

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

IN THE MATTER OF THE APPLICATION OF  
PDC ENERGY, INC. FOR AN ORDER TO  
POOL ALL INTERESTS IN AN APPROXIMATE  
296-ACRE DESIGNATED HORIZONTAL  
WELLBORE SPACING UNIT IN PORTIONS OF  
SECTIONS 6 AND 7, TOWNSHIP 4 NORTH,  
RANGE 66 WEST, 6<sup>TH</sup> P.M., FOR THE CODELL  
FORMATION, WATTENBERG FIELD, WELD  
COUNTY, COLORADO

CAUSE NO.

DOCKET NO.

TYPE: POOLING

**APPLICATION**

COMES NOW PDC Energy, Inc. (Operator No. 69175) ("PDC" or "Applicant"), by its attorneys, Burleson LLP, and makes this application to the Oil and Gas Conservation Commission of the State of Colorado ("Commission") for an order to pool all interests within an approximate 296-acre Wellbore Spacing Unit, as defined below, for the drilling of the Bernhardt 6K-443 Well (API No. 05-123-40395) ("Well"), for the development of the Codell Formation on the following described lands:

Township 4 North, Range 66 West, 6<sup>th</sup> P.M.

Section 6: SW $\frac{1}{4}$

Section 7: NW $\frac{1}{4}$

296-acres, more or less, Weld County, Colorado.  
Hereinafter "Application Lands"

In support thereof, Applicant states and alleges as follows:

1. Applicant is a corporation duly authorized to conduct business in the State of Colorado, and is a registered operator in good standing with the Commission.
2. Applicant owns certain leasehold interests in the Application Lands.
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.

4. On February 19, 1992, the Commission entered Order No. 407-87 (amended August 20, 1993) which, among other things, established 80-acre drilling and spacing units for the production of oil, gas and associated hydrocarbons from the Codell-Niobrara Formations, the Codell Formation, and the Niobrara Formation underlying certain lands, including the Application Lands, with the permitted well locations in accordance with the provisions of Order No. 407-1.

5. Applicant designated the 296-acre Wellbore Spacing Unit for the production of oil, gas, and associated hydrocarbons from the Codell Formation pursuant to Rule 318A and notified the appropriate parties under Rule 318A.

6. Applicant, pursuant to Commission Rule 530 and/or the provisions of C.R.S. § 34-60-116 (6) and (7), hereby requests an order to pool all interests, including but not limited to, any non-consenting interests, in the Application Lands in the Codell Formation underlying the following approximate 296-acre Wellbore Spacing Unit:

Township 4 North, Range 66 West, 6<sup>th</sup> P.M.

Section 6: SW¼

Section 7: NW¼

(throughout as "Wellbore Spacing Unit").

7. Applicant requests that the Commission's pooling order be made effective as of the earlier of the date of this Application, or the date that the costs specified in C.R.S. § 34-60-116(7)(b) are first incurred for the drilling of the Well to the Codell Formation on the Application Lands.

8. Applicant certifies that copies of this Application will be served on all persons owning an interest in the mineral estate of the tracts to be pooled within seven (7) days of the date hereof, as required by Rule 503.e., and that at least thirty-five (35) days prior to the hearing on this matter, each such interest owner not already leased or voluntarily pooled will be offered the opportunity to lease, or to participate in the drilling of the Well, and will be provided with the information required by Rule 530 as applicable. The list of such interested parties is attached hereto as Exhibit A.

9. That in order to prevent waste and to protect correlative rights, all interests in the Wellbore Spacing Unit should be pooled for the orderly development of the Codell Formation, including any non-consenting interests therein.

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

A. Pooling all interests in the Application Lands and the Wellbore Spacing Unit for the development of the Codell Formation.

B. Providing that the Commission's pooling order is made effective as of the earlier of the date of this Application, or the date that any of the costs specified in C.R.S. § 34-60-116(7)(b) are first incurred for the drilling of the Well in the Wellbore Spacing Unit to the Codell Formation on the Application Lands.

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 Well are pooled by operation of statute, pursuant to C.R.S. § 34-60-116(6) and (7), and made subject to the cost recovery provisions thereof with respect to the Well drilled to develop the Codell Formation in the Wellbore Spacing Unit comprising the Application Lands.

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

WHEREFORE, Applicant respectfully requests that this matter be set for hearing in July 2015, that notice be given as required by law, and that upon such hearing, the Commission enter its order consistent with Applicant's request as set forth above.

