

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

IN THE MATTER OF AN APPLICATION BY KERR-MCGEE OIL & GAS ONSHORE LP FOR AN ORDER POOLING ALL INTERESTS IN AN APPROXIMATE 480-ACRE DESIGNATED HORIZONTAL WELLBORE SPACING UNIT ESTABLISHED FOR CERTAIN PORTIONS OF SECTIONS 9, 16 AND 21, TOWNSHIP 2 NORTH, RANGE 65 WEST, 6<sup>TH</sup> P.M., FOR THE DEVELOPMENT/OPERATION OF THE NIOBRARA FORMATION, WATTENBERG FIELD, WELD COUNTY, COLORADO

CAUSE NO. 407

DOCKET NO. *To be assigned*

**APPLICATION**

Kerr-McGee Oil & Gas Onshore LP, Operator No. 47120 ("Kerr-McGee" 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 480-acre horizontal wellbore spacing unit established for certain portions of Sections 9, 16 and 21, Township 2 North, Range 65 West, 6<sup>th</sup> P.M., for the development and operation of the Niobrara Formation. In support of its Application, Applicant states and alleges as follows:

1. Applicant is a limited partnership formed under the laws of the State of Delaware; is a wholly owned subsidiary of Anadarko Petroleum Corporation; is duly authorized to conduct business in the State of Colorado; and is a registered operator in good standing with the Commission.

2. Applicant owns substantial leasehold interests in the below-listed lands:

Township 2 North, Range 65 West, 6<sup>th</sup> P.M.

Section 9: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 16: E $\frac{1}{2}$ W $\frac{1}{2}$ , W $\frac{1}{2}$ E $\frac{1}{2}$

Section 21: NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$

Wellbore Spacing Unit ("WSU") No. 1

These lands are hereinafter collectively 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 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. The Application Lands are subject to Rule 318A.

4. Pursuant to Rule 318A., Applicant designated an approximate 480-acre horizontal wellbore spacing unit, comprised of the Application Lands, for the below-described well, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation. Applicant notified all owners in the proposed horizontal wellbore spacing unit pursuant to Rule 318A.e.(5). Applicant did not receive objections to the establishment of the proposed horizontal wellbore spacing unit within the 30-day response period:

- a. Cook 28N-16HZ Well (API No. Pending) – Niobrara Formation – WSU No. 1.

This well is hereinafter referred to as the “Subject Well.”

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 WSU No. 1 established for the Application Lands, for the development and operation of the Niobrara Formation.

6. 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 §34-60-116(7)(b), C.R.S. are first incurred for the drilling of the Subject Well within WSU No. 1.

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 Subject Well, are made subject to the cost recovery provisions of §34-60-116(7), C.R.S., effective as of the earlier of the date of the Application, or the date the costs specified in §34-60-116(7)(b), C.R.S. are first incurred for the drilling of the Subject Well.

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. The undersigned certifies that copies of this Application will be served on each interested party as required by Rule 507 within seven (7) days of the filing hereof, 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 WSU No.1 established for the Application Lands, for the development and operation of the Niobrara Formation, effective as of the earlier of the date of this Application, or the date that the costs specified in §34-60-116(7)(b), C.R.S. are first incurred for the drilling of the Subject Well within WSU No.1.

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 Subject 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, effective as of the earlier of the date of the Application, or the date the costs specified in §34-60-116(7)(b), C.R.S. are first incurred for the drilling of the Subject Well.

C. For such other findings and orders as the Commission may deem proper or advisable in the premises.

DATED this 27 day of August, 2015.

Respectfully submitted,

**KERR-MCGEE OIL & GAS ONSHORE LP**

By:   
James Parrot  
Jillian Fulcher  
Beatty & Wozniak, P.C.  
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216 16th Street, Suite 1100  
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jparrot@bwenergylaw.com  
jfulcher@bwenergylaw.com

Address of Applicant  
Kerr-McGee Oil & Gas Onshore LP  
ATTN: Jay Errebo  
1099 18<sup>th</sup> Street, Suite 1800  
Denver, Colorado 80202




VERIFICATION

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

Jay Errebo, Landman for Kerr-McGee Oil & Gas Onshore LP, 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.

KERR-MCGEE OIL & GAS ONSHORE LP

  
Jay Errebo

Subscribed and sworn to before me this 27<sup>th</sup> day of August, 2015, by Jay Errebo, Landman for Kerr-McGee Oil & Gas Onshore LP.

