

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

IN THE MATTER OF AN APPLICATION BY  
ENERPLUS RESOURCES (USA) CORPORATION  
FOR AN ORDER POOLING ALL INTERESTS IN AN  
APPROXIMATE 640-ACRE DRILLING AND SPACING  
UNIT ESTABLISHED FOR SECTIONS 25 AND 36,  
TOWNSHIP 8 NORTH, RANGE 67 WEST, 6TH P.M.,  
FOR THE DEVELOPMENT/OPERATION OF THE  
FORT HAYES, CARLILE, CODELL AND NIOBRARA  
FORMATIONS, UNNAMED FIELD, WELD COUNTY,  
COLORADO

CAUSE NO. 535

DOCKET NO.

TYPE: POOLING

**APPLICATION**

Enerplus Resources (USA) Corporation, Operator No. 10177 ("Enerplus" or "Applicant"), by and through its attorneys, Beatty & Wozniak, P.C., respectfully submits this Application to the Oil and Gas Conservation Commission of the State of Colorado (the "Commission") for an order pooling all interests in the approximate 640-acre drilling and spacing unit established for portions of Sections 25 and 36, Township 8 North, Range 67 West, 6th P.M., for the development and operation of the Fort Hayes, Carlile, Codell and Niobrara Formations. In support of its Application, Applicant states and alleges as follows:

1. Applicant is a corporation duly authorized to conduct business in the State of Colorado, and has registered as an operator with the Commission.
2. Applicant owns substantial leasehold interests in the below-listed lands:

Township 8 North, Range 67 West, 6th P.M.

Section 25: E½

Section 36: E½

640 acres, more or less, Weld County, Colorado.

These lands are hereinafter referred to as the "Application Lands." A map depicting the acreage comprising the Application Lands is attached hereto and marked as Exhibit A.

3. Rule 318.a. of the Commission Rules provides a well to be drilled 2,500 feet or greater shall be located not less than 600 feet from any lease line, and shall be located not less than 1,200 feet from any other producible oil or gas well when drilling to the same common source of supply, unless authorized by the Commission upon hearing. The Application Lands are subject to this rule for the Fort Hayes, Carlile, Codell and Niobrara Formations.

4. On March 20, 2017, the Commission entered Order No. 535-771 which, among other things, established an approximate 640-acre drilling and spacing unit for the Application Lands, and approved four horizontal wells within the unit, for the

production of oil, gas and associated hydrocarbons from the Fort Hayes, Carlile, Codell, and Niobrara Formations.

5. Pursuant to Order 535-771, Applicant plans to drill the below-described wells within the Application Lands, for the production of oil, gas and associated hydrocarbons from the Fort Hayes, Carlile, Niobrara and Codell Formations:

- a. Hudson Bay 8-67-25-36N (API No. 05-123-44907)
- b. Northwestern Passages 8-67-25-36C (API No. 05-123-44908)
- c. St. Lawrence 8-67-25-36C (API No. 05-123-44909)
- d. Beaufort 8-67-25-36C (API No. 05-123-44910)

These wells are collectively referred to hereinafter as the "Subject Wells."

6. Acting pursuant to the relevant provisions of §34-60-116(6) & (7), C.R.S., and Rule 530., Applicant seeks an order pooling all interests in the Application Lands, for the development and operation of the Fort Hayes, Carlile, Niobrara and Codell Formations.

7. Applicant requests that the Commission's pooling order be made effective as of the earlier of the date of this Application, or the date that the costs specified in §34-60-116(7)(b), C.R.S. are first incurred for the drilling of any of the Subject Wells.

8. Further, Applicant requests 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 the Subject Wells, are made subject 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 the costs specified in §34-60-116(7)(b), C.R.S. are first incurred for the drilling of any of the Subject Wells.

9. Applicant requests that relief granted under this Application should be effective on oral order by the Commission, and Applicant hereby agrees to be bound by said oral order.

10. The granting of this Application is in accord with the Oil and Gas Conservation Act, found at §34-60-101, *et seq.*, C.R.S., and the Commission rules.

11. The undersigned certifies that copies of this Application will be served on each interested party as required by Rule 507 within seven (7) days of the filing hereof, as required by Rule 503.e.

WHEREFORE, Applicant respectfully requests that this matter be set for hearing, that notice be given as required by law and that upon such hearing, this Commission enter its order:

A. Pooling all interests in the Application Lands, for the development and operation of the Fort Hayes, Carlile, Codell and Niobrara Formations, with the pooling order made effective as of the earlier of the date of this Application, or the date

that the costs specified in §34-60-116(7)(b), C.R.S. are first incurred for the drilling any of the Subject Wells.

