

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

IN THE MATTER OF THE APPLICATION OF )  
CATAMOUNT ENERGY PARTNERS LLC FOR )  
AN ORDER POOLING NONCONSENTING )  
INTERESTS IN THE FRUITLAND COAL )  
SEAMS COVERING CERTAIN LANDS IN )  
SECTION 20U OF TOWNSHIP 34 NORTH, )  
RANGE 6 WEST, N.M.P.M., LA PLATA )  
COUNTY, COLORADO. )

Cause No. 112

Docket No. \_\_\_\_\_

Intake No. \_\_\_\_\_

APPLICATION

Catamount Energy Partners LLC ("Catamount" or "Applicant"), by and through its attorneys, Welborn Sullivan Meck & Tooley, P.C., respectfully submits this Application to the Oil and Gas Conservation Commission of the State of Colorado ("Commission" or "COGCC") for an order pooling all interests in an approximate 320-acre drilling and spacing unit established in the S½ of Section 20U, Township 34 North, Range 6 West, N.M.P.M. (S.U.L.), La Plata County, Colorado for the development and production from the Fruitland coal seams. In support thereof, the Applicant states as follows:

1. Applicant is a corporation duly authorized to conduct business in the State of Colorado.

2. Applicant owns a leasehold interest in the following lands ("Application Lands"):

Township 34 North, Range 6 West, N.M.P.M. (S.U.L.)  
Section 20U: S½

La Plata County, Colorado.

A reference map of the Application Lands is attached hereto.

1. On June 17, 1988, the Commission issued Order No. 112-60, which established 320-acre drilling and spacing units for production of gas from the Fruitland coal seams, with the permitted well to be located no closer than 990 feet from any outer boundary of the unit, nor closer than 130 feet from any interior quarter section line. The Application Lands are subject to this Order.

2. On December 9, 2008, the Commission issued Order No. 112-215, which allowed up to four (4) wells to be drilled in each 320-acre drilling and spacing units subject to the Order for the production of gas from the Fruitland coal seams, with the permitted wells to be

located no closer than six hundred sixty (660) feet from the unit boundary, with no interior section line setback. The Order further requires that the wells drilled pursuant to this Order must comply with the provisions of the MOU between BP America Production Company and La Plata County. The Application Lands are subject to this Order.

3. Applicant plans to drill and complete the Elsa 34-6-19 #1 well with an anticipated spud date in November 2014, in the S½ of Section 20U, Township 34 North, Range 6 West, N.M.P.M. (S.U.L.), La Plata County, Colorado with a surface location of 1,303 feet FSL and 290 feet FEL in the E½SE¼ of Section 19U, Township 34 North, Range 6 West, N.M.P.M. (S.U.L.), and an initial bottomhole location of 1,980 feet FSL and 800 feet FWL in the NW¼SW¼ of Section 20U, Township 34 North, Range 6 West, N.M.P.M. (S.U.L.) (the "Pilot Hole"). Applicant will thereafter drill three staked laterals from the Pilot Hole to the following target depth and bottomhole locations: (1) TD of 7,350 feet MD, BHL of 1,980 feet FSL and 660 feet, Section 20U, Township 34N, Range 6 West, N.M.P.M. (S.U.L.); (2) TD of 7,250 feet MD, BHL of 1,980 feet FSL and 660 feet, Section 20U, Township 34N, Range 6 West, N.M.P.M. (S.U.L.); and (3) TD of 7,120 feet MD, BHL of 1,980 feet FSL and 660 feet, Section 20U, Township 34N, Range 6 West, N.M.P.M. (S.U.L.). The above-described horizontal well is designed to test and produce gas and associated substances from the Fruitland coal seams underlying the Application Lands.

4. Pursuant to the relevant provisions of Section 34-60-116(6) & (7), C.R.S., and COGCC Rule 530, Applicant seeks an order pooling all interests in the Application Lands for the development and operation of the Fruitland coal seams.

5. Applicant certifies that, at least 30 days prior to the date of the scheduled protest deadline for this Application, each owner which Applicant was able to locate, not already leased or voluntarily pooled, will be provided with the well proposal and information required by Rule 530 and tendered a reasonable offer to lease (if an unleased mineral owner), or participate and bear costs associated with the drilling and completion of the Elsa 34-6-19 #1 well.

