

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

SPOON VALLEY ENERGY, LLC'S VERIFIED APPLICATION FOR AN ORDER CREATING STANDUP 320 ACRE DRILLING AND SPACING UNITS IN CERTAIN LANDS LOCATED IN HUERFANO COUNTY, COLORADO, FOR THE DRILLING OF WELLS TO THE ENTRADA AND DAKOTA FORMATIONS; AND APPLICATION FOR AN ORDER POOLING ALL NON-CONSENTING INTERESTS

CAUSE NO: 520

ORDER NO:

DOCKET NO:

VERIFIED APPLICATION

COMES NOW the Applicant, Spoon Valley Energy, LLC, by its attorneys, Scott M. Campbell and Nick A. Swartzendruber, Poulson, Odell & Peterson, LLC, and makes application to the Oil and Gas Conservation Commission of the State of Colorado for an Order creating standup 320 acre drilling and spacing units in certain lands located in Huerfano County, Colorado, for the drilling of wells to the Entrada and Dakota Formations; and for an order pooling all non-consenting interests. In support thereof, Spoon Valley Energy, LLC states as follows:

1. That Applicant is a corporation duly authorized to conduct business in the State of Colorado.
2. That Applicant desires to space the following described lands, located in Huerfano County, Colorado:

Township 29 South, Range 69 West, 6th P.M.

Section 10: W $\frac{1}{2}$ , more specifically described as:

That portion of the following lands located within the E $\frac{1}{2}$ NW $\frac{1}{4}$ ,

Lot 9 of the Abeyta Creek Acres Subdivision, containing 2.61 acres, more or less

Lot 10 of the Abeyta Creek Acres Subdivision, containing 24.81 acres, more or less

Lots 11, 12, 13 of the Abeyta Creek Acres Subdivision, containing 37.47 acres, more or less

and the remainder of Section 10: E $\frac{1}{2}$ NW $\frac{1}{4}$ , being the E $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 10 less and except those portions of Lots 9, 10, 11, 12, 13 of the Abeyta Creek Acres Subdivision lying within the E $\frac{1}{2}$ NW $\frac{1}{4}$  of said Section 10, containing 15.11 acres, more or less

W $\frac{1}{2}$ W $\frac{1}{2}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , containing 240.00 acres, more or less

Section 15: All, more specifically described as:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Less and Except a tract of land located in part of the E $\frac{1}{2}$ NW $\frac{1}{4}$  of said Section 15 and part of the W $\frac{1}{2}$ NE $\frac{1}{4}$  of said Section 15, and more particularly described in Warranty Deed Book 369, page 512, containing 26.397 acres, more or less; the resulting total being 453.60 acres, more or less

A tract of land located in part of the E $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 15, and part of the W $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 15, more particularly described in Warranty Deed Book 369, page 512, Less and Except a tract of land located therein, containing 5.00 acres, more or less; the resulting total being 21.397 acres, more or less

A tract of land located in part of the E $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 15, T-29-S, R-69-W, 6th P.M. and part of the W $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 15, T-29-S, R-69-W, 6th P.M. containing 5.00 acres, more or less

SE $\frac{1}{4}$ , Less & Except two (2) tracts of land containing 4.60 acres, more or less, conveyed to Southern Pacific Transportation Company (now San Luis & Rio Grande Railroad, Inc. and more particularly described in Warranty Deed recorded in Book 52, page 566 records of Huerfano County, Colorado, containing 155.40 acres, more or less

Two (2) tracts of land lying in the SE $\frac{1}{4}$  conveyed to Southern Pacific Transportation Company (now San Luis & Rio Grande Railroad, Inc.) and more particularly described in Warranty Deed recorded in Book 52, page 566 records of Huerfano County, Colorado, containing 4.60 acres, more or less

Section 21: All  
containing 640.00 acres, more or less

Section 22: N $\frac{1}{2}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$   
containing 640.00 acres, more or less

Section 26: N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$   
containing 640.00 acres, more or less

Section 27: E $\frac{1}{2}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$   
containing 640.00 acres, more or less

Section 28: E $\frac{1}{2}$   
containing 320.00 acres, more or less

Section 34: NW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ S $\frac{1}{2}$   
containing 640.00 acres, more or less

Section 35: NW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$   
containing 640.00 acres, more or less

Township 30 South, Range 69 West, 6th P.M.

