

**Publisher's Affidavit**  
STATE OF COLORADO

I, Michael Mehno, 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, 1931, 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, 1933, and as amended by an act of said General Assembly, approved May 15, 1931, entitled, "An Act to Amend Section 4 of Chapter 139, Session Laws of Colorado, 1933, 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 1933 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 Taxed 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 1 of Chapter 133, 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 22, 1971, and effective January 1, 1972," that said newspaper had, prior to January 1, 1936, 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 amended 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 8 day of November, 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 Mehno*  
Subscribed and sworn to, at the City and County of Denver, State of Colorado, before me, a Notary Public, this 18 day of November, A.D. 2010.

Witness my hand and notarial seal.  
*Kari S. Garton*  
Notary Public

My Commission Expires July 9, 2011  
1114 West 7th Avenue, Suite 100  
Denver, Colorado 80204-4455

**NOTICE OF HEARING**  
BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF COLORADO  
CAUSE NO. 5

DOCKET NO. 1011-UP-59

IN THE MATTER OF THE PROMULGATION AND ESTABLISHMENT OF FIELD RULES TO GOVERN OPERATIONS IN THE PEETZ WEST FIELD, LOGAN COUNTY, COLORADO

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

Rule 401. of the Rules and Regulations of the Oil and Gas Conservation Commission ("Commission"), states that prior to performing enhanced recovery operations or carrying on any method of unit operations, written authorization from the Commission must first be obtained.

On June 1, 2010, the Commission issued Order No. 5-1, which among other things, established an enhanced recovery unit and enhanced recovery operations for the below-listed lands, for the development and operation of the "J" Sand Formation:

Township 11 North, Range 58 West, 6th P.M.  
Section 6: Lots 1, 2, 3, 4, 5, 6, and 7 and the S $\frac{1}{4}$  NE $\frac{1}{4}$ , the E $\frac{1}{4}$  SW $\frac{1}{4}$ , the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and the SE $\frac{1}{4}$   
Township 12 North, Range 58 West, 6th P.M.  
Section 31: Lots 3 and 4 and the SE $\frac{1}{4}$  and the E $\frac{1}{4}$  SW $\frac{1}{4}$   
Township 11 North, Range 59 West, 6th P.M.  
Section 1: Lot 1 and the SE $\frac{1}{4}$  NE $\frac{1}{4}$   
Township 12 North, Range 59 West, 6th P.M.  
Section 36: E $\frac{1}{4}$  SE $\frac{1}{4}$

Further, the Commission ordered that the establishment of the enhanced recovery unit and enhanced recovery operations for the above-listed lands, for the development and operation of the "J" Sand Formation, shall become effective upon further Order of the Commission following a demonstration by East Cheyenne Gas Storage, LLC ("East Cheyenne") that 80 percent or more of the royalty interest owners have approved and consent to the proposed unit.

On October 6, 2010, East Cheyenne, by its attorney, filed with the Commission a verified application alleging that East Cheyenne has obtained the written approval and consent of 80 percent or more of the royalty interest owners required to make effective the establishment of the enhanced recovery unit and enhanced recovery operations for the above-listed lands, for the development and operation of the "J" Sand Formation.

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: Monday, November 29, 2010  
Tuesday, November 30, 2010  
Time: 9:00 a.m.  
Place: Suite 801, The Chancery Building  
1120 Lincoln Street  
Denver, Colorado 80203

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 November 12, 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 November 15, 2010. Pursuant to Rule 503.f., 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 November 12, 2010, the Applicant may request that an administrative hearing be scheduled during the week of November 15, 2010. In the alternative, pursuant to Rule 511.b., 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

Dated at Suite 801  
1120 Lincoln Street  
Denver, Colorado 80203  
November 1, 2010  
Attorney for Applicant:  
David R. Little  
Bjork Lindley Little PC  
1600 Stout Street, Suite 1400  
Denver, Colorado 80202  
(303) 892-1400

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