

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. 170100075
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 62 West, 6th P.M.

Section 19: All (All portions of this section within the State of Colorado)
Section 30: All

("DSU #1")

Township 12 North, Range 62 West, 6th P.M.

Section 20: All (All portions of this section within the State of Colorado)
Section 29: All

("DSU #2")

Township 12 North, Range 62 West, 6th P.M.

Section 21: All (All portions of this section within the State of Colorado)
Section 28: All

("DSU #3")

Township 12 North, Range 62 West, 6th P.M.

Section 22: All (All portions of this section within the State of Colorado)
Section 27: All

("DSU #4")

Township 12 North, Range 63 West, 6th P.M.

Section 23: All (All portions of this section within the State of Colorado)
Section 26: All

("DSU #5")

Township 12 North, Range 63 West, 6th P.M.

Section 24: All (All portions of this section within the State of Colorado)

Section 25: All

("DSU #6")

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:

1) Establish an approximate 1280-acre drilling and spacing unit for Sections 19 and 30, Township 12 North, Range 62 West, 6th 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 the approximate 640-acre drilling and spacing unit established by Order No. 421-1 for Sections 19 and 30, Township 12 North, Range 62 West, 6th 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 Randall Creek 6-19H Well (API No. 05-123-31925) and the Randall Creek 03-30H Well (API No. 05-123-31339) shall be allocated to the proposed DSU #1;

4) Establish an approximate 1280-acre drilling and spacing unit for Sections 20 and 29, Township 12 North, Range 62 West, 6th 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 approximate 640-acre drilling and spacing unit established by Order No. 421-1 for Sections 20 and 29, Township 12 North, Range 62 West, 6th 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 Randall Creek 02-29H Well (API No. 05-123-31333) shall be allocated to the proposed DSU #2;

7) Establish an approximate 1280-acre drilling and spacing unit for Sections 21 and 28, Township 12 North, Range 62 West, 6th 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 approximate 640-acre drilling and spacing unit established by Order No. 421-1 for Sections 21 and 28, Township 12 North, Range 62 West, 6th 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 Randall Creek 6-21H Well (API No. 05-123-33686), and the Randall Creek 1-28H Well (API No. 05-123-31357) shall be allocated to the proposed DSU #3;

10) Establish an approximate 1280-acre drilling and spacing unit for Sections 22 and 27, Township 12 North, Range 62 West, 6th 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 Sections 22 and 27, Township 12 North, Range 62 West, 6th 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 Randall Creek 13-27H Well (API No. 05-123-33962) shall be allocated to the proposed DSU #4;

13) Establish an approximate 1280-acre drilling and spacing unit for Sections 23 and 26, Township 12 North, Range 62 West, 6th P.M. ("Application Lands in DSU #5) and approve up to eight new horizontal wells within the unit, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation;

14) 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;

15) Maintain the approximate 640-acre drilling and spacing unit established by Order No. 421-1 for Sections 23 and 26, Township 12 North, Range 62 West, 6th 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 03-26H Well (API No. 05-123-31417) shall be allocated to the proposed DSU #5;

16) Establish an approximate 1280-acre drilling and spacing unit for Sections 24 and 25, Township 12 North, Range 63 West, 6th P.M. ("Application Lands in DSU #6) and approve up to eight new horizontal wells within the unit, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation;

17) 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;

18) Maintain the approximate 640-acre drilling and spacing unit established by Order No. 421-1 for Sections 24 and 25, Township 12 North, Range 63 West, 6th 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 2-25H Well (API No. 05-123-31400) shall be allocated to the proposed DSU #6;

19) Applicant states that all new permitted wells shall be located on no more than five total wellpads, including existing wellpads, within each of the six 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 into 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, DSU #4, DSU #5, and DSU #6 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.

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

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:
Jamie L. Jost
Kelsey H. Wasylenky
Jost Energy Law, P.C.
1401 17th Street, Suite 370
Denver, Colorado 80202
(720) 446-5620
jjost@jostenergylaw.com
kwasylenky@jostenergylaw.com