

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

IN THE MATTER OF THE APPLICATION OF) CAUSE NO. 407
BAYSWATER EXPLORATION & PRODUCTION, LLC)
FOR AN ORDER TO ESTABLISH AN APPROXIMATE) DOCKET NO. 1302-UP-34
160-ACRE DRILLING AND SPACING UNIT AND)
APPROVE UP TO **THREE** DIRECTIONAL WELLS)
WITHIN THE UNIT LOCATED IN SECTION 25,)
TOWNSHIP 7 NORTH, RANGE 67 WEST, 6TH P.M.,)
FOR THE CODELL AND NIOBRARA FORMATIONS,)
WATTENBERG FIELD, WELD COUNTY, COLORADO)

AMENDED NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

On April 27, 1988, 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 Cretaceous Age Formations from the base of the Dakota Formation to the surface. Rule 318A supersedes all prior Commission drilling and spacing orders affecting well location and density requirements of Greater Wattenberg Area wells. On December 5, 2005, Rule 318A was amended, among other things, 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, among other things, to address drilling of horizontal wells. Section 25, Township 7 North, Range 67 West, 6th P.M. is subject to Rule 318A for the Codell and Niobrara Formations.

On December 13, 2012, Bayswater Exploration & Production, LLC ("Bayswater" or "Applicant"), by its attorneys, filed with the Commission pursuant to §34-60-116 C.R.S., a concurrent application ("Concurrent Application"), Docket No. 1302-SP-26, for an order to establish an approximate 160-acre drilling and spacing unit, and to approve up to **three** directional wells within the unit, for the production of oil, gas and associated hydrocarbons from the Codell and Niobrara Formations.

On December 13, 2012, Bayswater, by its attorneys, filed with the Commission pursuant to §34-60-116 C.R.S., a verified application ("Application") for an order to pool all interests in an approximate 160 -acre drilling and spacing unit for the below-described lands ("Application Lands"), for the development and operation of the Codell and Niobrara Formations, effective as of the earlier of the date Application, or the date that any of the costs specified in C.R.S § 34-60-116(7)(b)(II) were first incurred for the drilling of the Casa Loma 3-25 Well (API No. 05-123-36412), the Casa Loma 4-25 Well (API No. 05-123-36261), and the Casa Loma 18-25 Well (**API No. 05-123-36615**) ("Wells") and to subject any nonconsenting interests to the cost recovery provisions of §34-60-116(7), C.R.S.:

Township 7 North, Range 67 West, 6th P.M.
Section 25: NW¼

NOTICE IS HEREBY GIVEN, pursuant to: 1) the general jurisdiction granted to the Oil and Gas Conservation Commission of the State of Colorado under §34-60-105 C.R.S.; 2) specific powers granted pursuant to §34-60-106 C.R.S.; 3) the Colorado Administrative

Procedures Act at §24-4-105 C.R.S.; and 4) the Commission's Series 500 Rules at 2CCR 404-1, that the Commission has scheduled the above-entitled matter for hearing on:

Date: **Monday, March 25, 2013**
Tuesday, March 26, 2013

Time: 9:00 a.m.

Place: Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, Colorado 80203

In accordance with the Americans with Disabilities Act, if any party requires special accommodations as a result of a disability for this hearing, please contact Margaret Humecki at (303) 894-2100 ext. 5139, prior to the hearing and arrangements will be made.

Pursuant to said hearing in the above-entitled matter at the time and place aforesaid, or at any adjourned meeting, the Commission will enter such orders as it deems appropriate to protect the health, safety and welfare of the public and to prevent the waste of oil and gas, either or both, in the operations of said field, and to carry out the purposes of the statute.

In accordance with Rule 509., any interested party desiring to protest the granting of the application or to intervene on the application should file with the Commission a written protest or intervention no later than March 11, 2013, briefly stating the basis of the protest or intervention. Such interested party shall, at the same time, serve a copy of the protest or intervention to the person filing the application. An original and 13 copies shall be filed with the Commission. **Anyone who files a protest or intervention must be able to participate in a prehearing conference during the week of March 11, 2013.** Pursuant to Rule 503.g., if a party who has received notice under Rule 503.b. wishes to receive further pleadings in the above-referenced matter, that party must file a protest or intervention in accordance with these rules. In accordance with the practices of the Commission, should no protests or interventions be filed in this matter by **March 11, 2013 the Applicant may request that an administrative hearing be scheduled beginning March 11, 2013.** In the alternative, pursuant to Rule 511., if the matter is uncontested, the applicant may request, and the Director may recommend approval on the basis of the merits of the verified application and the supporting exhibits.

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO



By _____
Robert J. Frick, Secretary

Dated: **AMENDED, February 12, 2013**

Colorado Oil and Gas Conservation
Commission
1120 Lincoln Street, Suite 801
Denver, Colorado 80203

Attorneys for Bayswater:
Chelsey J. Russell
Welborn Sullivan Meck & Tooley, P.C.
1125 - 17th Street, Suite 2200

Website: <http://cogcc.state.co.us>
Phone: (303) 894-2100
Fax: (303) 894-2109

Denver, Colorado 80202
Phone: 303-830-2500
Fax: 303-832-2366
ssullivan@wsmtlaw.com
crussell@wsmtlaw.com