6. Applicant requests that a pooling order be entered as a result of this Application and that it be made effective as of the earlier of the date of this Application, or the date costs specified in Section 34-60-116(7)(b)(II), C.R.S., are first incurred for the drilling of the Elsa 34-6-19 #1 well.

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

8. The names and addresses of the interested parties (persons who own an interest in the mineral estate of the tracts to be pooled, except owners of overriding royalty interest) are attached hereto and marked Exhibit A. Applicant certifies that copies of this Application will be served on all locatable interested parties within seven (7) days of the date hereof, as required by Commission Rule 507.b(2), and that at least thirty (30) days prior to the date of the scheduled protest deadline for this Application, each such owner not already leased or voluntarily pooled will be offered the opportunity to lease, or to participate in the drilling of the respective wells, and will be provided with the information required by Rule 530.

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 the Application Lands for the development and operation of the Fruitland coal seams.

B. Providing that the pooling order is made effective as of the date of this Application, or the date that the costs specified in Section 34-60-116(7)(b)(II), C.R.S., are first incurred for the drilling of the Applicant's proposed Fruitland coal seams well on the Application Lands, whichever is earlier.

C. 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 authorized well, are pooled by operation of statute, pursuant to Section 34-60-116(7), C.R.S., and made subject to the cost recovery provisions thereof.

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

Dated this 26<sup>th</sup> day of August, 2014.

Respectfully submitted,

WELBORN SULLIVAN MECK & TOOLEY, P.C.

By: 

Stephen J. Sullivan  
Joseph C. Pierzchala  
Welborn Sullivan Meck & Tooley, P.C.  
Attorney for Applicant  
1125 - 17th Street, Suite 2200  
Denver, CO 80202  
303-830-2500  
ssullivan@wsmtlaw.com  
jpierzchala@wsmtlaw.com

Applicant's Address:

1801 Broadway, Suite 1000  
Denver, CO 80202  
Attn: Jared Rush, Senior Landman  
Phone: 720-484-2354

## VERIFICATION

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

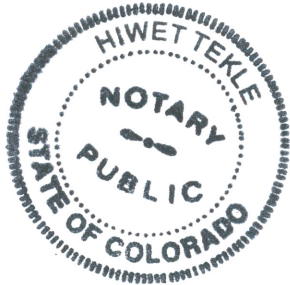
Jared Rush, Senior Landman with Catamount Energy Partners LLC, upon oath deposes and says that he has read the foregoing Application and that the statements contained therein are true to the best of his knowledge, information and belief.

CATAMOUNT ENERGY PARTNERS LLC

  
Jared Rush, Senior Landman

Subscribed and sworn to before me this 28<sup>th</sup> day of August, 2014 by Jared Rush,  
Regional Landman for Catamount Energy Partners LLC.

Witness my hand and official seal.



Hiwet Tekle  
Notary Public  
My Commission Expires: 07/25/2015

**Exhibit A**

BP America Production Company  
Amoco Production Company  
Attn: Kiki Moseley  
501 Westlake Park Boulevard, Room 3.338A  
Houston, TX 77079

Estate of Lorence L. Smith, dec  
685 1/2 Browning  
P.O. Box 1183  
Ignacio, CO 81137

Cheryl M. Smith  
P.O. Box 1183  
Ignacio, CO 81137

Possible heirs of Lorence L. Smith:

Cheryl M. Smith  
P.O. Box 1183  
Ignacio, CO 81137

Kenneth Smith  
P.O. Box 635  
Ignacio, CO 81137

Lois B. Moss  
7115 Poppy Place NW  
Albuquerque, NM 87121

William Smith  
2109 50 Pristi Space CY  
Johnstown, CO 80534

Lee Mack Smith  
703 CR 516  
Ignacio, CO 81137

Possible Heirs of R. D. Crowell:

Kenneth William Price aka Kenneth W. Price  
3089 West Shore Dr.  
Helena, MT 59602

Marilyn Adele Price Olson  
aka Marilyn A. Olson  
6644 N. Citrus Rd.  
Waddell, AZ 85355