Dated: May 21, 2015.

Respectfully submitted:

**PDC ENERGY, INC.**

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


*Jamie L. Jost*  
Jamie L. Jost  
Zachary P. Sears  
Burleson LLP  
Attorneys for Applicant  
1700 Lincoln St., Suite 1300  
Denver, Colorado 80203  
(303) 801-3200

Applicant's Address:

PDC Energy, Inc.  
ATTN: Josh Wagner  
1775 Sherman Street, Suite 3000  
Denver, CO 80203

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

  
Josh Wagner  
Senior Regional Landman  
PDC Energy, Inc.

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

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AFFIDAVIT OF MAILING

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

I, Jamie L. Jost of lawful age, and being first duly sworn upon my oath,  
state and declare that I am the attorney for PDC Energy, Inc., and that on or  
before the 21<sup>st</sup> day of May 2015, 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.

  
\_\_\_\_\_  
Jamie L. Jost

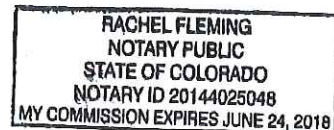
Subscribed and sworn to before me this 21<sup>st</sup> day of May, 2015.

Witness my hand and official seal.

[SEAL]

My commission expires: June 24, 2018

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



**Exhibit A**  
**FP – Bernhardt 6K-443**

PDC Energy, Inc.  
1775 Sherman Street, Suite 3000  
Denver, Colorado 80203

Noble Energy, Inc.  
1625 Broadway, Suite 2200  
Denver, Colorado 80202

Bayswater Exploration &  
Production, LLC  
730 17th Street, Suite 610  
Denver, Colorado 80202

Bayswater Blenheim Holdings II,  
LLC  
730 17th Street, Suite 610  
Denver, Colorado 80202

Cimarron Petroleum  
P.O. Box 2768  
Amarillo, Texas 79105

Double Eagle Energy Rockies, LLC  
1401 Ballinger Street, Suite 203  
Fort Worth, Texas 76102

TAPS I Energy, LLC  
1001 Farmington Avenue  
West Hartford, Connecticut 06107

Incline Resources, LLC  
5019 N. Central Expy, Suite B  
Dallas, Texas 75205

Maureen Ardolino Trust UAD  
October 5, 2000  
8871 Sailport Drive  
Huntington Beach, California 92646

Richard R. Chotin  
509 Olive Street, Suite #500  
St. Louis, MO 63101

American Investment Bank  
(David S. Toth, DPM)  
514 Water Street  
Chardon, Ohio 44024

American Investment Bank  
(Leslie Wint)  
79 Esplanade  
Mt. Vernon, New York 10553

Graham B. Blanton  
1804 Pugh Street  
Fayetteville, North Carolina 28305

Skylark Energy, LLC  
40 West Littleton Blvd. Suite 210,  
Box 237  
Littleton, Colorado 80120

Gregory J. Buntin  
11437 St. Charles Rock Road  
Bridgeton, Missouri 63044

Michael R. Freeman, M.D.  
1001 Wolf Lane  
Cape Girardeau, Missouri 63701

H.W. Hardy  
711 Louisiana, Suite #1300  
Houston, Texas 77002

Eugene E. Hutton, Jr., M.D.  
Box 1305  
Elkins, West Virginia 26241

Meyer Lewshin  
1253 N. Vine St. #16  
Los Angeles, California 90038

L. Gordon Pfefferkorn, Jr.  
715 Coliseum Drive  
Winston-Salem, NC 27106

Robert G. Rager  
7002 S. Chapparral Circle East  
Aurora, Colorado 80016

Claude Stull  
1602 Old Silo Hill Drive  
Mount Sterling, Kentucky 40353

Jack I. Tompkins  
4900 Woodway, Suite 890  
Houston, Texas 77056

Gary Van Schaften  
2 Timberline Drive  
Wayne, New Jersey 07470

Edward Foerstel  
3998 US Highway 61  
Bloomsdale, Missouri 63627

Debra Foerstel  
HCR #2 Box 57  
Bloomsdale, Missouri 63627

Peter C. Merrill  
7909 Big Bend  
St Louis, Missouri 63119

Joyce T. Merrill  
7909 Big Bend  
St Louis, Missouri 63119

Heirs or Devisees of  
Ruby Timmermann  
44871 N Hills Drive, Apt 170  
Northville, MI 48167-6111

