



# AFFIDAVIT OF PUBLICATION

## FORT MORGAN TIMES

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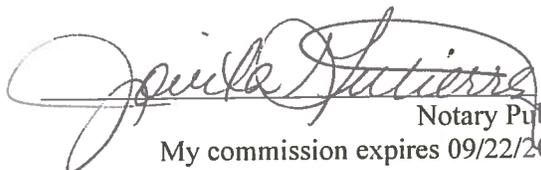
State of Colorado  
County of Morgan

I, the undersigned agent, do solemnly swear that **THE FORT MORGAN TIMES** is a daily newspaper printed, in whole or in part, and published in the City of Fort Morgan, County of Morgan, State of Colorado, and which has general circulation therein and in parts of Logan and Morgan counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has 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, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **January 30, 2013**.

  
Agent

Subscribed and sworn to before me this **6th** day of **February, 2013** in the County of Morgan, State of Colorado.

  
Notary Public  
My commission expires 09/22/2013

**JOVITA GUTIERREZ**  
Notary Public  
State of Colorado  
MY COMMISSION EXPIRES September 22, 2013

BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF COLORADO  
CAUSE NO. 535  
DOCKET NO. 1302-UP-38

IN THE MATTER OF THE APPLICATION OF  
CONDOR ENERGY TECHNOLOGY LLC FOR AN  
ORDER TO POOL ALL INTERESTS IN AN  
APPROXIMATE 640-ACRE EXPLORATORY  
DRILLING AND SPACING UNIT LOCATED IN  
SECTION 9, TOWNSHIP 6 NORTH, RANGE 60  
WEST, 6th P.M. FOR THE NIOBRARA FORMATION  
UNNAMED FIELD, MORGAN COUNTY, COLORADO

**NOTICE OF HEARING**  
TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:  
Rule 318.a. of the Rules and Regulations of the Oil and Gas Conservation Commission requires that wells drilled in excess of 2,500 feet in depth be located not less than any lease line, and located not less than 1,200 feet from any other producing gas well when drilling to the same common source of supply. Section 9 Range 60 West, 6th P.M. is subject to this Rule for the Niobrara Formation.

On December 13, 2012, Condor Energy Technology, LLC ("Condor" or "Applicant"), by its attorneys, filed with the Commission pursuant to §34-60-116 C.R.S., a concurrent application ("Application"), Docket No. 1302-SP-29, for an order to establish an exploratory drilling and spacing unit, and to approve up to four horizontal wells for the production of oil, gas and associated hydrocarbons from the Niobrara Formation.

On December 13, 2012, Condor, by its attorneys, filed with the Commission pursuant to §34-60-116 C.R.S., a verified application ("Application") for an order to pool all proximate 640-acre exploratory drilling and spacing unit established for lands ("Application Lands"), for the development and operation of the Niobrara Formation as of the earlier of the date of the Application, or the date that any of the C.R.S. §34-60-116(7)(b)(II) were first incurred for the drilling of the Wickstrom well to the Niobrara Formation, and to subject any nonconsenting interest to the recovery provisions of C.R.S. §34-60-116(7):

Township 6 North, Range 60 West, 6th P.M.  
Section 9: All

Applicant requests to pool all interests in the unit to accommodate the initial Wickstrom well and subsequent wells approved for the unit. Applicant states that each interest owner not already pooled will be offered the opportunity to lease, or to participate in the drilling of all wells with the information required by Rule 530 at least thirty (30) days prior to the February 11, 2013 hearing.

**NOTICE IS HEREBY GIVEN**, pursuant to: 1) the general jurisdiction granted to the Oil and Gas Conservation Commission of the State of Colorado under §34-60-105 C.R.S.; 2) the Commission's Series 500 Rules at 2CCR 404-1, that the above-entitled matter for hearing on:

Date: Monday, February 11, 2013  
Tuesday, February 12, 2013  
Time: 9:00 a.m.  
Place: Colorado Oil and Gas Conservation Commission  
1120 Lincoln Street, Suite 801  
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 Margarita Frick at 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 necessary to protect the health, safety and welfare of the public and to prevent the waste of oil, gas, 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 should file with the Commission a written protest or intervention on or before January 28, 2013, briefly stating the basis of the protest or intervention. Such interested party, at the time of filing the protest or intervention, shall file with the Commission a copy of the protest or intervention to the person filing the application and 13 copies shall be filed with the Commission. Anyone who files a protest or intervention shall be able to participate in a prehearing conference during the week of January 28, 2013. If a party who has received notice under Rule 503.b. wishes to receive further information regarding the above-referenced matter, that party must file a protest or intervention in accordance with the rules.

In accordance with the practices of the Commission, should no protest or intervention be filed in this matter by January 28, 2013, the Applicant may request that an additional hearing be scheduled during the week of January 28, 2013. In the alternative, pursuant to Rule 509, if the matter is uncontested, the applicant may request, and the Director may recommend, that the application be approved on the basis of the merits of the verified application and the supporting exhibits.

OIL AND GAS CONSERVATION  
COMMISSION  
OF THE STATE OF COLORADO  
By  
Robert J. Frick, Secretary

Dated: January 17, 2013  
Colorado Oil and Gas Conservation  
Commission  
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