

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

IN THE MATTER TO ESTABLISH THE POUDRE)	ORDER NO. 1
LEARNING CENTER AS A DESIGNATED OUTSIDE)	
ACTIVITY AREA, WELD COUNTY, COLORADO)	DOCKET NO. 0803-GA-02

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

Rule 502.b.(1) of the Rules and Regulations of the Commission provides that variances to any Commission rules, regulations, or orders may be granted in writing by the Director without a hearing upon written request by an operator to the Director, or by the Commission after hearing upon application. The operator or the applicant requesting the variance shall make a showing that it has made a good faith effort to comply, or is unable to comply with the specific requirements contained in these rules to secure a waiver or an exception, if any, and that the requested variance will not violate the basic intent of the Oil and Gas Conservation Act.

The 100 Series Definitions of the Rules and Regulations of the Commission defines a Designated Outside Activity Area as a well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by twenty (20) or more persons on at least forty (40) days in any twelve (12) month period or by at least five hundred (500) or more people on at least three (3) days in any twelve (12) month period.

Rule 603.d. of the Rules and Regulations of the Commission provides that upon application and hearing, the Commission shall determine the appropriate boundary and setbacks for a designated outside activity area as defined in the 100 Series rules. The minimum setback from the boundary of the designated outside activity area shall be three hundred fifty (350) feet.

On January 25, 2008, the City of Greeley ("Greeley"), by its attorney, filed with the Commission a verified application for an order to determine that the proposed Lake 31-43 Well located in the NE¼ SE¼ of Section 31, Township 6 North, Range 66 West, 6th P.M. and its production facilities be moved off site a minimum of 350 feet from the perimeter of the Learning Center property as a variance pursuant to Rules 503.b. (5), (6) and (7). In addition, Greeley seeks an order designating the entire site of the Poudre Learning Center (consisting of approximately 65 acres) as both a High Density Area and a Designated Outside Activity Area, such that the requirements of Rule 603. apply to the Lake 31-43 Well and that the well and production facilities be moved off site to a minimum of 350 feet from the perimeter of the Learning Center property.

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, March 31, 2008 Tuesday, April 1, 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 March 17, 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 March 17, 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 **March 17, 2008, the Applicant may request that an administrative hearing be scheduled during the week of March 17, 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
February 29, 2008

Attorney for Applicant:
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Greeley Deputy City Attorney
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