.c., *i.e.*, for environmental or topographic reasons or other "good cause shown." The Rule requires waiver from the mineral owner but not the surface owner. In this case the mineral owner agrees to the exception location. (See Attachment 5, approval of State Land Board, dated December 12, 2009).
- Access roads and flow lines to both locations could be along a direct line north of County Road 14 or following, in part, existing roads along the eastern and western boundaries of the surface owners property, depending upon landowner preference.



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- COGCC staff also recommends attaching the following Conditions of Approval to the APDs for the State Chase 33-36 and State Chase 34-36 Wells:
 1. Drilling and completion activities shall occur between October 31 and March 1, outside of the irrigation season.
 2. Interim reclamation shall commence immediately following well drilling and completion.
 3. The operator shall implement all practicable measures to ensure that disruption to the surface owners' irrigation practices are minimized.
 4. In addition to the required notice for site preparation, drilling and completion, the operator shall provide 30 days notice to the surface owner for any non-emergency workover or well treatment. If the surface owners fail to notify the operator of a scheduled event 14 days in advance of the scheduled work then the operation may proceed. Otherwise if there is a conflict then the operator shall work with the surface owner to avoid the work during the surface owners scheduled equestrian events.

ATTACHMENT 1

Fischer, Alex

From: MAGPIE [magpieoil@yahoo.com]
Sent: Thursday, October 22, 2009 11:33 AM
To: Fischer, Alex
Subject: Fw: Magpie-State Chase-Pending Permits
Attachments: Affidavit of Fact Robert C-1. Cline Jr. 12-15-2008..pdf; Letter from Larimer County, CO RE CHASE 1-12-2009-1.pdf; NOTES - Chase, Laura W. - Surface Owner - Section 36 - Magpie 12-08-2008.docx; Report Chase Summary of Conflict 12-08-2008.doc; Summary of Events - Denied Access to State Lease Lands T5N-R68W Sec. 36 Surface Owner Chase, Laura W. 11-13-2008.docx

Mr. Alex Fisher,

Please find the attached documents prepared by our contract landman, Robert Cline. Since that time, we have let him go to save money. I have pursued Ms. Chase throughout the year and have stepped up efforts the complete the re-survey of the State Chase 33-36. I have had regular conversations with Mr. Steven Lindblom have kept him up to date on our efforts. Mr. Lindblom informed me that we would be at risk of losing these permits sometime before the end of the year. We have been working diligently to come up with a solution. Magpies attorney has been pursuing Chase legal representative, Phil Barber to allow access to the property. It was our assumption that once all the facts had been disclosed and calmer heads prevailed, we would be allowed access under Ms. Chase's terms. It is clear, once again, that we are being taken advantage of and have found no other choice than to file with the Larimer County Courts. Magpie's attorney has drafted a declaratory order for the Judge to interpret. It is simply an official statement that we are in fact mineral owners and have the right to access the property without fear of harm. Petroleum Field Services is informed of the situation and available on a moments notice to perform the survey on the State Chase 33-36. It is being moved on recommendation given by the onsite consultation approximately 20 feet south across an irrigation ditch and away from any surface conflict. I am hopeful that the courts see our immediate need for relief and we can accommodate the commissions desire to approve and release the outstanding permits. I believe, based on the onsite inspection, that the location in the SWSE of 36, the State Chase 34-36 is free from any conflict and could be approved immediately. It is very important to me that we complete this permitting process. I have been personally involved and invested in this project since 2006. I am very hopeful to have the State Chase wells available to drill. As a small, struggling operator this is a special opportunity. Re-filing for these permits under new rules would prove costly and would be met with increased conflict from the landowner. Please consider the amazing set of circumstances and tremendous efforts of Magpie in granting additional time to resolve this issue. Thank you for your consideration.

Sincerest thanks,
Ryan Warner
c. 720 233-0875

30
22
34-60 106 (2)(d)

CHRONOLOGY OF EVENTS & NOTES

SURFACE OWNER: Laura W. Chase

Revised 12-08-2008

Surface Owner: Laura W. Chase

8445 E. County Road 14
Loveland, Colorado 80537
(970) 587-5262

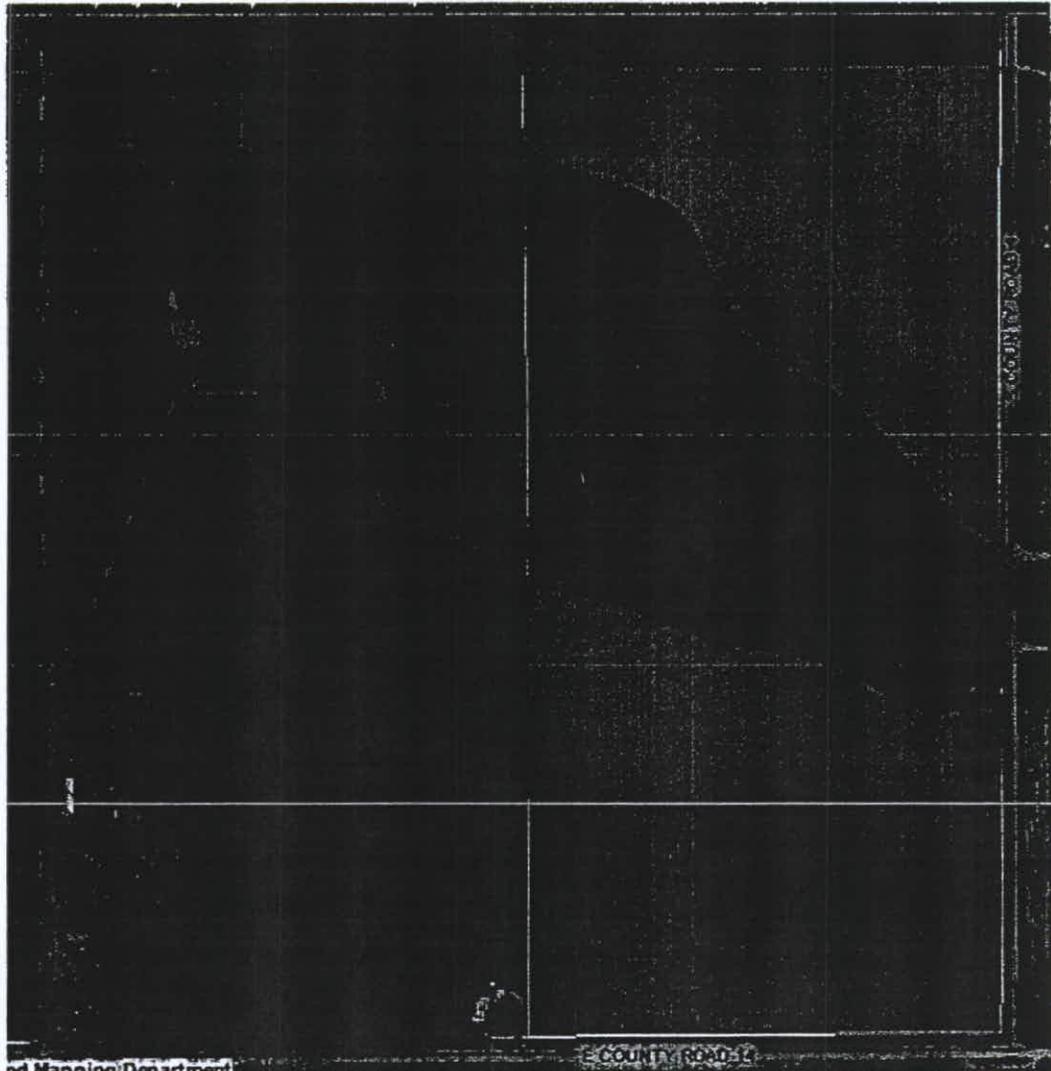
Property Description:

Township 5 North, Range 68 West of 6th P.M.

Section 36: Portion of the West Half of the Southeast Quarter (W2SE4)

Located in Larimer County, Colorado.

Parcel Number: **8536000011**



nd Manning Department

E COUNTY ROAD 14

TIMELINE OF EVENTS & CONTACT:

Description	Date	Offers to Meet Following Good Faith
Made Initial Contact	November 21, 2007	
Onsite Meeting	November 23, 2007	
Notification of Intent to Drill Letter December	SENT: December 1, 2007	
Notification of intentions to survey and spot well sites	March 26, 2008	
LETTER – Re: Conformation of Meeting	March 31, 2008	
Good Faith Consultation	April 3, 2008	
Survey of proposed well sites	April 4, 2008	
Surface Use Agreement (SUA)	SENT: June 4, 2008	1
Phone Conversation RE SUA	June 24, 2008	1
LETTER – Re: Roads & Well Locations	June 24, 2008	1
Well Permits Submitted	June 30, 2008	
Phone Conversation Re: Follow up from Letter, and inquire about SUA-	July 9, 2008	1
LETTER – Sent Re: Revision of Roads & Flowlines	July 14, 2008	1
Phone Conversation with Mr. Sutack Re: Map of Flowlines and Roads	July 21, 2008	1
LETTER – Dimensions of Proposed Well(s), and Copy of Well Location Certificate(s)	July 29, 2008	1
Phone Conversation RE SUA	July 30, 2008	1
COGCC Onsite Meeting	August 27, 2008	
COGCC Report Summarize Onsite Meeting	September 18,2008	
Phone Message – First Notification of Re-stake	October 27, 2008	
<i>Continues to following Page.....</i>		

Phone Message two (2) – Second Notification of Re-stake	October 28, 2008
Letter – Re: Notification of Re-stake	October 28, 2008
Phone Conversation Mike Sutak -	October 31, 2008
FAX of Letter dated 10-31-2008 from Laura W. Chase & Mike Sutak	November 3, 2008
Letter – Second Written Notification and Clarification of Re-Survey State Chase	November 3, 2008
Phone Message three (3) – Third Notification of Re-stake	November 3, 2008
Contacted Larimer County Sheriff's Department to arrange a "Civil Stantby"	November 4, 2008
Contacted Larimer County Sheriff's Department to arrange a "Civil Stantby"	November 5, 2008
Attempted Survey of State Chase 33-36	November 6, 2008

NOTES:

November 21, 2007

In communication with Mike "Sutack", her significant other. A meeting has been arranged for November 21, 2007, to meet on the property, and discuss some of the questions and concerns.

November 23, 2007

(SEE Photos)

On (Date November 23, 2007) I met with Laura Chase and her significant other (Mike), to discuss the future Oil and Gas Development plans on her property.

