

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

IN THE MATTER OF THE PROMULGATION AND ) CAUSE NO. 421  
ESTABLISHMENT OF FIELD RULES TO GOVERN )  
OPERATIONS FOR THE NIOBRARA FORMATION, ) DOCKET NO. 170100073  
HEREFORD FIELD, WELD COUNTY, COLORADO )  
) TYPE: SPACING

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 12 North, Range 63 West, 6<sup>th</sup> P.M.  
Section 33: All

Township 11 North, Range 63 West, 6<sup>th</sup> P.M.  
Section 4: All

**("DSU #1")**

Township 12 North, Range 63 West, 6<sup>th</sup> P.M.  
Section 34: All

Township 11 North, Range 63 West, 6<sup>th</sup> P.M.  
Section 3: All

**("DSU #2")**

Township 12 North, Range 63 West, 6<sup>th</sup> P.M.  
Section 35: All

Township 11 North, Range 63 West, 6<sup>th</sup> P.M.  
Section 2: All

**("DSU #3")**

Township 12 North, Range 63 West, 6<sup>th</sup> P.M.  
Section 36: All

Township 11 North, Range 63 West, 6<sup>th</sup> P.M.  
Section 1: All

**("DSU #4")**

## APPLICATION

On December 1, 2016, Fifth Creek Energy Operating Company, LLC ("Fifth Creek" or "Applicant") filed a verified application pursuant to §34-60-116, C.R.S., for an order to:

1) Establish an approximate 1,280-acre drilling and spacing unit for Section 33, Township 12 North, Range 63 West, 6<sup>th</sup> P.M. and Section 4, Township 11 North, Range 63 West, 6<sup>th</sup> P.M. ("Application Lands in DSU #1) and approve up to eight new horizontal wells within the unit, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation;

2) Require that the productive interval of the wellbore be located no closer than 300 feet from the boundaries of the unit and no closer than 150 feet from the productive interval of another well producing from the same source of supply within the unit, unless an exception is granted by the Director;

3) Maintain two approximate 640-acre drilling and spacing units established by Order No. 421-1 for Section 33, Township 12 North, Range 63 West, 6<sup>th</sup> P.M. and Section 4, Township 11 North, Range 63 West, 6<sup>th</sup> P.M., for the production of oil, gas and associated hydrocarbons from the Niobrara Formation only until the date of first completion of the new horizontal well into the unit at which time production from the existing Fox Creek 6-33H Well (API No. 05-123-31558) and the Critter Creek 3-04H Well (API No. 05-123-31973) shall be allocated to the proposed DSU #1;

4) Establish an approximate 1280-acre drilling and spacing unit for Section 34, Township 12 North, Range 63 West, 6<sup>th</sup> P.M. and for Section 3, Township 11 North, Range 63 West, 6<sup>th</sup> P.M. ("Application Lands in DSU #2) and approve up to eight new horizontal wells within the unit, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation;

5) Require that the productive interval of the wellbore be located no closer than 300 feet from the boundaries of the unit and no closer than 150 feet from the productive interval of another well producing from the same source of supply within the unit, unless an exception is granted by the Director;

6) Maintain the two approximate 640-acre drilling and spacing units established by Order No. 421-1 for Section 34, Township 12 North, Range 63 West, 6<sup>th</sup> P.M. and for Section 3, Township 11 North, Range 63 West, 6<sup>th</sup> P.M., for the production of oil, gas and associated hydrocarbons from the Niobrara Formation only until the date of first completion of the new horizontal well into the unit at which time production from the Elsie 7-34H Well (API No. 05-123-30631) and the Critter Creek 2-03H Well (API No. 05-123-31047) shall be allocated to the proposed DSU #2.