Section 2:  $W\frac{1}{2}$ , more specifically described as:

Lot 4,  $SW\frac{1}{4}NW\frac{1}{4}$  (Lot 4 and the  $SW\frac{1}{4}NW\frac{1}{4}$  comprising the  $W\frac{1}{2}NW\frac{1}{4}$ ),  $NW\frac{1}{4}SW\frac{1}{4}$ , Less & Except a tract of land located in the  $NW\frac{1}{4}SW\frac{1}{4}$  of said Section 2, more particularly described in instrument recorded at Reception No. 335243 and containing 11.48 acres, more or less, the total being 108.87 acres, more or less

Lot 3,  $SE\frac{1}{4}NW\frac{1}{4}$  – (Lot 3 and the  $SE\frac{1}{4}NW\frac{1}{4}$  comprising the  $E\frac{1}{2}NW\frac{1}{4}$ ),  $NE\frac{1}{4}SW\frac{1}{4}$ , Less & Except a tract of land located in the  $NE\frac{1}{4}SW\frac{1}{4}$  of Section 2, more particularly described in that instrument recorded at Reception No. 335244 and containing 9.35 acres, more or less; the total being 111.10 acres, more or less

$S\frac{1}{2}SW\frac{1}{4}$ , a tract of land located in the  $NW\frac{1}{4}SW\frac{1}{4}$ , more particularly described in instrument recorded at Reception No. 335243, containing 11.48 acres, more or less, and a tract of land located in the  $NE\frac{1}{4}SW\frac{1}{4}$ , more particularly described in instrument recorded at Reception No. 335244, containing 9.35 acres, more or less; the total being 100.83 acres, more or less

Section 3:  $E\frac{1}{2}$ , more specifically described as:

Lot 2,  $SW\frac{1}{4}NE\frac{1}{4}$  (Lot 2 and the  $SW\frac{1}{4}NE\frac{1}{4}$  comprising the  $W\frac{1}{2}NE\frac{1}{4}$ ),  $N\frac{1}{2}SE\frac{1}{4}$ , Less & Except a tract of land located in the  $NE\frac{1}{4}SE\frac{1}{4}$  of said Section 3, more particularly described in that instrument recorded at Reception No. 335243 and containing 6.09 acres, more or less; the total being 154.47 acres, more or less

$SE\frac{1}{4}SE\frac{1}{4}$  and a tract of land located in the  $NE\frac{1}{4}SE\frac{1}{4}$ , more particularly described in that instrument recorded at Reception No. 335243, containing 6.09 acres, more or less; the total being 46.09 acres, more or less

Lot 1,  $SE\frac{1}{4}NE\frac{1}{4}$  (Lot 1 and  $SE\frac{1}{4}NE\frac{1}{4}$  comprising the  $E\frac{1}{2}NE\frac{1}{4}$ ), containing 80.39 acres, more or less

$SW\frac{1}{4}SE\frac{1}{4}$ , containing 40.00 acres, more or less

(the "Application Lands").

3. Applicant is the working interest owner under most, but not all, of the Application Lands.

4. The Application Lands are currently subject to Rule 318 of this Commission.

5. By Order No. 520-1 dated December 2, 1999, the Oil and Gas Conservation Commission established 160-acre drilling and spacing units for the production of oil, gas (including CO<sub>2</sub>) and hydrocarbons from the Dakota and Entrada Formations underlying Section 33, Township 28 South, Range 69 West, 6th P.M. and all or portions of Sections 4, 5, 8, 9, 16 and 17, Township 29 South, Range 69 West, 6th P.M., containing 3960 acres, more or less. Permitted wells were to be

located no closer than 600 feet from the outer boundaries of the drilling unit, with exceptions due to topography allowed to be granted by the Director provided the bottom hole is located no closer than 350 feet from the boundary of the unit.

6. By Order No. 520-2, dated June 4, 2002, the Oil and Gas Conservation Commission pooled all non-consenting owners in the 160-acre drilling and spacing unit consisting of the SE¼ of Section 4, Township 29 South, Range 69 West, 6th P.M. for the development and operation of the Dakota and Entrada Formations, pending notice of five additional parties and allowing a twenty day period to file protests.

7. By Order No. 520-3, dated June 4, 2002, the Oil and Gas Conservation Commission pooled all non-consenting owners in the 160-acre drilling and spacing unit consisting of the SW¼ of Section 33, Township 28 South, Range 69 West, 6th P.M. for the development and operation of the Dakota and Entrada Formations.