The objective of our meeting was to:

- 1.) Notify her of the exploration, and the circumstances regarding:
 - a.) the State of Colorado's Mineral ownership and Interest in and under the described lands,
 - b.) The Standing Lease Held in production, by Magpie Operation, Inc.,
 - c.) Magpie's Future Plans and Objectives to conduct Oil and Gas Exploration

- 2.) Introduce myself and explain my role as a Representative of Magpie Operating, Inc. and my objective to communicate and consult with the Surface owner with the objective to allow the surface owner the opportunity to provide comments to the operator regarding preferences for the timing of oil and gas

operations and preferred locations for wells and associated facilities in addition to preparation for the final reclamation and plugging and abandonment of said operations.

The current land uses associated with Ms. Chase's Property as follows:

Residential – Mrs. Chase Lives on the described plot.

Agricultural – Corrales and irrigated pasture provide pasture space which is hayed.

Recreational – Ms. Chase has devoted the majority of her property to a Cross Country Riding Course containing numerous obstacles (see photos).

Ms. Chase's main concerns:

- 1.) Safety and well being of riders and livestock
- 2.) Environmental Contamination
- 3.) Disruption of current land uses: agriculture, residential, and recreation.

Given that the majority of her property use is devoted to a Cross Country Riding Course, Ms. Chase provided a tour of the property and informed me of the costs, hazards, and concerns that she has regarding the proposed Oil & Gas Development.

Given the hazardous nature of the sport, all rides must be personally approved by Ms. Chase in order to gain access to the Cross Country Riding Course. The process as Ms. Chase requires that the rider's coach be personally interviewed by Ms. Chase in order to provide adequate information about the rider's experience and skill level. As an additional safety precaution, Ms. Chase is present at the time the rider is on the course. As the course provides a variety of challenges ranging in skill level, Ms. Chase designates which obstacles individual riders are allowed to according to the rider's skill level. Ms. Chase indicated that she was personally present during this time in order to verify the safety and well being of riders and livestock alike. As explained this is essential, as some obstacles may be unsafe due to construction, damage, in addition to prevent riders from navigating materials stores unintended for use.

The conditions the riders were allowed to access the course was also a considerable variable to the safety of the livestock and rider. "Footing" is another very important to factor in the sport, as specific ground conditions are required to help avoid injury and wear-and-tear the sport has on their horses that may occur due to moisture content (too dry or too wet), and or uneven ground. As an additional precaution the owner insists that vehicular access is prohibited on the course, except for harvesting hay, and maintenance of the course. As a result maintenance of the grounds is a frequent requirement.

Given the specific ground conditions, winter is not an ideal for Cross Country Events in Northern Colorado.

March 26, 2008

I contacted Mike Sutack on March 26, 2008 by phone (cell) and informed him of Magpie's interest to have a survey crew identify and spot potential well locations. The purpose of my call was to give him a

"heads up", and request their participation during this time. As explained, I would contact Mr. Sutack and Laura as soon as a time and date for said activity was to be scheduled.

In response to the future surveying plans, Mike requested that the planned onsite inspection and consultation with a COGCC meet should take place prior to a survey. I informed him that it was my understanding that a COGCC representative would schedule the onsite inspection only after an APD was submitted, and that an APD requires a surveyed location. I then informed him that I would verify these facts and contact him again with my findings. Mike then informed me that he too would contact a COGCC representative in addition to contacting Magpie directly, in order to express his disapproval of a survey prior to the onsite inspection.

March 30, Conversation with Steven Lendblom

Called Mike about proposed Survey
Set up meeting with Mike Sutack

Sent Letter confirming meeting
Sent letter notifying of proposed survey

(Good Faith) Meeting on site with Laura W. Chase and Mike Sutack – April 3, 2008, 5:00pm

On April 3rd, 2008, at 5pm, I meet with Laura W. Chase and Mike Sutack, at their home and property in the E2SE4 of section 36.

Mike met me in the drive behind their home and directed me where to park. My "howdy" was not well received, as Mike failed to respond. As I collected my things and exited the vehicle Mike inquired, "Where's the Magpie representative".

I indicated that he declined to attend. Inquiring as to why, I indicated that it was my job.

After our brief interaction, Mike led me to their horse stall, where Laura W. Chase was waiting in the shadows, inside the barn. As she walked closer into the light, she too inquired, "where is the Magpie representative"? I again replied, they declined to attend. As expected, this was not well received.

Questioning the Good faith Consultation

Location of Wells?

Mike: So where are you planning to drill?

Robert: (I directed him to the two maps I provided). As indicated, Magpie proposes to drill two wells, one on each 40, based on the OGCC well spacing.

Hysteria

I then began to discuss the possible routes to the said wells. (Constantly being interrupted with insults)
That's not acceptable –

Mike: So who have you spoken to?

Robert: Everyone within section 36.

Mike: What neighbors? Have they received the same letters as we did?

Robert: Yes.

Mike proposes Directional Drilling

Chase: We don't want a well on our land, put it on the neighbors! Why not directional drill from the neighbors? They have lots of farm land, drill on that.

Robert: (I interjected, informing them that we have discussed our plans with the neighboring surface owners). And as farmers, who make a living off that land, they were certainly not happy about the planned O&G development, but we worked together to identify locations that would be suitable for both parties.

Referring back to the map, my objective today is to identify locations and roads to those locations that are suitable with you and that are within the OGCC window.

Mike/Chase:

Mike *explains* that with directional drilling, "the location" is within approx. 43 feet from the traditional method of drilling. Virtually costing the same, Explain this?

"I'm not an engineer" –

Chase: You're an idiot, you don't know anything? You're not smart enough to know anything? Can you get than into your gray matter (as she pounds her fist).

Robert: (It is my understanding that this is not an option as Maggie believes that directional drilling is not an economical option).

Chase: How is this a compromise? How is this a good faith effort?

Chase: Arbitrarily pointing to a point in the far corner neighboring the small tract to the SE, how about here?

Robert: Well, as it appears that it is out of the spacing window –

Hysteria!

Robert: I further explained that Magpie does not feel that that is economical?
Why? Show me the numbers?

(Berating Insults and Stares, Intimidation,)

As Ms. Chase questioned the purpose and objective of our previous meeting (Nov. 23, 2007) she began hitting my legal sized envelop which I held in my left arm, "all those notes" what good were they, this means nothing, you don't care. Why did you have to come out (Nov. 23, 2007), you made me physically ill, you wasted my time, your ruining my life! "Oil Scum!" Do you enjoy ruining my life? Do you get up in the morning and say how can I ruin some ones lives today? Just rape and pillage! How can you live with yourself? How do you sleep at night? (closer and close as she began to point her finger in my face). I step back to provide space, yet she steps closer yet, scowling yelling, screaming, (hysteria!).

Survey discussion

I'm done talking with you, I guess we will settle this in court. I am escorting you off the property.

Survey discussion (2) at truck

Robert: Have a good evening!

Chase: Insults....

April 4th Survey

(SEE Photos)

Mr. Sutack agreed to allow the survey crew on the land only if no vehicles were used to access the lands. I agreed that the survey crew and I would only access the lands by foot.

While surveying the neighboring lands, Mike walked over to discuss our plans to survey, and requested that we not leave a stake in the ground marking the proposed well site. After consulting with the surveyors who indicated that we could just leave a metal spike that could be found with a metal detector, we agreed that no stake would be left. This request was honored.

1) Staking of State-Chase 33-36 – (Location in Riding area)

During the staking Mike observed and while the survey's and I attempted to provide a location with the lease amount of impact to the current use (i.e. riding area). During this time we requested Mr. Sutack

approval of an acceptable location. Mr. Sutacks' only response was that any location would be catastrophic. Between the survey crew and I determined that the chosen locations was the most suitable base on distance from obstacles, distance from track, and the distance from the ditch. Site 2 – **Staking of State-Chase 34-36 – (Location in hay meadow)**

This was actually identified and approved by Mike Sutack. I observed Mike communicating directly with the survey crew, directing them where to mark the proposed well site (SEE PHOTOS).

SUA – Sent: June 4th

As discussed during our on-site meeting on April 4th, 2008, Magpie Operating Incorporated, (MAGPIE), would like to present to you a Surface Use Agreement (SUA), which is intended to address terms, conditions, and compensation for the proposed oil and Gas development on your property (*see referenced land*). Enclosed, please find for your review and approval two (2) copies of said SUA.

After you and or your appointed council have thoroughly reviewed the enclosed SUA, I would like to personally meet with you, on behalf of MAGPIE, in order to discuss and address any questions and or comments that you may have. In addition to addressing the SUA's terms, and conditions, we would also like to use this time to reconfirm the proposed location of roads, production facilities, well sites, and other matters including preparation for reclamation and final abandonment as originally discussed.

I thank you in advance for your cooperation and I look forward to working with you, and addressing your questions and concerns regarding the enclosed Surface Use Agreement.

Respectfully & sincerely yours,

June 24th – Phone Call Re: SUA

On Tuesday June 24th I contacted Mike Sutack by phone to discuss the SUA sent to Laura W. Chase, on June 4, 2008, Mr. Sutack informed me that he was not interested in discussing the SUA until he had an Onsite Consultation. I informed him that the Onsite Consultation had take place, citing our meeting on (11/23/2007 and on 04/03/2008). Mr. Sutack, insisted that during those meetings road and flow line locations were not identified and discussed. I interjected and informed him that I had in fact requested his suggestion and input as to where those locations would be located. I further reiterated that I did not appreciate his tactic of trying to sabotage our previous meetings while accusing me of not fulfilling Magpie's obligations.

Mr. Sutack then request that if i had a map of the locations of the roads, that I prove him copies. I agreed and I sent Ms. Chase a letter:

As per my telephone conversation with Mike Sutack on June 24, 2008, regarding well access road(s), as requested enclosed please find the following three (3) items:

- 1) Map identifying the proposed road(s) and well sites locations,
- 2) Road Access locations to the proposed well State-Chase 33-36, and
- 3) Road Access locations to the proposed well State-Chase 34-36

Phone Conversation (July 09, 2008, 11:24 a.m.)

ADD

Letter Sent: July 14, 2008

Re: Phone Conversation (July 09, 2008, 11:24 a.m.)

