

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

IN THE MATTER OF THE PROMULGATION ) CAUSE NO. 421  
AND ESTABLISHMENT OF FIELD RULES TO )  
GOVERN OPERATIONS FOR THE CODELL, ) DOCKET NO. 180300149  
FORT HAYS, CARLILE AND NIOBRARA )  
FORMATIONS, HEREFORD FIELD, WELD ) TYPE: SPACING  
COUNTY, COLORADO )

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 12 North, Range 63 West, 6<sup>th</sup> P.M.

Section 21: All

Section 28: All

APPLICATION

On January 17, 2018, Fifth Creek Energy Operating Company, LLC (Operator No. 10629) ("Fifth Creek" or "Applicant"), filed a verified application pursuant to §34-60-116, C.R.S., for an order to:

- 1) Vacate an approximate 1,262-acre exploratory unit established by Order No. 421-18 for Sections 21 and 28, Township 12 North, Range 63 West, 6<sup>th</sup> P.M., for the Niobrara Formation;
- 2) Vacate an approximate 1,280-acre unit established by Order No. 421-57 for Sections 21 and 28, Township 12 North, Range 63 West, 6<sup>th</sup> P.M. for the Codell Formation;
- 3) Vacate Order No. 421-58 for the Codell Formation;
- 4) Establish an approximate 1,280-acre drilling and spacing unit for Sections 21 and 28, Township 12 North, Range 63 West, 6<sup>th</sup> P.M. for the Codell, Fort Hays, Carlile and Niobrara Formations and approve up to six new horizontal wells for the production of oil, gas and associated hydrocarbons from the Codell, Fort Hays and Carlile Formations, and up to 15 new horizontal wells, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation;
- 5) Provide that the productive interval any horizontal well in the proposed unit shall be no closer than 300 feet from the boundaries of the unit and not less than 150 feet from the productive interval of another well within the unit, and authorizing up to four well pads in the unit, unless an exception is granted by the Director; and
- 6) Find that the approximate 1,280-acre drilling and spacing unit for the development of the Codell, Fort Hays, Carlile and Niobrara Formations on the Application Lands, with the requested number of wells and the requested boundary setbacks, will prevent waste, protect correlative rights, and maximize the efficient and economic production of the Codell, Fort Hays, Carlile and Niobrara Formations on the Application Lands.

7) 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 February 22, 2010, the Commission entered Order No. 421-1 which, among other things, established 58 approximate 640-acre drilling and spacing units, and approved one horizontal well for each unit, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation.
- On January 7, 2013, the Commission entered Order No. 421-18 which, among other things, vacated two approximate 640-acre drilling and spacing units established by Order No. 421-1 for Sections 21 and 28, Township 12 North, Range 63 West, 6<sup>th</sup> P.M., established an approximate 1262-acre stand-up exploratory drilling and spacing unit for Sections 21 and 28, Township 12 North, Range 63 West, 6<sup>th</sup> P.M., and approved up to ten wells within the unit for the production of oil, gas and associated hydrocarbons from the Niobrara Formation, with the bottomhole locations not less than 600 feet from the boundary of the proposed drilling unit and not less than 460 feet from any other well or treated interval of a well producing from the Niobrara Formation, without exception being granted by the Director.
- On January 26, 2015, the Commission entered Order No. 421-57 which, among other things, established an approximate 1280-acre drilling and spacing unit for Sections 21 and 28, Township 12 North, Range 63 West, 6<sup>th</sup> P.M., and approved one horizontal well for the unit, for the production of oil, gas and associated hydrocarbons from the Codell Formation.
- On May 18, 2015, the Commission entered Order No. 421-58 which, among other things, approved an additional five horizontal wells, for a total of six horizontal wells, in the approximate 1280-acre drilling and spacing unit established by Order No. 421-57 for Sections 21 and 28, Township 12 North, Range 63 West, 6<sup>th</sup> P.M., for the production of oil, gas and associated hydrocarbons from the Codell Formation, provided that the productive intervals of all wells shall be not less than 600 feet from the unit boundaries with an inter-well setback of not less than 600 feet from the productive interval of a well producing from the same formation, without exception being granted by the Director, and that a maximum of four surface locations will be allowed for the development of minerals from the Codell Formation within the spacing unit.

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: March 19-20, 2018  
Time: 9:00 a.m.  
Place: Colorado Oil and Gas Conservation Commission  
The Chancery Building  
1120 Lincoln Street, Suite 801

Denver, Colorado 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 March 5, 2018.** 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 March 5, 2018, 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: February 7, 2018

Colorado Oil and Gas Conservation Commission  
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