

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

IN THE MATTER OF THE **AMENDED** APPLICATION ) CAUSE NO. 407  
OF ENCANA OIL & GAS (USA) INC. FOR AN ORDER )  
TO POOL ALL INTERESTS IN FIVE APPROXIMATE ) DOCKET NO. 1303-UP-68  
160 TO 320-ACRE DESIGNATED WELLBORE )  
SPACING UNITS ESTABLISHED FOR SECTIONS 27 )  
AND 28, TOWNSHIP 2 NORTH, RANGE 66 WEST, )  
6<sup>TH</sup> P.M., FOR THE J SAND, CODELL AND )  
NIOBRARA FORMATIONS, WATTENBERG FIELD, )  
WELD COUNTY, COLORADO )

**AMENDED NOTICE OF HEARING**

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

On November 17, 1970, the Commission issued Order No. 232-1 which, among other things, established 320-acre drilling and spacing units for the production of gas and associated hydrocarbons from the J Sand Formation underlying certain lands in the Wattenberg Gas Spaced Area. On August 21, 1979, by Order No. 232-20 and October 19, 1981, by Order No. 232-23, Order No. 232-1 was amended allowing the drilling of an additional well on each 320-acre drilling and spacing unit. Sections 27 and 28, Township 2 North, Range 66 West, 6<sup>th</sup> P.M. are subject to this Order for the J Sand Formation.

On December 19, 1983, the Commission issued Order No. 407-1 (amended March 29, 2000), which among other things, established 80-acre drilling and spacing units for the production of oil, gas and associated hydrocarbons from the Codell Formation, with the unit to be designated by the operator drilling the first well in the quarter section. The permitted well shall be located in the center of either 40-acre tract within the unit with a tolerance of 200 feet in any direction. The operator shall have the option to drill an additional well on the undrilled 40-acre tract in each 80-acre drilling and spacing unit. Sections 27 and 28, Township 2 North, Range 66 West, 6<sup>th</sup> P.M. are subject to this Order for the Codell Formation.

On February 19, 1992, the Commission issued 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 and Niobrara Formations, with the permitted well locations in accordance with the provisions of Order No. 407-1. Sections 27 and 28, Township 2 North, Range 66 West, 6<sup>th</sup> P.M. are subject to this Order for the Codell and Niobrara Formations.

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. Sections 27 and 28, Township 2 North, Range 66 West, 6<sup>th</sup> P.M. are subject to this Order for the J Sand, Codell and Niobrara Formations.

On January 24, 2013 (**Amended February 25, 2013**), Encana Oil and Gas (USA) Inc. ("Encana" or "Applicant"), by its attorneys, filed with the Commission pursuant to §34-60-116 C.R.S., a verified amended application ("Amended Application") for an order to pool all interests in five approximate 160 to 320-acre designated wellbore spacing units established for the below-described lands ("Application Lands"), for the development and operation of the J Sand, Codell and Niobrara Formations, effective as of the earlier of the date of the 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 Maier 4B-28H-O266 Well, the Maier 4C-28H-P266 Well, the Maier 4D-28H Well, the Maier 4A-28H-O266 Well, and the Diane 8-6-28 Well ("Wells"), and to subject any nonconsenting interests to the cost recovery provisions of C.R.S. § 34-60-116(7):

Township 2 North, Range 66 West, 6<sup>th</sup> P.M.

Section 28: E½ (WSU #1 - Maier 4B-28H-O266)  
Section 28: E½ (**WSU #2 - Maier 4D-28H**)

(320-acres, Codell Formation)

Township 2 North, Range 66 West, 6<sup>th</sup> P.M.

Section 28: E½ (**WSU #3 - Maier 4C-28H-P266**)  
Section 28: W½ E½, E½ W½ (WSU #4 - Maier 4A-28H-O266)

(320-acres, Niobrara Formation)

Township 2 North, Range 66 West, 6<sup>th</sup> P.M.

**Section 27: W½ SW¼**  
**Section 28: E½ SE¼ (WSU #5 - Diane 8-6-28)**

(160-acres, J Sand, Codell and Niobrara Formations)

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

Date: Monday, May 6, 2013  
Tuesday, May 7, 2013

Time: 9:00 a.m.

Place: Weld County Southwest Services Complex  
4209 Weld County Road 24 1/2  
Longmont, CO 80501


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 April 22, 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 April 22, 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 **April 22, 2013, the Applicant may request that an administrative hearing be scheduled beginning April 22, 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: April 9, 2013

Colorado Oil and Gas Conservation Commission  
1120 Lincoln Street, Suite 801  
Denver, Colorado 80203  
Website: <http://cogcc.state.co.us>  
Phone: (303) 894-2100  
Fax: (303) 894-2109

Attorneys for Noble:  
Jamie L. Jost  
Elizabeth Gallaway  
Gregory J. Nibert Jr.  
Beatty & Wozniak, P.C.  
216 16th Street, Suite 1100  
Denver, Colorado 80202  
(303) 407-4499  
[jjost@bwenerylaw.com](mailto:jjost@bwenerylaw.com)  
[egallaway@bwenerylaw.com](mailto:egallaway@bwenerylaw.com)  
[gnibert@bwenerylaw.com](mailto:gnibert@bwenerylaw.com)