8. By Order No. 520-4, dated January 9, 2006, the Oil and Gas Conservation Commission pooled all non-consenting owners in the 160-acre drilling and spacing unit consisting of the NE¼ of Section 4, Township 29 South, Range 69 West, 6th P.M. for the Harry Willis No. 1 Well, for the development and operation of the Dakota and Entrada Formations.

9. As to the Application Lands, geological and engineering information obtained in the drilling and producing of wells located in the area and productive of gas and associated hydrocarbons from the Entrada and Dakota Formations, indicates that in order to adequately and efficiently drain the gas and associated hydrocarbons from the Formations, a standup 320 acre drilling and spacing unit will be required to drain the Formations efficiently and economically, despite the fact that surrounding acreage has been spaced on a 160 acre basis. Applicant therefore alleges that each such 320 acre drilling and spacing unit is not smaller than the maximum area that can be efficiently and economically drained by one well producing from the Dakota and Entrada Formations, and that the correlative rights of all parties will be protected. Applicant further alleges that the additional wells may be drilled in a manner consistent with the protection of public health, safety and welfare.

10. Applicant alleges and believes that the granting of this Application will prevent waste, protect correlative rights, and assure the greatest ultimate recovery of gas and associated hydrocarbons from the reservoir.

#### POOLING OF NON-CONSENTING INTERESTS

11. Applicant has so far been unable to obtain 100% consent to voluntary pooling by all net revenue interests owners in the proposed drilling and spacing units for Township 29 South, Range 69 West, 6th P.M., Section 10: W½; and Township 30 South, Range 69 West, 6th P.M., Section 2: W½. As a result, it is necessary and proper for Applicant to request that the interests of those net revenue interest owners which have not agreed to such voluntary pooling be involuntarily pooled pursuant to C. R. S. § 34-60-116 of the Colorado Oil and Gas Conservation Act.

12. That with respect to those net revenue interest owners which would participate in production from anticipated well, Applicant has made and continues to make reasonable attempts pursuant to COGCC Rule 530.b. to enter into leases with such parties but has so far been unsuccessful in such attempts. These unleased mineral owners are more specifically identified on Exhibit "B" attached hereto. As of the date hereof, those owners either elected not to participate in such drilling and completion (or to lease their interests) or have not responded to the correspondence

from Applicant making such offers.

13. That in order to prevent waste, protect correlative rights and in the best interests of conservation, all mineral interests or working interests owned by those owners listed on Exhibit B should be pooled in accordance with C.R.S. § 34-60-116 and Rule 530 of the COGCC.

14. Pursuant to Rule 503(d) of this Commission, within seven (7) days of the filing of this Application, the Applicant shall submit a Certificate of Service to the Commission demonstrating that the Applicant served a copy of the Application on all persons entitled to Notice, as listed on Exhibit "A" by mailing a copy thereof, first-class postage prepaid, to the last known mailing address of the interested parties. Applicant shall simultaneously submit said list of interested parties to the Commission via electronic media.

WHEREFORE, Applicant respectfully requests that this matter be set for hearing in July, 2008, that notice be given as required by law, and that upon such hearing this Commission enter its order consistent with Applicant's proposals as set forth above.

DATED: May \_\_\_\_\_, 2008.

Spoon Valley Energy, LLC

By: \_\_\_\_\_

Scott M. Campbell  
Nick A. Swartzendruber  
POULSON, ODELL & PETERSON, LLC  
1775 Sherman Street, Suite 1400  
Denver, Colorado 80203  
Telephone: (303) 861-4400  
Facsimile: (303) 861-1225

VERIFICATION

STATE OF NEW MEXICO                                )  
  ) ss.  
COUNTY OF    )

Blaine Hess, of lawful age, being first duly sworn upon oath, deposes and says that he is a Landman, for Spoon Valley Energy, LLC, and that he has read the foregoing Application and that the matters therein contained are true to the best of his knowledge, information and belief.

