

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. 170900556
HEREFORD FIELD, WELD COUNTY, COLORADO)
) TYPE: ADDITIONAL WELLS

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 July 13, 2017, 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. For DSU #1: approve an additional seven (7) horizontal wells, for a total of fifteen (15) horizontal wells, in an approximate 1,280-acre drilling and spacing unit established 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;

2. For DSU #2: approve an additional seven (7) horizontal wells, for a total of fifteen (15) horizontal wells, in an approximate 1,280-acre drilling and spacing unit established 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;

3. For DSU #3: approve an additional seven (7) horizontal wells, for a total of fifteen (15) horizontal wells, in an approximate 1,280-acre drilling and spacing unit established 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;

4. For DSU #4: approve an additional seven (7) horizontal wells, for a total of fifteen (15) horizontal wells, in an approximate 1,280-acre drilling and spacing unit established 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;

5. For DSU #5: approve an additional seven (7) horizontal wells, for a total of fifteen (15) horizontal wells, in an approximate 1,280-acre drilling and spacing unit established for Sections 11 and 14, Township 11 North, Range 63 West, 6th P.M., for the production of oil, gas and associated hydrocarbons from the Niobrara Formation;

6. For DSU #6: approve an additional seven (7) horizontal wells, for a total of fifteen (15) horizontal wells, in an approximate 1,280-acre drilling and spacing unit established 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;

7. For DSU #1 - #6, require that the productive interval of each additional proposed horizontal well in each approximate 1,280-acre drilling and spacing unit shall be no closer than 300 feet from the boundaries of the unit (regardless of the lease lines within the unit) and all horizontal wells shall be 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.

8. For DSU #1 - #6: Applicant stated that the wells will be drilled from no more than five well pads, including the existing wellpads, in each of the six proposed drilling and spacing units to be located within such unit or adjacent thereto, unless an exception is granted by the Director, consistent with Order No. 421-85.

9. Applicant also requests any such other findings and orders as the Commission may deem proper or advisable.

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 #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.
- On October 21, 2010, the Commission entered into Order No. 421-3 which, among other things, established eighty-three (83) approximate 640-acre drilling and spacing units for certain lands, including DSU #1 on the Application Lands, and approved one (1) 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 into Order No. 421-4 which, among other things, established three (3) 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 (2) 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 into Order No. 421-9 which, among other things, vacated the three (3) 1,280-acre drilling and spacing units established by Order No. 421-4 for certain lands, and reinstated five (5) 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 (1) 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.
- On January 30, 2017, the Commission entered Order No. 421-85 which, among other things, established six approximate 1,280-acre drilling and spacing units for DSU #1, DSU #2, DSU #3, DSU #4, DSU #5 and DSU #6, providing that the existing 640-acre units established by Order Nos. 421-1, 421-3 and 421-9 be maintained for the production of the existing wells only until the date of first completion of the new horizontal well into the unit, and approved up to eight new horizontal wells in each approximate 1,280-acre drilling and spacing unit, providing that the productive interval of each wellbore shall 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, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation.

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: September 11 - 12, 2017
Time: 9:00 a.m.
Place: Durango Public Library
Program Room #2
1900 East Third Avenue
Durango, CO 81301

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 August 28, 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 August 28, 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



James Rouse, Acting Secretary

Dated: July 31, 2017

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