

**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  
315-ACRE DESIGNATED HORIZONTAL  
WELLBORE SPACING UNIT FOR 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 315-acre Wellbore Spacing Unit, as defined below, for the drilling of the Bernhardt 6O-443 Well (API No. 05-123-40399) ("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: E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 7: E $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$

315-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 315-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 315-acre Wellbore Spacing Unit:

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

Section 6: E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 7: E $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$

(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.

**KRISTIE ANN MONEY**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
**NOTARY ID 20134031387**  
My Commission Expires May 16, 2017

Notary Public

IN THE MATTER OF THE APPLICATION OF  
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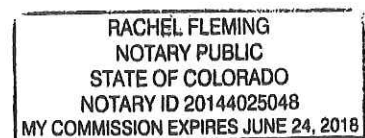
STATE OF COLORADO )  
 )ss.  
CITY AND COUNTY OF DENVER )

  
Jamie L. Jost

[SEAL]

My commission expires: June 24, 2018

  
Notary Public



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

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

Albert Bernhardt  
29523 Hwy 39  
Wiggins, CO 80654

K.P. Kauffman Company, Inc.  
1675 Broadway, Suite 2800  
Denver, Colorado 80202

Melvin Bernhardt  
70042 County Road 10  
Mitchell, NE 69357

Fountainhead Resources, Ltd.  
P.O. Box 641  
Littleton, Colorado 80160

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

Robert L. Haynie Revocable Trust U/A  
dated December 20, 1991,  
Robert L. Haynie, Trustee and  
James D. Hanegan, Trustee  
Attn: James D. Hanegan  
1625 Broadway, Suite 800  
Denver, Colorado 80202

Marilyn JoAnn Schneider  
24987 County Road 25  
Milliken, CO 80543

James L. Sitzman  
15780 County Road RR  
Akron, CO 80720

Carolyn Kammerzell  
12614 Hwy 60  
Milliken, CO 80543-0000

Jay L. Sitzman  
27490 County Road 50  
Kersey, CO 80644

Leroy R. Bernhardt  
P.O. Box 250  
Milliken, CO 80543

Jeff L. Sitzman  
15780 Cty Rd RR  
Akron, CO 80720

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

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

Herbert B. Bernhardt  
21564 County Road 25  
Milliken, CO 80543

Jerry Bernhardt and Margaret  
Bernhardt a/k/a Margaret R.  
Bernhardt, as tenants in common  
820 Azalea Way  
Vacaville, CA 95688

Charlotte M. Bjoralt  
5302 Kiowa Dr.  
Greeley, CO 80634

Helen Bernhardt Busch  
P.O. Box 266  
Wiggins, CO 80654

David Lee Bernhardt  
Consolidated Trust  
12281 State Hwy 60  
Milliken, CO 80543

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

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

Timothy Alan Bernhardt  
Consolidated Trust  
12281 State Hwy 60  
Milliken, CO 80543

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

Shable Homestead, LLC  
12705 HWY 60  
Milliken, CO 80543

Shable Albertsen Minerals, LLC  
4490 Fruita Dr.  
Loveland, CO 80538

Shable Swanson Minerals, LLC  
9 Belhaven Drive  
Springfield, IL 62704

Mary Erma Shable  
19524 Weld County Road 44  
LaSalle, CO 80645

Genevieve M. Yetter  
19699 Weld County Road 52  
LaSalle, CO 80544

Anadarko E&P Onshore LLC  
1099 18th Street  
Denver, CO 80202