SPOON VALLEY ENERGY, LLC

By: \_\_\_\_\_  
Blaine Hess, Landman

Subscribed and sworn to before me this \_\_\_\_\_ day of May, 2008.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

EXHIBIT A  
Attached to and made a part of the  
Verified Application of Spoon Valley Energy, LLC  
Cause No. 520, Docket No. \_\_\_\_\_

Scott M. Campbell  
Nick A. Swartzendruber  
POULSON, ODELL & PETERSON, LLC  
1775 Sherman Street, Suite 1400  
Denver, CO 80203

Blaine Hess  
Spoon Valley Energy, LLC  
Post Office Box 2107  
Roswell, NM 88202-2107

Bureau of Land Management  
2850 Youngfield Street  
Lakewood, CO 80215-7093

John Galusha  
Huerfano County  
401 Main Street, Suite 201  
Walsenburg, CO 81089

Maurine G. Bauer, Trustee of the Charles E.  
Bauer Family Trust  
400 East Park  
Fowler, CO 81039

Bureau of Land Management  
1313 Sherman Street, Rm 620  
Denver, CO 80202

Roger W. Gray, a single man  
1882 E. Sonora Rd.  
Palm Springs, CA 92264

Robert L. Moore & his wife Shirley J. Moore  
P.O. Box 220  
Drummond, OK 73735

Marie W. Huntley, and her husband W. Kenneth  
Huntley  
131 Lennox Drive  
Wadesboro, NC 2170

Kerry B. Graham  
1610 Azores Drive  
Pflugerville, TX 78660

Charlotte W. Moore, dealing in her sole and  
separate property  
1921 Spring Meadow Drive  
Graham, NC 27253

David Lee Andreatta, Personal Representative  
of the Estate of Theresa Andreatta, deceased,  
and Erminio Andreatta  
125 Mooney Place  
Erie, CO 80516

Nancy E. Snyder, a married woman dealing in  
her sole and separate property  
14 Gray Way  
Alamo, CA 94507

David Lee Andreatta, Personal Representative  
of the Estate of Theresa Andreatta, deceased,  
and David Lee Andreatta, Attorney-in-Fact for  
Erminio Andreatta  
125 Mooney Place  
Erie, CO 80516

Clark Savage Wallin  
and his wife, Virginia P. Wallin  
204 Rose Avenue  
Wilmington, NC 28403

Jean Leri, a single woman  
1528 County Road 440  
La Veta, CO 81055

Will S. Wallin & Sarah O. Wallin, husband & wife  
119 Morrell  
New Port, NC 28570

Charles Alfred Wallin & his wife, Deborah S.  
Wallin  
4101 Whitehurst Drive  
Wilmington, NC 28409

Elizabeth S. Day, a married woman dealing in  
her sole & separate property  
9205 50th Place  
College Park, MD 20740

Estate of Hortnese L. Gray, The Hortense L.  
Gray Martial Trust under Trust Agreement dated  
May 22, 1985  
219 Oak Hills Drive  
Maybank, TX 75147

Estate of Hortnese L. Gray, The Hortense L.  
Gray Martial Trust under Trust Agreement dated  
May 22, 1985  
2813 Quarter Horse Lane  
Celina, TX 75009

Helen Francis Magnino; Donald E. Magnino;  
David A. Magnino; Pat L. Veltri & Linette A.  
Silver, all dealing in their sole and separate  
property, in their individual capacities and as  
Trustees of the Magnino Trust dated 08/16/1995  
105 North Aspen Road  
La Veta, CO 81055

United States Department of the Interior  
Bureau of Land Management  
2850 Youngfield Street  
Lakewood, CO 80215

David W. Rich and his wife, Donna Rich  
17 Woodward Avenue  
Kenmore, NY 14217

Donna L. Rich, a single woman  
922 Lake Drive

David Lee Andreatta, Successor Trustee Under  
the Will of Gino Andreoli, deceased, for the  
benefit of Jean Leri  
125 Mooney Place  
Erie, CO 80516

Donald E. Andreoli, a single man  
P.O. Box 295  
Manzanola, CO 81058

Bank of Oklahoma, N.A., as Agent for US Bank,  
N.A. (formerly Colorado National Bank), Trustee  
of the L.T. Chamberlain Fund Irrev. T/A  
P.O. Box 3499  
Tulsa, OK 74101

Elizabeth T. Farrar, dealing in her sole and  
separate property  
4742 Woodview Drive  
Santa Rosa, CA 95405-8748

Patricia T. Kenyon, a married woman dealing in  
her sole and separate property  
66 Eleventh Fairway Drive  
Pueblo, CO 81008-1300

Katherine F. Spahn, dealing in her sole and  
separate property  
13251 Vollmer Road  
Colorado Springs, CO 80908

Janet T. Timmerman, dealing in her sole and  
separate property  
P.O. Box 62936  
Colorado Springs, CO 80962