REVISED Map: Projected Roads, Flowlines, and Well Site Locations

Dear: Ms. Chase:

On the morning of July 9th, 2008, I contacted Mike Sutack to confirm that you had received my letter sent June 24, 2008, which included a map of the proposed road(s) and well site location(s) for State-Chase 33-36, and State-Chase 34-36. As per our conversation, enclosed please find a *revised* map which now also includes the proposed location of flowlines for State-Chase 33-36, and State-Chase 34-36. Also, during our telephone conversation, Mr. Sutack indicated that he did not recall our meeting on April 3rd, 2008. For your records, I have enclosed copies of the following two letters referencing the Good Faith Consultation on April 3rd, 2008:

- 1) RE: Conformation of Meeting, Dated: March 31, 2008 TO: Ms. Laura W. Chase
- 2) RE: Good Faith Consultation Meeting Dated: April 3, 2008 TO: Ms. Laura W. Chase

As expressed in my letter(s) dated June 4, 2008, and on June 24, 2008, I would like to personally meet with you, on behalf of MAGPIE, in order to discuss and address the Surface Use Agreement sent to you on June 4, 2008, in addition to any questions and or comments that you may have.

July 15, 2008

From: Davis, Mark [mailto:Mark.Davis@state.co.us]

Sent: Tuesday, July 15, 2008 3:30 PM

To: clinerobertjr@hotmail.com

Subject: Chase Property

What's the latest on your permitting with Chase and Sutak?

Reply: July 15, 2008

RE: Permit Status

Surface Owner: Chase, Laura W.

Mr. Mark Davis
Minerals Director
Colorado State Board of Land Commissioners
1313 Sherman Street, Room 621
Denver CO 80203
303-866-3751
303-866-3152
mark.davis@state.co.us
www.trustlands.state.co.us

Mr. Davis,

To date Permit(s) for the two (2) proposed wells located on Ms. Chase's property have been submitted by Magpie Operation Inc. to the Colorado Oil and Gas Conservation Commission (COGCC). Prior to the issuing of an approved Application form Permit-to-Drill (APD) by the Colorado Oil and Gas Conservation Commission(COGCC), at the request of Ms. Laura W. Chase, the director will conduct an onsite inspection. (Enclosed for reference, please see the COGCC Onsite Inspection Policies). Currently, no date has been set for the Onsite Inspection. However based on my conversation last week with Steven Lindblom, the COGCC Onsite Inspection Specialist, this meeting will hopefully be scheduled within the next two (2) weeks, depending upon Ms. Chase's availability. Also for your reference please find Mr. Lindblom's contact information below, whom I will also Cc my reply.

July 16, 2008

Discussion about Magpie's position Re: Onsite Consultation

July 21, 2008 9:32 am (00:19:11)

Phone conversation with Richard Olona summarizing situation with Ms. Chase

Mr. Richard Olona, Attorney
OLONA & ASSOCIATES, PC
7472 S Shaffer Lane, Littleton, CO
<http://www.olonalaw.com/>
olonalaw@aol.com
(303) 433-1699

Email Transmittal of Notes Richard Olona, Magpie Operating Inc. Attorney

From: Robert Cline [clinerobertjr@hotmail.com]

Sent: Monday, July 21, 2008 10:24 AM

To: 'olonlaw@aol.com'

Cc: 'MAGPIE'

Subject: Surface Owner Notes (Chase, Laura W.)

Attachments: Chase, Laura W - Magpie - State-Chase 33-36 & State-Chase 34-36 - 07-07-2008.zip

July 21, 2008 - 2:22pm (00:15:00)

Phone Conversation with Mr. Steve Lindbloom Re: Chase - False Accusations
Clarify Situation, and our commitment to communicate with Chase/Sutack.

July 21, 2008 - 3:21pm (00:02:25)

Phone Conversation with Mr. Sutack Re: Map of Flowlines and Roads

I called Mr. Sutack to see if they had received the revised map of the proposed roads and flowlines, and if they would like to meet in order to discuss the proposed road and flowline locations.

Mr. Sutack indicated that he had comments, but he was unable to talk at the moment. He then inquired as to why he was just now receiving the information. I informed him that it was a function of the negotiation process. As negotiations of tank batteries evolved we then determine where flowlines from the wells to the tank batteries will be located. I further explained that since we were aware that he (and Ms. Chase), were not welcome to the idea of having a tank battery on their property, we were trying to identify alternative solutions to prevent that from occurring. I then inquired if they would be available to meet this week to discuss the proposed road and flowline locations. Mr. Sutack indicated that they might be available, but he would contact me later in the week to set an appointment. I then told him that I would look forward to hearing from him.

July 29th, 2008

**Re: Dimensions of Proposed Well(s), and
Copy of Well Location Certificate(s)**

On behalf of Magpie Operating Inc., enclosed for your records and review please find the following items:

- 1) A Diagram of the Proposed Well Pad(s)
- 2) A copy of the Well Location Certificate(s) for the proposed well(s):
 - a. State-Betz 43-36
 - b. State-Betz 44-36

July 30th, 2008

Phone Call

I called Mike Sutack to set a date to sit down and take, Mike informed me that *"we're not too interested in sitting down and talking"*.

(Robert: OK)

Mike: "What do you want?"

(Robert: I was hoping to sit down and discuss the issues you've had with access and accommodations)

Mike: "Were looking for is to minimize the "shit" on our land, and that hasn't even been an issue yet, you haven't been willing to discuss it, and that's what we're looking for."

(Robert: Well, that is why I'm calling, to discuss it.)

The phone call was then broken up by a bad connection. I then agreed to try and contact him again by phone the following day.

July 31, 2008 10:15am

Phone Call Steve Lindblom COGCC

Mr. Lindblom contacted me to inform me that our previous conversation regarding the accusation that we did not adequately provide the dimensions of the well site were over prescriptive and that we have fulfilled all of our obligations.

Dates for the Onsite consultation well be made soon.

August 15, 2008

complaint COGCC

Chase has opted to file a complaint with the COGCC, citing that we have not performed an adequate good faith consultation.

Currently Ms. Chase is exploring an option to go before the commission in order to identify their property as a "Designated Outside Activity Area" which is defined as: DESIGNATED OUTSIDE ACTIVITY AREAS shall mean a well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by twenty (20) or more persons on at least forty (40) days in any twelve (12) month period or by at least five hundred (500) or more people on at least three (3) days in any twelve (12) month period (Copy of 100 Series Rules enclosed).

According to Mr. Lindbloom, the COGCC Onsite Specialist, Ms. Chase has the burden of proof for establishing this designation.

Conversation with Steve Lindbloom

August 26, 2008

Mr. Lindbloom, indicating that he was now re-considering the "violation" charge that we did not adequately provide a description of the well dimensions as discussed on July 21, 2008 10:15am (See previous notes). As discussed on July 31, 2008, Mr. Lindbloom, indicated that his assessment was over prescriptive.

At that time, after discussions with his supervisor (whom, according to Lindbloom believed that we had fulfilled our obligation), he believed that his assessment was "over prescriptive". Furthermore, during that conversation on July 31, 2008, he indicated that we had provided a more than sufficient Good Faith Consultation.

Therefore, I was quite surprised to hear that he was now reconsidering pursuing the violation. During this conversation Mr. Lindboom, indicated that the political environment was heated, and it was apparent that this had a significant influence in re-assessing the violation.

I inquired as to the ramifications of the violation. Mr. Lindbloom indicated that he would write up a synopsis of the violation, which would include a prescriptive solution to future consultations. There was no discussion of fines or other disciplinary actions. It was presented as an easy out.

August 27, 2008
COGCC Good Faith Consolation

ATTACHMENT 2

State Chase Wells
Sutak/Chase - Magpie Onsite
Chronology of Contacts

Date	From	To	Subject
12/16/2007	Sutak	Lindblom	Questions regarding rights of surface owner with respect to drilling locations. Referred by Alex Fischer. Informed landowner of requirements for notice and consultation under Rules 305 and 306. Discussed onsite inspection policy.
03/27/2008	Kline	Lindblom	Contex Energy (i.e., Magpie) Operating is in process of conducting onsite meetings and proposing a surface use agreement (SUA). This is a split estate with surface owner Laura Chase and minerals owned by the State of Colorado. Notified surface owners per Rule 305. In process of Rule 306 consultations./ Laura Chase has requested an inspection.
03/28/2008	Sutak	Lindblom	Inquired about procedures for operator to get a permit approved. Had on original meeting of what they plan to do and timing of Magpie operations. To what degree can O&G operations accommodate surface owners. Lindblom explained intent and limitations imposed by OGCC Rules and Regs and Onsite Policy.
03/31/2008	Kline	Lindblom	Left message to call.
04/01/2008	Lindblom	Sutak	Sutak has heard from Kline at Contex and are having onsite consultation planned for next Thursday 9/9/09). Lindblom informed him no action will be taken by COGCC until APD is submitted.
04/02/2008	Lindblom	Kline	Returned call of 3/31/09
04/03/2008	Sutak/Chase	Lindblom	Sutak/Chase met yesterday with Kline. Magpie not present. Operator wants well in the center of each 40 acre window. Only discussed well locations, no access roads, surface facilities, flow lines etc.
04/04/2008	Warner	Lindblom	Had several meetings with surface owners, latest being last night. Per Warner, Kline provided several options for well locations, flow lines and tank batteries. Survey crew tried to go out this morning but was refused access.
04/04/2008	Sutak	Lindblom	He would like to hear what Magpie is offering but never got around to it at the meeting because Magpie said they were just "going straight up the middle" of the field.
05/02/2008	Davis	Lindblom	State Land Board owns minerals and has leased to Magpie. Inquired as to status of APDs and negotiations. Lindblom discussed onsite inspection policy.
05/08/2009	Davis	Lindblom	SLB has mineral rights on property west of Johnstown. He was under the impression the Lindblom had met with surface owners. Davis inquired about a new rule that requires cooperation between surface owner and operator. Lindblom replied that as far as known at this time, nothing to that effect pending in the new Rules. No APD COGCC will not move forward with scheduling an onsite until the APD has been submitted.
05/20/2008	Peterson	Lindblom	Tom Peterson with Johnstown Land Properties, LLC called to check on procedures for APD and permit approval. Kline and Peterson presented subdivision plans to M:

State Chase Wells
Sutak/Chase - Maggie Onsite
Chronology of Contacts

06/13/2008			Received APD
06/17/2008	Sutak	Lindblom	Still waiting for onsite per Rule 306 to discuss roads and pipelines
06/30/2009	Sutak	Lindblom	Contacted Alex Fischer who provided road and pipeline locations from APD package
06/30/2008	Lindblom	Kline	Kline stated that all road and pipeline information was provided to surface owners. Lindblom said he would follow up with surface owner on Monday afternoon.
06/30/2008	Lindblom	Sutak	Sutak stated that road access and pipeline information was provided. However, dimensions of the well site were not provided. Per Kline, nor surface use agreement in place. Sent surface owners a draft SUA last week. Surface owners do not want to talk about SUA until after onsite with with CC
06/30/2008	Lindblom	Kline	Kline discussed possible well locations, access roads, and flow lines when on site and hoped for feedback from surface owners. Meetings very acrimonious. Ms. Chase pushing Kline in chest with lots of yelling and swearing. Sutak stated he had not received planned roads or flow line locations and would like to see them. Lindblom stated he would contact Kline and request/verify that the information be sent. Suggested setting up onsite to see about addressing his issues. He will check with Ms. Chase over the weekend to see about scheduling a meeting during the first week of August.
07/08/2008	Sutak	Lindblom	
07/08/2008	Lindblom	Kline	Left message that surface owners would like to meet the first week of August.
07/08/2009	Kline	Lindblom	Kline stated that on June 24, 2008 he sent road and flow line information to surface owners. He will call surface owner to confirm receipt of letter and to inquire about questions or comments.
07/16/2008	Kline	Lindblom	Kline left message inquiring about interest of Mark Davis in State-Chase wells.
07/16/2008	Lindblom	Kline	Kline met with Sutak on April 3, 2008. Surveyors out on April 4, 2008. Sutak had no recollection of Kline even being out there. Kline resent maps and other informatior Lindblom stated he would call Sutak today
07/16/2009	Lindblom	Sutak	Left message to call.
07/17/2008	Lindblom	Sutak	Left message to call.

