

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

IN THE MATTER OF THE APPLICATION OF CUB)	
CREEK ENERGY, LLC, FOR AN ORDER AUTHORIZING)	CAUSE NO. 407
COST RECOVERY AND RISK PENALTIES FROM)	
CERTAIN NONCONSENTING OWNERS WITHIN THE)	DOCKET NO. <i>To be assigned</i>
APPROXIMATE 320-ACRE DRILLING AND SPACING)	
UNIT ESTABLISHED FOR THE N½ OF SECTION 12,)	
TOWNSHIP 4 NORTH, RANGE 68 WEST, 6 TH P.M., FOR)	
DEVELOPMENT AND OPERATION OF THE CODELL-)	
NIORARA FORMATION, WATTENBERG FIELD,)	
WELD COUNTY, COLORADO)	

APPLICATION

Cub Creek Energy, LLC (“Cub Creek” or “Applicant”), Operator #10542, by and through its attorneys, Shanor & Collins LLC, respectfully submits this Application to the Oil and Gas Conservation Commission of the State of Colorado (“Commission” or “COGCC”) for an order authorizing cost recovery and statutory risk penalties from certain nonconsenting owners within the N½ of Section 12, Township 4 North, Range 68 West, 6th P.M., for development and operation of the Codell-Niobrara Formation. In support of this Application (“Application”), Applicant states and alleges as follows:

1. Applicant is a corporation duly authorized to conduct business in the State of Colorado and has registered as an operator with the COGCC.
2. Applicant owns substantial leasehold interests in the below-listed lands (“Application Lands”):

Township 4 North, Range 68 West, 6th P.M.
Section 12: N½

An Application Map depicting the Application Lands is attached hereto and marked Exhibit B.

3. On September 14, 2015, the Commission issued Order No. 407-1416 which, among other things, established an approximate 320-acre drilling and spacing unit for the Application Lands, and authorized the drilling of nine (9) horizontal wells within the proposed unit, for the production of oil, gas and associated hydrocarbons from the Codell-Niobrara Formation.

4. On October 26, 2015, the Commission issued Order No. 407-1458 which, among other things, pooled all interests in the approximate 320-acre drilling and spacing unit established for the Application Lands, for the development and operation of the Codell-Niobrara Formation, and authorized the recovery of costs and risk penalties as provided for by §34-60-116(6) & (7), C.R.S., associated with the drilling of certain authorized horizontal wells, from the interests of a certain owner, with whom the Applicant has been unable to secure agreement to participate in the drilling of those wells.

5. Acting pursuant to relevant provisions of §34-60-116(6) & (7), C.R.S., and Rule 530., Applicant seeks an order authorizing cost recovery and risk penalties associated with the drilling of any horizontal well authorized for the Codell-Niobrara Formation, where Rule 530. well proposal materials are provided at least 35 days prior to the Application being heard by the Commission.

6. 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 COGCC rules.

7. Applicant requests that relief granted as result of this Application should be effective on oral order by the Commission, and Applicant hereby agrees to be bound by the oral order of the Commission.

8. That the names and addresses of interested parties (those 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 Exhibit A attached hereto. The Applicant shall submit a certificate of service for the Application within seven days as required by Rule 503.e.

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

A. Confirming the pooling of all interests in the approximate 320-acre drilling and spacing unit to be established for the Application Lands, for development and operation of the Codell-Niobrara Formation, with the pooling order effective as of the date of the Application.

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 any authorized horizontal well for the Codell-Niobrara Formation, having been pooled by operation of statute pursuant to §34-60-116(6) & (7), C.R.S., are made subject to cost recovery and risk penalties provided therein.

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

EXHIBIT A

INTERESTED PARTIES

The names and addresses of the interested parties (those 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.

