

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

IN THE MATTER OF THE PROMULGATION)	CAUSE NO. 381
AND ESTABLISHMENT OF FIELD RULES TO)	
GOVERN OPERATIONS IN THE BRACEWELL)	DOCKET NO. 0805-UP-05
FIELD, WELD COUNTY, COLORADO)	

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

On June 27, 1983, the Commission issued Order No. 381-1, which among other things established 80-acre drilling and spacing units for certain lands including Section 23, Township 6, Range 66 West, 6th P.M., for production of oil and associated hydrocarbons from the Codell Formation.

On June 18, 1984, the Commission issued Order No. 381-2, which among other things, established 80-acre drilling and spacing units for certain lands including Section 23, Township 6, Range 66 West, 6th P.M. for production of oil and associated hydrocarbons from the Niobrara Formation.

On February 18, 1985, the Commission issued Order No. 381-5, which among other things, allowed the option to drill an additional well on each 80-acre drilling and spacing unit in the undrilled 40-acre tract for the production of oil and associated hydrocarbons from the Codell and Niobrara Formations underlying the lands in the Bracewell Field.

On April 27, 1998, the Commission adopted Rule 318A., which, among other things, allowed certain drilling locations to be utilized to drill or twin a well, deepen a well or recomplete a well and to commingle any or all of the Cretaceous Age Formations from the base of the Dakota Formation to the surface. On December 5, 2005, Rule 318A. was amended to, among other things, allow interior infill and boundary wells to be drilled and wellbore spacing units to be established. Section 23, Township 6 North, Range 6 West, 6th P.M. is subject to this Rule.

On March 19, 2008, Foundation Energy Management, LLC. by its attorney, filed with the Commission a verified application for an order to establish a 160-acre wellbore spacing unit consisting of the E½ SW¼ and the W½ SE¼ of Section 23, Township 6 North, Range 66 West, 6th P.M., and to pool all nonconsenting interests in said unit for the drilling of the Barney 5 directional well with a surface location of 246 feet FSL and 1500 feet FWL and a proposed bottom hole location 1320 feet FSL and 2740 feet FWL in the same section, for the development and operation of the “J” Sand, Codell and Niobrara Formations.

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:	Thursday, May 8, 2008 Friday, May 9, 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 April 24, 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 April 28, 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 **April 24, 2008, the Applicant may request that an administrative hearing be scheduled during the week of April 28, 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
April 4, 2008

Attorney for Applicant:
Stephen J. Sullivan
Welborn Sullivan Meck & Tooley, P.C.
821 17th Street, Suite 500
Denver, Colorado 80202
(303) 830-2500