State Chas Wells
Sutak/Chase - Magpie Onsite
Chronology of Contacts

07/17/2008	Sutak	Lindblom	Sutak talked with Ms. Chase. They would like Magpie to fulfill their consultation obligations. Received road and flow line locations last night. They have been given no opportunity to comment. No well site dimensions or indications of other facilities expected or anticipated. Sutak asserted that the Rule 306 date on the APD reflects a on the 640 acres. He spoke with 4 other landowners who have not been provided flow line or access road information. Other landowners are in process of negotiating I suggested Sutak file Rule 306 complaint and described process. He expressed a reluctance to do so. As an alternative, Lindblom suggested that he would call Kline and he would be willing to meet and go over information received last night and all other items required by Rule 306 and provide the surface owners an opportunity to corr
07/17/2008	Lindblom	Kline	Left message to call.
07/17/2008	Kline	Lindblom	Magpie reluctant to have another meeting with surface owners as they feel they have been incompinace with Rule 306
07/21/2008	Kline	Lindblom	Magpie is does not feel another meeting with Sutak-Chase would be productive is that at last meeting, magpie provided locations in the center of the 40 acre windows requested comment from landowner. They also solicited opinions on where they would want roads and flow lines. Three options were discussed regarding access road On existing roads by the house and barn, 2.on east side of property, 3. For the back well, access fro the west acres the neighbor's property. At original meeting, actual f line/road maps not provided as they were to be determined after input fro the surface owner. After sending SUA on 6/14, tried to meet 5 times.
07/25/2008	Sutak	Lindblom	Lindblom informed Sutak that per Rule 306, access road and flow line locations are required only if known.. Sutak stated that Magpie is using "old forms". Sutak stated his version of the Rules requires that the dimensions of the well pad be provided and they were not. He would still like to move forward with Onsite Inspection, but the prior to 8/16/08 is bad. He is going to the State Land Board for their meeting.
07/25/2008	Kline	Lindblom	Kline does not believe dimensions of the well pad provided except that the well pds would be 1.5 to 3 acres. He called Sutak to set up a meeting but has not heard back He feels that description of 1.5 to 3 acres is sufficient. Lindblom suggested getting Onsite inspection going is important at this point and that unless surface owners file Rule 306 complaint, these issues can be dealt with at the Onsite.
07/28/2008	Kline	Lindblom	Kline wanted to know if being on site andproviding verbal description of proposed activiies woud satisfy Rule 306. Magpie is OK with 8/18 Onsite
07/28/2008	Sutak	Lindblom	He is waiting to hear from their attorney, who is out of town, regarding the Onsite date. He thinks 8/26 to 8/28/08 may work.
07/31/2008	Lindblom	Kline	Senior COGCC staff stated that information verbal description, in conjunction with approximate well pad size of 1.5 to 3 acres would satisfy requirements of Rule 306
08/01/2008	Lindblom	Chase	Chase stated that a Kline never provided any opportunity for input on where roads and pipeline would be. Well location was arbitrarily chosen and they would not con directional drilling. Chase repeated allegations that COGCC was in the pay of and represented only the operators and that COGCC was "lying oil field scum. She stated "did not care; that we were ruining her life" and that we "did not know anything and [couldn't] do anything She repeatedly referenced House Bill 1291 and that the CC was dragging our feet on implementing the new rules. Lindblom explained that the rulemaking was process and that we needed to consider concerns of many stakehol groups. Ms. Chase responded that we were all oil field scum and that was it. Lindblom replied that there were many stakeholder groups in addition to operators, inclu DOW, minerals interest owners, landowners, environmental groups among others. Her response to this is not included here. Form 18 received.
08/04/2008	Sutak	Lindblom	Reviewed what Ms. Chase and Lindblom discussed earlier. Set up an Onsite date of 8/27/08.

State Ch... Wells
Sutak/Chase - Magpie Onsite
Chronology of Contacts

08/05/2008	Sutak	Lindblom	Sutak called to see if Lindblom had received Form 18 complaint. Reiterated interpretation of senior COGCC staff regarding Rule 306 requirements.
08/11/2008	Lindblom	Sutak	Informed Sutak by voice mail that Form 18 had been received.
08/13/2008	Sutak	Lindblom	Sutak stated that 8/27/08 will not work for an onsite as they have 20 people on site. Lindblom requested he provide alternate dates. Also suggested looking into design as Outdoor Activity Area.
08/20/2008	Sutak	Lindblom	Sutak clarified reason for postponing onsite. Also noted concerns about cuttings disposal onsite, water source, and water disposal.
08/20/2008	Sutak	Lindblom	Multiple phone calls 8/20, 8/24, 8/25/28 regarding possible onsite date.
08/26/2008	Lindblom	Davis	Davis will not be able to attend Onsite. Would like wells within window and as much as possible accommodate landowner.
08/27/2008			Onsite conducted
08/27/2008	Sutak	Lindblom	Sutak will send copies of information he provided to State Land Board to COGCC.
08/28/2008	Sutak	Lindblom	Sutak does not have copies. Contact State Land Board for copies.
08/28/2008	Sutak	Lindblom	Pointed out safety considerations in USEventing.com Would like to protest resolution of complaint report (that Magpie in compliance with Rule 306 requirements). Lindblom informed him he would find out best person to contact and procedures and return his call. Per Senior COGCC staff, no direct way to protest. Only LGD can request a hearing. Sutak wants opportunity to go in front of the COGCC to discuss issues.
09/02/2008	Sutak	Lindblom	Per Mr. Warner, landman still working with surface owners. At meeting last spring, Magpie representative was chased out with aggression. Landman initiated contact
01/04/2009	Lindblom	Ryan Warner	November 2007.

ATTACHMENT 3



DEPARTMENT OF NATURAL
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Bill Ritter, Jr., Governor
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Denver, CO 80203
Phone: (303) 894-2100
FAX: (303) 894-2109
www.oil-gas.state.co.us

Memorandum

To: State Chase 33-36 and State Chase 34-36 Well Files

From: Steven Lindblom – Onsite Inspection Specialist

CC: Mike Sutak and Wendy Chase – Surface Owners
Ryan Warner – Magpie
Robert Cline – Contex Energy
David Dillon – COGCC

Date: November 6, 2008

Re: Chase/Sutak – Magpie Operating Onsite Inspection

This Memorandum summarizes discussions and developments regarding Magpie Operating (Magpie) wells State Chase 33-36 and State Chase 34-36 that occurred during the Chase Onsite Inspection in Section 36, Township 5N, Range 68W in Weld County at approximately 9 a.m. on August 27, 2008. Attendees included staff of the Colorado Oil and Gas Conservation Commission (COGCC), representatives of Magpie, and the surface owners. A complete list of attendees and contact information is included with this Memorandum as Attachment 1.

After an introduction and overview of the Onsite Inspection policy, discussions focused on the proposed location of the well sites, access road issues, surface impacts, and concerns regarding the impacts of the proposed wells. Although concerns were expressed by the surface owner that the operator did not consult in good faith, the COGCC noted that the complaint issue (Complaint #200193141) was a separate issue from the Onsite Inspection.

PROPOSED LOCATION

Magpie noted that the location of the State Chase 33-36 well was staked just south of the center of the 400 ft by 400 ft drilling window in the Northeast Quarter of the Southeast Quarter of Section 36. The location was selected to provide efficient drainage of the J-Sand and Niobrara reservoirs while attempting to limit impacts to the surface owners' equestrian facility and maintaining sufficient distance from the irrigation ditch. Access to the location was proposed to be along the western property boundary between Chase and the City of Johnstown to a point north of the indoor arena, where it would take a direction northeast across Chase property to the well location. The flow line location was proposed to be along the western property boundary between Chase and the City of Johnstown properties and then run southeast, parallel to the irrigation ditch, to the well location. The location of the State Chase 34-36 was staked within the 400 ft by 400 ft drilling window in the Southwest Quarter of the Southeast Quarter of Section 36 on an existing two track road at the request of the surface owner. The intent of the surface owners' request was that the stake be placed such that it would be more easily located in the future, not because the surface owner preferred that location. The access road and flow line to this location was proposed to be along the eastern property line between the Chase property and a residence in the southeast corner of Section 36 and then west along the existing two track road to the well location. See the attached figure for proposed well locations, access roads



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and flow lines. The tank battery for both locations was proposed to be located on City of Johnstown property along Weld County Road 14 near the southwest corner of the Chase property.

CONCERNS REGARDING WELL LOCATIONS

The surface owners noted that the proposed location of the State Chase 33-36 was objectionable for a number of reasons. The surface location of the well would interfere with the riding course in that the well head would cause a distraction for the horses and riders, creating an unsafe environment for equestrian activities and events. The surface owners state that they had undertaken a fourteen year effort to achieve the required soil compaction and stability necessary for equestrian activities. They expressed serious concern that Magpie's drilling and reclamation efforts would cause irreparable damage to the riding course. The surface owners stated that the location of the access road would destroy a very productive part of their hay field and would result in excessive loss of feed for their horses. The access road location and associated vehicular traffic would also significantly interfere with equestrian activities and result in unacceptable risks to rider and horse safety. COGCC staff noted that it might be possible to locate the State Chase 33-36 south of the irrigation ditch in the field away from the equestrian course, which would eliminate the soil stability and access road issues and would minimize rider safety concerns as the wellhead would be screened by vegetation along the ditch.

