

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

IN THE MATTER OF PROMULGATION AND) CAUSE NO. 407
ESTABLISHMENT OF FIELD RULES TO)
GOVERN OPERATIONS FOR THE CODELL-) DOCKET NO. 160700263
NIOBRARA FORMATION, WATTENBERG)
FIELD, WELD COUNTY, COLORADO) TYPE: Pooling

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 4 North, Range 68 West, 6th P.M.
Section 32: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$

On May 19, 2016, Cub Creek Energy, LLC (Operator #10542) ("Cub Creek" or "Applicant"), filed a verified amended application pursuant to §34-60-116, C.R.S., for an order to:

- 1) Pool all interests in the approximate 320-acre horizontal wellbore spacing unit to be established by Rule 318A.e.(5) 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.
- 2) Provide 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 two horizontal wells (namely, the Markham 11 and Markham 12 wells), for production from the Codell-Niobrara Formation, having been pooled by operation of statute, pursuant to §34-60-116(7), C.R.S., are made subject to cost recovery and risk penalties provided therein.

PRIOR RULES AND ORDERS

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

- 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. The Application Lands are subject to Rule 318A for the Codell and Niobrara Formations.
- On or about April 7, 2016, acting pursuant to notice requirements found in Rule 318A.e.(5), Cub Creek proposed the Markham 11 horizontal well for the proposed 320-acre horizontal wellbore spacing unit to be established by Rule 318A.a.(4)D. for

the Application Lands, for the production of oil, gas and associated hydrocarbons from the Codell Formation, to all owners within the proposed unit.

- On or about April 7, 2016, acting pursuant to notice requirements found in Rule 318A.e.(5), Cub Creek proposed the Markham 12 horizontal well for the proposed 320-acre horizontal wellbore spacing unit to be established by Rule 318A.a.(4)D. for the Application Lands, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation, to all owners within the proposed unit.

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:

Date: July 18-20, 2016

Time: 9:00 a.m.

Place for July 18: Colorado Mountain College
1402 Blake Avenue
Senior Center Room
Glenwood Springs, CO 81601

Place for July 19-20: Glenwood Springs Community Center
100 Wulfsohn Road
Sopris Rooms A & B
Glenwood Springs, CO 81601

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 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 accommodations will be made.

At hearing, the Commission will consider the Application and enter an order pursuant to authority under statutes. **Any interested party desired to protest or intervention should file with the Commission a written protest or intervention in accordance with Rule 509. no later than July 1, 2016.** Such interested party shall, at the same time, serve a copy of the protest of intervention to the person filing the application. One electronic (coqcc.hearings_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 during the week of July 4, 2016.** Pursuant to Rule 511., if the matter is contested, it may be approved without a hearing.

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By: 
Julie Murphy, Secretary

Dated: June 6, 2016

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