

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

IN THE MATTER OF THE PROMULGATION AND) CAUSE NO. 26
ESTABLISHMENT OF FIELD RULES TO GOVERN)
OPERATIONS IN THE ADENA FIELD,) DOCKET NO. 1112-UP-171
MORGAN COUNTY, COLORADO)

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

On March 2, 1954, the Commission issued Order No. 26-2 (amended August 20, 1993), which among other things, established 40-acre drilling and spacing units for the production of oil from the D-Sand and J-Sand Formations underlying certain lands, with the permitted well locations in accordance with the provisions of Order No. 26-1. Order No. 26-1, among other things, established 40-acre drilling and spacing units for the production of oil and associated hydrocarbons from the D-Sand and J-Sand Formation underlying certain lands, with the drilling and spacing unit to be designated by the operator drilling the first well in the quarter section (or the Director, if the operator fails to designate). The permitted well shall be located in the center of either 40-acre tract within the drilling and spacing unit with a tolerance of 50 feet in any direction. Section 25, Township 2 North, Range 58 West, 6th P.M. is subject to this Order.

On October 12, 2011, Western Operating Company, Inc. ("Western" or "Applicant"), by its attorneys, filed with the Commission a verified application ("Application") for an order to pool all interests, not otherwise voluntarily pooled, in the two approximate 40-acre wellbore spacing units established for the below-described lands ("Application Lands"), for the development and operation of the D-Sand and J-Sand Formations, effective as of the earlier of the date of the Application, or the date that any of the costs specified in C.R.S. § 34-60-116(7)(b)(II) were first incurred for the drilling of the well, and to subject any nonconsenting interests to the cost recovery provisions thereof:

Township 2 North, Range 58 West, 6th P.M.
Section 25: SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$

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, December 12, 2011
Time: 1:00 p.m.

Tuesday, December 13, 2011
9:00 a.m.

Place: Weld County Administration Building
1150 O Street
Greeley, Colorado 80631

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. 5139, 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 November 23, 2011, 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 beginning November 23, 2011.** Pursuant to Rule 503.g., 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 **November 23, 2011, the Applicant may request that an administrative hearing be scheduled beginning November 23, 2011.** In the alternative, pursuant to Rule 511., 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 
Peter J. Gowen, Acting Secretary

Dated at Suite 801
1120 Lincoln Street
Denver, Colorado 80203
November 4, 2011

Attorneys for Western:
Kevin J. O'Toole #17938
Bookhardt & Toole, Attorneys
999 Eighteenth Street, Suite 2500
Denver, Colorado 80202
(303) 294-0204