

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

IN THE MATTER OF AN APPLICATION BY ENCANA )  
OIL & GAS (USA) INC. FOR AN ORDER POOLING ALL ) CAUSE NO. 407  
INTERESTS IN AN APPROXIMATE 160-ACRE )  
ESTABLISHED HORIZONTAL WELLBORE SPACING ) DOCKET NO. *To be assigned*  
UNIT LOCATED IN SECTION 19, TOWNSHIP 3 )  
NORTH, RANGE 68 WEST, 6<sup>TH</sup> P.M., FOR THE )  
DEVELOPMENT/OPERATION OF THE CODELL )  
FORMATION, WATTENBERG FIELD, WELD COUNTY, )  
COLORADO )

APPLICATION

Encana Oil & Gas (USA) Inc., acting by and through its authorized agent, Encana Services Company, Ltd. ("Encana" or "Applicant"), 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 pooling all interests in an approximate 160-acre horizontal wellbore spacing unit established for a portion of Section 19, Township 3 North, Range 68 West, 6<sup>th</sup> P.M., for development and operation of the Codell Formation. In support of its Application, Applicant states and alleges as follows:

1. Applicant is a corporation duly authorized to conduct business in the State of Colorado, and has registered as an operator with the Commission.
2. Applicant owns substantial leasehold interests in the below-listed lands:

Township 3 North, Range 68 West, 6<sup>th</sup> P.M.  
Section 19: S<sup>1</sup>/<sub>2</sub>N<sup>1</sup>/<sub>2</sub>

Weld County, Colorado

These lands are hereinafter referred to as the "Application Lands" and depicted in Exhibit A attached hereto.

3. 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. On August 8, 2011, Rule 318A. was again amended to, among other things, address drilling of horizontal wells. The Application Lands are subject to Rule 318A.

4. Pursuant to Rule 318A., Applicant designated an approximate 160-acre horizontal wellbore spacing unit, comprised of the Application Lands, for the Bohrer 2F-19H-E368 well (API No. 05-123-38447) ("Well") for production of oil, gas and associated hydrocarbons from the Codell Formation. Applicant notified all owners in the proposed wellbore spacing unit pursuant

to Rule 318A.e.(6). Applicant did not receive objections to the establishment of the proposed horizontal wellbore spacing unit within the 30-day response period.

5. Acting pursuant to the relevant provisions of §34-60-116(6) & (7), C.R.S., and Rule 530., Applicant seeks an order pooling all interests, including, but not limited to, any nonconsenting interests, in an approximate 160-acre horizontal wellbore spacing unit established for the Application Lands for the development and operation of the Codell Formation.

6. Applicant requests that the pooling order entered as a result of this Application be made effective as of the date of this Application.

7. Further, Applicant requests that the interests of any owners with whom the Applicant has been unable to secure a lease or other agreement to participate in the drilling of the Well, are made subject to the cost recovery provisions of §34-60-116(7), C.R.S.

8. The granting of this Application is in accord with the Oil and Gas Conservation Act, found at §34-60-101, *et seq.*, C.R.S., and the Commission rules.

9. Applicant requests that relief granted under this Application should be effective on oral order by the Commission, and Applicant hereby agrees to be bound by said oral order.

10. That the names and addresses of the interested parties (persons who own any interest in the mineral estate of the tracts to be pooled, except owners of overriding royalty interest) according to the information and belief of the Applicant are set forth in Exhibit B attached hereto. The Applicant shall submit a certificate of service for the Application within the seven days as required by Rule 503.e.

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

A. Pooling all interests in an approximate 160-acre horizontal wellbore spacing unit established for the Application Lands for the development and operation of the Codell Formation, with the pooling order made effective as of the date of this Application.

B. Providing that the interests of any owners with whom the Applicant has been unable to secure a lease or other agreement to participate in the drilling of the Well, are pooled by operation of statute, pursuant to §34-60-116(6) & (7), C.R.S., and made subject to the cost recovery provisions thereof.

C. For such other findings and orders as the Commission may deem proper or advisable in the premises.

DATED this 11 day of July, 2014.

Respectfully submitted,

ENCANA OIL & GAS (USA) INC. acting by and  
through its authorized agent, Encana Services  
Company, Ltd.

By: 

Robert A. Willis (Colorado Bar No. 26038)

Jillian Fulcher (Colorado Bar No. 45010)

Beatty & Wozniak, P.C.

Attorneys for Applicant

216 16th Street, Suite 1100

Denver, Colorado 80202

(303) 407-4499

rwillis@bwenergylaw.com

jfulcher@bwenergylaw.com

Address of Applicant

Encana Oil & Gas (USA) Inc.