B. 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 the Subject Wells, are pooled by operation of statute, pursuant to §34-60-116(6) & (7), C.R.S., and made subject to the cost recovery provisions thereof, effective as of the earlier of the date of the Application, or the date the costs specified in §34-60-116(7)(b), C.R.S. are first incurred for the drilling of any of the Subject Wells.

C. For such other findings and orders as the Commission may deem proper or advisable in the premises.

DATED this 30 day of November, 2017.

Respectfully submitted,

**ENERPLUS RESOURCES (USA) CORPORATION**

By: Jobediah J. Rittenhouse  
Jillian Fulcher  
James P. Parrot  
Jobediah J. Rittenhouse  
Beatty & Wozniak, P.C.  
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jparrot@bwenergylaw.com  
jrittenhouse@bwenergylaw.com

Address of Applicant  
Enerplus Resources (USA) Corporation  
Sean Gallagher, Senior Landman  
950 17th Street, Suite 2200  
Denver, Colorado 80202

## VERIFICATION

STATE OF COLORADO

)

) ss.

CITY &amp; COUNTY OF DENVER

)

Sean Gallagher, Senior Landman for Enerplus Resources (USA) Corporation, upon oath deposes and says that he has read the foregoing Application and that the statements contained therein are true to the best of his knowledge, information, and belief.

ENERPLUS RESOURCES (USA)  
CORPORATION

  
Sean Gallagher

Subscribed and sworn to before me this 29<sup>th</sup> day of November, 2017, by Sean Gallagher, Senior Landman for Enerplus Resources (USA) Corporation.

Witness my hand and official seal.

