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Location Of  
Hill Companies

r's Affidavit  
r COLORADO  
County of Denver

I, Michael Mahno, of the City and County of Denver, State of Colorado, being duly sworn, upon oath say that I am the Publishing Director of The Daily Journal; that I have personal knowledge of all the facts set forth in this affidavit; that said The Daily Journal is a public newspaper of general circulation having its principal office and place of business situated in said City and County of Denver; that said The Daily Journal is printed and published daily, except Saturdays, Sundays and legal holidays; that said The Daily Journal is a daily newspaper within the meaning of the act of the General Assembly of the State of Colorado, approved April 7, 1921, and entitled, "An Act Concerning Legal Notices, Advertisements and Publications, and the Fees of Printers and Publishers Thereof, and to Repeal All Acts and Parts of Acts in Conflict with the Provisions of This Act" and as amended by an act of said General Assembly, entitled "An Act to Amend an Act Entitled 'An Act Concerning Legal Notices, Advertisements and Publications, and the Fees of Printers and Publishers Thereof, and to Repeal All Acts and Parts of Acts in Conflict with the Provisions of This Act,' approved March 30, 1923, and as amended by an act of said General Assembly, approved May 18, 1931, entitled, 'An Act to Amend Section 4 of Chapter 139, Session Laws of Colorado, 1923, Relating to Legal Notices and Advertisements,' which said act took effect on and after the first day of January, 1932, and as amended by an act of said General Assembly, entitled, 'An Act to Amend Chapter 139 of the Session Laws of 1923 Relating to Legal Notices and Advertisements; to Define Newspapers Qualified to Publish Legal Notices and Advertisements and the Fees of Printers and Publishers Thereof, and to Provide That the Costs of Such Legal Notices and Advertisements Shall Be Taken as Fees,' approved March 5, 1935; and as amended by an act of said General Assembly, entitled, 'An Act Relating to Legal Notices and Advertisements, and Amending Section 4 of Chapter 113, Session Laws of 1931,' approved March 25, 1935; and 'An Act to Amend and as Amended by the General Assembly, concerning 'Rates for Legal Publications,' 109-1-7 C.R.S. 1963 as amended, approved May 23, 1971, and effective January 1, 1972; that said newspaper had, prior to January 1, 1930, and has ever since said date, been admitted to the United States Mails as second class matter under the provisions of the Act of March 3, 1879, or any amendments thereof; that said newspaper is printed and published in whole in said City and County of Denver and has a general circulation therein; that said newspaper has been so printed and published as a public daily newspaper of general circulation in said City and County of Denver, uninterruptedly and continuously during the period of more than fifty-two consecutive weeks next prior to the first issue thereof containing the annexed legal notice and advertisement; that said legal notice and advertisement was published daily, except Saturdays, Sundays and legal holidays in the regular edition of said newspaper for one day, that the publication of said legal notice and advertisement appeared in the regular

edition of said newspaper on the 5 day of OCTOBER, A.D. 2010; and that therefore, said legal notice and advertisement was duly published in a newspaper duly qualified for that purpose within the meaning of said above-mentioned acts of the General Assembly of the State of Colorado.

*Michael Mahno*  
Notary Public

Subscribed and sworn to, at the City and County of Denver, State of Colorado, before me, a Notary Public, this 12 day of OCTOBER, A.D. 2010.

*Karim Hyman*  
Notary Public

My Commission Expires July 9, 2011

1114 West 7th Avenue, Suite 100  
Denver, Colorado 80204-6456

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COGCC

NOTICE OF HEARING  
BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF COLORADO  
CAUSE NO. 407

606

DOCKET NO. 1010-UP-58

IN THE MATTER OF THE PROMULGATION AND ESTABLISHMENT OF FIELD RULES TO GOVERN OPERATIONS IN THE WATTENBERG FIELD, WELD COUNTY, COLORADO

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

On December 19, 1983, the Commission issued Order No. 407-1 (amended on March 29, 2000 in accordance with Order No. 407-17, entered November 18, 1985), which, among other things, established 80-acre drilling and spacing units for the production of oil and/or gas and associated hydrocarbons from the Codell Formation underlying certain lands, including Section 2, Township 4 North, Range 67 West, 6th P.M., with the drilling and spacing unit to be designated by the operator drilling the first well in the quarter section, or the Director, if the operator fails to so designate. The permitted well must be located in the center of either 40-acre tract within the 80 acre drilling and spacing unit, with a tolerance of 200 feet in any direction. The operator has the option to drill an additional well on the undrilled 40-acre tract in each 80-acre drilling and spacing unit.

On February 19, 1992, the Commission issued Order No. 407-87 (amended August 20, 1993), which, among other things, established 80-acre drilling and spacing units for the production of oil and/or gas from the Codell and Niobrara Formations underlying certain lands, including Section 2, Township 4 North, Range 67 West, 6th P.M., with the permitted well locations in accordance with the provisions of Order No. 407-1.