Witness my hand and official seal.

My commission expires: 07/31/2017

  
Notary Public

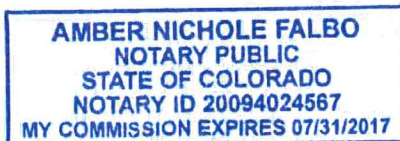


Exhibit A

Reference Map for Pooling Application

|    |    |    |       |    |    |    |
|----|----|----|-------|----|----|----|
|    |    |    |       |    |    |    |
| 1  | 6  | 5  | 4     | 3  | 2  | 1  |
| 12 | 7  | 8  | 9     | 10 | 11 | 12 |
| 13 | 18 | 17 | 16    | 15 | 14 | 13 |
|    |    |    | 2N65W |    |    |    |
| 24 | 19 | 20 | 21    | 22 | 23 | 24 |
| 25 | 30 | 29 | 28    | 27 | 26 | 25 |
|    |    |    |       |    |    |    |

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DOCKET NO. 151000627

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

That she is a Legal Assistant at Beatty & Wozniak, P.C., attorneys for Kerr-McGee Oil & Gas Onshore LP, and on or before September 3, 2015, 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 attached hereto.

Subscribed and sworn to before me this 3<sup>rd</sup> day of September, 2015.

**TERESA L. PETERSON**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
NOTARY ID 19894002026  
MY COMMISSION EXPIRES OCT. 4, 2017

