

The Daily Journal

A Publication Of
The McGraw-Hill Companies

Publisher's Affidavit STATE OF COLORADO

City and County of Denver
I, John Rhoades 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 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 139 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 2 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 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 17th day of December AD 2008 and that therefore, said legal notice and advertisement was duly published in a newspaper duly qualified for the purpose within the meaning of said above mentioned acts of the General Assembly of the State of Colorado.

Subscribed and sworn to at the City and County of Denver State of Colorado before me a Notary Public this 17th day of December AD 2008
Witness my hand and official seal
KARL JOHNSON
Notary Public
My Commission Expires July 9, 2011
1116 West 7th Avenue, Suite 104
Denver, Colorado 80204 4455

Subscribed and sworn to at the City and County of Denver State of Colorado before me a Notary Public this 17th day of December AD 2008

Witness my hand and official seal
KARL JOHNSON
Notary Public
My Commission Expires July 9, 2011
1116 West 7th Avenue, Suite 104
Denver, Colorado 80204 4455

PUBLIC
STATE OF COLORADO
My Commission Expires 07-09-2011

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

CAUSE NO 249

DOCKET NO 0901-SE-04

IN THE MATTER OF THE PROMOTION AND ESTABLISHMENT OF FIELD RULES TO GOVERN OPERATIONS IN THE ARAPAHOE FIELD, CHEYENNE COUNTY, COLORADO

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN
On April 16, 1988 the Commission issued Order No 449-7 which among other things established 80-acre drilling and spacing units for certain lands including Section 33 Township 14 South, Range 42 West, 8th P.M. for production of oil and associated hydrocarbons from the Morrow Formation

On November 24 2008 Direct Petroleum Exploration, by its representative, filed with the Commission a verified application to vacate the 80-acre drilling and spacing units established in Order No 449-7 for Section 33 Township 14 South Range 42 West, 8th P.M. and place the lands under the provisions of the Rules and Regulations of the Oil and Gas Conservation Commission, including Rule 318 a which requires that wells drilled in excess of 2 500 feet in depth be located not less than 600 feet from any lease line and located not less than 1,200 feet from any other producible or drilling oil or gas well when drilling to the same common source of supply

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	Tuesday, January 13 2009
	Wednesday January 14, 2009
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 139 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 December 30, 2008, 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 December 29, 2008. Pursuant to Rule 509, 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 December 30, 2008, the Applicant may request that an administrative hearing be scheduled during the week of December 29, 2008. In the alternative pursuant to Rule 513 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

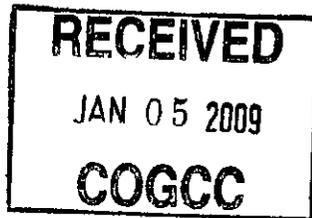
IN THE NAME OF THE STATE OF COLORADO
OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By Patricia C Beaver, Secretary
Representative for Applicant
David R Nelson
Direct Petroleum Exploration Inc
1401 17th Street Suite 510
Denver, CO 80202
(303) 825-0775

Dated at Suite 801
1120 Lincoln Street
Denver Colorado 80203
December 12, 2008

Published December 17, 2008 in The Daily Journal

311



AFFIDAVIT OF PUBLICATION

STATE OF COLORADO }
 COUNTY OF CHEYENNE } {SS.

Nancy Bogenhagen being duly sworn,
 deposes and says

1 That she is the publisher of THE RANGE LEDGER and CHEYENNE WELLS RECORD, a weekly newspaper published in the Town of Cheyenne Wells, County of Cheyenne and State of Colorado

2 That the said THE RANGE LEDGER and CHEYENNE WELLS RECORD is printed and published at regular intervals, one each week on Thursday, and that it has a general circulation in the County of Cheyenne and elsewhere

3 That the said The Range Ledger and Cheyenne Wells Record was established and has been published in said County uninterruptedly and continuously during the period of at least fifty-two consecutive weeks prior to the first issue thereof containing said *Notice of continuation of hearing* copy of which is hereto attached

