

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

IN THE MATTER OF THE PROMULGATION)	CAUSE NO. 510
AND ESTABLISHMENT OF FIELD RULES TO)	
GOVERN OPERATIONS IN THE MAMM CREEK)	DOCKET NO. 0808-SP-20
FIELD, GARFIELD COUNTY, COLORADO)	

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

On August 16, 2006, (corrected July 6, 2007), the Commission issued Order No. 510-25, which among other things, established a 552.72-acre drilling and spacing unit consisting of the N½ of Section 1, Township 6 South, Range 97 West, 6th P.M., and allowed the equivalent of 10-acre density, with certain setbacks, for the production of gas and associated hydrocarbons from the Williams Fork Formation.

On June 30, 2008, Berry Petroleum Company, by its attorney, filed with the Commission a verified application for an order to vacate the 552.72-acre drilling and spacing unit established in Order No. 510-25 and establish two drilling and spacing units consisting of a 276.04-acre drilling and spacing unit in the NW¼ and a 276.68-acre drilling and spacing unit consisting of the NE¼, both in Section 1, Township 6 South, Range 97 West, 6th P.M. and continue to allow one well per 10 acres, with the permitted well to be located no closer than 100 feet to the unit or lease line boundary, for the production of gas and associated hydrocarbons from the Williams Fork Formation.

All future wells drilled on the application lands should be located downhole no closer than 100 feet from the boundary of lease or unit lines, as applicable, without exception granted by the Director. In cases where the application lands abut or corner lands where the Commission has not, at the time of the drilling permit application, granted the right to drill 10-acre density Williams Fork Formation wells, wells should be located downhole no closer than 200 feet from the boundary or boundaries of the lease or unit abutting or cornering such lands, as applicable, without exception granted by the Director. No more than four Williams Fork Formation wells should be drilled downhole per approximate 40-acre governmental tract, rather than per each quarter quarter section and such well should be drilled from no more than one pad located in an approximate 40-acre tract unless exception is granted by the Director of the Commission.

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, August 19, 2008
Wednesday, August 20, 2008

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 August 5, 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 August 5, 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 **August 5, 2008, the Applicant may request that an administrative hearing be scheduled during the week of August 5, 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

Dated at Suite 801
1120 Lincoln Street
Denver, Colorado 80203
July 17, 2008

Attorneys for Applicant:
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