Others:

L. D. Kempton  
Unable to Locate

R.D. Crowell  
Unable to Locate

LaFon Royalties LLC  
1475 N. Ward Circle  
Franktown, CO 80116

R.D. Hott Living Trust  
P.O. Box 295  
Pagosa Springs, CO 81147

R.D. Hott Living Trust  
P.O. Box 2889  
Pagosa Springs, CO 81147

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AFFIDAVIT OF MAILING

STATE OF COLORADO §  
§  
CITY AND COUNTY OF DENVER §

I, Joseph C. Pierzchala, of lawful age, and being first duly sworn upon my oath, state and declare:

That I am the attorney for Catamount Energy Partners LLC and that on or before August \_\_, 2014, I caused a copy of the attached Application to be deposited in the United States mail, postage prepaid, addressed to the parties listed on Exhibit A to the Application.

\_\_\_\_\_  
Joseph C. Pierzchala

Subscribed and sworn to before me August \_\_, 2014.

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

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Intake No. 19

AFFIDAVIT OF MAILING

STATE OF COLORADO §  
CITY AND COUNTY OF DENVER §

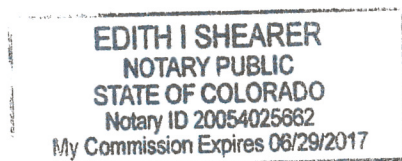
I, Joseph C. Pierzchala, of lawful age, and being first duly sworn upon my oath, state and declare:

That I am the attorney for Catamount Energy Partners LLC and that on or before August 29, 2014, I caused a copy of the attached Application to be deposited in the United States mail, postage prepaid, addressed to the parties listed on Exhibit A to the Application.

  
\_\_\_\_\_  
Joseph C. Pierzchala

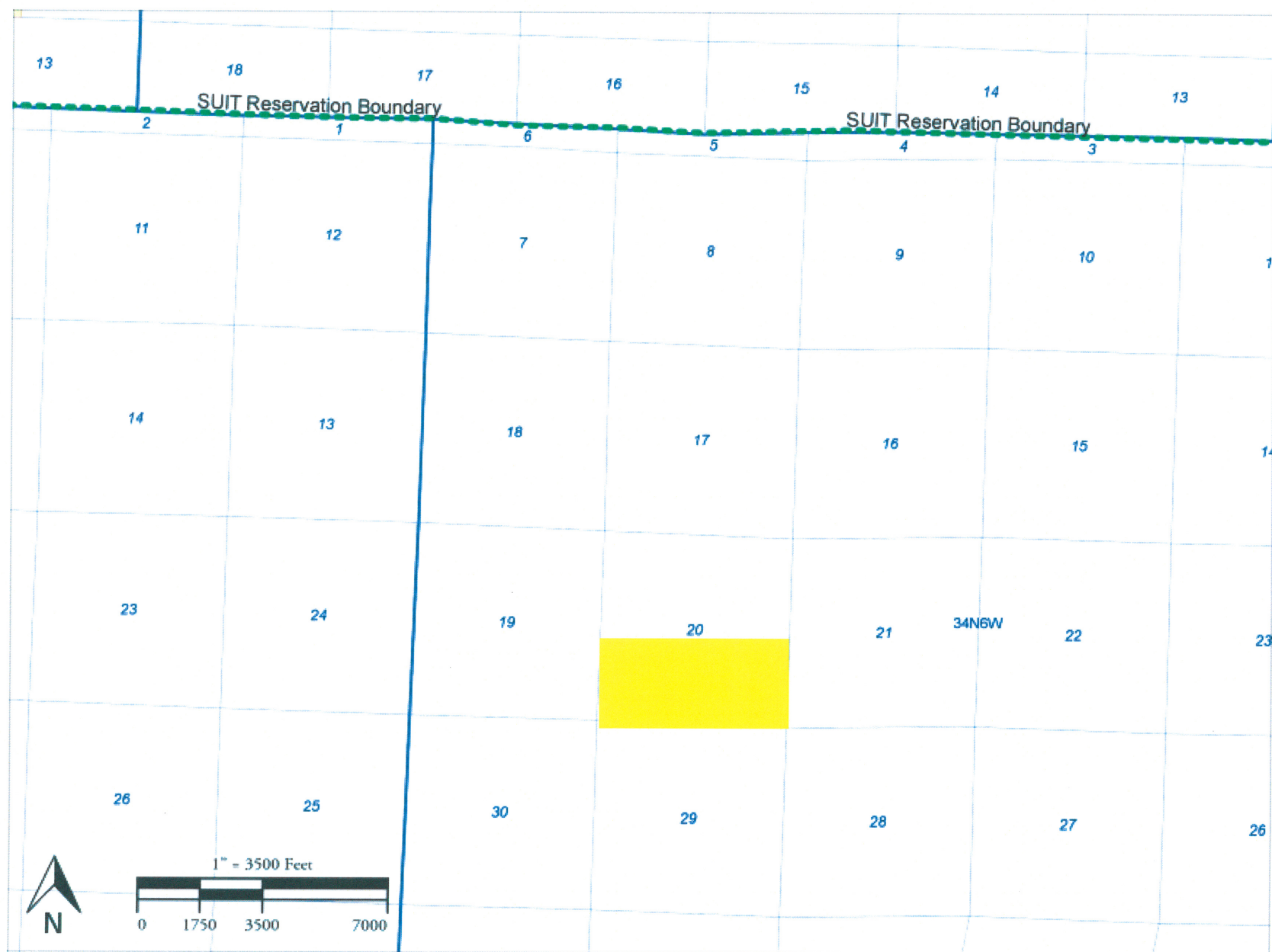
Subscribed and sworn to before me August 29, 2014.