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

## EXHIBIT A

### 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 A.

ANADARKO E&P ONSHORE LLC  
1099 18TH STREET, SUITE 1800,  
DENVER, CO 80202

ARGONAUT VENTURES, LLC  
PO BOX 4210  
GRAND JUNCTION CO 81501

B F ALBRITTON, LLC  
PO BOX 2016  
GRAHAM TX 76450

BIRMINGHAM CORPORATION  
1800 CANYON PARK CIRCLE #201  
EDMOND OK 73013

BRENDA KAY HAFFNER  
23510 WCR 6  
HUDSON CO 80642

CANDACE BLACK  
879 S. 14TH AVE.  
BRIGHTON, CO 80601

CONSTANCE A. NICHOLSON  
1750 STERLING LANE  
LEWISVILLE, TX 75067

CRAIG E. RITCHEY AND MARY C. RITCHEY  
14031 SABLE BLVD  
BRIGHTON CO 80601

CREEDE EXPLORATION, INC.  
2429 S EARL RUDDER FREEWAY #100  
COLLEGE STATION TX 77845

DARRELL D. NICHOLS  
P.O. BOX 962  
TOWNSEND, MONTANA 59644

DAVID KNIEVEL  
2381 N I-76 FRONTAGE ROAD  
WIGGINS CO 80654

DAVID WESLEY RITCHEY  
2941 M ROAD A  
WIGGINS CO 80654

DEBORAH A. BUTTERFIELD  
1772 MINEOLA STREET  
COLORADO SPRINGS CO 80915

DEVISEES OF THE ESTATE OF  
ROBERT G. MCKINSTER, DECEASED  
13561 SABLE BLVD  
BRIGHTON CO 80601

DONELLE J. KAUFFMAN  
5664 VISTANCIA CT.  
PARKER, CO 80134

DORIS J. ADAMS  
5697 COUNTY ROAD 47  
TORRINGTON, WY 82240

DOUGLAS A. COON  
3630 HOLLYBERRY CIRCLE  
ANCHORAGE AK 99507

E G ENERGY, LLC  
PO BOX 6244  
LEAWOOD KS 66206

ELLA K. HEITMAN  
18860 WCR 31  
PLATTEVILLE CO 80651

FBO INVESTMENTS, LLP  
PO BOX 4210  
GRAND JUNCTION CO 81501

G. E. ROGERS, LLC  
PO BOX 2016  
GRAHAM TX 76450

GLENNA LOUISE MARRS AND  
RONALD WAYNE MARRS, CO-TRUSTEES  
376 GILMORE GULCH  
LARAMIE, WY 82070

GRACE CAMPBELL  
9517 WELD COUNTY ROAD 41  
FORT LUPTON, CO 80621

GRANT A. RITCHEY AND DAWN D. RITCHEY  
13408 WCR 43  
HUDSON CO 80642

H.M. BETTIS, INC.  
PO BOX 1240  
GRAHAM TX 76450



HERMAN A. FLADER T/U/W,  
FBO CASEY REED, US BANK, NA, TRUSTEE  
P.O. BOX 1588  
TULSA, OK 74101

HERMAN A. FLADER T/U/W,  
FBO LAURA BRITT, US BANK, NA, TRUSTEE  
P.O. BOX 1588  
TULSA, OK 74101

HTP PRODUCING COMPANY  
1320 LAKE STREET  
FORT WORTH TX 76102

IRENE PEVLER  
61497 WELD COUNTY ROAD 63  
GROVER CO 80729

JAMES E. FRANK  
2309 KIRKVIEW DRIVE  
LOVELAND CO 80538

JAMES THOMASON  
225 19TH AVENUE COURT  
GREELEY CO 80631

JIM DE FENDER,  
F/K/A JIMMY EUGENE FENDER  
22809 E ALAMO LANE  
AURORA CO 80015

JOEL EUGENE RITCHEY  
22227 WCR 30  
HUDSON, CO 80642

JOHNNY SHERRILL DUNAGAN  
1341 BIRCHIM LN.  
BISHOP, CA 93514

KAREN RITCHEY CALDWELL AND TIM S.  
CALDWELL, CO-TRUSTEES OF THE REVOCABLE  
INTER VIVOS TRUST OF KAREN RITCHEY  
CALDWELL DATED JUNE 21, 2001  
2249 E 32ND STREET; TULSA OK 74105

KENNETH E. LUCAS  
4613 BUCKNELL  
GARLAND, TX 75042

KENNETH L. FENDER  
6241 WHIRLWIND DR.  
COLORADO SPRINGS, CO 80923

KENNETH LEE POWERS AND ELIZABETH POWERS,  
CO-TRUSTEES UNDER THE POWERS LIVING  
TRUST,  
8/4/1992  
1200 MIRA MAR AVE  
MEDFORD OR 97504-8554

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FORT LUPTON CO 80621

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KEENESBURG CO 80643

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MCKINNEY TX 75070

LEIGH ANN GERK  
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LOVELAND CO 80538

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COMMERCE CITY CO 80022

LYLE M. NICHOLS  
14787 CR E  
ORDWAY CO 80642

MARY G. NICHOLS  
1817 13TH STREET  
GREELEY CO 80631

MAYNARD W. NICHOLS AND  
ROY MYLES NICHOLS JR  
11225 WELD COUNTY ROAD 39  
HUDSON, CO 80642

MCLISH RESOURCES LP, LLP  
633 17TH STREET SUITE 1650  
DENVER CO 80202

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12300 MONTECITO ROAD #17  
SEAL BEACH CA 90740

NANCY BROWN RANDOLPH,  
A/K/A NANCY ANN RANDOLPH  
1906 15TH AVENUE  
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MCKINNEY TX 75070



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21940 291ST AVENUE  
FORT PIERRE SD 57532

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GRAHAM TX 76450

RIO BRAZOS MINERAL COMPANY, LLC  
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GRAHAM TX 76450

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SANDRA K. SACK  
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SCOTT T. FRANK  
1269 HILLTOP CIRCLE  
WINDSOR CO 80550

SCOTT THOMASON  
9760 WCR 41  
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SHAROL BLACK  
879 S. 14TH AVE.  
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SONIC MINERALS, L.P.  
PO BOX 1240  
GRAHAM TX 76450

SONJA DEE DUNAGAN,  
N/K/A SONJA DEE TRIPP  
30022 MCKENNA HEIGHTS CT.  
VALLEY CENTER, CA 92082-7697

STEIN TRUST DATED AUGUST 12, 2011  
UNKNOWN ADDRESS

TC ENERGY, LLC  
PO BOX 2016  
GRAHAM TX 76450

THOMAS HILL PUFF  
1320 LAKE STREET  
FORT WORTH TX 76102

TOM PUFF, INC.  
1320 LAKE STREET  
FORT WORTH TX 76102

TRINITY RESOURCES, LLC  
1520 W. CANAL CT. SUITE 220  
LITTLETON, CO 80120

TSM TRUST  
3924 SIMMS STREET  
WHEAT RIDGE CO 80033

VAN EARL DUNAGAN  
P.O. BOX 1576  
CRESCENT CITY, CA 95531

WILLIAM A. MCGUIRE, JR.  
8754 COUNTY ROAD 41  
FORT LUPTON CO 80621