On April 27, 1998, the Commission adopted Rule 318A(e)(1), which, among other things, allowed certain drilling locations to be utilized to drill or twin a well, deepen a well or recomplete a well and to commingle any or all of the Cretaceous Age Formations from the base of the Dakota Formation to the surface. Section 2, Township 4 North, Range 67 West, 6th P.M., is subject to this Rule for the Codell and Niobrara Formations.

Colorado Revised Statute Section 34-60-118 authorizes the Commission to involuntarily pool separately owned interests located within a drilling unit, for the development and operation of such unit.

On September 1, 2010, Great Western Oil and Gas Company LLC ("Great Western"), by its attorneys, filed a Verified Application with the Commission asserting that Great Western owns an oil and gas leasehold interest in the SW $\frac{1}{4}$  of Section 2, Township 4 North, Range 67 West, 6th P.M., Weld County, Colorado ("Section 2," hereinafter).

The Application further asserts that according to the records of the Commission, no wells have been drilled in the SW $\frac{1}{4}$  of Section 2. Great Western desires to drill five (5) wells in SW $\frac{1}{4}$  of Section 2 to the Codell and Niobrara Formations; the Coulson 2-13 and Coulson 2-14 Wells would be drilled on an 80-acre drilling and spacing unit composed of the W $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 2; the Coulson 2-23 and the Coulson 2-24 Wells would be drilled on an 80-acre drilling and spacing unit composed of the E $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 2; and the Coulson 2-53 Well would be drilled in the center of and on a 160-acre drilling and spacing unit composed of the SW $\frac{1}{4}$  of Section 2.

Great Western seeks an order of the Commission establishing a 160-acre drilling and spacing unit, consisting of the SW $\frac{1}{4}$  of Section 2, for the production of oil and gas and associated hydrocarbons from the Codell and Niobrara Formations from the Coulson 2-53 Well, which will be drilled to the center of the SW $\frac{1}{4}$  pursuant to Commission Rule 318A.a.(4)(B).

Great Western further seeks an order pooling non-consenting owners in the proposed 160-acre drilling and spacing unit, consisting of the SW $\frac{1}{4}$  of Section 2 for the production of oil and gas and associated hydrocarbons from the Codell and Niobrara Formations from the Coulson 2-53 Well, for the development and operation of the Codell and Niobrara Formations in such unit.

Great Western further seeks an order pooling all non-consenting owners in the 80-acre drilling and spacing unit, consisting of the W $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 2 for the production of oil and gas and associated hydrocarbons from the Codell and Niobrara Formations from the Coulson 2-13 and Coulson 2-14 Wells, for the development and operation of the Codell and Niobrara Formations in such unit.

Great Western further seeks an order pooling all non-consenting owners in the 80-acre drilling and spacing unit, consisting of the E $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 2 for the production of oil and gas and associated hydrocarbons from the Codell and Niobrara Formations from the Coulson 2-23 and Coulson 2-24 Wells, for the development and operation of the Codell and Niobrara Formations in such unit.

NOTICE IS HEREBY GIVEN, that the Oil and Gas Conservation Commission of the State of Colorado, pursuant to the above, has scheduled the above entitled matter for hearing on:

Date: Thursday, October 21, 2010  
Friday, October 22, 2010  
Time: 9:00 a.m.  
Place: West Garfield Campus, Colorado Mountain College  
3695 Airport Road  
Rifle, Colorado 81650

In accordance with the Americans with Disabilities Act, if any party requires special accommodations as a result of a disability for this hearing, please contact Margaret Humecki at (303) 894-2100 ext. 5139, prior to the hearing and arrangements will be made.

Pursuant to said hearing in the above-entitled matter at the time and place aforesaid, or at any adjourned meeting, the Commission will enter such orders as it deems appropriate to protect the health, safety and welfare of the public and to prevent the waste of oil and gas, either or both, in the operations of said field, and to carry out the purposes of the statute.

In accordance with Rule 509, any interested party desiring to protest the granting of the application or to intervene on the application should file with the Commission a written protest or intervention no later than October 6, 2010, briefly stating the basis of the protest or intervention. Such interested party shall, at the same time, serve a copy of the protest or intervention to the person filing the application. An original and 13 copies shall be filed with the Commission. Anyone who files a protest or intervention must be able to participate in a prehearing conference during the week of October 11, 2010. Pursuant to Rule 503.g., if a party who has received notice under Rule 503.b. wishes to receive further pleadings in the above-referenced matter, that party must file a protest or intervention in accordance with these rules. In accordance with the practices of the Commission, should no protests or interventions be filed in this matter by October 6, 2010, the Applicant may request that an administrative hearing be scheduled during the week of October 11, 2010. In the alternative, pursuant to Rule 511, if the matter is uncontested, the applicant may request, and the Director may recommend approval on the basis of the merits of the verified application and the supporting exhibits.

IN THE NAME OF THE STATE OF COLORADO  
OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF COLORADO

By Carol Harmon, Secretary  
Attorney for Applicant:

Dated at Suite 801  
1120 Lincoln Street  
Denver, Colorado 80203  
September 28, 2010  
J. Michael Morgan  
Lohf Shaiman Jacobs Hyman & Feiger, P.C.  
950 South Cherry Street, Suite 900  
Denver, Colorado 80246  
(303) 753-9000

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