

UP-06



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The Daily Journal

A Publication Of
The McGraw-Hill Companies

Publisher's Affidavit STATE OF COLORADO

City and County of Denver
I, Michael Mehno, 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 for 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 113, Session Laws of 1931," approved March 25, 1935; and "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, 1974, and effective January 1, 1975," 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, uninterrupted 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 9 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 Mehno

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. 407

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DOCKET NO. 1101-UP-06

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

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:
On December 19, 1983, the COGCC issued Order No. 407-1 (amended on March 29, 2000), 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 with the unit to be designated by the operator drilling the first well in the quarter section. The permitted well shall be located in the center of either 40-acre tract within the 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. Section 29, Township 4 North, Range 87 West, 6th P.M. is subject to this order.

On February 19, 1992, the COGCC 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, with the permitted well locations in accordance with the provisions of Order No. 407-1. Section 29, Township 4 North, Range 87 West, 6th P.M. is subject to this order.

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. On December 5, 2005, Rule 318A was amended to allow interior infill and boundary wells to be drilled and wellbore spacing units to be established. Rules 318A.a.(4)C. and 318A.e. provide that if a well is located less than 480 feet from the governmental quarter quarter section boundary, a wellbore spacing unit for such well shall be comprised of the four governmental quarter quarter sections nearest to the wellbore regardless of section or quarter section lines. Section 29, Township 4 North, Range 87 West, 6th P.M. is subject to this Rule for the Codell and Niobrara Formations.

On October 8 2010, Petroleum Development Corporation ("PDC" or "Applicant") by its attorneys, filed with the Commission a verified application for an order to: (1) pool all nonconsenting interests within a 160-acre designated wellbore spacing unit for the below-described lands (to accommodate the Reichert #29PDU Well (API No. 05-123-31079) which was spud on July 3, 2010, with a bottomhole location of 1,318 feet FSL and 2,443 feet FEL in the SW¼ SE¼ of Section 29, Township 4 North, Range 87 West, 6th P.M.), for the development and operation of the Codell and Niobrara Formations:

Township 4 North, Range 87 West, 6th P.M.
Section 29: E¼ SW¼ and W¼ SE¼
Weld County, Colorado

and, (2) pool all nonconsenting interests within a 160-acre designated wellbore spacing unit for the below-described lands (to accommodate the Reichert #29SDU Well (API No. 05-123-31091), which was spud on June 17, 2010, with a bottomhole location of 2,531 feet FSL and 1,240 feet FEL in the NE¼ SE¼ of said Section 29), for the development and operation of the Codell and Niobrara Formations:

Township 4 North, Range 87 West, 6th P.M.
Section 29: S¼ NE¼ and N¼ SE¼
Weld County, Colorado

Further, PDC 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: 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
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