

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

IN THE MATTER OF THE APPLICATION OF ENTEK) CAUSE NO. 1
GRB, LLC REQUESTING: 1) A VARIANCE FROM RULE)
303.j.(1) TO OBTAIN A DRILLING PERMIT EXTENSION) DOCKET NO. 1307-GA-03
FOR THE FOCUS RANCH UNIT FEDERAL 3-1 WELL)
LOCATED IN SECTION 3, TOWNSHIP 11 NORTH,)
RANGE 88 WEST, 6TH P.M.; AND 2) EQUITABLE)
TOLLING OF THE JUNE 29, 2013 PERMIT EXPIRATION)
FOR THE FOCUS RANCH UNIT FEDERAL 3-1 WELL)
FOR THE NIOBRARA FORMATION, UNNAMED FIELD,)
ROUTT COUNTY, COLORADO)

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

Rule 502.b.(1) provides that the operator or the applicant requesting a variance shall make a showing that it has made a good faith effort to comply, or is unable to comply with the specific requirements contained in the rules, regulations, or orders, from which it seeks a variance, including, without limitation, securing a waiver or an exception, if any, and that the requested variance will not violate the basic intent of the Oil and Gas Conservation Act.

On June 30, 2011 the Commission, through Director David Neslin, issued Permit No. 1636575 ("Permit"), for the Focus Ranch Unit Federal 3-1 Well (API No. 05-107-06229) ("Well") in Routt County, Colorado. The Permit expires on June 29, 2013.

On June 28, 2013, ENTEK GRB, LLC ("Entek" or "Applicant"), by its attorneys, filed with the Commission a verified application ("Application") for an order seeking: 1) a variance from Rule 303.j.(1) to obtain a drilling permit extension for the Well located on the below-described lands ("Application Lands") for the production of oil, gas and associated hydrocarbons from the Niobrara Formation, and 2) equitable tolling of the June 29, 2013 expiration of the permit for the Well pending a full hearing by the Commission:

Township 11 North, Range 88 West, 6th P.M.
Section 3: SE $\frac{1}{4}$ NE $\frac{1}{4}$

In support of the Application, Entek states that surface access to the Well depends upon approval of an access road that is included as part of a Geographic Area Plan ("GAP") and that the approval of the GAP has been significantly delayed due to factors beyond Entek's control. Further, wildlife stipulations in Routt County limit Entek's ability to operate to a window between July 1 and November 30 and other regulatory timing issues will greatly delay Entek's ability to drill the Well absent the requested extension.

NOTICE IS HEREBY GIVEN, pursuant to: 1) the general jurisdiction granted to the Oil and Gas Conservation Commission of the State of Colorado under §34-60-105 C.R.S.; 2) specific powers granted pursuant to §34-60-106 C.R.S.; 3) the State Administrative Procedures Act at §24-4-105 C.R.S.; and 4) the Commission's Series 500 Rules at 2 CCR 404-1, that the Commission has scheduled the above-entitled matter for hearing on:

Date: Monday, July 29, 2013
Tuesday, July 30, 2013

Time: 9:00 a.m.


Place: Colorado Oil and Gas Conservation Commission
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 July 15, 2013, 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. One electronic (cogcc.hearings_unit@state.co.us), one original and two 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 July 15, 2013.** 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 **July 15, 2013, the Applicant may request that an administrative hearing be scheduled beginning July 15, 2013.** 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.

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By 
Robert J. Frick, Secretary

Dated: July 3, 2013

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