Heirs or Devisees of  
Ruby Timmermann  
4900 Cooley Lake Road  
Commerce Township, Michigan  
48382-1186

Ellis & Gudmundson Properties, LLC  
PO Box 21748  
Bakersfield, California 93390

Acoma Energy, LLC  
3801 E. Florida Ave., Suite 508  
Denver, Colorado 80210

Carolyn Kammerzell  
12614 Hwy 60  
Milliken, CO 80543-0000

Leroy R Bernhardt  
PO Box 250  
Milliken, CO 80543-0000

Heirs or Devisees of  
Delbert Bernhardt  
11269 State Hwy 60  
Milliken, CO 80543

Herbert B Bernhardt  
21564 Weld County Road 25  
Milliken, CO 80543-0000

Charlotte M Bjoralt  
1390 Blossom Way NE  
Corydon, IN 47112

Helen Bernhardt Busch  
PO Box 266  
Wiggins, CO 80654-0000

Albert Bernhardt  
20523 Highway 39  
Wiggins, CO 80654-0000

Melvin Bernhardt  
70042 County Road #10  
Mitchell, NE 69357-0000

Marian Forbes  
f/k/a Marian Rossman  
20075 Road Q  
Fort Morgan, CO 80701-0000

Marilyn J Schneider  
24987 County Road 25  
Milliken, CO 80543-0000

James L Sitzman  
27490 CR 50  
Kersey, CO 80644-9115

Jay L Sitzman  
27490 County Road 50  
Kersey, CO 80644-0000

Jeffrey L Sitzman  
15780 County Road RR  
Akron, CO 80720

Margaret Bernhardt  
a/k/a Margaret R Bernhardt  
820 Azalea Way  
Vacaville, CA 95688-0000

Jerry Bernhardt &  
Margaret Bernhardt  
a/k/a Margaret R Bernhardt  
820 Azalea Way  
Vacaville, CA 95688

David Lee Bernhardt  
Consolidated Trust  
23809 Weld County Road 25  
Milliken, CO 80543

Jerry Reuben Bernhardt  
Consolidated Trust  
820 Azalea Way  
Vacaville, CA 95688

Timothy Alan Bernhardt  
Consolidated Trust  
551 Barnwood Drive  
Windsor, CO 80550

Charlene Bernhardt Michaels  
Consolidated Trust  
913 NW 36th Drive  
Gainesville, FL 32605

Larry L Schupbach  
PO Box 962  
Graham, TX 76450

Public Service Company of CO,  
Right of Way & Permits Dept  
Attn: W E Miller  
1800 Larimer St, Ste 400  
Denver, CO 80202

Robert Ehrlich  
25041 County Road 60 1/2  
Greeley, CO 80631

Bayou Workover Services LLC  
800 Gessner Road  
Greeley, CO 80632-0758

Weld County Board of Comm  
PO Box 758  
Greeley, CO 80632-0758

Richard Lee Foose  
33399 Weld County Road 51  
Eaton, CO 80651

Ventures Unlimited LLC  
2817 Meadowlark Ave  
Fort Collins, CO 80526



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FIELD, WELD COUNTY, COLORADO

CAUSE NO.

DOCKET NO. 150700406

TYPE: POOLING

**SUPPLEMENTAL AFFIDAVIT OF MAILING**

STATE OF COLORADO

)

)ss.

COUNTY OF DENVER

)

Zachary P. Sears of lawful age, and being first duly sworn upon his oath,  
states and declares:

That he is the attorney for PDC Energy, Inc., that on or before the 2<sup>nd</sup>  
day of June, 2015, he caused a copy of the attached Application to be deposited  
in the United States Mail, postage prepaid, addressed to the parties attached  
hereto.

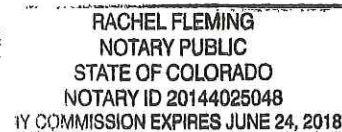
Zachary P. Sears

Subscribed and sworn to before me this 2<sup>nd</sup> day of June, 2015.

Witness my hand and official seal.

[SEAL]

My commission expires: June 24, 2018



Notary Public

**Supplemental Interested Parties  
FP – Bernhardt 6K-443**

Robert E. Ehrlich  
1853 B Chesapeake Circle  
Johnstown, CO 80534