

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 240-ACRE)
ESTABLISHED HORIZONTAL WELLBORE SPACING) DOCKET NO. *To be assigned*
UNIT LOCATED IN SECTIONS 11 AND 14, TOWNSHIP)
2 NORTH, RANGE 68 WEST, 6TH 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 240-acre horizontal wellbore spacing unit established for certain portions of Sections 11 and 14, Township 2 North, Range 68 West, 6th 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 2 North, Range 68 West, 6th P.M.

Section 11: W½E½

Section 14: W½NE¼

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 recompleat 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. for the Codell Formation.

4. Pursuant to Rule 318A., Applicant designated an approximate 240-acre horizontal wellbore spacing unit, comprised of the Application Lands, for the Grant Hurt 1C-14H-G268 well (API No. 05-123-38091) ("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 240-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 240-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 28th day of August, 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: Damian Westerman

307 17th Street, Suite 1700

Denver, Colorado 80202

VERIFICATION

STATE OF COLORADO

)


) ss.

CITY & COUNTY OF DENVER

)

Damian Westerman, Senior Land Negotiator for Encana Oil & Gas (USA) Inc., 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.

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

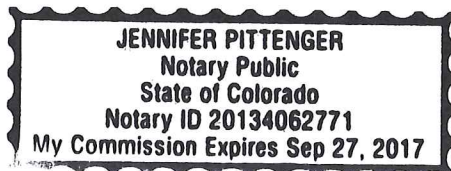

Damian Westerman

Damian Westerman

Subscribed and sworn to before me this 28th day of August, 2014, by Damian Westerman, Senior Land Negotiator for Encana Oil & Gas (USA) Inc.

Witness my hand and official seal.

My commission expires: 9-27-2017



Jennifer Pittenger
Notary Public

Notary Public

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OIL & GAS (USA) INC. FOR AN ORDER POOLING ALL) CAUSE NO. _____
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FORMATION, WATTENBERG FIELD, WELD COUNTY,)
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:

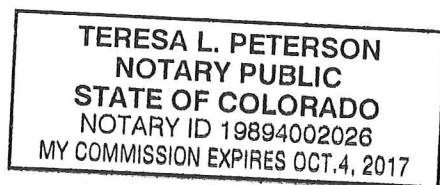
That she is a Legal Assistant at Beatty & Wozniak, P.C., attorneys for Encana Oil & Gas (USA) Inc., and on or before September 4, 2014, caused a copy of the attached Application to be deposited in the United States Mail, postage prepaid, addressed to the parties listed on Exhibit B to the Application.

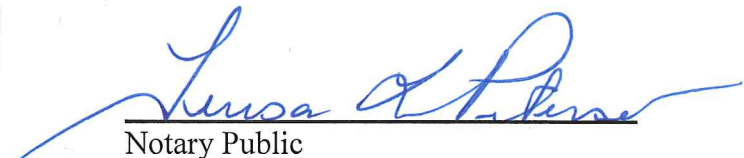


Jennifer Pittenger

Subscribed and sworn to before me this 28 day of August, 2014.

Witness my hand and official seal.





Notary Public

T2N, R68W
Weld County

Exhibit A
Application Map

Application Lands - 


| | | | | |
|----|------------------|----|--|----|
| 5 | 4 | 3 | 2 | 1 |
| | T2N, R68W | | | |
| 8 | 9 | 10 | 11 | 12 |
| | | |  | |
| 17 | 16 | 15 | 14 | 13 |
| 20 | 21 | 22 | 23 | 24 |

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

Del Camino East Properties LLC
9116 W Bowles Ave STE 2
Littleton, CO 80123-3476

Del Camino East Properties LLC
9116 Bowles Ave Unit 15
Littleton, CO 80123

THF Firestone Development, L.L.C.
2127 Innerbelt Business Ctr Dr Ste 310
St Louis, MO 63114

THF Firestone Development, L.L.C.
QJRNR Incorporator, Inc.
950 17th Street, Suite 1600
Denver, CO 80202

K Triple M, LLC to March 14, 2016,
then I & J Partnership LP
746 Megan Ct.
Longmont, CO 80501

Sun Secured Financing LLC
27777 Franklin Rd Ste 200
Southfield, MI 48034

Town of Firestone, Colorado
151 Grant Ave
PO Box 100
Firestone, CO 80520-0100

Home Depot U.S.A., Inc.
3800 W. Chapman Ave.
Orange, CA 92868
Attn: Beverly Metz

Wilbur R. Hurt and Shirley J. Hurt,
Trustees of the Hurt Family Revocable Trust dated
June 12, 2008
14278 Weld County Road 7
Mead, CO 80542

Sun Communities Operating
Limited Partnership
27777 Franklin Rd Ste 200
Southfield, MI 48034

V & K Powell Resources LLC
925 Glenarbor Cir
Longmont, CO 80504

Richard Pierro
4739 County Road 22
Longmont, CO 80504

WF Quarter Circle, LLC
c/o James T Flynn
9163 County Road 28
Platteville, CO 80651

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ENCANA OIL & GAS (USA) INC. FOR AN) CAUSE NO. 407
ORDER POOLING ALL INTERESTS IN AN)
APPROXIMATE 240-ACRE ESTABLISHED) DOCKET NO. *To be assigned*
HORIZONTAL WELLBORE SPACING UNIT)
LOCATED IN SECTIONS 11 AND 14,) INTAKE NO. 53
TOWNSHIP 2 NORTH, RANGE 68 WEST, 6TH)
P.M., FOR THE DEVELOPMENT/OPERATION)
OF THE CODELL FORMATION,)
WATTENBERG FIELD, WELD COUNTY,)
COLORADO)

SUPPLEMENTAL AFFIDAVIT OF MAILING

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

Jillian Fulcher, of lawful age, and being first duly sworn upon her oath, states and declares:

That she is the attorney for Encana Oil & Gas (USA) Inc., and that on or before September 11, 2014 she caused a copy of the above-captioned Application to be deposited in the United States Mail, postage prepaid, addressed to the parties listed below.

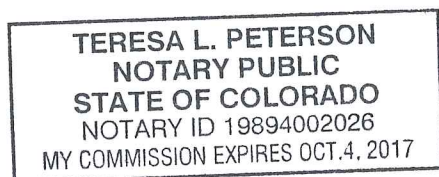
Great Western Oil & Gas Company
1801 Broadway, Suite 500
Denver, CO 80202

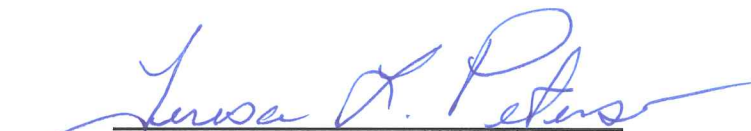
Kerr-McGee Oil & Gas Onshore L.P.
Attn: Jason Rayburn
1099 18th Street, Suite 12017
Denver CO 80202


Jillian Fulcher

Subscribed and sworn to before me September 11, 2014.

Witness my hand and official seal.




Notary Public