Regarding the State Chase 34-36, the surface owners expressed concern that the well location and access road would interfere with their irrigation practices and would result in excessive crop loss. As noted above, the surface owners stated that the staked location was not a preferred location but rather was placed so that it could be located more easily. The surface owners stated that directional drilling should be strongly considered and that their discussions with other operators indicate that directional drilling would not only reduce surface impacts but would also be as economical as a vertical well. Magpie representatives stated that directional drilling would cost an additional \$125,000 to \$15,000 per well in addition to maintenance costs.

In addition to the concerns regarding well locations, the surface owners noted that they were concerned about noise and other disturbances during drilling activities and the proximity of the tank battery to their residence. COGCC noted that proposed tank battery location complied with COGCC rules, but suggested that locating the tank battery directly south of the State Chase 34-36 along County Road 14 might alleviate those concerns. Magpie noted that this might be a preferred approach, particularly if the State Chase 33-36 were relocated south of the irrigation ditch.

CONCLUSION

COGCC concluded the meeting by reiterating that the COGCC cannot require an operator to directionally drill, however COGCC suggested that Magpie consider and evaluate the economics of drilling multiple directional wells, in addition to the State Chase 33-36 and 34-36, from a single pad at the edge of the Chase property. Drilling several wells sequentially may result in a more favorable economic analysis. COGCC also requested that Magpie determine the extent of the drilling window on the south side of the irrigation ditch and evaluate the possibility of locating the State Chase 33-36 south of the ditch. COGCC also requested that the surface owners provide a copy of the documents they had provided to the State Land Board regarding safety concerns at equestrian events.



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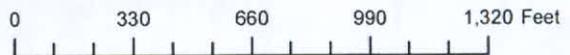
Attachment 1 Attendees and Contact Information

Name	Representing	Telephone Number
Richard Olona	Magpie	(303) 433-1699
Robert Cline	Contex Energy	(970) 420-9351
Ryan Warner	Magpie	(970) 669-6308
Mike Sutak	Landowner	(303) 859-3201
Carol Harmon	COGCC	(303) 894-2100 x 105
Ed Binkley	COGCC	(970) 506-9834
Wendy Chase	Landowner	(970) 587-5262
Steven Lindblom	COGCC	(303) 894-2100 x 114

ATTACHMENT 4



Aerial Photo: NAIP, Summer 2009



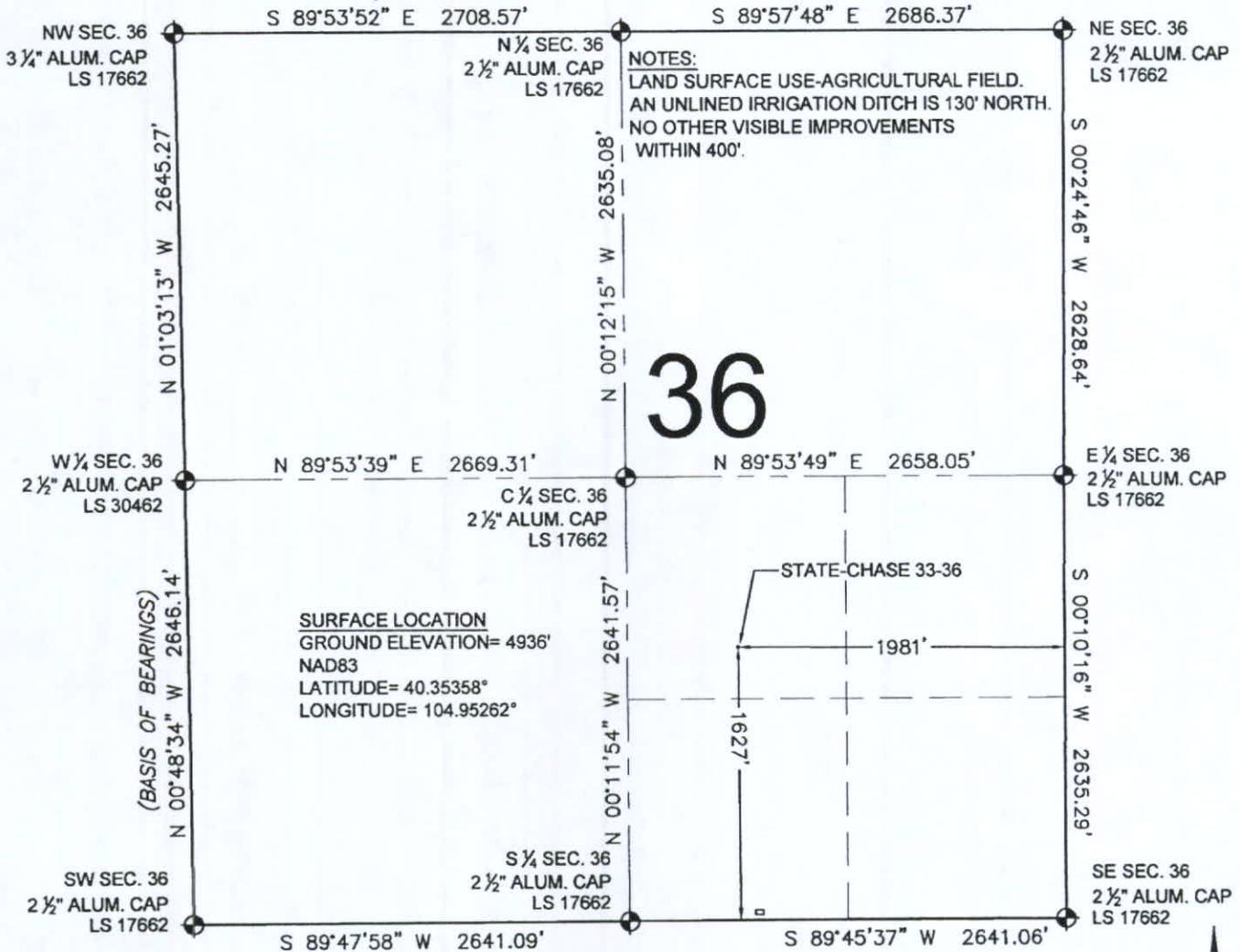
Legend

- Proposed Location
- Permit Locations
- 318A Drilling Windows
- Setback Line
- Quarter Section Boundary

**Proposed Magpie Operating
State-Chase Surface Locations
Section 36 T5N R68W, Larimer County, Colorado**

WELL LOCATION CERTIFICATE: STATE-CHASE 33-36

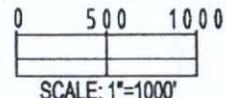
SECTION 36, TOWNSHIP 5 NORTH, RANGE 68 WEST, 6TH P.M.



WELL STATE-CHASE 33-36 TO BE LOCATED 1627' FSL AND 1981' FEL, SECTION 36, T5N, R68W OF THE 6th P.M.

LEGEND

- ⊕ = EXISTING MONUMENT
- ⊙ = PROPOSED WELL
- ⬮ = BOTTOM HOLE
- ◆ = EXISTING WELL
- BH = BOTTOM HOLE



NOTES:

- THIS SURVEY WAS DONE BY GPS METHODS AND CONFORMS TO THE MINIMUM STANDARDS SET BY THE C.O.G.C.C., RULE NO. 215 (PDOP VALUE IS LESS THAN 6.0, LATITUDE AND LONGITUDE ARE ACCURATE TO 5 DECIMAL PLACES, AND GPS OBSERVATIONS ARE DIFFERENTIAL AND DONE BY QUALIFIED PERSONNEL.)
- ELEVATIONS SHOWN AT THE WELL HEAD, AS WELL AS HORIZONTAL CONTROL, ARE BASED ON GPS-RTK VALUES DERIVED FROM DOING 2-HOUR STATIC GPS SESSIONS AND REDUCTIONS USING O.P.U.S. SOLUTIONS.
VERTICAL = NAVD83; HORIZONTAL = NAD83/92
- THE BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS BETWEEN THE MONUMENTS SHOWN HEREON AS FOUND ON THE FIELD DATE BELOW.
- DISTANCES SHOWN ARE AT GROUND LEVEL, AS MEASURED IN THE FIELD, WITH TIES TO WELLS MEASURED AT A PERPENDICULAR TO SECTION LINES.

I, JERRY F. HARCEK JR., A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY TO **MAGPIE OPERATING INC.**, THAT THE SURVEY AND WELL LOCATION CERTIFICATE SHOWN HEREON WERE DONE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE DRAWING SHOWN HEREON ACCURATELY DEPICTS THE PROPOSED LOCATION OF THE WELL **STATE-CHASE 33-36**. THIS CERTIFICATE DOES NOT REPRESENT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT AS DEFINED BY C.R.S. 38-51-102 AND CANNOT BE RELIED UPON TO DETERMINE OWNERSHIP.

JERRY F. HARCEK JR., PLS 34997
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF P.F.S., LLC



PREPARED BY: Petroleum Field Services, LLC 1801 W. 12th Ave. Denver, CO 80204	FIELD DATE: 11-30-09	WELL NAME: STATE-CHASE 33-36
	DRAWING DATE: 12-04-09	SURFACE LOCATION: LARIMER COUNTY, COLORADO NW 1/4 SE 1/4, SEC. 36, T5N, R68W
BY: CP		

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THIS SAID DATE OF THIS CERTIFICATION SHOWN HEREON.

ATTACHMENT 5

December 12, 2009

Re: Request for Exception to Rule 318A.a

State Chase 33-36
Township 5 North, Range 68 West
Section 36:NW/4SE/4
1627' FSL 1981' FEL
Larimer County, Colorado



Ladies and Gentlemen:

Magpie Operating, Inc. respectfully requests the State Land Board approve an exception to Rule 318A.a to allow the State Chase 33-36 well to be drilled at the above referenced location. Rule 318A.a of the Colorado Oil and Gas Commission's ("COGCC") Rules and Regulations requires that a well be drilled in a square with sides four hundred (400) feet in length, the center of which is the center of any quarter/quarter or a square with sides eight hundred (800) feet in length, the center of which is the center of any quarter section.

The well being permitted is an exception location in order to accommodate the current surface use. The GWA window for this location is encompassed by an equestrian course used by the surface owner. Magpie Operating, Inc. wishes to drill a vertical hole that will bottom hole outside the window.

Please offer your approval of the exception location/bottom hole with your signature below. Thank you for your consideration.

