

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 AND CODELL ) DOCKET NO. 170100043  
FORMATIONS, WATTENBERG FIELD, WELD )  
COUNTY, COLORADO ) TYPE: POOLING

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 2 North, Range 67 West, 6<sup>th</sup> P.M.

Section 4: E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 3 North, Range 67 West, 6<sup>th</sup> P.M.

Section 33: E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$

**Wellbore Spacing Unit ("WSU") Nos. 1 thru 2– 480-acres**

*Whiston 25N-33HZ well (Niobrara Formation)*

*Whiston 23C-33HZwell (Codell Formation)*

Township 2 North, Range 67 West, 6<sup>th</sup> P.M.

Section 4: W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 3 North, Range 67 West, 6<sup>th</sup> P.M.

Section 33: W $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$

**WSU No. 3– 240-acres**

*Whiston 10N-33HZwell (Niobrara Formation)*

Township 2 North, Range 67 West, 6<sup>th</sup> P.M.

Section 4: NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$

Township 3 North, Range 67 West, 6<sup>th</sup> P.M.

Section 33: SE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$

**WSU Nos. 4 thru 7– 480-acres**

*Whiston 15N-33HZ well (Niobrara Formation)*

*Whiston 20N-33HZwell (Niobrara Formation)*

*Whiston 24C-33HZ well (Codell Formation)*

*Whiston 9N-33HZwell (Niobrara Formation)*

Township 2 North, Range 67 West, 6<sup>th</sup> P.M.

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

Township 3 North, Range 67 West, 6<sup>th</sup> P.M.  
Section 33: E $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$

**WSU No. 8– 240-acres**  
*Whiston 16N-33HZwell (Niobrara Formation)*

Township 2 North, Range 67 West, 6<sup>th</sup> P.M.  
Section 3: W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 4: E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$

Township 3 North, Range 67 West, 6<sup>th</sup> P.M.  
Section 33: E $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$   
Section 34: W $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$

**WSU Nos. 9 thru 10– 480-acres**  
*Whiston 39C-33HZ well (Codell Formation)*  
*Whiston 40N-33HZwell (Niobrara Formation)*

#### APPLICATION

On December 1, 2016, Kerr-McGee Oil & Gas Onshore LP (Operator No. 47120) ("Kerr-McGee" or "Applicant") filed a verified application pursuant to § 34-60-116 C.R.S. for an order to:

- 1) Pool all interests in two approximate 240-acre horizontal wellbore spacing unit and eight approximate 480-acre horizontal wellbore spacing units established for the Application Lands, for the development and operation of the Niobrara and Codell Formations; and
- 2) 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 drilling of the Whiston 25N-33HZ well (API No. Pending), the Whiston 23C-33HZwell (API No. Pending), the Whiston 10N-33HZwell (API No. Pending), the Whiston 15N-33HZ well (API No. Pending), the Whiston 20N-33HZwell (API No. Pending), the Whiston 24C-33HZ well (API No. Pending), the Whiston 9N-33HZwell (API No. Pending), the Whiston 16N-33HZwell (API No. Pending), the Whiston 39C-33HZ well (API No. Pending), and the Whiston 40N-33HZwell (API No. Pending).

#### APPLICABLE RULES AND ORDERS

(available online at: <http://cogcc.state.co.us>, under "Regulation," then select "Orders" or "Rules")

- On April 27, 1998, the Commission adopted Rule 318A, the Greater Wattenberg Area Special Well Location, Spacing and Unit Designation Rule.
- On February 19, 1992 (amended August 20, 1993), the Commission entered Order No. 407-87 which established 80-acre drilling and spacing units for the production of oil, gas and associated hydrocarbons from the Niobrara Formation, with the permitted well locations in accordance with the provisions of Order No. 407-1.

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: January 30-31, 2017  
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 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 January 13, 2017.** 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 January 16, 2017.** 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: December 20, 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:  
Greg Nibert, Jr.  
Eric Waeckerlin  
Davis Graham & Stubbs LLP  
1550 Seventeenth Street, Suite 500  
Denver, Colorado 80202  
(303) 892-9400  
[greg.nibert@dgsllaw.com](mailto:greg.nibert@dgsllaw.com)  
[eric.waeckerlin@dgsllaw.com](mailto:eric.waeckerlin@dgsllaw.com)