4 That the said THE RANGE LEDGER and CHEYENNE WELLS RECORD is a weekly newspaper within the meaning of "An Act Concerning Legal Notice, Advertisements and Publications and Fees of Printers and Publishers Thereof and to Repeal all Acts and Parts of Acts in conflict with the Provisions of this Act", being Chapter 139 of the Session Laws of Colorado of 1923 as amended by Chapter 113 of the Sessions Laws of Colorado of 1931 The act amended and repealed by Chapter 139 of the Session Laws of Colorado of 1921, the same sections 5392 to 5400, both inclusive, of the Compiled Laws of the State of Colorado of 1921

5 That the said annexed was published in the regular and entire edition of THE RANGE LEDGER and CHEYENNE WELLS RECORD, a duly qualified weekly newspaper for the purpose, within the terms and meaning of the above named Acts

6 That the said annexed is a full, true and correct copy of the original which was regularly published in each of the regular and entire issues of said newspaper, a legally qualified paper for that purpose, once each week, on the same day of each week, for successive weeks by insertions and that first publication thereof was in the issue dated . . . , 20 . . . and that the last publication was in the issue dated . . . , 20 . . .

Nancy Bogenhagen

Publisher

Subscribed and sworn to before me this

day of

Feb. 6, 20*09*

Karen C. Padella

NOTARY PUBLIC

My Commission Expires

5-13-2010

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

IN THE MATTER OF THE PROMULGATION AND ESTABLISHMENT OF FIELD RULES TO GOVERN OPERATIONS IN THE ARAPAHOE FIELD, CHEYENNE COUNTY, COLORADO

CAUSE NO. 449
 DOCKET NO. 0901-SP-04

NOTICE OF CONTINUATION OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN

On April 18, 1988, the Commission issued Order No. 449-7, which among other things, established 80-acre drilling and spacing units for certain lands, including Section 33, Township 14 South, Range 42 West, 6th P.M. for production of gas and associated hydrocarbons from the Morrow Formation, and imposed on each well a 100 MCF per day per 80-acre unit production restriction for said Section 33

On November 24, 2008, Direct Petroleum Exploration ("Direct Petroleum"), by its representative, filed with the Commission a verified application to vacate the 80-acre drilling and spacing units established in Order No. 449-7 for Section 33, Township 14 South, Range 42 West, 6th P.M. and place the lands under the provisions of the Rules and Regulations of the Oil and Gas Conservation Commission, including Rule 318 a, which requires that wells drilled in excess of 2,500 feet in depth be located not less than 600 feet from any lease line, and located not less than 1,200 feet from any other producible or drilling oil or gas well when drilling to the same common source of supply

On December 31, 2008, Direct Petroleum, by its representative, made a verbal request to the Commission to continue this matter to the February hearing to amend the application to lift the production restriction previously imposed on the application lands, and the hearing in this matter was continued

On January 14, 2009, Direct Petroleum, by its representative, filed with the Commission a verified amended application to vacate the 80-acre drilling and spacing units established in Order No. 449-7 for Section 33, Township 14 South, Range 42 West, 6th P.M. and place the lands under the provisions of the Rules and Regulations of the Oil and Gas Conservation Commission, including Rule 318 a, which requires that wells drilled in excess of 2,500 feet in depth be located not less than 600 feet from any lease line, and located not less than 1,200 feet from any other producible or drilling oil or gas well when drilling to the same common source of supply, and lift the production restriction imposed on each well of 100 MCF per day per 80-acre unit for said Section 33

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, February 23, 2009
 Tuesday, February 24, 2009
 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. 139, 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 February 6, 2009, 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 February 9, 2009.** 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 February 6, 2009, the Applicant may request that an administrative hearing be scheduled during the week of February 9, 2009. 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: Robert A. Willis, Acting Secretary
 Dated at Suite 801
 1120 Lincoln Street
 Denver, Colorado 80203
 January 20, 2009

David R. Nelson
 Direct Petroleum Exploration, Inc.
 Representative for Applicant
 1401 17th Street, Suite 510
 Denver, CO 80202
 (303) 825-0775

AFFIDAVIT OF PUBLICATION

RECEIVED
{ss DEC 22 2008
COGCC

STATE OF COLORADO }
COUNTY OF CHEYENNE }

.....*Nancy Bogenhagen*.....being duly sworn,
deposes and says:

1. That she is the publisher of THE RANGE LEDGER and CHEYENNE WELLS RECORD, a weekly newspaper published in the Town of Cheyenne Wells, County of Cheyenne and State of Colorado.