Best regards,

Ryan Warner
Vice President

I/we agree to the above described location

MARK W. DAVIS
By: *Mark W. Davis*

Title: *Minerals Director*
State Land Board

Diz & Wendy & Mike

From: "Mary Lewis" <mm_lewis@att.net>
To: "Wendy" <Wendy@mesanetworks.net>
Sent: Sunday, May 24, 2009 9:39 AM
Subject: Trailer Count

Hello Wendy,

We should have a total of 7 trailers for the day. There's a lot of sharing going on. A couple will be there for most of the day (my kids are spread over three groups.) But there shouldn't ever be too many at one time. Please call me at 303-437-5234 if you need anything at all.

Thanks!
Mary

Magpic 15

11/24/2009



pgs 1-50

1R-71

This transcript is identical to the 12/20/95 one.

8/5/02 TB

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

3
4 IN THE MATTER OF THE MOTION TO) CAUSE NO. 1
5 PROMULGATE RULES AND REGULATIONS TO) Docket 5-2-12
6 ADDRESS BRADENHEAD MONITORING, GENERAL)
7 DRILLING RULES, PLUGGING AND)
8 ABANDONMENT, LOSS OF WELL CONTROL,)
9 HIGH DENSITY REQUIREMENTS, BLOWOUT)
10 PREVENTION AND NOISE ABATEMENT)

11 PURSUANT TO NOTICE to all parties in
12 interest, the above-entitled matter came duly on
13 for hearing at the offices of the Colorado Oil and
14 Gas Conservation Commission, Room 801, 1120 Lincoln
15 Street, Denver, Colorado 80203, on Monday,
16 May 20, 1996.

This is correct date.

17 BEFORE:

- 18 CHAIRMAN ALLAN HEINLE
- 19 COMMISSIONER LOGAN MacMILLAN
- 20 COMMISSIONER CAROLINE BLACKWELL
- 21 COMMISSIONER BRUCE JOHNSON
- 22 COMMISSIONER CLAUDIA REBNE
- 23 COMMISSIONER MARLA WILLIAMS
- 24 COMMISSIONER MIKE MATHESON

- 25 Richard Griebing, Director
- Brian Macke, Deputy Director
- Patricia Beaver, Manager of Commissioner Affairs



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

3
4 IN THE MATTER OF THE MOTION TO) CAUSE NO. 1
5 PROMULGATE RULES AND REGULATIONS TO) Docket 5-2-12
6 ADDRESS BRADENHEAD MONITORING, GENERAL)
7 DRILLING RULES, PLUGGING AND)
8 ABANDONMENT, LOSS OF WELL CONTROL,)
9 HIGH DENSITY REQUIREMENTS, BLOWOUT)
10 PREVENTION AND NOISE ABATEMENT)

12-5-2

8 PURSUANT TO NOTICE to all parties in
9 interest, the above-entitled matter came duly on
10 for hearing at the offices of the Colorado Oil and
11 Gas Conservation Commission, Room 801, 1120 Lincoln
12 Street, Denver, Colorado 80203, on Wednesday,
13 December 20, 1995.

*This is incorrect date.
See p 1st page for
correct date.*

14 BEFORE:
15 CHAIRMAN ALLAN HEINLE
16 COMMISSIONER LOGAN MacMILLAN
17 COMMISSIONER CAROLINE BLACKWELL
18 COMMISSIONER BRUCE JOHNSON
19 COMMISSIONER CLAUDIA REBNE
20 COMMISSIONER MARLA WILLIAMS
21 COMMISSIONER MIKE MATHESON
22
23 Richard Griebeling, Director
24 Brian Macke, Deputy Director
25 Patricia Beaver, Manager of Commissioner Affairs

Portions of hearing transcript
intentionally omitted

1 this thing moves forward, put local governments
2 response, perhaps, to the tail end of the day, and
3 we'll see how things are proceeding, and maybe after
4 lunch, we can make this decision on if we're going to
5 do a phone connect, and we can contact Mr. Brady. All
6 right. Okay.

7 Rich, do you want to give us an overview
8 of the rulemaking we have been -- and, incidentally,
9 if there's anybody that did want to speak for the
10 public that is not on this list, I am going to put it
11 down at the end of the table. We have got a short
12 list, the bulk of which is comprised, primarily, by
13 industry groups. I don't know whether you are
14 planning a joint presentation or separate
15 presentation, or how that's all going to work.

16 MR. WONSTOLEN: About three panels.

17 CHAIRMAN HEINLE: Three different
18 individuals making presentations.

19 MR. WONSTOLEN: Three panels.

20 CHAIRMAN HEINLE: One other piece of
21 business. I apologize for interrupting. We are going
22 to break at 12 today and reconvene at 1:30. Go ahead.

23 MR. GRIEBLING: Okay. I will just give
24 an informal review of the process that led up to this
25 rulemaking.

1 The stakeholder team was formed in March
2 of '95 and met through December of '95. And that team
3 involved industry, including both trade associations
4 and the IADC, International Association of Drilling
5 Contractor representatives, and it also included
6 representatives from the environmental community and
7 local government. And the product of that stakeholder
8 team was the draft dated December 8, '95. As you
9 recall, we were engaged in rulemaking on reclamation
10 issues, and both from the stakeholder team process and
11 from a hearing process, up until recently, and this
12 rulemaking was delayed until the reclamation was
13 completed. Between the December 8 draft and the next
14 several months, there was more extensive review by,
15 primarily, I think, industry, both the trade
16 associations and drilling contractor representatives,
17 and issues were raised that hadn't been raised by the
18 stakeholder rulemaking team, or during that
19 stakeholder process. There was an attempt to address
20 some of those issues in a new draft that was issued
21 April 11, which you have all received a copy of.
22 There's a brief cover memo from me, dated April 11,
23 attached to that draft.

24 And, then, following that -- by the way,
25 I guess I should point out that that is the draft that

1 the cost-benefit analysis was performed on, was the
2 April 11 draft of the rules. And then, after that,
3 there was a -- that's an outstanding issue that is
4 still outstanding, that we attempted to address with a
5 May 13th, effectively, one-page proposal. It's
6 actually got three pages, the first and last of the
7 three pages just indicate that there are no changes,
8 and then the middle page shows double-underlined
9 language addressing blowout equipment, and I think
10 it's fair to say that there hasn't been agreement
11 reached on that issue. As far as differences between
12 staff and industry, I characterize that as the main
13 area of difference at this point. If we look at all
14 of the issues that are considered in the draft, there
15 are differences that I would characterize as minor, in
16 several areas, where there's some shaded language that
17 indicated that industry favors, that staff disagrees
18 with, and, at the point that we go through, in any
19 detail, I think it would be more appropriate to cover
20 some of those differences.

21 It's also my understanding that there
22 are many areas of differences between local
23 government, in this draft, with respect to setbacks
24 and the proposed additional setbacks for areas of
25 congregation, I believe -- I can't remember the exact

1 term -- for facilities that are difficult to evacuate,
2 involve a lot of people present, I think it was. We
3 have gone through this in detail and received
4 comments. We have received verbal, and in some cases,
5 written comments, and there are some minor tweaks that
6 we would be recommending, as we go through the draft
7 in detail, that would be aimed at addressing some of
8 the comments that we received, as late as Friday.
9 But, in general, the main issue is setbacks between
10 local government, in the draft, and BOP requirements
11 between industry.

12 I don't want to speak for those other
13 stakeholders. They may feel differently, but that's
14 my understanding of it.

15 COMMISSIONER BLACKWELL: After these
16 representatives met and revised this April 11 draft,
17 did this draft go back to the stakeholders then?

18 MR. GRIEBLING: The April 11 draft
19 didn't get revised by the stakeholder team. But what
20 we did was send out this document, make it available,
21 which really has one page with changes. It would be
22 listed as page 5 in the May 13, 1996 draft. It was a
23 product of staff, after discussions with industry, but
24 it's not a consensus that industry has agreed to.
25 Industry will have their own proposals today.

1 CHAIRMAN HEINLE: Any other questions?

2 All right. Thanks, Rich. Well, let's get started
3 with the testimony portion of the rulemaking. Is
4 industry prepared to proceed?

5 MR. WONSTOLEN: Yes, sir. All right.
6 Our panel is John Ludwig from HS Resources and Theresa
7 Fadul from the Insurance Management Associates is
8 going to give an overview of the safety regulations
9 and insurance risk management for the industry.

10 MR. LUDWIG: What I would like to cover
11 today, I will talk a little bit about industry and
12 about some of the other regulations that industry
13 face. I would like to do a little bit of education
14 process for the commission.

15 What we focus here at the commission on,
16 normally, is the oil and gas regulations for the state
17 of Colorado. But what I would like everyone to take a
18 look at is some of the other regulations that we are
19 faced with, as an industry, and some of the other
20 things that we have to take a look at.

21 Besides the oil and gas commission, as
22 you can see, who's up on top, we're also regulated by
23 OSHA, DOT, EPA, and our friendly insurance companies.
24 These are some of the industry's other regulatory
25 agencies that take a look at us on a regular basis.

Portions of hearing transcript
intentionally omitted

1 The last one that I had a lot to do with
2 was Johnstown. And I presented a lot of the same
3 information to them that we had here, and I presented
4 it through the industry rep. I wasn't even at the
5 meeting. And I got a letter back from everyone saying
6 that they really appreciated it. I am not exactly
7 sure what the final outcome is, but they appreciated
8 that information and had not ever thought about it, so
9 we are getting the word out, that, yes, from the fire
10 service perspective, we don't want these places built
11 in that close an area. It does cause enclave or
12 undeveloped area problems for some of our planning
13 departments, but you can work through that.

14 CHAIRMAN HEINLE: Commissioner Rebne.

15 COMMISSIONER REBNE: You reference a
16 number of incidents in Weld County and several
17 different types of tank explosions, so forth. With
18 respect to just fire incidents, can you give us a
19 feeling of what a typical, in your experience, typical
20 fire at an oil and gas facility is like, as far as
21 maybe it's a real limited area and what was maybe the
22 worst case fire incident of the --

23 MR. SCHEEL: From, and again this is
24 from my perspective from the Greeley Fire Department,
25 lot of -- the scenario that Greeley had, the worst

1 case scenario was with a heater-treater that was
2 involved with a tank. And the heater-treater caught
3 on fire, which then kind of extended, and there was an
4 exposure problem with the tank. Again, I was back
5 east at a seminar at the time, but it took 2,000
6 gallons of foam. We had problems with keeping the
7 contamination out of the river. They were fortunate,
8 in about an hour and a half, to get everything cooled
9 down and corrected. But I can't tell you from
10 personal experience. I haven't been involved in that.

11 COMMISSIONER REBNE: I'm kind of
12 wondering about maybe the area, the radius that is
13 affected where danger is and -- in that worst case
14 scenario.

