

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. 170100076
HEREFORD FIELD, WELD COUNTY, COLORADO)
) TYPE: SPACING

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 11 North, Range 63 West, 6th P.M.

Section 7: All
Section 18: All

("DSU #1")

Township 11 North, Range 63 West, 6th P.M.

Section 8: All
Section 17: All

("DSU #2")

Township 11 North, Range 63 West, 6th P.M.

Section 9: All
Section 16: All

("DSU #3")

Township 11 North, Range 63 West, 6th P.M.

Section 10: All
Section 15: All

("DSU #4")

Township 11 North, Range 63 West, 6th P.M.

Section 11: All
Section 14: All

("DSU #5")

Township 11 North, Range 63 West, 6th P.M.

Section 12: All

Section 13: 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 1,280-acre drilling and spacing unit for Sections 7 and 18, Township 11 North, Range 63 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 two approximate 640-acre drilling and spacing units established by Order No. 421-1 for Sections 7 and 18, Township 11 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 existing Critter Creek 11-07H Well (API No. 05-123-32081) and the Critter Creek 14-18H Well (API No. 05-123-32868) shall be allocated to the proposed DSU #1;

4) Establish an approximate 1,280-acre drilling and spacing unit for Sections 8 and 17, Township 11 North, Range 63 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 two approximate 640-acre drilling and spacing units established by Order No. 421-3 for Sections 8 and 17, Township 11 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 existing Critter Creek 12-08H Well (API No. 05-123-33088) and the Critter Creek 13-17H Well (API No. 05-123-31442) shall be allocated to the proposed DSU #2;

7) Establish an approximate 1,280-acre drilling and spacing unit for Sections 9 and 16, Township 11 North, Range 63 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 two approximate 640-acre drilling and spacing units established by Order No. 421-9 for Sections 9 and 16, Township 11 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 existing Critter Creek 4-09H Well (API No. 05-123-31053) and the Red Poll 10-16H Well (API No. 05-123-30749) shall be allocated to the proposed DSU #3;

10) Establish an approximate 1,280-acre drilling and spacing unit for Sections 10 and 15, Township 11 North, Range 63 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 two approximate 640-acre drilling and spacing units established by Order No. 421-9 for Sections 10 and 15, Township 11 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 existing Critter Creek 5-10H Well (API No. 05-123-31275) and the Critter Creek 9-15H Well (API No. 05-123-31181) shall be allocated to the proposed DSU #4;

13) Establish an approximate 1,280-acre drilling and spacing unit for Sections 11 and 14, Township 11 North, Range 63 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 two approximate 640-acre drilling and spacing units established by Order No. 421-1 for Section 11, Township 11 North, Range 63 West, 6th P.M. and Order No. 421-9 for Section 14, Township 11 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 Bessie 09-11H Well

(API No. 05-123-32585) and the Critter Creek 08-14H Well (API No. 05-123-31222) shall be allocated to the proposed DSU #5;

16) Establish an approximate 1,280-acre drilling and spacing unit for Sections 12 and 13, Township 11 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 two approximate 640-acre drilling and spacing units established by Order No. 421-1 for Sections 12 and 13, Township 11 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 Critter Creek 6-12H Well (API No. 05-123-31493), and the Critter Creek 7-13H Well (API No. 05-123-31325) 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 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 October 21, 2010, the Commission entered Order No. 421-3 which, among other things, established 83 approximate 640-acre drilling and spacing units for certain lands, including DSU #1 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 January 13, 2011, the Commission entered Order No. 421-4 which, among other things, established three approximate 1,280-acre drilling and spacing units for certain lands, including DSU #3, DSU #4, and DSU #5 on the Application Lands, and approved the drilling of up to two horizontal wells 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 June 27, 2011, the Commission entered Order No. 421-9 which, among other things, vacated the three approximate 1,280-acre drilling and spacing units established by Order No. 421-4 for certain lands, and reinstated five approximate 640-acre drilling and spacing units for certain lands, including DSU #3, DSU #4, and DSU #5 on the Application Lands, and approved an additional one horizontal well within each unit, for the development and operation of the Niobrara Formation, with all other provisions of Order No. 421-4 not inconsistent with this Order remain in effect.

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:

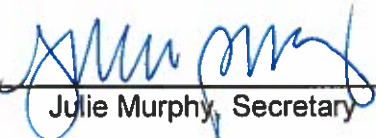
Date: January 30-31, 2016
Time: 9:00 a.m.
Place: Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, CO 80203

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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