

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

IN THE MATTER OF THE PAYMENT OF )  
PROCEEDS FROM PRODUCTION OF OIL ) CAUSE NO. 1  
AND GAS AS ESTABLISHED BY SECTION )  
34-60-118.5, C.R.S., WATTENBERG FIELD ) DOCKET NO. 180600380  
AND BRACEWELL FIELD, NIOBRARA- )  
CODELL FORMATION, WELD COUNTY, ) TYPE: GENERAL ADMINISTRATIVE  
COLORADO )

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

WELLS

Fritzler 11-21-4 Well	(API No. 05-123-35091)
Fritzler 8-8-17 Well	(API No. 05-123-33239)
McGlothlin 8-6-17 Well	(API No. 05-123-33265)
Fritzler 17-42-11 Well	(API No. 05-123-35995)

APPLICATION

On March 14, 2018, Incline Niobrara Partners, LP ("Applicant"), by its attorneys, filed a Form 38 Payment of Proceeds Hearing Request against Great Western Operating Company, LLC ("Great Western") pursuant to C.R.S. §34-60-118.5 and Rule 503.b.(10), for an order awarding payment of proceeds, interest, and costs, due to Applicant attributable to the above-described wells.

1. Awarding payment of proceeds and interest due to Applicant for production attributable to the abovementioned Wells, Fritzler 11-21-4 Well (API No. 05-123-35091), Fritzler 8-8-17 Well (API No. 05-123-33239), McGlothlin 8-6-17 Well (API No. 05-123-33265), and Fritzler 17-42-11 Well (API No. 05-123-35995) in Weld County under the supervision of the Commission;
2. Awarding attorneys' fees and costs to Applicant under § 34-60-118.5, C.R.S., or as otherwise allowed under Colorado law;
3. Granting Applicant such relief under Commission Rule 503.b.(10) as this Commission may deem proper or advisable;
4. Providing that such relief granted under this Application shall be effective upon oral order by the Commission, relying on Applicant's desire to be bound by said oral order; and
5. For such other findings and orders as the Commission may deem proper or advisable.

APPLICABLE STATUTE

- On July 1, 1990, §34-60-118.5, C.R.S., provided the Colorado Oil and Gas Conservation Commission with exclusive jurisdiction concerning the payment of proceeds derived from the sale of oil, gas or associated products from a well in Colorado including the following:
  - (a) The date on which payment of proceeds is due a payee under section (2) of the section;
  - (b) The existence or nonexistence of an occurrence pursuant to subsection (3) of this section which would justifiably cause a delay in payment; and
  - (c) The amount of the proceeds plus interest, if any due a payee or payer.
  
- §34-60-118.5(2)(a), C.R.S., provides that payment of proceeds derived from the sale of oil, gas, or associated products shall be paid by a payer to the payee commencing not later than six months after the end of the month in which production is first sold, and, thereafter, on a monthly basis not later than sixty days for oil and ninety days for gas and associated products following the end of the calendar month in which subsequent production is sold.
  
- Section 34-60-116(7), C.R.S. provides that during the period of cost recovery, the commission shall retain jurisdiction to determine the reasonableness of the costs of operation of the well attributable to the interest of such nonconsenting owner.

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: June 11-12, 2018

Time: 9:00 AM

Place: Lindou Auditorium  
Michener Library  
University of Northern Colorado (UNC)  
501 20th Street  
Greeley, Colorado 80639

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 May 25, 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 May 28, 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: May 2, 2018

Colorado Oil and Gas Conservation Commission  
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