

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

IN THE MATTER OF THE APPLICATION OF) CAUSE NO. 407
THE PROMULGATION AND ESTABLISHMENT)
OF FIELD RULES TO GOVERN OPERATIONS) DOCKET NO. 171000717
FOR THE NIOBRARA FORMATION,)
WATTENBERG FIELD, WELD COUNTY,) TYPE: POOLING
COLORADO)

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 5 North, Range 65 West, 6th P.M.

Section 25: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$

Section 26: NE $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$

Township 5 North, Range 64 West, 6th P.M.

Section 30: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

APPLICATION

On August 31, 2017, PDC Energy, Inc. (Operator No. 69175) ("PDC" or "Applicant"), filed a verified application pursuant to § 34-60-116, C.R.S. for an order to:

- 1) Pool all interests in an approximate 640-acre designated horizontal wellbore spacing unit, for the development and operation of the Niobrara formation; and
- 2) Subject any non-consenting interests to the cost recovery provisions of §34-60-116(7), C.R.S., effective as of the earlier of the date of the Application, or the date that any of the costs specified in § 34-60-116(7)(b), C.R.S. were first incurred for the drilling of the Bunting 26O-332 Well (API No. 05-123-44091) ("Well").

APPLICABLE RULES AND ORDERS

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

- On February 19, 1992, the Commission entered Order No. 407-87 (amended August 20, 1993) which, among other things, established 80-acre drilling and spacing units for the production of oil, gas, and associated hydrocarbons from the Codell-Niobrara formations, the Codell formation, and the Niobrara formation underlying certain lands, including the Application Lands, with the permitted well locations in accordance with the provisions of Order 407-1.
- On June 30, 2011, the Commission entered Order Nos. 232-278 & 407-439, which, among other things, pooled all non-consenting interests in a 160-acre wellbore spacing unit for the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25 and the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 26, Township 5 North, Range 65

West, 6th P.M., for the Geib #41-26 well (API #05-123-32111), from the Codell, Niobrara, and "J" Sand formations. Order Nos. 232-278 & 407-439 are not affected by this Application, and proceeds from any shared lands will be accounted for in the production of the Well.

- On July 22, 2009, the Commission entered Order No. 407-334, which, among other things, pooled all non-consenting interests in a 160-acre wellbore spacing unit for the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 30, Township 5 North, Range 64 West, 6th P.M., and the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 25, Township 5 North, Range 65 West, 6th P.M., for the Conagra B #30-31D well (API #05-123-26997), from the Codell and Niobrara formations. Order No. 407-334 is not affected by this Application, and proceeds from any shared lands will be accounted for in the production of the Well.
- On August 27, 2009, the Commission entered Order No. 407-335, which, among other things, pooled all non-consenting interests in a 160-acre wellbore spacing unit for the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 5 North, Range 64 West, 6th P.M., and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 5 North, Range 65 West, 6th P.M., for the Conagra B #30-32D well (API #05-123-26996), from the Codell and Niobrara formations, and a 160-acre wellbore spacing unit for the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 30, Township 5 North, Range 64 West, 6th P.M., and E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 25, Township 5 North, Range 65 West, 6th P.M., for the Conagra B #30-33D well (API #05-123-28063), from the Codell and Niobrara formations. Order No. 407-335 is not affected by this Application, and proceeds from any shared lands will be accounted for in the production of the Well.
- On April 11, 2014, the Commission entered Order No. 407-986, which, among other things, pooled all non-consenting interests in a 320-acre wellbore spacing unit for the N $\frac{1}{2}$ of Section 25, Township 5 North, Range 65 West, 6th P.M., for the LaSalle 25F-332 well (API #05-123-37340), from the Niobrara formation. Order No. 407-986 is not affected by this Application, and proceeds from any shared lands will be accounted for in production of the Well.
- On November 7, 2016, the Commission entered Order No. 407-1818, which, among other things, established a 640-acre drilling and spacing unit for the N $\frac{1}{2}$ of Section 26 and the N $\frac{1}{2}$ of Section 27, Township 5 North, Range 65 West, for the production of oil, gas, and associated hydrocarbons from the Niobrara and Codell formations. The Commission vacated Order No. 407-1818 by Order No. 407-2089, which was entered on June 21, 2017.

