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UP-02

# The Daily Journal

A Publication Of  
The McGraw-Hill Companies

## Publisher's Affidavit STATE OF COLORADO

City and County of Denver

I, Michael Mahno, of the City and County of Denver, State of Colorado, being duly sworn, upon oath say that I am the Publishing Director of The Daily Journal; that I have personal knowledge of all the facts set forth in this affidavit; that said The Daily Journal is a public newspaper of general circulation having its principal office and place of business situated in said City and County of Denver; that said The Daily Journal is printed and published daily except Saturdays, Sundays and legal holidays; that said The Daily Journal is a daily newspaper within the meaning of the act of the General Assembly of the State of Colorado, approved April 7, 1921, and entitled, "An Act Concerning Legal Notices, Advertisements and Publications, and the Fees of Printers and Publishers Thereof, and to Repeal All Acts and Parts of Acts in Conflict with the Provisions of This Act" and as amended by an act of said General Assembly, entitled "An Act to Amend An Act Entitled 'An Act Concerning Legal Notices, Advertisements and Publications, and the Fees of Printers and Publishers Thereof, and to Repeal All Acts and Parts of Acts in Conflict with the Provisions of this Act,'" approved March 30, 1923, and as amended by an act of said General Assembly, approved May 18, 1931, entitled, "An Act to Amend Section 4 of Chapter 139, Session Laws of Colorado, 1923, Relating to Legal Notices and Advertisements," which said Act took effect on and after the first day of January, 1932, and as amended by an act of said General Assembly, entitled "An Act to Amend Chapter 139 of the Session Laws of 1923 Relating to Legal Notices and Advertisements; to Define Newspapers Qualified to Publish Legal Notices and Advertisements and the Fees of Printers and Publishers Thereof, and to Provide That the Costs of Such Legal Notices and Advertisements Shall Be Taxed as Fees," approved March 5, 1935; and as amended by an act of said General Assembly entitled, "An Act Relating to Legal Notices and Advertisements, and Amending Section 1, of Chapter 139, Session Laws of 1931," approved March 26, 1935; and as amended by an act of said General Assembly, entitled "An Act to Amend and as Amended by the General Assembly, concerning 'Rates for Legal Publications,' 109-1-7 C.R.S. 1963 as amended, approved May 22, 1971, and effective January 1, 1972," that said newspaper had, prior to January 1, 1936, and has ever since said date, been admitted to the United States Mails as second class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, that said newspaper is printed and published in whole in said City and County of Denver and has a general circulation therein; that said newspaper has been so printed and published as a public daily newspaper of general circulation in said City and County of Denver, uninterruptedly and continuously during the period of more than fifty-two consecutive weeks next prior to the first issue thereof containing the annexed legal notice and advertisement; that said legal notice and advertisement was published daily except Saturdays, Sundays and legal holidays in the regular edition of said newspaper for one day, that the publication of said legal notice and advertisement appeared in the regular

edition of said newspaper on the 15 day of December, A.D. 2010; and that therefore, said legal notice and advertisement was duly published in a newspaper duly qualified for that purpose within the meaning of said above-mentioned acts of the General Assembly of the State of Colorado.

*Michael Mahno*

Subscribed and sworn to, at the City and County of Denver, State of Colorado, before me, a Notary Public, this 16 day of December, A.D. 2010.

Witness my hand and notarial seal.  
*Kari S. Gannon*  
Notary Public

My Commission Expires July 9, 2011

1114 West 7th Avenue, Suite 100  
Denver, Colorado 80204-4455

## NOTICE OF HEARING

BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF COLORADO  
CAUSE NO. 832 and 409  
DOCKET NO. 1101-UP-02

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IN THE MATTER OF THE PROMULGATION AND ESTABLISHMENT OF FIELD RULES TO GOVERN OPERATIONS IN THE EATON FIELD, WELD COUNTY, COLORADO

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

Rule 318.a. of the Rules and Regulations of the Oil and Gas Conservation Commission requires that wells drilled in excess of 2,500 feet in depth be located not less than 800 feet from any lease line, and located not less than 1,200 feet from any other producible or drilling oil or gas well when drilling to the same common source of supply, unless otherwise approved by an order of the Commission. The NW $\frac{1}{4}$  of Section 31, Township 7 North, Range 65 West, 6th P.M., is subject to this Rule for the "J" Sand, Codell and Niobrara Formations.

Rule 318A.a.(4)B.(ii) provides that when completing a Greater Wattenberg Area ("GWA") well in an 800 foot window, whether in spaced or unspaced formations, the operator shall form a voluntary drilling and spacing unit consisting of a governmental quarter section. The NW $\frac{1}{4}$  of Section 31, Township 7 North, Range 65 West, 6th P.M., is subject to this Rule for the "J" Sand, Codell and Niobrara Formations.

On October 8, 2010, Great Western Oil and Gas Company, LLC ("Great Western" or "Applicant"), by its attorney, filed with the Commission a verified application for an order to pool all nonconsenting interests for the designated approximate 160-acre drilling and spacing unit consisting of the below-described lands, to accommodate the Gustafson #31-52 Well (API # 05-123-25565), with a planned bottomhole location of 1,313 feet FNL and 1,517 feet FWL in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 31, Township 7 North, Range 65 West, 6th P.M., for the development and operation of the J Sand, Codell and Niobrara Formations:

Township 7 North, Range 65 West, 6th P.M.

Section 31: NW $\frac{1}{4}$

Weld County, Colorado

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, January 13, 2011  
Friday, January 14, 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 December 30, 2010, 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 January 3, 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 December 30, 2010, the Applicant may request that an administrative hearing be scheduled during the week of January 3, 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 Robert A. Willis, Acting Secretary  
Attorney for Applicant:

Dated at Suite 801  
1120 Lincoln Street  
Denver, Colorado 80203  
December 7, 2010

J. Michael Morgan  
Lohf Shaiman Jacobs Hyman & Feiger PC  
950 South Cherry Street, Suite 900  
Denver, Colorado 80246  
(303) 753-9000

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