2. That the said THE RANGE LEDGER and CHEYENNE WELLS RECORD is printed and published at regular intervals, one each week on Thursday, and that it has a general circulation in the County of Cheyenne and elsewhere.

3. That the said The Range Ledger and Cheyenne Wells Record was established and has been published in said County uninterruptedly and continuously during the period of at least fifty-two consecutive weeks prior to the first issue thereof containing said*Case No. 449*....., copy of which is hereto attached.

4. That the said THE RANGE LEDGER and CHEYENNE WELLS RECORD is a weekly newspaper within the meaning of "An Act Concerning Legal Notice, Advertisements and Publications and Fees of Printers and Publishers Thereof and to Repeal all Acts and Parts of Acts in conflict with the Provisions of this Act", being Chapter 139 of the Session Laws of Colorado of 1923 as amended by Chapter 113 of the Sessions Laws of Colorado of 1931. The act amended and repealed by Chapter 139 of the Session Laws of Colorado of 1921, the same sections 5392 to 5400, both inclusive, of the Compiled Laws of the State of Colorado of 1921.

5. That the said annexed.....*Case No. 449*.....was published in the regular and entire edition of THE RANGE LEDGER and CHEYENNE WELLS RECORD, a duly qualified weekly newspaper for the purpose, within the terms and meaning of the above named Acts.

6. That the said annexed.....*Case No. 449*.....is a full, true and correct copy of the original which was regularly published in each of the regular and entire issues of said newspaper, a legally qualified paper for that purpose, once each week, on the same day of each week, for*one*.....successive weeks by*one*.....insertions and that first publication thereof was in the issue dated.....*December 18*....., 20*08* and that the last publication was in the issue dated.....*December 18*....., 20*08*

.....*Nancy Bogenhagen*.....
Publisher

Subscribed and sworn to before me this*19th*.....
day of*December*....., 20*08*.....

.....*Sharon Uhlend*.....
NOTARY PUBLIC

My Commission Expires.....*12-01-2012*.....

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orks
46-5348
St., Burlington

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

IN THE MATTER OF THE PROMULGATION
AND ESTABLISHMENT OF FIELD RULES
TO GOVERN OPERATIONS IN THE ARAPAHOE FIELD,
CHEYENNE COUNTY, COLORADO

CAUSE NO. 449

DOCKET NO. 0901-SP-04

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

On April 16, 1988, the Commission issued Order No. 449-7, which among other things, established 80-acre drilling and spacing units for certain lands, including Section 33, Township 14 South, Range 42 West, 6th P.M., for production of oil and associated hydrocarbons from the Morrow Formation.

On November 24, 2008, Direct Petroleum Exploration, by its representative, filed with the Commission a verified application to vacate the 80-acre drilling and spacing units established in Order No. 449-7 for Section 33, Township 14 South, Range 42 West, 6th P.M. and place the lands under the provisions of the Rules and Regulations of the Oil and Gas Conservation Commission, including Rule 318.a., which requires that wells drilled in excess of 2,500 feet in depth be located not less than 800 feet from any lease line, and located not less than 1,200 feet from any other producible or drilling oil or gas well when drilling to the same common source of supply.

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: Tuesday, January 13, 2009
Wednesday, January 14, 2009

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. 139, 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 December 30, 2008, 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 December 29, 2008. 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 December 30, 2008, the Applicant may request that an administrative hearing be scheduled during the week of December 29, 2008. 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 _____
Patricia C. Beaver, Secretary

Representative for Applicant:
David R. Nelson
Direct Petroleum Exploration, Inc.
1401 17th Street, Suite 510
Denver, CO 80202
(303) 825-0775

Dated at Suite 801
1120 Lincoln Street
Denver, Colorado 80203
December 12, 2008

Published December 18, 2008 in The Range Ledger, Cheyenne Wells, CO