

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

IN THE MATTER OF THE PROMULGATION AND) CAUSE NO. 407
ESTABLISHMENT OF FIELD RULES TO GOVERN)
OPERATIONS FOR THE CODELL AND NIOBRARA) DOCKET NO. 160300106
FORMATIONS, WATTENBERG FIELD, WELD)
COUNTY, COLORADO) TYPE: POOLING

AMENDED NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 6 North, Range 62 West, 6th P.M.
Section 23: All

Drilling and Spacing Unit ("DSU") No.1
Pappenheim 6-62-23-0164BH (API No. 05-123-37266) - Niobrara

DSU No. 2
Pappenheim 6-62-23-0164CDH (API No. 05-123-37826) - Codell

APPLICATION

On January 6, 2016, the Estate of Sophia Rose Prince Spengler ("Applicant") filed a verified application pursuant to Rule 503(b)(10) of the Commission Rules and Regulations, as amended by verified amended application filed January 28, 2016, for an order to:

1) Determine that Applicant is not subject to the cost recovery provisions of §34-60-116(7), C.R.S. for the Pappenheim 6-62-23-0263BH Well (API No. 05-123-37268), Pappenheim 6-62-23-0362BH Well (API No. 05-123-37269), Pappenheim 6-62-23-0461BH Well (API No. 05-123-37263), Pappenheim 6-62-23-0560BH Well (API No. 05-123-37264), Pappenheim 6-62-23-0659CH Well (API No. 05-123-37265), Dutch Lake 6-62-23-0758BH Well (API No. 05-123-37824), and Dutch Lake 6-62-23-0857BH Well (API No. 05-123-37825) (the "Subsequent Wells");

2) Compelling Bill Barrett Corporation (Operator No. 10071) to comply with Order Nos. 407-805 and 535-359, §34-60-116, C.R.S., and Rule 530 with respect to the Subsequent Wells; and

3) Awarding Applicant attorney fees and statutory interest.

APPLICABLE RULES AND ORDERS

(available online at: <http://cogcc.state.co.us>, under "ORDERS" and "RULES")

- On February 22, 2011 (corrected April 4, 2013), the Commission entered Order Nos. 407-779 and 535-4 which, among other things, established 74 approximate 640-acre

drilling and spacing units, and approved one horizontal well within each unit, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation. Section 23, Township 6 North, Range 62 West, 6th P.M. is subject to this Order for the Niobrara Formation.

- On March 25, 2013, the Commission entered Order Nos. 407-766 and 535-297 which, among other things, approved up to eight horizontal wells within an approximate 640-acre drilling and spacing unit established for Section 23, Township 6 North, Range 62 West, 6th P.M., for the production of oil, gas and associated hydrocarbons from the Niobrara Formation.
- On July 8, 2013, the Commission entered Order Nos. 407-805 and 535-359 which pooled all interests in two approximate 640-acre drilling and spacing units established for the Application Lands for the production of oil, gas, and associated hydrocarbons from the Codell and Niobrara Formations and subjected all nonconsenting owners to the cost recovery provisions of §34-60-116(7), C.R.S., for the Pappenheim 6-62-23-0164BH Well and the Pappenheim 6-62-23-0164CDH Well.
- On July 29, 2013, the Commission entered Order Nos. 407-813 and 535-396 which, among other things, approved up to four horizontal wells within an approximate 640-acre drilling and spacing unit established for Section 23, Township 6 North, Range 62 West, 6th P.M., for the production of oil, gas and associated hydrocarbons from the Codell Formation.
- Rule 530 establishes the process for determining when an owner will be deemed a nonconsenting owner for purposes of involuntary pooling proceedings.

NOTICE IS HEREBY GIVEN, pursuant to §§ 34-60-101 to -130, C.R.S. and the Commission's Rules of Practice and Procedure, 2 CCR 404-1, that the Commission has scheduled this matter for hearing on:

Dates: June 6-7, 2016

Time: 9:00 a.m.

**Place: Colorado Oil and Gas Conservation Commission
The Chancery Building
1120 Lincoln Street, Suite 801
Denver, CO 80203**

Additional information about the hearing on this Application will be in the Commission's Agenda, which is posted on the Commission website approximately 3 days before the hearing.

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.

At hearing, the Commission will consider the Application and enter an order pursuant to its authority. **Any interested party desiring to protest or intervene should file with the COGCC a written protest or intervention in accordance with Rule 509, no later than May**

23, 2016. Such interested party shall, at the same time, serve a copy of the protest or intervention to the person filing the Application. One electronic (sent to cogcc.hearing_unit@state.co.us), one original and two copies shall be filed with the Commission. **Anyone who files a protest or intervention must be able to participate in a prehearing conference on May 25, 2016 at 1:30 p.m.** Pursuant to Rule 511, if the matter is uncontested, it may be approved without hearing based on review of the merits of the verified application and supporting exhibits.

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By  _____
Julie Murphy, Secretary

Dated: May 2, 2016

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 Applicant
Lance Astrella, Esq.
Steven Louis-Prescott, Esq.
Astrella Law, P.C.
1801 Broadway, Ste. 1600
Denver, Colorado 80202
(303) 292-9021
lance@astrellalaw.com
steven@astrellalaw.com