7) Establish an approximate 1280-acre drilling and spacing unit for Section 35, Township 12 North, Range 63 West, 6<sup>th</sup> P.M. and Section 2, Township 11 North, Range 63 West, 6<sup>th</sup> P.M. ("Application Lands in DSU #3) and approve up to eight new horizontal wells within the unit, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation;

8) Require that the productive interval of the wellbore be located no closer than 300 feet from the boundaries of the unit and no closer than 150 feet from the productive interval of another well producing from the same source of supply within the unit, unless an exception is granted by the Director;

9) Maintain the two approximate 640-acre drilling and spacing units established by Order No. 421-1 for Section 35, Township 12 North, Range 63 West, 6<sup>th</sup> P.M. and Section 2, Township 11 North, Range 63 West, 6<sup>th</sup> P.M., for the production of oil, gas and associated hydrocarbons from the Niobrara Formation only until the date of first completion of the new horizontal well into the unit at which time production from the Fox Creek 1-35H Well (API No. 05-123-31385), and the Critter Creek 29-02H Well (API No. 05-123-33687) shall be allocated to the proposed DSU #3;

10) Establish an approximate 1280-acre drilling and spacing unit for Section 36, Township 12 North, Range 63 West, 6<sup>th</sup> P.M. and Section 1, Township 11 North, Range 63 West, 6<sup>th</sup> P.M. ("Application Lands in DSU #4) and approve up to eight new horizontal wells within the unit, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation;

11) Require that the productive interval of the wellbore be located no closer than 300 feet from the boundaries of the unit and no closer than 150 feet from the productive interval of another well producing from the same source of supply within the unit, unless an exception is granted by the Director;

12) Maintain the approximate 640-acre drilling and spacing unit established by Order No. 421-1 for Section 36, Township 12 North, Range 63 West, 6<sup>th</sup> P.M. and an approximate 640-acre drilling and spacing unit established by Order No. 421-8 for Section 1, Township 11 North, Range 63 West, 6<sup>th</sup> P.M., for the production of oil, gas and associated hydrocarbons from the Niobrara Formation only until the date of first completion of the new horizontal well into the unit at which time production from the Longhorn B3-36H Well (API No. 05-123-30586), Longhorn B5-36H Well (API No. 05-123-31532) and the Jake 2-01H Well (API No. 05-123-30574) shall be allocated to the proposed DSU #4;

13) Applicant states that all new permitted wells shall be located on no more than five total wellpads, including existing wellpads, within each of the four proposed drilling and spacing units, unless an exception is granted by the Director.

#### APPLICABLE ORDERS AND RULES

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

- On February 22, 2010 (corrected January 19, 2012), the Commission entered Order No. 421-1 which, among other things, established 58 approximate 640-acre drilling and spacing units for certain lands, including DSU #1, DSU #2, DSU #3, and DSU #4 on the Application Lands, and approved one horizontal well within each unit, for the development and operation of the Niobrara Formation, with the productive interval of the wellbore to be located no closer than 600 feet from the unit boundaries, without exception being granted by the Director.

- On May 18, 2010, the Commission entered Order No. 421-2 which, among other things, approved up to two horizontal wells to be drilled from a common pad for the established 640-acre drilling and spacing unit for Section 36, Township 12 North, Range 63 West, 6<sup>th</sup> P.M. for the production of the oil and associated hydrocarbons from the Niobrara Formation, with the productive interval of the wellbore to be located no closer than 600 feet from the unit boundaries, without exception being granted by the Director.
- On April 15, 2011, the Commission entered Order No. 421-8 which, among other things, approved up to three horizontal wells to be drilled from a common pad for the established 640-acre drilling and spacing unit for Section 36, Township 12 North, Range 63 West, 6<sup>th</sup> P.M. for the production of the oil and associated hydrocarbons from the Niobrara Formation, with the productive interval of the wellbore to be located no closer than 600 feet from the unit boundaries, with no inter-well setback required, without exception being granted by the Director.

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:

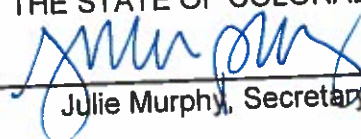
Date: January 30-31, 2016  
 Time: 9:00 a.m.  
 Place: Colorado Oil and Gas Conservation Commission  
 1120 Lincoln Street, Suite 801  
 Denver, CO 80203

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, 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 January 16, 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   
 Julie Murphy, Secretary

Dated: December 19, 2016

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