Cub Creek Energy, LLC Mr. Scott B. Baily 200 Plaza Drive, Suite 100 Highlands Ranch, CO 80129	Robert A. Willis Shanor & Collins LLC 600 Seventeenth St., Suite 2800 Denver, CO 80202	Colorado Department of Transportation 4201 E. Arkansas Avenue Denver, CO 80222
Kerr-McGee Oil & Gas Onshore LP 1099 18 th Street Denver, CO 80202	Timothy J. Steinman and Hollie Steinman 121 Silverbell Drive Johnstown, CO 80534	Crystal K. Maestas 165 Buckeye Ave Johnstown, CO 80534
Joseph Ryan McAuley and Charity A. McAuley 151 Silverbell Drive Johnstown, CO 80534	Michael and Christine Rogge 169 Silverbell Drive Johnstown, CO 80534	Thane E. Sprecher and Carrie L. Sprecher 152 Basswood Avenue Johnstown, CO 80534
Derek C. Stephens and Tina L. Stephens 223 Silverbell Drive Johnstown, CO 80534	NLB Investments, LLC 2577 East County Road 60 Wellington CO 80549	Adolph and Myrna Schulbach Family Trust Dated June 15, 1988 1452 Camino Rio Verde Santa Barbara, CA 93111
Kathryn B. Stahlman and Robbin L. Peppler as Trustees of the Grandchildren's Trust I, under the will of Leonard H. Bartels 2131 62nd Avenue Court Greeley, CO 80634	Richard J. Bartels and Robbin L. Peppler as Trustees of the Grandchildren's Trust II, under the will of Leonard H. Bartels 2131 62nd Avenue Court Greeley, CO 80634	Paterson Family, LLC 375 Ute Peak Drive Livermore, CO 80536
Harry W. Newberry and Judy C. Newberry 253 Silverbell Drive Johnstown, CO 80534	Stephen N. Gogert and Kim D. Gogert 265 Silverbell Drive Johnstown, CO 80534	Brandon E. Schwab and Allison N. Schwab 151 Basswood Avenue Johnstown, CO 80534
Zachary Kyle Beams 343 Hawthorne Avenue Johnstown, CO 80534	Frank J. Romero and Karolyn K. Staats, Joint Tenants 426 Hawthorne Avenue Johnstown, CO 80534	Christopher A. and Christine R. Linder 160 Alder Avenue Johnstown, CO 80534
Kelly Anne Trujillo 248 Basswood Avenue Johnstown, CO 80534	Craig A. Colpitts and Jill Colpitts 18309 County Road 44 La Salle, CO 80645-8703	Carl E. Hook, Jr. 227 Hawthorne Avenue Johnstown, CO 80534
Jessica S. Toney 3246 Silverbell Drive Johnstown, CO 80534	Klaus and Joan Schneidermann Family Trust Dated April 21, 2006 310 Hickory Lane Johnstown, CO 80534	David R. Beilman and Mary C. Beilman 154 Buckeye Avenue Johnstown, CO 80534

Cornerstone Evangelical Free
Church, A Non-profit organization
PO Box 58
Johnstown, CO 80534

RK Holdings, LLC
2726 Holley Street
Fort Collins, CO 80526

Kade M. and Krista Davison
130 Buckeye Avenue
Johnstown, CO 80534

Linda P. Priest
251 Hawthorne Avenue
Johnstown, CO 80534

Donald J. Amundson
143 Hawthorne Avenue
Johnstown, CO 80534

Jan A. Allen and Martha L. Allen
6 E Ranch Road
Wiggins, CO 80654

Earnest M. Adams
251 Hawthorne Avenue
Johnstown, CO 80534

William A. Borra
149 Hawthorne Avenue
Johnstown, CI 80534

Donald E. James
324 Buckeye Ave.
Johnstown, Colorado 80534

Shirley R. Martin
266 Basswood Avenue
Johnstown, CO 80534

Steven A. Snodgress and Paula D.
Snodgress
3016 Woodbine Ln.
Johnstown, CO 80534

Zac V. Valentine and Anna M.
Valentine
3213 Tamarac Lane
Johnstown, CO 80534

Clearview PUD Homeowners
Association
2030 35th Avenue, A-1
Greeley, CO 80634

Randy M. Olson
3120 Woodbine Lane
Johnstown, CO 80534

Christopher M. Rhoton and Tracy
R. Rhoton
303 Basswood Avenue
Johnstown, CO 80534

Clearview PUD Homeowner's
Association
P.O. Box 123
Eaton, CO 80615

David C. Robbins
3132 Woodbine Lane
Johnstown, CO 80534

Debora J. Hastings
3112 Silverbell Drive
Johnstown, CO 80534

R. Brett Paterson and Candace
Patterson
303 Sierra Vista Drive
Fort Collins, CO 80524

Dawn M. Conley and Shaun E.
Conley
419 Hawthorne Drive
Johnstown, CO 80534

Theodore M. Poszywak and Tarasy
E. Rabon-Poszywak
311 Buckeye Avenue
Johnstown, CO 80534