15 MR. SCHEEL: From a fire perspective,
16 you have to be close. You have to get water on it.
17 That's why we use the monitor nozzle. And then you
18 can back up, hook your hose into your pumper, you
19 spray water. At that particular time you got to get
20 in close for your foam application. You got water
21 spray backup protecting guys going in. I will,
22 honestly, don't have the feeling for what the radius
23 is, because I have not ever been involved in a
24 scenario. So, sorry.

25 CHAIRMAN HEINLE: Commissioner

1 Blackwell.

2 COMMISSIONER BLACKWELL: With regard to
3 the different types of facilities that are listed
4 here, educational facilities, assembly building,
5 hospital, nursing home, boarding care facilities or
6 jail, is it fair to say that you, from your opinion,
7 as a fire fighter, experienced in evacuation, is it
8 fair to say between the -- these are all essentially
9 of the same nature in terms of how much energy and
10 time it takes to evacuate? I can see, you know, the
11 hospital and where you have got buildings full of
12 people who need assistance and in evacuating, but are
13 there some of these other facilities, like the
14 assembly building and educational facility, that could
15 be more -- they are filled with able-bodied people.
16 It seems to me there could be a distinction there.

17 MR. SCHEEL: There can be a distinction,
18 I think, depending on the number of people. By the
19 building code, a place of assembly could be defined
20 as -- anything 50 or more is a place of assembly, and
21 I think what we're looking at here was larger groups
22 of people. I think there was two definitions there,
23 for the 40 days versus the 3 days. And what we are
24 looking at was a greater number of people to get out,
25 but you physically can't go anywhere, and so it takes

1 time to get those people funneled out and through
2 something. And so, there is a little bit of time
3 factor there. The smaller place of assembly was
4 not -- I am not looking at McDonald's, or something
5 like that, but, your larger areas, the time is an
6 issue.

7 COMMISSIONER BLACKWELL: I think time is
8 equally an issue with all of these facilities.
9 There's no distinction.

10 MR. SCHEEL: Board and care would be the
11 one that would be probably the least -- because you
12 typically have older people that are still mobile, but
13 just confused and they can't take as much -- they can
14 take about a third of what you and I can stand as far
15 as heat smoke or exertion. So that's the problem that
16 we run into with them. They just cannot handle as
17 much.

18 CHAIRMAN HEINLE: Any other questions
19 for the commissioners? This isn't rebuttal testimony
20 because I had cut off one of the participants from
21 local governments, so --

22 MR. WONSTOLEN: I just wanted to let you
23 know that Mr. Hill does have, I believe, eight or nine
24 years of actual experience in fighting these types of
25 fires and taught the subject at Texas A&M, so these

Portions of hearing transcript
intentionally omitted

Magpie Oil Company

Larimer County, Colorado

Additional cost requirement to drill a directional oil and gas well in Larimer County, Colorado

A cost analysis has been prepared to estimate the additional cost of drilling a directional well versus a vertical well with a 1,200 ft departure to reach a depth of 7,700 ft from a surface location.

A typical well in Larimer County drilled to the Lower Cretaceous Dakota J-sand for oil and gas productions has the following design parameters and is drilled on average in 7 days.

Surface hole is drilled with an 11" bit to 1300 ft with 8 5/8" casing run and cemented to surface.

The production hole is drilled with a 7 7/8" bit and has 5 1/2" or 4 1/2" casing run and cemented with about 1800 ft of cement column.

The additional cost of drilling a 1,200 ft departure well comes from the additional equipment and engineering to drill the deviated well.

A directional plan that has a 1,200 ft departure from the surface location (see attached plat figure 1) will require building the hole angle to be 11.38 degrees in the direction selected from the surface.

The equipment required to provide the departure of 1,200 ft is comprised of the following

A drilling mud motor and bent housing assembly \$3,125/day

A survey tool (Measurements While Drilling MWD) that can signal the surface where the bit is located down hole. \$1,125/day

A directional drilling service specialist \$ 1,000/day

After the 8 5/8" casing has been drilled out the 7 7/8" hole is drilled using the directional assembly.

The angle is built utilizing the bent housing assembly of the drilling mud motor without turning the drilling string. The angle is built a rate of 2 degrees of build per 100ft of hole drilled. This offers the least bend in the well, minimizing any drag and or increase of torque from the bend.

The drilling rate of penetration is reduced during the building of the curve due to less weight on the bit and the absence of drill string rotations. This reduction in drilling rates along with the additional reaming requirement increase the total time to drill the directional well.

In this well design it is estimated that it will take an additional 1 ½ to 2 days to drill the well.

Therefore the additional cost of drilling the well is calculated as follows

Drilling rig cost per day	\$ 11,000/day
Mud cost per day	\$ 1,000/day
Rental equipment	\$ 2,000/day
Supervision	\$ 1,500/day
Trailers water/septic plant	\$ 125/day
Mud logger	\$ 800/day
Total daily cost	\$ 16,425/day

Two extra days to drill directionally

$$\$16,425 * 2 \text{ days} = \$ 32,850.$$

The directional tools will be used for a total of 6 days and there costs are as follows:

Directional equipment	\$ 4,250/day
Directional supervisor	\$ 1,000/day
Total daily cost	\$ 5,250/day

$$\$ 5,250/\text{day} * 6\text{days} = \$31,500.$$

The additional cost of casing, tubing and rods for the additional 143 ft required due to drilling a longer well bore are estimated to be as follows:

Casing 5 1/2" K-55, 17 #/ft., 8rd	\$ 18.00/ft
Tubing 2 7/8" J-55, 6.5 #/ft., 8rd	\$ 6.25/ft
Rods 1"	\$ 1.25/ft
Total	\$ 25.50/ft

$$143 \text{ ft} * \$ 25.50/\text{ft} = \$ 3,646.50$$

Total estimated additional cost for drilling and completing a directional well

\$ 67,996.50

Life of well additional cost discussion:

After the drilling and completion of the well has been completed there are still potential costs to be incurred due to the deviation of the well trajectory. These are relevant if the well is placed on rod pump. The additional wear of the tubing due to the bend in the trajectory by the rods moving up and down can cause erosion of the tubing wall creating holes in the tubing. The result of the wear induced hole is a work over required to change out the damaged tubing. This entails moving in a work over unit and removing the rods then pulling the tubing out of the well replacing the worn tubing and then re installing the tubing and rods back in the well. An additional wear is of the rods themselves as they have a dynamic side forces acting on them thru the build of the curve.

Although this additional cost is difficult to quantify it is real and is documented in many field studies. There are numerous papers and products designed to mitigate the wear problem associated with rod pumping deviated wells. There will be a cost associated with each.

Petroleum Power LLC

Michael M. Power President

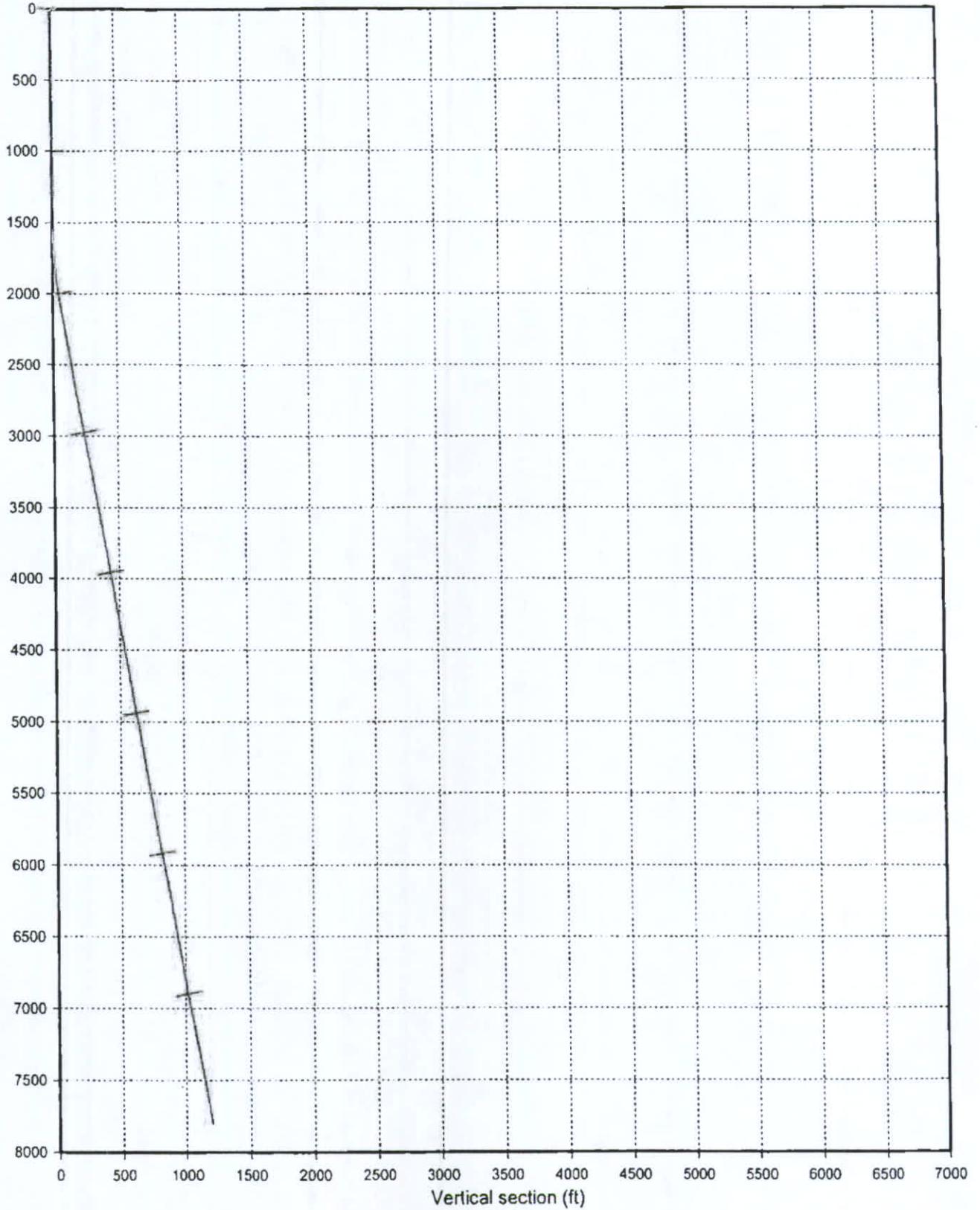
B.S. Petroleum Engineering 1979 The University of Tulsa January 9, 2010

Vertical Section 1200 ft reach vs. vertical

Well : #1
Field : Ryan

Operator : Magpie Oil
Location : USA

TV Depth (ft)



— Temp plan path (MD)

VS

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



IN THE MATTER OF THE RULES AND)
REGULATIONS OF THE COLORADO OIL)
AND GAS CONSERVATION COMMISSION,)
WELD COUNTY, COLORADO)

CAUSE NO. 1

ORDER NO. 1-94

REPORT OF THE COMMISSION

This cause came on for hearing before the Commission on March 19, 2001 at 9:30 a.m. in the City Council Chambers, Longmont City Hall Building, 350 Kimbark, Longmont, Colorado after giving Notice of Hearing as required by law, on the application of the City of Longmont for an order determining that certain lands in Township 2 North, Range 68 West, 6th P.M. constitute a designated outside activity area in accordance with Commission Rule 603.b.