Kathlyn T. Vail, a widow  
4439 Turnberry Crescent  
Pueblo, CO 81001

Mahlon T. White, a married man dealing in his  
sole and separate property  
P.O. Box 2097  
Pueblo, CO 81004



Johnson City, TN 37601

Dennis Rich  
4206 Bristol Highway  
Johnson City, TX 37601

Union Pacific Railroad  
1400 Douglas Street, Mail Stop 1690  
Omaha, NE 68179

Klikus Brothers, a Colorado General Partnership  
Frank Klikus and John Joseph Klikus, General  
Partners  
1769 Co. Road 430  
La Veta, CO 81055

Leslie T. Klar and his wife, Sachiko Klar  
1870 East Atkin Avenue  
Salt Lake City, UT 84106

William F. Cash II  
187 Regency Blvd.  
Pueblo, CO 81005

Robert D. Cash  
187 Regency Blvd.  
Pueblo, CO 81005

Rebecca L. Cash  
187 Regency Blvd.  
Pueblo, CO 81005

Charlene Olsen & Mark Edwin Barbee  
1210 County Road 441  
La Veta, CO 81055

Barbara J. Andreatta, dealing in her sole and  
separate property as an heir of Harry R. Willis,  
deceased, individually and as holder of the  
executive rights for the benefit of Noble  
Royalties, Inc. d/b/a Brown Drake Royalties  
1370 CF 358  
La Veta, CO 81055

M. Kent Christopherson, husband of Diana J.  
Christopherson, dealing herein with his sole and  
separate property, individually and as holder of

William M. White, Jr., dealing in his sole and  
separate property  
837 15th Street  
Santa Monica, CA 90403

Logan T. Farrar, dealing in his sole and  
separate property  
8975 Snowy Owl Lane  
Blaine, WA 98230

Richard A. Hoen  
15846 W. Bayaud Drive  
Golden, CO 80401

National Finance Credit Corporation of Texas, a  
Delaware Corporation  
P.O. Box 1897  
Fort Worth, TX 76101

R&G Butte Rock Ranch, LLC  
10101 Reunion Place, Suite 1000  
San Antonio, TX 78216

John Vucetich, Jr., a single man  
773 CR 103  
Walsenburg, CO 81089

United States Department of Interior  
Bureau of Land Management  
1313 Sherman Street, Room 620  
Denver, CO 80202

Noble Royalties, Inc.  
15601 North Dallas Parkway, Suite 900  
Addison, TX 75001

Ivy Energy, Inc.  
403 S. Cheyenne  
Tulsa, OK 74103

Elizabeth A. Kreutzer, dealing in her sole and  
separate property as an heir of Harry R. Willis,  
deceased, individually and as holder of the  
executive rights for the benefit of Noble  
Royalties, Inc., d/b/a Brown Drake Royalties  
3322 CR 450  
La Veta, CO 81055

executive rights for the benefit of the Board of Trustees of Leland Stanford Junior University  
P.O. Box 2350  
St. George, UT 84771-2350

Scott R. Daigle, a married man dealing in his sole and separate property, individually, and as holder of executive rights for the benefit of The Board of Trustees of Leland Stanford Junior University  
8942 Tuscan Lane  
Littleton, CO 81030

Joseph H. Thibodeau, a single man, individually, and as holder of executive rights for the benefit of The Board of Trustees of Leland Stanford Junior University  
155 South Madison, Suite 209  
Denver, CO 80209

Walter and Shirli Christensen, husband and wife  
P.O. Box 630  
Lake Placid, FL 33862

Anna M. Juan, a/k/a Anna Maria Juan, dealing in her sole and separate property, individually and as holder of the executive rights for the benefit of Noble Royalties, Inc., doing business as Brown Drake Royalties  
P.O. Box 601  
Rye, CO 81069

Douglas J. Daigle, a single man, individually and as holder of executive rights for the benefit of The Board of Trustees of Leland Stanford Junior University  
8231 E. Jamison Place  
Englewood, CO 80112

John N. Smith, a single man, individually and as holder of the executive rights for the benefit of Noble Royalties, Inc.  
1120 Terramont Drive  
Roswell, GA 30076

Albert Christensen, a widower dealing in his sole and separate property  
22000 SW 137th Avenue  
Miami, FL 33170

Pamela Campbell Maxwell, dealing in her sole and separate property  
16 Frances Place  
Pueblo, CO 81008