Michael R. Montoya and Karey L.
Montoya
154 Alder Avenue
Johnstown, CO 80534

Viking Construction, a Colorado
Proprietorship
P.O. Box 603
Windsor, CO 80534

Ronald Simmons and Carole
Simmons
315 Hickory Lane
Johnstown, CO 80534

Nicholas P. Bukowski
235 Basswood Avenue
Johnstown, CO 80534

Leo M. DeRock and Patricia A.
Derock
431 Hawthorne Avenue
Johnstown, CO 80534

Joseph C. Lane Jr. and Judith H.
Lane
321 Hickory Lane
Johnstown, CO 80534

David K. and Judy L. Dalrymple
233 Alder Avenue
Johnstown, CO 80467

Joseph Morgan Reese
332 Alder Avenue
Johnstown, CO 80534

Harold F. Wehrung
339 Hickory Lane
Johnstown, CO 80534

Jordan A. Payne and Katherine E.
Payne
351 Hickory Lane
Johnstown, CO 80534

Dustin D. Dreiling and Mary E.
Dreiling
333 Basswood Avenue
Johnstown, CO 80534

Lance E. Walker
308 Sycamore Avenue
Johnstown, CO 80534

Daniel R. Holmes and Dana M. Holmes
1485 10th St. SW #206
Loveland, CO 80537

Pamela M. Ziebarth
327 Basswood Avenue
Johnstown, CO 80534

Nancy J. Page
Jon V. Reynolds
221 Hawthorne Avenue
Johnstown, CO 80534

Robert Edwards
407 Hickory Lane
Johnstown, CO 80534

Wesley M. Hartman
309 Basswood Avenue
Johnstown, CO 80534

Peter R. Cheese and Carol M. Cheese
1145 Silver Spur Court
Middleburg, FL 32068

Anthony L. Seidling and Alisa M. Seidling
3236 Willow Lane
Johnstown, CO 80534

Jack R. and Rhonda S. Bates
221 Alder Avenue
Johnstown, CO 80467

Misty L. Cobaugh
142 Buckeye Avenue
Johnstown, CO 80534

Brianna L. Waugh and Camron L. Waugh
257 Hawthorne Avenue
Johnstown, CO 80534

Brian Powell and Autumn Powell
157 Basswood Ave
Johnstown, CO 80534

Frank H. Burton and Mary Jo Burton
245 Hawthorne Avenue
Johnstown, CO 80534

Richard John Stein and Carol Lynn Stein
263 Hawthorne Avenue
Johnstown, CO 80534

Phillip Mastin and Brittany Mastin
159 Alder Avenue
Johnstown, CO 80534

Miles Thompson and Chandra Thompson
269 Hawthorne Avenue
Johnstown, CO 80534

Steven Sawusch and Stefanie Sawusch
256 Buckeye Avenue
Johnstown, CO 80534-9157

Todd T. Heller and Elizabeth M. Heller
342 Buckeye Ave.
Johnstown, Colorado 80534

Lynn Homes & Development, LLC,
a Colorado Limited Liability
Company
1635 Foxtrail Drive #129
Loveland, CO 80538

Ricky L. Warrick and Brandlyn S. Warrick
238 Buckeye Avenue
Johnstown, CO 80534

Karen A. Howerton and Marvis G. Howerton
349 Hawthorne Avenue
Johnstown, CO 80534

Shane J. Hiser and Tammy M. Hiser
267 Buckeye Avenue
Johnstown, CO 80534

Blake T. Pfankuch and Shannon A. Pfankuch
139 Silver Bell Drive
Johnstown, CO 80534

Thomas Lauer and Patricia A. Lauer
17041 Wesley Chapel Road,
Monkton, Maryland 21111

Chris Helmold and Sunny C. Helmold
263 Alder Avenue
Johnstown, CO 80534

Town of Johnstown, a Municipal Corporation Company
101 Charlotte
Johnstown, CO 80534

US Bank N. A., as Trustee on behalf of the holders of the Asset Backed Securities Corporation Home Equity Loan Trust, AEG 2006-HE1 Asset Backed Pass-Through Certificates, Series AEG 2006-HE1 c/o Select Portfolio Servicing, Inc. 3815 South West Temple Salt Lake City, Utah 84165

