

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

IN THE MATTER OF THE PROMULGATION AND)	CAUSE NO. 407
ESTABLISHMENT OF FIELD RULES TO GOVERN)	
OPERATIONS IN THE WATTENBERG FIELD,)	DOCKET NO. 1102-UP-11
WELD COUNTY, COLORADO)	<i>CORRECTED</i>

AMENDED NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

This Amended Notice of Hearing sets forth a new deadline for any interested party to protest the granting of the application or intervene on the application. The new deadline to protest/intervene is February 16, 2011. Anyone who files a protest or intervention must be able to participate in a prehearing conference on either February 17 or 18, 2011. No other changes have been made to the content in the prior Notice of Hearing issued on January 18, 2011.

On December 19, 1983, the Commission issued Order No. 407-1 (amended on March 29, 2000 in accordance with Order No. 407-17, entered November 18, 1985), which among other things, established 80-acre drilling and spacing units for the production of oil and/or gas and associated hydrocarbons from the Codell Formation underlying certain lands, including Section 12, Township 3 North, Range 68 West, 6th P.M., 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 200 feet in any direction. The operator shall have the option to drill an additional well on the undrilled 40-acre tract in each 80-acre drilling and spacing unit.

On February 19, 1992, the Commission issued Order No. 407-87 (amended August 20, 1993), which among other things, established 80-acre drilling and spacing units for the production of oil and/or gas from the Codell and Niobrara Formations underlying certain lands, including Section 12, Township 3 North, Range 68 West, 6th P.M., with the permitted well locations in accordance with the provisions of Order No. 407-1.

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. Section 12, Township 3 North, Range 68 West, 6th P.M. is subject to this Rule for the Codell and Niobrara Formations.

On December 8, 2010, Apollo Operating, LLC ("Apollo"), by its attorney, filed with the Commission a verified application for an order to: (1) pool all nonconsenting interests within an approximate 80-acre designated drilling and spacing unit for the below-described lands (to accommodate the Martin #33-12 Well (API #05-123-31982), with a planned bottomhole location of 1,992 feet FSL and 2,001 feet FEL of Section 12, Township 3 North, Range 68 West, 6th P.M., and the Martin #34-12D Well (API #05-123-32309), with a planned bottomhole location of 664 feet FSL and 2,004 feet FEL of said Section 12), for the development and operation of the Codell and Niobrara Formations:

Township 3 North, Range 68 West, 6th P.M.
Section 12: W $\frac{1}{2}$ SE $\frac{1}{4}$

and, (2) pool all nonconsenting interests within an approximate 80-acre designated drilling and spacing unit for the below-described lands (to accommodate the Martin #43-12 Well (API #05-123-31981), with a planned bottomhole location of 1,798 feet FSL and 755 feet FEL of said Section 12, and the Martin #44-12D Well (API #05-123-32310), with a planned bottomhole location of 663 feet FSL and 668 feet FEL of said Section 12), for the development and operation of the Codell and Niobrara Formations:

Township 3 North, Range 68 West, 6th P.M.
Section 12: E $\frac{1}{2}$ SE $\frac{1}{4}$

Further, Apollo requests that this pooling order be retroactive to the spud date of

each well.

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, February 22, 2011
Wednesday, February 23, 2011

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. 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 February 16, 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 on either February 17 or 18, 2011.**

IN THE NAME OF THE STATE OF COLORADO

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By _____
Robert A. Willis, Secretary

Dated at Suite 801
1120 Lincoln Street
Denver, Colorado 80203
February 9, 2011

Attorney for Applicant:
Brent D. Chicken
Beatty & Wozniak, P.C.
216 Sixteenth Street, Suite 1100
Denver, Colorado 80202
(303) 407-4499