Leslie Frances Campbell Warren, dealing in her sole and separate property  
5155 Monterrey Lane  
Del Ray Beach, FL 33484

Spoon Valley Energy, LLC  
P.O. Box 2107  
Roswell, NM 88202-2107

EXHIBIT B  
Attached to and made a part of the  
Verified Application of Spoon Valley Energy, LLC  
Cause No. 520, Docket No. \_\_\_\_\_

Owner	Legal Description	Type of Interest
Mr. William Dorough, Jr. Heirs of Hortense L. Gray, The Hortense L. Gray Marital Trust 219 Oak Hills Drive Mabank, Texas 75147	Lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 30 South, Range 69 West, 6th P.M.	Unleased
David Lee Andreatta, Personal Representative of the Estate of Theresa Andreatta, deceased, and David Lee Andreatta, Attorney-in-Fact for Erminio Andreatta 125 Mooney Place Erie, Colorado 80516	<u>Township 29 South, Range</u> <u>69 West, 6th P.M.</u> Section 10: W $\frac{1}{2}$ W $\frac{1}{2}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Less and Except a strip of land containing 5.36 acres, more or less, and more particularly described in Deed dated April 20, 1908, recorded in Book 72, page 178 of the Records of Huerfano County, Colorado	Unleased
David Lee Andreatta, Successor Trustee Under the Will of Gino Andreoli, deceased, for the benefit of Jean Leri 125 Mooney Place Erie, Colorado 80516	<u>Township 29 South, Range</u> <u>69 West, 6th P.M.</u> Section 10: W $\frac{1}{2}$ W $\frac{1}{2}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Less and Except a strip of land containing 5.36 acres, more or less, and more particularly described in Deed dated April 20, 1908, recorded in Book 72, page 178 of the Records of Huerfano County, Colorado	Unleased

Jean Leri 1528 County Road 440 La Veta, Colorado 81055	<u>Township 29 South, Range</u> <u>69 West, 6th P.M.</u> Section 10: W $\frac{1}{2}$ W $\frac{1}{2}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Less and Except a strip of land containing 5.36 acres, more or less, and more particularly described in Deed dated April 20, 1908, recorded in Book 72, page 178 of the Records of Huerfano County, Colorado	Unleased
William M. White, Jr. 837 15th Street Santa Monica, CA 90403	<u>Township 29 South, Range</u> <u>69 West, 6th P.M.</u> Section 10: SE $\frac{1}{4}$ SW $\frac{1}{4}$	Unleased
Logan T. Farrar 8975 Snowy Owl Lane Blaine, Washington 98230	<u>Township 29 South, Range</u> <u>69 West, 6th P.M.</u> Section 10: SE $\frac{1}{4}$ SW $\frac{1}{4}$	Unleased
Charlene Olsen & Mark Edwin Barbee 1210 County Road 441 La Veta, Colorado 81055	That portion of Lot 10 of Abeyta Creek Acres Subdivision located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 10, T- 29-S, R-69-W, 6th P.M. Also, the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, and the NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 8, all located in T-29-S, R-69-W, 6th P.M.	Unleased
Ivy Energy, Inc. 403 S. Cheyenne Tulsa, Oklahoma 74103	<u>Township 29 South, Range</u> <u>69 West, 6th P.M.</u> Section 10: A strip of land containing 5.36 acres	Working Interest Owner

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OF THE STATE OF COLORADO

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--	--

AFFIDAVIT OF MAILING

STATE OF COLORADO                                 )  
  ) ss.  
COUNTY OF DENVER                                 )

Scott M. Campbell, of lawful age, being first duly sworn upon oath, states and declares:

That he is the attorney for Spoon Valley Energy, LLC, Applicant herein; that on May \_\_\_\_\_, 2008, he caused a copy of the attached Application to be deposited in the United States Mail, postage prepaid, addressed to each of the parties listed on Exhibit "A" to the Application.

POULSON, ODELL & PETERSON, LLC

By: \_\_\_\_\_  
Scott M. Campbell  
Nick A. Swartzendruber  
1775 Sherman Street, Suite 1400  
Denver, Colorado 80203-4319  
Telephone: (303) 861-4400

Subscribed and sworn to before me this \_\_\_\_\_ day of May, 2008.

Witness my hand and official seal.

My commission expires: July 22, 2011.

\_\_\_\_\_  
Notary Public