

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

IN THE MATTER OF THE PROMULGATION AND)
ESTABLISHMENT OF FIELD RULES TO GOVERN) CAUSE NO. 407
OPERATIONS FOR THE CODELL-NIOBRARA)
FORMATION, WATTENBERG FIELD, WELD) DOCKET NO. 170100051
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 12: N½

On November 30, 2016, Cub Creek Energy, LLC (Operator No. 10542) ("Cub Creek" or "Applicant") filed a verified application pursuant to §34-60-116, C.R.S., for an order to:

- 1) Confirm the pooling of all interests in the approximate 320-acre drilling and spacing unit to be established for the Application Lands, for development and operation of the Codell-Niobrara Formation, with the pooling order effective as of August 27, 2015.
- 2) Provide that the interests of certain owners, with whom the Applicant has been unable to secure a lease or other agreement to participate in the drilling of any authorized horizontal well for the Codell-Niobrara Formation, having been pooled by operation of statute pursuant to §34-60-116(6) & (7), C.R.S., are made subject to cost recovery and risk penalties provided therein.

APPLICABLE ORDERS AND RULES

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

- On September 14, 2015, the Commission issued Order No. 407-1416 which, among other things, established an approximate 320-acre drilling and spacing unit for the Application Lands, and authorized the drilling of nine horizontal wells within the proposed unit, for the production of oil, gas and associated hydrocarbons from the Codell-Niobrara Formation.
- On October 26, 2015, the Commission issued Order No. 407-1458 which, among other things, pooled all interests in the approximate 320-acre drilling and spacing unit established for the Application Lands, for the development and operation of the Codell-Niobrara Formation, effective August 27, 2015. Further, the Order authorized recovery of costs and risk penalties as provided for by §34-60-116(6) & (7), C.R.S., associated with the drilling of nine authorized horizontal wells (namely, the Vail 01NC well thru 09NC well, inclusive (the "Vail Wells")), from the interests of a certain

owner, with whom the Applicant has been was unable to secure agreement to participate in the drilling of certain horizontal wells authorized by Order No. 407-1416.

- On January 26, 2016, the Commission issued Order No. 407-1613 which, among other things, confirmed the pooling of all interests in the approximate 320-acre drilling and spacing unit established for the Application Lands, for the development and operation of the Codell-Niobrara Formation, effective August 27, 2015, and authorized recovery of costs and risk penalties as provided for by §34-60-116(6) & (7), C.R.S., associated with the drilling of the Vail Wells, from the interests of certain nonconsenting owners, with whom the Applicant has been was unable to secure agreement to participate in the drilling of those wells or lease the interests under reasonable terms.

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: 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 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 January 13, 2017.** Such interested party shall, at the same time, serve a copy of the protest of 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 contested, it may be approved without a hearing.

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By: Peter A. Gowen
for Julie Murphy, Secretary

Dated: December 20, 2016

Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, CO 80203
Website: <http://cogcc.state.co.us>
Phone: (303) 894-2100
Fax: (303) 894-2109

Attorneys for Applicant:
Robert A. Willis
The Shanor Group LLC
600 Seventeenth Street, Suite 2800
Denver, CO 80202
Phone: (303) 995-5120
rwillis@shanorcollins.com