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:

Dates: December 11-13, 2017

Time: 9:00 a.m.

Place: Colorado Oil and Gas Conservation Commission
The Chancery Building
1120 S. Lincoln St., Ste. 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 three (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 November 27, 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 November 27, 2017, if a prehearing conference is requested by the Applicant, or any person who has filed a protest or intervention.** 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 Spence Prine, Secretary

Dated: November 6, 2017

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 PDC:
Michael T. Jewell
Courtney M. Shephard
Burns, Figa & Will, P.C.
6400 S. Fiddlers Green Cir. - Suite 1000
Greenwood Village, Colorado 80111
Phone: (303) 796-2626
mjewell@bfiwlaw.com
cshephard@bfiwlaw.com

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

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|---------------------------------------|----------------------|
| IN THE MATTER OF THE PROMULGATION) | CAUSE NO. 407 |
| AND ESTABLISHMENT OF FIELD RULES TO) | |
| GOVERN OPERATIONS FOR THE NIOBRARA) | DOCKET NO. 171000717 |
| FORMATION, WATTENBERG FIELD, WELD) | |
| COUNTY, COLORADO) | TYPE: POOLING |

SUMMONS BY PUBLICATION

THE PEOPLE OF THE STATE OF COLORADO

TO THE Following interested parties: **The Estate of Richard S. Miller;
Greg Tagley;
Heirs & Devisees of Paul Ehrlich; and
All unknown persons who may claim any interest
in the subject matter of this action**

You are hereby summoned and may appear and respond to the Application filed with the Commission in this docket. Pursuant to Sections 34-60-101 – 130, C.R.S., PDC Energy, Inc. (Operator No. 69175) ("Applicant"), filed an Application for an order to: (1) pool all interests in the Application Lands defined below underlying an approximate 640-acre designated horizontal wellbore spacing unit established for the Application Lands, for the development and operation of the Niobrara Formation; and (2) subject any non-consenting interests to the cost recovery provisions of §34-60-116(7), C.R.S., effective as of the earlier of the date of the Application, or the date that any of the costs specified in §34-60-116(7)(b), C.R.S., are first incurred for the drilling of the Bunting 26O-332 Well (API No. 05-123-44091) ("Well") on the following Application Lands:

Township 5 North, Range 65 West, 6th P.M.

Section 25: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$

Section 26: NE $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$

Township 5 North, Range 64 West, 6th P.M.

Section 30: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

The Commission scheduled this matter for hearing on:

Dates: December 11-12, 2017

Time: 9:00 a.m.

Place: The Colorado Oil and Gas Conservation Commission
The Chancery Building
1120 Lincoln Street, Suite 801
Denver, CO 80203

To oppose the Application, you must file with the Commission Secretary a protest pursuant to Commission Rule 509. You must file your protest on or before **November 27, 2017**. One electronic (cogcc.hearings_unit@state.co.us), one original and two copies of the protest shall be filed with the Commission. You must also serve a copy of the protest upon Applicant's attorney, listed below.

If you fail to file a timely protest, the Commission may enter an order affecting your interests in the Application Lands without further notice. This matter may be continued to a future Commission hearing date, but that does not change your protest deadline.

A copy of the Application may be obtained from the Commission Secretary or Applicant's attorney.

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

By  _____
Julie Spence Prine, Secretary

Dated: September 28, 2017

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

Attorney for Applicant:
Michael T. Jewell
Courtney M. Shephard
Burns, Figa & Will, P.C.
6400 S. Fiddlers Green Cir. - Suite 1000
Greenwood Village, Colorado 80111
Phone: (303) 796-2626
mjewell@bfwlaw.com
cshephard@bfwlaw.com