

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 NIOBRARA) DOCKET NO. 160700283
AND CODELL FORMATIONS, WATTENBERG)
FIELD, WELD COUNTY, COLORADO) TYPE: POOLING

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Wellbore Spacing Unit (WSU) #1

Mojack N-28HC Well (Codell Formation)

Township 7 North, Range 64 West, 6th P.M.

Section 28: E $\frac{1}{2}$ E $\frac{1}{2}$

Section 33: E $\frac{1}{2}$ E $\frac{1}{2}$

WSU #2

Mojack P-28HN Well (Niobrara Formation)

Township 7 North, Range 64 West, 6th P.M.

Section 27: W $\frac{1}{2}$ W $\frac{1}{2}$

Section 28: E $\frac{1}{2}$ E $\frac{1}{2}$

Section 33: E $\frac{1}{2}$ E $\frac{1}{2}$

Section 34: W $\frac{1}{2}$ W $\frac{1}{2}$

APPLICATION

On May 19, 2016, Bayswater Exploration & Production, LLC (Operator No. 10261) ("Bayswater" or "Applicant") filed a verified application pursuant to §34-60-116, C.R.S., for an order to:

1) Vacate Order No. 407-1656, in part and only as it relates to the Mojack N-28HN Well, which among other things, pooled all interests in an approximate 320-acre wellbore spacing unit for portions of Sections 28 and 33, Township 7 North, Range 64 West, 6th P.M., for the development and operation of the Niobrara Formation and subjected all nonconsenting interests to the cost recovery provisions of Section 34-60-116(7), C.R.S., for the drilling of the Mojack N-28HN Well;

2) Vacate Order No. 407-1657, which pooled all interests in an approximate 640-acre wellbore spacing unit for portions of Sections 27, 28, 33, and 34, Township 7 North, Range 64 West, 6th P.M., for the development and operation of the Codell Formation and subjected all

nonconsenting interests to the cost recovery provisions of Section 34-60-116(7), C.R.S., for the drilling of the Mojack P-28HC Well;

3) Pool all interests in one approximate 320-acre wellbore spacing unit ("WSU No. 1") and in one approximate 640-acre wellbore spacing unit ("WSU No. 2") established for the Application Lands, for the development and operation of the Niobrara and Codell Formations; and

4) Subject any nonconsenting interests 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 that any of the costs specified in §34-60-116(7)(b), C.R.S., were first incurred for the drilling of the Mojack N-28HC Well (API No. 05-123-39842), for the development and operation of the Codell Formation and the Mojack P-28HN Well (API No. 05-123-39829) for the development and operation of the Niobrara Formation.

APPLICABLE RULES AND ORDERS

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

- On April 27, 1998, the Commission adopted Rule 318A, the Greater Wattenberg Area Special Well Location, Spacing and Unit Designation Rule.
- On March 7, 2016, the Commission entered Order No. 407-1656, which, *inter alia*, pooled all interests in one approximate 320-acre WSU covering the Application Lands, for the Niobrara Formation and subjected all nonconsenting interests to the cost recovery provisions of Section 34-60-117(7), C.R.S. for the Mojack N-28HN well.
- On March 7, 2016, the Commission entered Order No. 407-1657, which, pooled all interests in one approximate 640-acre WSU covering the Application Lands along with the W½W½ of Sections 27 and 34, Township 7 North, Range 64 West, 6th P.M., for the Codell Formation and subjected all nonconsenting interests to the cost recovery provisions of Section 34-60-117(7), C.R.S. for the Mojack P-28HC well.
- On March 18, 2016, the Commission approved a Sundry notice changing the name of the Mojack P-28HC well to the Mojack P-28HN well and changing the objective formation from the Codell Formation to the Niobrara Formation.
- On March 18, 2016, the Commission approved a Sundry notice changing the name of the Mojack N-28HN well to the Mojack N-28HC well and changing the objective formation from the Niobrara Formation to the Codell Formation.

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: 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 Wolfson 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 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 under the statute. **Any interested party desiring to protest or intervene 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 or intervention to the person filing the application. One electronic (cogcc.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 1, 2016.** Pursuant to Rule 511., if the matter is uncontested, it may be approved without a hearing.

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By  _____
for Julie Murphy, Secretary

Dated: June 8, 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:
Joseph C. Pierzchala
Chelsey J. Russell
Welborn Sullivan Meck & Tooley, P.C.
1125 17th Street, Suite 2200
Denver, CO 80202
(303) 830-2500
jpierzchala@wsmtlaw.com
crussell@wsmtlaw.com