Witness my hand and official seal.



  
\_\_\_\_\_  
Notary Public  
My commission expires: 6/29/2017

Reference Map - S/2 S20U T34N R6W



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Cause No. 112

Docket No. \_\_\_\_\_

Intake No. 19

AMENDED AFFIDAVIT OF MAILING

STATE OF COLORADO §  
CITY AND COUNTY OF DENVER §

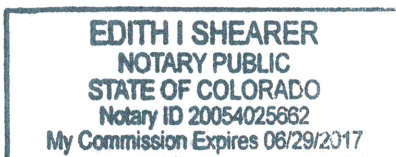
I, Joseph C. Pierzchala, of lawful age, and being first duly sworn upon my oath, state and declare:


That I am the attorney for Catamount Energy Partners LLC and that on or before September 5, 2014, I caused a copy of the attached Application to be deposited in the United States mail, postage prepaid, addressed to the parties listed on Revised Exhibit A to the Application.

  
\_\_\_\_\_  
Joseph C. Pierzchala

Subscribed and sworn to before me September 5, 2014.

Witness my hand and official seal.



  
\_\_\_\_\_  
Notary Public  
My commission expires: 06/29/2017

**REVISED**  
**Exhibit A**

BP America Production Company  
Amoco Production Company  
Attn: Kiki Moseley  
501 Westlake Park Boulevard, Room 3.338A  
Houston, TX 77079

Estate of Lorence L. Smith, dec  
685 1/2 Browning  
P.O. Box 1183  
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Cheryl M. Smith  
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Ignacio, CO 81137

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Ignacio, CO 81137

Kenneth Smith  
P.O. Box 635  
Ignacio, CO 81137

Lois B. Moss  
7115 Poppy Place NW  
Albuquerque, NM 87121

William Smith  
2109 50 Pristi Space CY  
Johnstown, CO 80534

Lee Mack Smith  
703 CR 516  
Ignacio, CO 81137

Possible Heirs of R. D. Crowell:

Kenneth William Price aka Kenneth W. Price  
3089 West Shore Dr.  
Helena, MT 59602

Marilyn Adele Price Olson  
aka Marilyn A. Olson  
6644 N. Citrus Rd.  
Waddell, AZ 85355

Others:

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P.O. Box 295  
Pagosa Springs, CO 81147

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P.O. Box 2889  
Pagosa Springs, CO 81147

**Pat Gallagher**  
**Bureau of Land Management**  
**Colorado State Office**  
**2850 Youngfield Street**  
**Lakewood, CO 80215-7093**