

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

IN THE MATTER OF THE APPLICATION OF  
GREAT WESTERN OPERATING COMPANY,  
LLC FOR AN ORDER TO POOL ALL  
INTERESTS IN THREE APPROXIMATE 560-  
ACRE DESIGNATED HORIZONTAL  
WELLBORE SPACING UNITS FOR PORTIONS  
OF SECTIONS 25 AND 26, TOWNSHIP 6  
NORTH, RANGE 67 WEST, 6<sup>TH</sup> P.M., FOR THE  
CODELL AND NIOBRARA FORMATIONS,  
WATTENBERG FIELD, WELD COUNTY,  
COLORADO

CAUSE NO. 407

DOCKET NO.

TYPE: POOLING

**APPLICATION**

COMES NOW Great Western Operating Company, LLC (Operator No. 10110) ("Great Western" 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 three (3) approximate 560-acre wellbore spacing units, for the drilling of the Kodak North FD 25-079HN Well (API No. 05-123-39342) in WSU #1, as defined below, the Kodak North FD 25-119HC Well (API No. 05-123-39387) in WSU #2, as defined below, and the Kodak North FD 25-122HN Well (API No. 05-123-39346) in WSU #3 (collectively the "Wells"), as defined below, for the development of the Codell and Niobrara Formations on the following described lands:

Township 6 North, Range 67 West, 6<sup>th</sup> P.M.

Section 25: N $\frac{1}{2}$

Section 26: NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$

560-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 Formation underlying certain lands, including the Application Lands, with the permitted well locations in accordance with the provisions of Order No. 407-1.

5. On July 28, 2014, the Commission entered Order No. 407-1090, which among other things, approves the request for an order to pool all interests in an approximate 480-acre wellbore spacing unit established for portions of the Application Lands, for the development and operation of the Niobrara Formation. Order No. 407-1090 does not affect this Application.

6. On July 20, 2015, the Commission entered Order No. 407-1401, which among other things, approves the request for an order to pool all interests in two (2) approximate 560-acre wellbore spacing units, including portions of the Application Lands, for the development of the Codell and Niobrara Formations. Order No. 407-1401 does not affect this Application.

7. Applicant designated the three (3) 560-acre wellbore spacing units for the production of oil, gas, and associated hydrocarbons from the Codell and Niobrara Formations pursuant to Rule 318A and notified the appropriate parties under Rule 318A.

8. 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 Niobrara Formation underlying the following approximate 560-acre wellbore spacing unit, for the drilling of the Kodak North FD 25-079HN Well (API No. 05-123-39342):

Township 6 North, Range 67 West, 6<sup>th</sup> P.M.

Section 25: N $\frac{1}{2}$

Section 26: NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$

(throughout as "WSU #1").

9. 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 Niobrara Formation in the WSU #1, on the Application Lands.

10. 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 560-acre wellbore spacing unit, for the drilling of the Kodak North FD 25-119HC Well (API No. 05-123-39387):

Township 6 North, Range 67 West, 6<sup>th</sup> P.M.

Section 25: N $\frac{1}{2}$

Section 26: NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$

(throughout as "WSU #2").

11. 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 in the WSU #2, on the Application Lands.

12. 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 Niobrara Formation underlying the following approximate 560-acre wellbore spacing unit, for the drilling of the Kodak North FD 25-122HN Well (API No. 05-123-39346):

Township 6 North, Range 67 West, 6<sup>th</sup> P.M.

Section 25: N $\frac{1}{2}$

Section 26: NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$

(throughout as "WSU #3").

13. 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 Niobrara Formation in the WSU #3, on the Application Lands.

14. 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 Wells, and will be provided with the information required by Rule 530 as applicable.

15. That in order to prevent waste and to protect correlative rights, all interests in the wellbore spacing units should be pooled for the orderly development of the Codell and Niobrara Formations, 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 three (3) wellbore spacing units for the development of the Codell and Niobrara Formations.

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 Wells in WSU #1, WSU #2, or WSU #3 to the Codell or Niobrara 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 Wells 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 Wells drilled to develop the Codell or Niobrara Formation in the wellbore spacing units 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 January 2016, 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: November 25, 2015.

Respectfully submitted:

**GREAT WESTERN OPERATING COMPANY, LLC**

By:



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:

Great Western Operating Company, LLC  
ATTN: Hal Writer  
1801 Broadway, Suite 500  
Denver, CO 80202

VERIFICATION

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

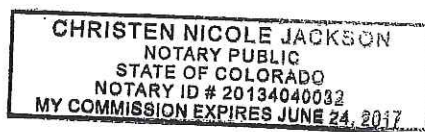
Steve Stacy, of lawful age, being first duly sworn upon oath, deposes and says that he is the Senior Vice President Land for Great Western Operating Company, LLC, and that he has read the foregoing Application and that the matters therein contained are true to the best of his knowledge, information and belief.

  
\_\_\_\_\_  
Steve Stacy  
Senior Vice President Land  
Great Western Operating Company, LLC

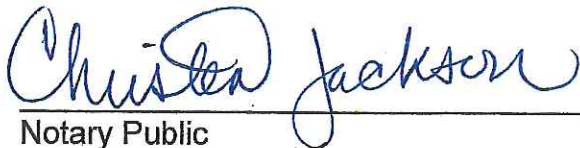
Subscribed and sworn to before me this 24<sup>th</sup> day of November 2015.

Witness my hand and official seal.

[SEAL]



My commission expires: 6-24-2017

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

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COLORADO

CAUSE NO.  
DOCKET NO.  
TYPE: POOLING

AFFIDAVIT OF MAILING

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

I, Zachary P. Sears of lawful age, and being first duly sworn upon my oath, state and declare that I am the attorney for Great Western Operating Company, LLC, and that on or before the 18<sup>th</sup> day of December 2015, I 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 to the Application.