FINDINGS

The Commission finds as follows:

1. The City of Longmont ("Longmont"), as applicant herein, is an interested party in the subject matter of the above-referenced hearing.

2. Due notice of the time, place and purpose of the hearing has been given in all respects as required by law.

3. The Commission has jurisdiction over the subject matter embraced in said notice and the parties interested therein, and jurisdiction to promulgate the hereinafter prescribed order.

4. On October 18, 2000, TOP Operating Company ("TOP") by its attorney, filed with the Commission a verified application for an order withdrawing the conditions placed administratively on seven (7) drilling permits issued for the Evans #1, 2, 3, 4, 5, 6 & 8 Wells based on the belief that the Commission Director has no statutory authority to resolve surface use conflicts by requiring directional drilling.

5. On November 3, 2000, Longmont, by its attorney, filed with the Commission an application to intervene in the TOP application and for an order determining the lands in TOP's application constitute a designated outside activity area in accordance with high density area Rule 603.b. At the December 2000 hearing, the Commission heard arguments from TOP recommending TOP's application and Longmont's application be heard as separate matters. The Commission voted to hold separate hearings on the two applications and to conduct a field tour of Longmont's application lands prior to the hearing on Longmont's application.

6. On December 11, 2000, Longmont supplemented its application to more completely describe the lands requested to be designated an outside activity area as follows:

Township 2 North, Range 68 West, 6th P.M.
Section 7: E $\frac{1}{2}$
Section 8: W $\frac{1}{2}$ SW $\frac{1}{4}$

7. A tour of the application lands comprising Sandstone Ranch was conducted for the Commission prior to the hearing on designation of the lands as an outside activity area.

8. The Commission heard testimony from Leona Stoecker, Mayor of the City of Longmont describing how Longmont acquired Sandstone Ranch and Longmont's interest in developing the property for its citizens.

9. The Commission heard testimony from Paula Fitzgerald, City of Longmont Park Planner describing the acquisition of the 313 acres comprising Sandstone Ranch, the development of the master plan using stakeholder groups for public participation, the expenditures to date on the project and the planned phases of development. Ms. Fitzgerald estimated that approximately 57,228 people are anticipated to use the facilities in Phase 1 of the Sandstone Ranch development. She further estimated that approximately 244,288 visitors per year will use Sandstone Ranch facilities once development is complete. Ms. Fitzgerald testified that she became aware of TOP's mineral ownership in March, 2000 and that Longmont then began to identify central drillsites from which wells could be drilled.

10. The Commission heard rebuttal testimony from Rodney Herring, Vice President of TOP on TOP's acquisition of mineral leases as early as 1990 through 1998 when TOP obtained a mineral lease owned by Murray Herring. Mr. Herring described TOP's efforts to notify Longmont of their leasehold ownership and to communicate with Longmont's Planning Department regarding development proposed near TOP's leases.

11. Pursuant to Rule 510., Ken Wonstolen, Senior Vice President and General Counsel for the Colorado Oil and Gas Association, made statements regarding the concern that development plans may be made without consideration to the rights of the mineral owner and then those plans can be brought to the Commission for ratification.

12. Staff analysis was presented by Rich Griebing and Brian Macke which indicated that TOP has five (5) active permits-to-drill in the NW¼ of Section 7, Township 2 North, Range 68 West, 6th P.M.

13. The Commission finds that testimony and evidence presented at the hearing and on the field tour indicated Longmont has developed the NW¼ NE¼ of Section 7, Township 2 North, Range 68 West, 6th P.M. as four (4) baseball/softball fields, concession stands, parking lots and associated facilities to be placed in operation May 19, 2001. The Commission found that Longmont has plans to construct sports fields and facilities for public use on other portions of the application lands but because these plans have not yet moved beyond the planning stage of these facilities and because the facilities are not yet under construction or in use by the public as of the date of the hearing, these lands do not constitute an outside activity area as defined by the Commission 100 Series Rules.

14. The Commission directed Longmont and TOP to work together to determine suitable well locations in Sandstone Ranch. If the parties are unable to agree on well locations, the Commission will hear testimony on proposed locations at the May 31-June 1, 2001 hearing.

15. The Commission should designate the NW¼ NE¼ of Section 7, Township 2 North, Range 68 West, 6th P.M. as an outside activity area in accordance with Rule 603.b. and require any well drilled on these lands to be located no less than three hundred fifty feet (350') from the boundary of any constructed baseball/softball fields, concession stands, parking lots and associated facilities.

ORDER

NOW, THEREFORE IT IS ORDERED, that the NW¼ NE¼ of Section 7, Township 2 North, Range 68 West, 6th P.M. is hereby designated an outside activity area in accordance with Rule 603.b.

IT IS FURTHER ORDERED, that any well drilled in the above-described lands shall be located no less than three hundred fifty feet (350') from the boundary of any constructed baseball/softball fields, concession stands, parking lots and associated facilities.

IT IS FURTHER ORDERED, that the provisions contained in the above orders shall become effective forthwith.

IT IS FURTHER ORDERED, that the Commission expressly reserves its right, after notice and hearing, to alter, amend or repeal any and/or all of the above orders.

ENTERED this 4th day of April 2001, as of March 19, 2001.

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By Patricia C. Beaver

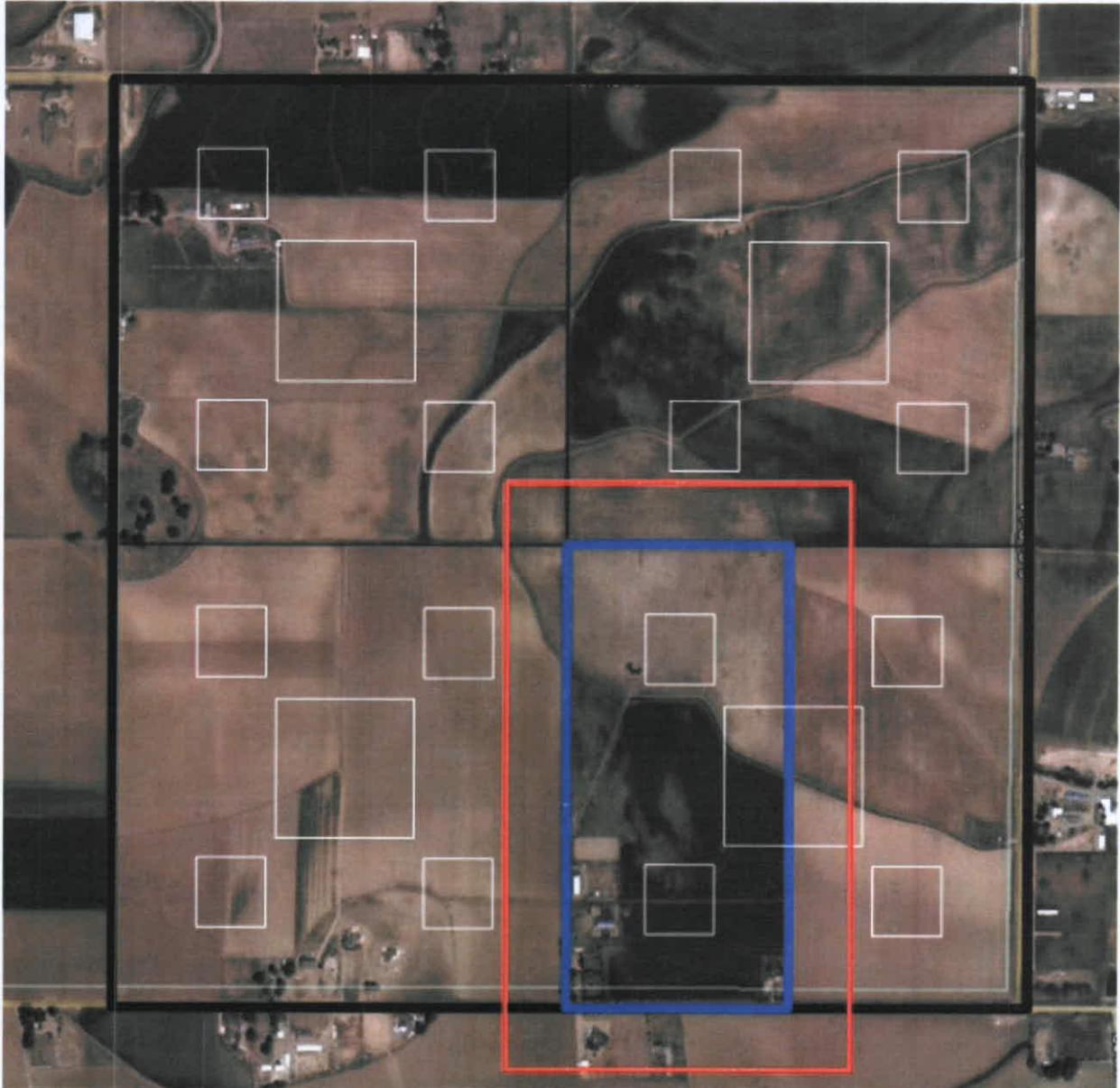
Patricia C. Beaver, Secretary

Dated at Suite 801
1120 Lincoln Street
Denver, Colorado 80203
April 4, 2001

Moqui Meadows – DOAA Setbacks

Township 5 North, Range 68 West
Section 36: All

Note: Section 36 outline in Black;
Moqui Meadows outline in Blue;
Rule 318A 400' and 800' drilling windows in White;
350' DOAA setbacks in Red



Approximate Scale: 1" = 1000'

Docket No. 0803-GA-02
Cause No. 1; Order No. 1-94

City of Longmont Applied DOAA (Yellow)

COGCC Approved DOAA (White Check)

Township 2 North, Range 68 West, 6th P.M.

Township 2 North, Range 68 West, 6th P.M.

Section 7: E/2

Section 7: NW/4NE/4E/2

Section 8: W/2SW/4

Containing 400.00 acres, more or less

Containing 40.00 acres, more or less

