

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

IN THE MATTER OF ALLEGED VIOLATIONS OF THE) CAUSE NO. 1V
RULES AND REGULATIONS OF THE COLORADO OIL)
AND GAS CONSERVATION COMMISSION BY PROVIDE) DOCKET NO. 1011-OV-16
ENERGY, LLC, JEFFERSON COUNTY, COLORADO)

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

According to the Colorado Secretary of State, Provide Energy, LLC ("Provide") (Operator No. 100900) is a foreign corporation, located in Nevada. On February 25, 2008, Premier submitted a Form 1A, Designation of Agent, which lists Allen Stout and Melvin Richards ("Payees" or "Applicants") as Managers for Provide.

On May 4, 2009, Commission Staff issued Notice of Alleged Violation ("NOAV") #1769054 against Provide. The NOAV alleged violations of the Commission Rules and Regulations ("Commission Rules") arising out of Provide's operation of the State 16-4 #1 Well (API No. 05-059-06024) ("Well"), located in the NW¼ NW¼ of Section 16, Township 2 South, Range 70 West, 6th P.M.

On December 28, 2009, Commission Staff issued Notice of Alleged Violation ("NOAV") #1769739 against Provide. The NOAV alleged violations of the Commission Rules arising out of Provide's operation of the State 16-4 #1 Well.

On November 29, 2010 and January 13, 2011, the NOAV came before the Commission for an adjudicatory hearing for the entry of an Order Finding Violation ("OFV"). Neither Provide nor Payees, appeared for the OFV hearing to present a defense to the alleged violations. At the conclusion of the adjudicatory hearing, the Commission entered Order No. 1V-364 ("Original Order").

The Original Order, among other things, assessed fines in the amount of \$85,000 against Provide and provided:

"that a knowing and willful pattern of violation exists because Provide Energy has failed, for more than one year, to perform the abatement and corrective actions required by the NOAVs. Until any fine assessed under this action is paid in full and all required abatement and corrective actions are performed by Provide Energy for the Well, the Director shall 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 Provide Energy or any entity of which Allen Stout or Melvin Richards are principals, majority owners, operational or general managers, or in which Mr. Stout or Mr. Richards otherwise exercise control."

In 2012, Ranchers Exploration Partners, LLC ("Ranchers"), sought Commission approval for four Permits-to-Drill, described as the River West 2 APD #400307937, the River West 3 APD #400308004, the River West 4 APD #400308004 and the River West 2-4 OGLA Form 2A #400307941 ("Applications"). In its letter dated March 13, 2013, the Commission withheld the Applications because it believed Payees are principals, majority owners, operational or general managers, or otherwise exercise control of Ranchers. Therefore, the Commission, pursuant to

the Original Order, withheld approval of the Applications on March 13, 2013. Payees vehemently deny they are principals, majority owners, operational or general managers of Ranchers, or exercise control over Ranchers.

On August 27, 2013, Payees, by their attorneys, on behalf of Provide, a Nevada Corporation, filed with the Commission, a verified application ("Application") for an order to: 1) upon payment of the \$85,000 fine, modify Order No. 1V-364 by finding that Payees have satisfied the fine, in full; and 2) modify Order No. 1V-364 to allow that after payment of the \$85,000 fine, Payees or any entity of which they are principals, majority owners, operational or general managers, or otherwise exercise control, including Ranchers Exploration Partners LLC (Operator No. 10350) may apply for and receive Permits-to-Drill despite Provide's violations and subsequent fines as contained in the original Order No. 1V-364.

Applicant states that with exception to the above stated request, all terms and conditions of the original Order Finding Violation entered against Provide by Order 1V-364 shall remain in full force and effect.

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, October 28, 2013
Tuesday, October 29, 2013

Time: 9:00 a.m.

Place: Limon Community Center
477 D Avenue
Limon, CO 80826

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 October 11, 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 October 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 **October 15, 2013, the Applicant may request that an administrative hearing be scheduled beginning October 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: September 27, 2013

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CERTIFICATE OF MAILING

On September 27, 2013, a true and correct copy of the foregoing NOTICE OF HEARING was distributed by electronic mail upon the following:


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