BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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| IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF SAUNDRIA WHITMER, PETITIONER, TO COMPEL MOUNTAIN OIL AND GAS, INC. AND HOMELAND GAS AND OIL, LTD., RESPONDENTS, TO ACCOUNT FOR AND PAY ROYALTIES IN ACCORDANCE WITH THE PETITIONERS' INTEREST IN PRODUCTION FROM THE 1-2B1E WELL, LOCATED IN SECTION 2, IN TOWNSHIP 2 SOUTH, RANGE 1 EAST, USM, UINTAH COUNTY, UTAH. | : | NOTICE OF HEARING<br><br>Docket No. 2010-001<br>Cause No. 131-127 |

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, JANUARY 27, 2010, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. as provided for by Utah Code Ann. § 40-6-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the proceeding will be for the Board to:

1. Set the matter for investigation and negotiation by the Division within 60 days pursuant to Utah Code Ann. § 40-6-9.

2. Receive the report of the Division at the end of 60 days as to whether the matter can be resolved by negotiation, and if necessary, set the matter for additional hearing.

If set for additional hearing, the Board may receive evidence and testimony to:

1. Determine whether an order requiring proper disbursement of proceeds, including applicable penalties and interest due and payable, should be entered in accordance with Utah Code Ann. § 40-6-9.

2. Provide such other relief as may be just and proper under the circumstances.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. A party must file a timely written objection or other response in order to participate as a party at the Board hearing.

Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 29th day of December, 2009.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Douglas E. Johnson, Chairman

Julie Ann Carter

/s/ Julie Ann Carter
Secretary to the Board
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
(801) 538-5277

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2010-001, Cause No. 131-127 to be mailed with postage prepaid, this 29th day of December, 2009, to the following:

Saundria Whitmer, Petitioner
Route 3 Box 3383
Myton, UT 84052

Michael S. Johnson
Megan DePaulis
Assistant Attorneys General
Utah Board of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
[Via Email]

Steven F. Alder
Fred Donaldson
Assistant Attorneys General
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
[Via Email]

Mountain Oil and Gas, Inc.
PO Box 1574
Roosevelt, UT 84066

Homeland Gas and Oil, Ltd.
PO Box 1776
Roosevelt, UT 84066

Julie Ann Carter

## CERTIFICATE OF PUBLISHED NOTICE

I hereby certify that I caused the foregoing NOTICE OF HEARING for Docket No. 2010-001, Cause No. 131-127 to be PUBLISHED in the following newspapers on the following days:

January 3, 2010:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

January 5, 2010:

Uintah Basin Standard, a newspaper of general circulation in Uintah and Duchesne Counties.

Julie Ann Carter