

BEFORE THE COLORADO OIL & GAS  
CONSERVATION COMMISSION

IN THE MATTER OF THE APPLICATION OF )  
WEXPRO COMPANY FOR AN ORDER )  
ALLOWING AN EXCEPTION LOCATION )  
FOR A WELL TO BE DRILLED AND )  
COMPLETED TO THE FT. UNION, LANCE )  
AND LEWIS FORMATIONS, MOFFAT )  
COUNTY, COLORADO )

Cause No. 454

Docket No.

APPLICATION

Wexpro Company ("Wexpro"), by and through its attorneys, Beatty & Wozniak, P.C., respectfully submits this Application to the Oil and Gas Conservation Commission of the State of Colorado (the "Commission") for an order allowing an exception location for a well drilled and completed in the Ft. Union, Lance and Lewis Formations in the NW/4SE/4, Section 15, Township 12 North, Range 100 West, 6th P.M., Moffat County, Colorado ("Application Lands"). In support thereof, Wexpro (referred to herein as "Applicant") states and alleges as follows:

1. That the Applicant has drilled the F Wilson No. 34 within the Hiawatha Deep Unit, a federal unit, and on June 10, 2009 completed the well to the Ft. Union, Lance and Lewis zones at the following legal bottomhole location: **365' FNL and 2576' FEL** in Section 15: NW/4SE/4, T12N, R100W, Moffat County, Colorado. A plat reflecting the location is attached.

2. The Ft. Union, Lance and Lewis Formations are subject to Rule 318a of the Rules and Regulations of this Commission which establishes a well drilled in excess of two thousand five hundred feet (2,500) in depth shall be located not less than six hundred (600) feet from any lease line, and shall be located not less than one thousand two hundred (1,200) feet from any producible or drilling oil and gas well when drilling to the same source of supply, unless authorized by order of the Commission upon hearing.

3. Applicant seeks an exception from Rule 318a in that it seeks to produce the F Wilson No. 34 at its current location approximately 365 feet from the lease line to the North.

4. That in order to prevent waste and protect correlative rights of all owners in the area surrounding the proposed location, it is reasonable and equitable to permit an exception location to allow the drilling and completion of a well in the described location. Applicant also asserts that Rule 318.c. of the Rules and Regulations of the Colorado Oil and Gas Conservation Commission provides for exception locations when geologic, topographical or environmental conditions warrant a variance from field rules.

5. Contiguous and cornering owners of lands toward whom the well is located and are affected by the exception location and have not executed waivers consenting to this exception location are set forth on Exhibit A attached hereto. Additionally, the undersigned certifies that copies of this Application shall be served on each interested party within the next seven days as required by Rule 503.d.

WHEREFORE, Applicant respectfully requests that this matter be set for hearing at the next regular hearing date, that notice thereof be given as required by law and that upon such hearing the Commission enter its order:

A. Determining that the F. Wilson No. 34 Well may be drilled, completed and produce from the Ft. Union, Lance and Lewis Formations at its present location in Section 15: NW/4SE/4, Township 12 North, Range 100 West, 6th P.M.

B. Granting any other relief necessary to prevent waste and protect correlative rights of the owners.

DATED this \_\_\_\_ day of August, 2009.

Respectfully submitted,

WEXPRO COMPANY

By: \_\_\_\_\_

Michael J. Wozniak  
Susan L. Aldridge  
Beatty & Wozniak, P.C.  
Attorneys for Applicant  
216 16<sup>th</sup> Street, Suite 1100  
Denver, Colorado 80202  
(303) 407-4499

Applicant's Address:

P.O. Box 458  
Rock Springs, WY 82902

VERIFICATION

STATE OF COLORADO                    )  
  ) ss.  
CITY & COUNTY OF DENVER         )

Jonathan Duke, Coordinator, Contracts and Land, of Wexpro Company, upon oath deposes and says that he has read the foregoing Application and that the statements contained therein are true to the best of his knowledge, information and belief.

WEXPRO COMPANY

By: \_\_\_\_\_  
Jonathan Duke

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2009, by Jonathan Duke.

Witness my hand and official seal. My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

EXHIBIT A

INTERESTED PARTIES

J. David Chase  
Bureau of Land Management  
Wyoming State Office  
2987 Prospector Drive  
Casper, WY 82604-2968

Jeff Comstock  
MOFFAT COUNTY  
221 W. Victor Way, Suite 130  
Craig, CO 81625