

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

IN THE MATTER OF THE PROMULGATION AND ) CAUSE NO. 407  
ESTABLISHMENT OF FIELD RULES TO GOVERN )  
OPERATIONS FOR THE CODELL, NIOBRARA AND ) DOCKET NO. 171200888  
GREENHORN FORMATIONS, WATTENBERG )  
FIELD, WELD COUNTY, COLORADO ) TYPE: POOLING  
)

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 6 North, Range 67 West, 6th P.M.

Section 25: All

Section 26: E½; E½W½

APPLICATION

On October 27, 2017, Great Western Operating Company, LLC (Operator No. 10110) ("Great Western" or "Applicant") filed a verified application pursuant to §34-60-116, C.R.S., for an order to:

1) Amend Order No. 407-1915 to pool all interests in an approximate 1,120-acre drilling and spacing unit established for Section 25 and the E½ and E½W½ of Section 26, Township 6 North, Range 67 West, 6<sup>th</sup> P.M., for the development and operation of the Niobrara, Codell, and Greenhorn Formations.

2) Providing that the Commission's pooling order is made effective as of the earlier of the date of this Application, or the date that any of the costs specified in C.R.S. § 34-60-116(7)(b) are first incurred for the drilling of the Kodak North FD 25-040HC (API No. 05-123-39388), Kodak North FD 25-080HN (API No. 05-123-39342), Kodak North FD 25-080HNX (API No. 05-123-44570), Kodak North FD 25-120HC (API No. 05-123-39387), Kodak North FD 25-161HN (API No. 05-123-39343), Kodak North FD 25-161HNX (API No. 05-123-44569), Kodak North FD 25-121HN (API No. 05-123-39346), Kodak South FD 25-201HC (API No. 05-123-40798), Kodak South FD 25-240HNX (API No. 05-123-44118), Kodak South FD 25-240HN (API No. 05-123-40796), Kodak South FD 25-241HN (API No. 05-123-44115), Kodak South FD 25-241HC (API No. 05-123-44116), Kodak South FD 25-280HNX (API No. 05-123-40804), Kodak South FD 25-280HN (API No. 05-123-40802), Kodak South FD 25-320HN (API No. 05-123-44117), Kodak South FD 25-320HC (API No. 05-123-40799), Kodak South FD 25-321HNX (API No. Pending), Kodak South FD 25-321HN (API No. Pending), Kodak South FD 25-360HC (API No. Pending), and the Kodak South FD 25-360HN (API No. Pending) in the drilling and spacing unit established for the Application Lands to the Codell, Niobrara, or Greenhorn Formations.

3) Providing that the interests of any owners with whom the Applicant has been unable to secure a lease or other agreement to participate in the drilling of a horizontal well are pooled by operation of statute, pursuant to C.R.S. § 34-60-116(6) and (7), and made subject to

the cost recovery provisions thereof with respect to any horizontal well drilled to develop the Codell, Niobrara and Greenhorn Formations in the drilling and spacing unit comprising the Application Lands.

4) For such other findings and orders as the Commission may deem proper or advisable in this matter.

**APPLICABLE ORDERS AND RULES**

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

- On April 27, 1998, the Commission adopted Rule 318A, the Greater Wattenberg Area Special Well Location, Spacing and Unit Designation Rule.
- On February 19, 1992 (amended August 20, 1993), the Commission entered Order No. 407-87 which, among other things, established 80-acre drilling and spacing units for the production of oil, gas and associated hydrocarbons from the Codell and Niobrara Formations underlying certain lands, with permitted well locations in accordance with the provisions of Order No. 407-1.
- On October 24, 2016, the Commission entered Order No. 407-1824 which, among other things, established an approximate 1,120-acre drilling and spacing unit for the Application Lands, and approved up to 21 horizontal wells for the production of oil, gas and associated hydrocarbons from the Codell and Niobrara Formations, providing that the productive interval of the wellbore of each well shall be no closer than 460 feet from the unit boundaries, and no closer than 150 feet from the productive interval of any other wellbore located within the unit, unless an exception is granted by the Director, and providing that the wells shall be drilled from no more than two well pads, unless an exception is granted by the Director.
- On January 30, 2017, the Commission entered Order No. 407-1880 which, among other things, modified the setbacks for the approximate 1,120-acre drilling and spacing unit established by Order No. 407-1824 for the production of oil, gas and associated hydrocarbons from the Niobrara and Codell Formations, such that the productive interval of any permitted well within the unit be no less than 460 feet from the northern, southern and western boundaries of the unit, and no less than 150 feet from the eastern boundary of the unit, without exception being granted by the Director.
- On March 20, 2017, the Commission entered Order No. 407-1915 which, among other things, pooled all interests within the approximate 1,120-acre drilling and spacing unit established for the Application Lands, for the development and operation of the Codell and Niobrara Formations, and subjected 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 certain defined "Kodak North" and "Kodak South" wells.

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: December 11-13, 2017  
Time: 9:00 a.m.  
Place: Colorado Oil and Gas Conservation Commission  
The Chancery Building  
1120 Lincoln Street, Suite 801  
Denver, CO 80203

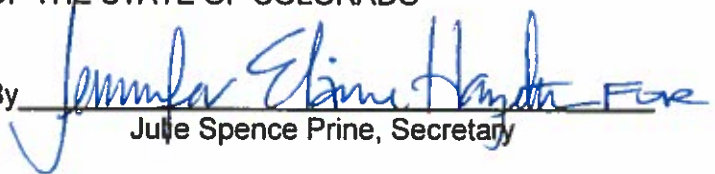
Additional information about the hearing on this Application will be in the Commission's Agenda, which is posted on the Commission website approximately 3 days before the hearing.

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 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 2, 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 Applicant:  
Jamie L. Jost  
Kelsey H. Wasylenky  
Jost Energy Law, P.C.  
1401 17<sup>th</sup> Street, Suite 370  
Denver, Colorado 80202  
(720) 446-5620  
[jjost@jostenergylaw.com](mailto:jjost@jostenergylaw.com)  
[kwasylenky@jostenergylaw.com](mailto:kwasylenky@jostenergylaw.com)