My commission expires: 5/10/2020

Notary Public

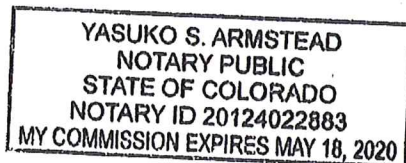


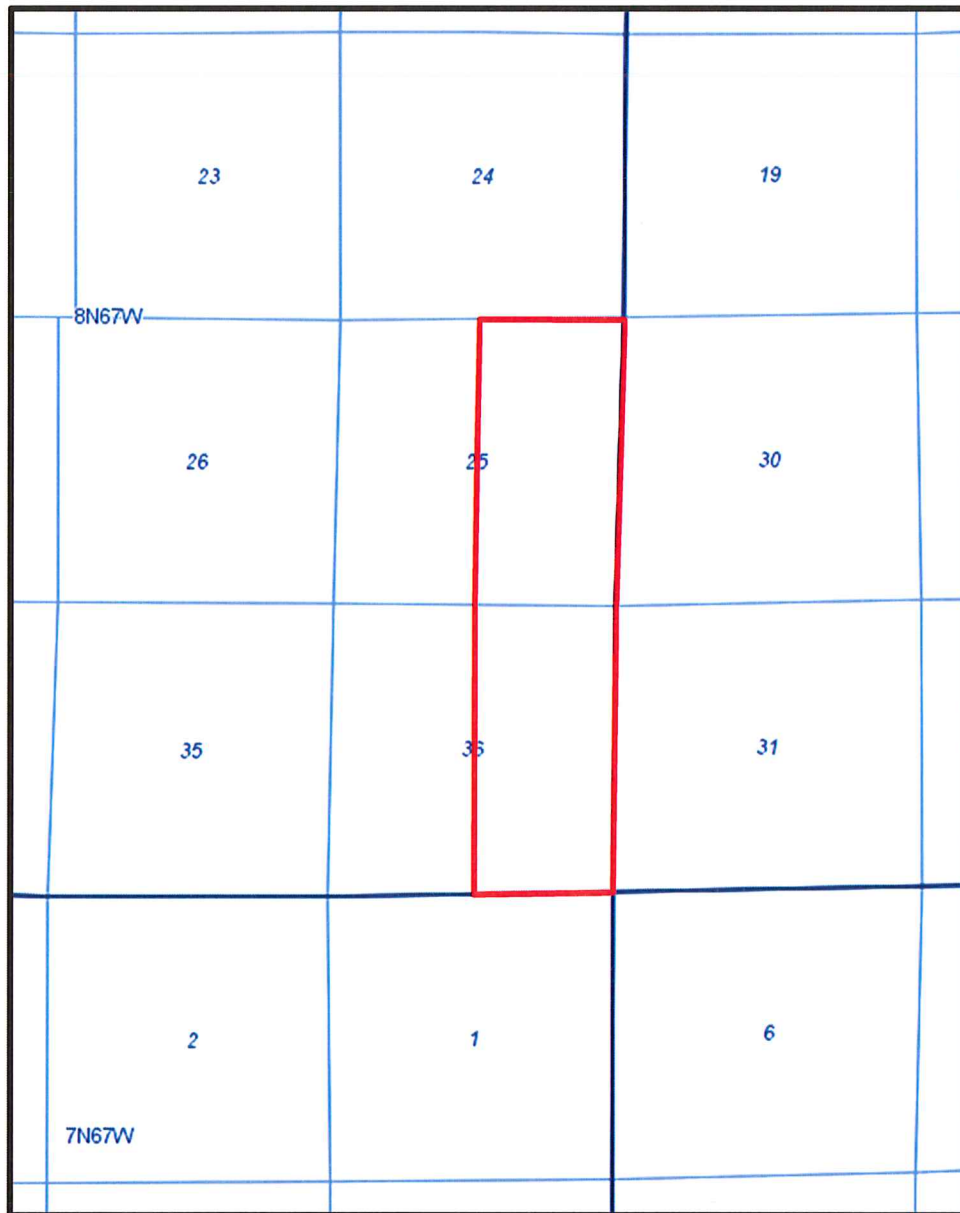
Exhibit A

Reference Map for Pooling Application

Township 8 North, Range 67 West, 6th P.M.

Section 25: E½

Section 36: E½



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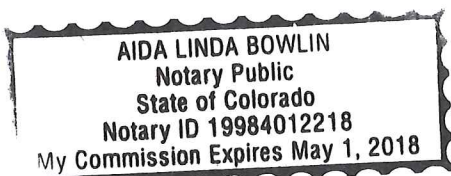
TYPE: POOLING

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

That she is a Legal Assistant at Beatty & Wozniak, P.C., attorneys for Enerplus Resources (USA) Corporation, and on or before the 7th day of December, 2017, caused a copy of the attached Application to be deposited in the United States Mail, postage prepaid, addressed to the parties listed on Exhibit A attached hereto.

Subscribed and sworn to before me this 5<sup>th</sup> day of December, 2017.

Notary Public



## EXHIBIT A

### INTERESTED PARTIES

The names and addresses of the interested parties (persons who own any interest in the mineral estate of the tracts to be pooled, except owners of overriding royalty interest) according to the information and belief of the Applicant are set forth in this Exhibit A.

VENTURE ENERGY, LLC  
INDEPENDENCE PLAZA B-180 #359  
1001 16TH STREET  
DENVER, CO 80265

WYOTEX DRILLING VENTURES, LLC  
P.O. BOX 280969  
LAKEWOOD, CO 80228

ABERDEEN INVESTMENTS, LLC  
1017 NW GRAND BLVD  
OKLAHOMA CITY, OK 73118

EDWIN D. LESH, JR.  
P.O. BOX 56  
AULT, CO 80610

LONGS PEAK COUNCIL, INC., AND BOY SCOUTS  
OF AMERICA, A COLORADO NON-PROFIT CORP.  
2215 23RD AVE.  
GREELEY, CO 8063

RICHARD CHANDLER MOORE, TTEE OF THE  
RICHARD CHANDLER MOORE AND HELEN JANE  
MOORE TRUST  
22338 FALCON CREST CIRCLE  
WILDOMAR, CA 92595

GREAT WESTERN OPERATING COMPANY LLC  
1801 BROADWAY, SUITE 500  
DENVER, CO 80202

MALLARD EXPLORATION, LLC  
1821 BLAKE STREET, SUITE 2B  
DENVER, CO 80202

TITAN OIL & GAS, LLC  
1801 BROADWAY, SUITE 500  
DENVER, CO 80202

SILVER OAK ROYALTY, LP  
508 WEST WALL AVE, SUITE 500  
MIDLAND, TX 79701

C.O. TEMPLIN  
163 W. MTN.  
FORT COLLINS, CO 80524

LYNN LOWELL LESH  
P.O. BOX 99  
PIERCE, CO 80650

MAXYNE BARENSE  
1923 GRAND AVE.  
SANTA BARBARA, CA 93103