

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

IN THE MATTER OF ALLEGED VIOLATIONS OF) CAUSE NO. 1V
THE RULES AND REGULATIONS OF THE)
COLORADO OIL AND GAS CONSERVATION)
COMMISSION BY WEST HAWK ENERGY (USA)) DOCKET NO. 1203-GA-02
LLC, RIO BLANCO COUNTY, COLORADO)

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

Rule 525.b. provides that whenever the Commission or the Director has evidence that an operator is responsible for a pattern of violation of any provision of the Oil and Gas Conservation Act (§34-60-101, *et seq.*) (the "Act"), or of any rule, permit or order of the Commission, the Director shall issue a notice to the operator to appear for a hearing before the Commission. If the Commission finds after such hearing, that a knowing and willful pattern of violation exists, it may issue an order which shall prohibit the issuance of any new permits to the operator.

On August 8, 2011, the Commission issued Order No. 1V-378 finding that West Hawk Energy (USA) LLC ("West Hawk") (Operator #10189) had committed numerous rule violations at certain wells and imposed fines for those violations.

On September 19, 2011, the Commission issued Order No. 1V-385 finding that West Hawk had committed a knowing and willful pattern of violation because West Hawk failed, for more than one year, to perform the abatement and corrective actions required by various Notices of Alleged Violation ("NOAVs"). Order 1V-385 ordered that until the fine assessed under Order No. 1V-378 was paid in full and all required abatement and corrective actions were performed by West Hawk, the Director should not approve any application for permit-to-drill, any Certificate of Clearance and/or Change of Operator, Form 10, or other permit for conducting oil and gas operations for West Hawk or any entity of which Gonzalo Torres Macchiavello is a principal, majority owner, operational or general manager, or in which Mr. Macchiavello otherwise exercises control.

On December 22, 2011, Gonzalo Torres Macchiavello ("Macciavello" or "Applicant"), by his attorneys, filed with the Commission a verified application ("Application") for an order to vacate the sanctions imposed by Order 1V-385 imposed personally against Mr. Macciavello.

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 5, 2012
Tuesday, March 6, 2012
Time: 9:00 a.m.
Place: COGCC Offices
1120 Lincoln Street, Suite 801
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 17, 2012, 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 February 17, 2012.** 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 **February 17, 2012, the Applicant may request that an administrative hearing be scheduled beginning February 17, 2012.** 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
February 1, 2012

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