ATTN: Jessica Sellyei

307 17<sup>th</sup> Street, Suite 1700

Denver, Colorado 80202

VERIFICATION

STATE OF COLORADO

)

) ss.

CITY & COUNTY OF DENVER

)

Jessica Sellyei, Land Negotiator for Encana Oil & Gas (USA) Inc., upon oath deposes and says that she has read the foregoing Application and that the statements contained therein are true to the best of her knowledge, information and belief.

ENCANA OIL & GAS (USA) INC. acting by and through its authorized agent, Encana Services Company, Ltd.

  
\_\_\_\_\_  
Jessica Sellyei

Subscribed and sworn to before me this 11<sup>th</sup> day of July, 2014, by Jessica Sellyei, Land Negotiator for Encana Oil & Gas (USA) Inc.

Witness my hand and official seal.

My commission expires: 9-27-2017



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

T3N, R68W & T3N, R69W  
Weld County

**Exhibit A**  
Application Map



Application lands -

15		14	13	18	17
		<b>T3N, R69W</b>		<b>T3N, R68W</b>	
22		23	24	<b>19</b>	20
27		26	25	30	29
34		35	36	30	31

## EXHIBIT B

### INTERESTED PARTIES

The names and addresses of the interested parties (persons who own any interest in the mineral estate of the tracts to be pooled, except owners of overriding royalty interest) according to the information and belief of the Applicant are set forth in this Exhibit B.

Encana Oil & Gas (USA) Inc.  
307 17th Street, Suite 1700  
Denver, Colorado 80202

Beatty & Wozniak, P.C.  
216 16th Street, Suite 1100  
Denver, Colorado 80202

Philip Charles Benedict and  
Joanne Baldwin  
14753 Weld County Road 3  
Longmont, CO 80504

Roger M. Charlton  
308 Linden St.  
Frederick, CO 80530

Sue Ellen M. Charlton  
308 Linden St.  
Frederick, CO 80530

Stephen E. and Cheryl D. Cristanelli  
14601 County Road 3  
Longmont, CO 80504

Thomas Allan Dixon, Amy Elizabeth Sharp, and Sarah  
A. Sharp  
161 Henson Dr.  
Longmont, CO 80504

Thomas Allan Dixon and  
Amy Elizabeth Sharp  
14506 County Road 1  
Longmont, CO 80504

George R. and Darlene F. Hobbs  
10270 Duck Lane  
Nampa , ID 83686

Ronald A. Grande and Carolyn L. Grande  
14696 Weld County Road 3  
Longmont, CO 80504

Matthew A. and Virginia Guderjahn  
14537 Sandra Jeans Way  
Longmont, CO 80504

Kermit O. Bohrer Trust  
14671 Weld County Road 3  
Longmont, CO 80504

Kerr-McGee Oil & Gas Onshore LP  
1099 18th Street, Suite 1800  
Denver, CO 80202

James L. McFarling and Faith A. McFarling  
14617 Sandra Jeans Way  
Longmont, CO 80504

John C. Murino and Brenda A. Meether  
14501 Weld County Road 3  
Longmont, CO 80504

Sandra's Vista Homeowners'  
Association, Inc.  
P.O. Box 26  
Mead, CO 80542

The Thomas E. Foster Living Trust and The Rachel C.  
Foster Living Trust  
14512 County Road 1,  
Weld County, CO 80504

Donald P. and Sally J. Thurman,  
14595 Sandra Jeans Way  
Longmont, CO 80504

TOP Operating Co.  
3609 S. Wadsworth Blvd., Suite 340  
Lakewood, CO 80235

Steve and Marilyn Uilk  
14749 Weld County Road 3  
Longmont, CO 80504

Peter L. and Doreen F. VanHooker  
14600 Sandra Jeans Way  
Longmont, CO 80504

Noble Energy, Inc.  
1625 Broadway, Suite 220  
Denver, CO 80202

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COLORADO )

AFFIDAVIT OF MAILING

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

Jennifer Pittenger, of lawful age, and being first duly sworn upon her oath, states and declares:

That she is a Legal Assistant at Beatty & Wozniak, P.C., attorneys for Encana Oil & Gas (USA) Inc., and on or before July 18, 2014, caused a copy of the attached Application to be deposited in the United States Mail, postage prepaid, addressed to the parties listed on Exhibit B to the Application.

  
Jennifer Pittenger

Subscribed and sworn to before me this 11<sup>th</sup> day of July, 2014.

Witness my hand and official seal.

  
Teresa L. Peterson  
Notary Public