College 4 3, LLC
307 Alder
Johnstown, CO 80534

Erica Sessions and Justin Sessions 1313 Shamrock St. Fort Collins, CO 80521	Gregg Chaddic and Ann Marie Chaddic, as Joint Tenants 312 Buckeye Ave. Johnstown, Colorado 80534	Brady D. Miller and Amy J. Rivera 307 Adler Avenue Johnstown, CO 80534
Charles R. Chase and Sarah K. Sanchez 123 Buckeye Ave. Johnstown, CO 80534	Kathryn L. Paterson 375 Ute Peak Dr. Livermore, CO 80536	Brandon Ostmeyer 319 Alder Ave., Johnstown, CO 80534
Nathan J. Jones 603 Carriage Drive Milliken, CO 80543	Vanessa Cook 310 Basswood Avenue Johnstown, CO 80534	Tina M. Rolf 325 Alder Avenue Johnstown, CO 80534
Foster-Watson 2012 Family LP 1100 West Wall Midland, TX 79701	Brooke A. Thomas and Mark J. Brown 14 Sacony Rd. Johnstown, CO 80535	Jeremy Lee Vilhauer 345 Basswood Avenue Johnstown, CO 80534
Clearview Land, LLC 7251 West 20th Street, Bldg D-1 Greeley, CO 80634	Oscar Chavez and Clara I. Chavez 340 Basswood Avenue Johnstown, CO 80534	Nicholas E. Scaggs and Katie L. Scaggs 339 Basswood Avenue Johnstown, CO 80534
Sam On Ho and Jingyan Chen 254 Basswood Avenue Johnstown, CO 80534	US Bank National Association, as Trustee, on behalf of the holders of The Credit Suisse First Boston Mortgage Securities Corp., Home Equity Pass Through Certificates, Series 2007-1 c/o Select Portfolio Servicing, Inc. Attn: Debra Reilly, Doc. Control Officer 3815 S. West Temple Salt Lake City, UT 84115	Daniel A. Lucero and Amy R. Lucero 321 Basswood Avenue Johnstown, CO 80534
Lynn Homes & Development, LLC, a Colorado Limited Liability Company 1635 Foxtrail Drive #129 Loveland, CO 80538	Andrew G. Patterson 329 Buckeye Avenue Johnstown, CO 80534-9136	Robert Webb 315 Basswood Avenue Johnstown, CO 80534
Regina L. Pavick 308 Hawthorne Ave. Johnstown, CO 80534	Miguel Sandoval 323 Buckeye Avenue Johnstown, CO 80534	NLB Investments, LLC 26400 Henderson Park Road Oak Creek, Colorado 80467
H. David Oden and Patricia J. Oden 314 Hawthorne Ave Johnstown, CO 80534	Brandy Farrell and James Farrell 350 Hawthorne Avenue Johnstown, CO 80534	RK Holdings 2726 Holly Street Fort Collins, Colorado 80634
Patricia M. Wildner and Adam E. Gray and Joanne L. Gray 3010 Woodbine Lane Johnstown, CO 80534	Jason P. Driscoll 347 Buckeye Avenue Johnstown, CO 80534	Vernon J. Vail 6336 Xavier Street Arvada, Colorado 80003

Craig J. Davis
3028 Woodbine Lane
Johnstown, CO 80534

Thomas J. Page and Margaret E.
Page
408 Hawthorne Avenue
Johnstown, CO 80534

Executive Homes, Inc.
c/o Brian D. Boos
26400 Henderson Park Road
Oak Creek, CO 80467

Michael J. DeRock and Christine C.
DeRock
3034 Woodbine Lane
Johnstown, CO 80534

Benjamin L. Shreiner and Christy-
Lina N. Shreiner
414 Hawthorne Avenue
Johnstown, CO 80534

Charles Martin and Karen Martin
425 Hickory Ln.
Johnstown, CO 80534-9175

Brandon L. Mein
3051 Sage Creek Road #A1
Fort Collins, CO 80528

Brian Morris and Jeanette Morris
420 Hawthorne Avenue
Johnstown, CO 80534

Paterson Family, LLC
375 Ute Peak, Dr.
Livermore, CO 80536

Dustin Killian and Valerie A.
Garcia
407 Hawthorne Avenue
Johnstown, CO 80534

The George and Nula Anest Family
Living Trust
11408 Road 79
Bayard Nebraska 69334

Niribel Krystal Salido
886 W. 96th Avenue
Thorntown, CO 80260

Creekside Investments I, LLC
2725 Rocky Mountain Avenue
#200
Loveland, CO 80538

James C. Hatfield
345 Hickory lane
Johnstown, CO 80534

Chip-N-Dale, LLC
4700 Chippendale Dr.
Fort Collins, CO 80526

Ben D. Simpson and Jamie D.
Simpson
320 Alder Avenue
Johnstown, CO 80534

Amy Carlson and Justin Carlson
326 Alder Avenue
Johnstown, CO 80534

Exhibit B

Application Map

Application
Lands



Township 4 North, Range 68 West, 6th P.M.