Zachary P. Sears  
Zachary P. Sears

Subscribed and sworn to before me this 25<sup>th</sup> day of November 2015.

Witness my hand and official seal.

[SEAL]

RACHEL FLEMING  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20144025048  
MY COMMISSION EXPIRES JUNE 24, 2018

My commission expires: June 24, 2018

Rachel Fleming  
Notary Public

**Exhibit A**  
**FP – Kodak North FD 25-079HN, 25-119HC, 25-122HN**

Synergy Resources, Corporation  
1127 Sherman St.  
Denver, CO 80203

Bennett, Edward J.  
1121 Walnut St.  
Windsor, CO 80550

Bratz, Gail J.  
210 W. Magnolia, Suite 320  
Fort Collins, CO 80521

BNSF Railway Company  
2500 Lou Menk Dr., AOB-3  
Fort Worth, TX 76131

Heirs/Devises of Loren N. Vineyard  
5817 Lawndale, Unit 7  
El Paso, TX 79912

Bogel, Jack D. and Janice L., JT  
32851 Highway 34  
Ray, CO 80758

Grizzly Petroleum Company, LLC  
1801 Broadway, Suite 500  
Denver, CO 80202

Brunner, Darrell J.  
12234 County Road 66  
Greeley, CO 80631

Mary Elizabeth Hager, as Trustee  
of the Mary Elizabeth Hager  
Revocable Trust  
3767 Tayside Ct.  
Timnath, CO 80546

Cazer, Thomas J.  
6203 W. 75th Ave.  
Arvada, CO 80003

Timothy S. Hager, as Trustee of the  
Timothy S Hager Revocable Trust  
155 E. Boardwalk Dr., Suite 400  
Fort Collins, CO 80525

Cazier, James Richard  
28800 P 25 Road  
Hotchkis, CO 81419

Cazier, Lorraine C.  
291 Palomino Way  
Crestone, CO 81131

Ames, Barbara A.  
5567 E. Carey Ave.  
Las Vegas, NV 89156

Cozart, Carol I.  
10210 W. Center Ave.  
Lakewood, CO 80226

Baker, Carroll L. and  
Dianna M. Peterson, TIC  
16041 W. 74th Ave.  
Arvada, CO 80007

Detterer, W. Lee  
11731 County Road 66  
Greeley, CO 80631

Barth, Debbie A.  
1113 Avenue K  
Boulder City, NV 89005

Durr, Virginia Mae  
1321 E. 95th Ave.  
Thornton, CO 80229

Beattie, Mary A.  
13930 W. 73rd Ave.  
Arvada, CO 80005

Dowling, Eileen J.  
80005 E. Jefferson Way  
Denver, CO 80237



Dynasty Royalty Company, LLC  
1700 Broadway, Suite 650  
Denver, CO 80290

Eubank, Verna Jane  
204 52nd Ave.  
Greeley, CO 80634

Francis, Thomas G. and  
Linda Eklund Francis aka  
Linda J. Francis, TIC  
7140 State Hwy. 392  
Windsor, CO 80550

Gaslin, Gloria J.  
7 Cottonwood Ct.  
Windsor, CO 80550

Gieskieng, Eric W.  
1169 Yosemite  
Denver, CO 80220

Gieskieng, Krystina F.  
5638 Alder Way  
Littleton, CO 80128

GST Royalty Company  
252 Clayton St., 4th Fl.  
Denver, CO 80206

Harold Long & Son, Inc.  
40471 Weld County Rd.  
Ault, CO 80610

HCW Investments LLC  
7785 Highland Meadows Pkwy,  
Unit 100  
Windsor, CO 80528

Heirs and/or Devisees of  
Eugene O. Eubank  
204 52nd Ave.  
Greeley, CO 80634

Hettinger, Darrel Timothy and  
Kathleen Susan, TIC  
19515 County Road 86  
Ault, CO 80610

Hettinger, Robert LeRoy  
1480 Waterwood Dr.  
Windsor, CO 80550

Horst, Dolores A.  
13962 Legend Way, #101  
Broomfield, CO 80020

Jenney, Judith P.  
5101 E. Camino Alisa  
Tucson, AZ 85718

Kirby Minerals  
c/o MAP Royalty, Inc.  
101 N. Robinson, Suite 1000  
Oklahoma City, OK 73102

Lot Holding Investments, LLC  
301 Centennial Drive  
Milliken, CO 80543

Lowe, Louise M.  
8513 Gutierrez NE  
Albuquerque, NM 87111

Mary Elizabeth Hager, as Trustee  
of the Mary Elizabeth Hager  
Revocable Trust  
3767 Tayside Ct.  
Timnath, CO 80546

Moore, Scott A. and Marinda M., JT  
11236 Hillcrest Dr.  
Greeley, CO 80631

Owens-Brockway Glass  
Container Inc.  
1 Michael Owens Way  
Perrysburg, OH 43551

Peterson, Eric D.  
5817 Lawndale, Unit #7  
El Paso, TX 79912

Powers-Thomas, Penne Lynn  
1513 Hillside Dr.  
Fort Collins, CO 80524

Schott, Barbara G., James Gary  
Schott, Kenneth Lee Schott and  
Kathryn L. Beyer, JT

Timothy S. Hager, as Trustee of the  
Timothy S Hager Revocable Trust  
155 E. Boardwalk Dr., Suite 400  
Fort Collins, CO 80525

Town of Windsor, Colorado  
301 Walnut St.  
Windsor, CO 80505