

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

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

APPLICATION

PDC Energy, Inc. (Operator No. 69175) ("PDC"), by and through its attorneys, Burns, Figa, & Will, 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 within an approximate 560-acre Wellbore Spacing Unit, as further defined below, for the drilling of the Bunting 26Q-304 well (API No. 05-123-44093) ("Well"), for the development of the Niobrara formation on the following described lands:

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

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

Section 27: S $\frac{1}{2}$ S $\frac{1}{2}$

Section 34: N $\frac{1}{2}$ N $\frac{1}{2}$

Section 35: N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

Weld County, Colorado, containing approximately 560.00 acres
("Application Lands")

In support of its Application, PDC states and alleges as follows:

1. PDC is a corporation duly authorized to do business in Colorado and is registered as an operator in good standing with the Commission.
2. PDC is an Owner with the right to drill into and produce from the Application Lands.
3. The spacing unit in the Form 2/Application for Permit to Drill ("APD") for the Bunting 26Q-304 well, approved January 18, 2017, contains additional, adjacent lands to the Application Lands. PDC modified its drilling plans to reduce the spacing unit to contain only the Application Lands, and will file any necessary paperwork to harmonize this spacing unit with other documents on file at the Commission.
4. Rule 318A, as amended on August 8, 2011 addresses the drilling of horizontal wells under Rule 318A.a.(4)D. Rule 318A was originally established on April 27, 1998 to allow for certain drilling locations to drill or twin an existing well, deepen a well, or recomplete a well. Rule 318A also provided for the commingling of any or all of the Cretaceous Age formations from the Dakota formation to the surface. Rule 318A was

first amended on December 5, 2005 to allow for interior infill and boundary wells and spacing units.

5. 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.

6. No other orders have been entered for the Application Lands.

7. PDC designated this 560-acre Wellbore Spacing Unit for the production of oil, gas, and associated hydrocarbons from the Niobrara formation as provided by Rule 318A and notified the appropriate parties under Rule 318A.

8. Under the provisions of Rule 530 and C.R.S. § 34-60-116(6)–(7), PDC requests an order pooling all interests, including non-consenting interests and the ability to drill through all tracts, in the Application Lands for the development of the Niobrara formation underlying the following approximate 560-acre Wellbore Spacing Unit:

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

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

Section 27: S $\frac{1}{2}$ S $\frac{1}{2}$

Section 34: N $\frac{1}{2}$ N $\frac{1}{2}$

Section 35: N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

Weld County, Colorado (“Wellbore Spacing Unit” in this Application)

9. PDC requests that the Commission’s pooling order be made effective as of the earlier date of this Application, or the date that the costs specified in C.R.S. § 34-60-116(7)(b)(II) are first incurred for the drilling of the Bunting 26Q-304 well to the Niobrara formation on the Application Lands.

10. PDC certifies that copies of this Application will be served on all owners of the mineral estate, as indicated and required by Rule 507.b(2), underlying the tracts of the Application Lands to be pooled within seven (7) days of the date hereof, and that at least thirty-five (35) days prior to the hearing on this matter, each such interest owner not already leased or voluntarily pooled will be offered the opportunity to lease, or to participate in the drilling of the Well, and will be provided with the information required by Rule 530. The list of such Interested Parties, with all known parties to be pooled, is attached as Exhibit A.

11. In order to prevent waste and to protect correlative rights, all interests and tracts in the Wellbore Spacing Unit should be pooled for the orderly drilling and development of the Niobrara formation.

WHEREFORE, PDC respectfully requests that this matter be set for hearing at the next available opportunity, that notice be given as required by law, and that the Commission enter an Order:

- A. Pooling all interests in the Application Lands and the Wellbore Spacing Unit for the development of the Niobrara formation;
- B. Providing that the Commission's pooling order is made effective as of the earlier date of the Application, or the date that the costs specified in C.R.S. § 34-60-116(7)(b)(II) are first incurred for the drilling of the Bunting 26Q-304 well in the Wellbore Spacing Unit to the Niobrara formation on the Application Lands;
- C. Providing that the interests of any owners with whom PDC has been unable to secure a lease, other agreement to participate in the drilling of the authorized well(s), or those who consented to be pooled are pooled by operation of statute, pursuant to C.R.S. § 34-60-116(7), and made subject to the cost recovery provisions thereof with respect to the Bunting 26Q-304 well drilled to develop the Niobrara formation in the Wellbore Spacing Unit comprised of the Application Lands; and
- D. Providing for such other findings and order as the Commission may deem proper or advisable in this matter.

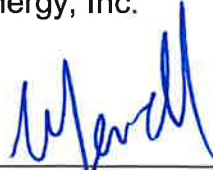
[SIGNATURE PAGE FOLLOWS]

DATED this 30th day of November, 2017.

Respectfully submitted,

PDC Energy, Inc.

By:

A handwritten signature in blue ink, appearing to read "Michael T. Jewell", written over a horizontal line.

Michael T. Jewell, Esq. #40902
Courtney M. Shephard, Esq. #47668

Burns, Figa & Will, P.C.
6400 S. Fiddler's Green Circle - Suite 1000
Greenwood Village, CO 80111

PDC Energy, Inc.
Mr. J. Tyler Sims, MBA, CPL
1775 Sherman Street - Suite 3000
Denver, CO 80203

VERIFICATION


STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

The undersigned, of lawful age, having been first sworn upon his oath, deposes and states that:

1. He is a Senior Regional Landman – PDC Energy, Inc., which address is 1775 Sherman Street, Suite 3000, Denver, CO 80203.

2. He has read the attached application for the Bunting 26Q-304 well, is familiar with the facts set forth therein, and states that said facts are true and correct to the best of his knowledge and belief.

Further Affiant sayeth not.



J. Tyler Sims, MBA, CPL

Subscribed and sworn to before me this 29th day of November, 2017.

Witness my hand and official seal.
My commission expires: Nov. 20, 2020

MEGAN GUNNIFSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20084036848
MY COMMISSION EXPIRES NOVEMBER 20, 2020



Megan Gunnifson

EXHIBIT A

Interested Parties

Bunting 26Q-304 Well

“*” denotes the interested parties that may be subject to the statutory cost recovery provisions of C.R.S. § 24-60-116.

PDC Energy, Inc.
ABA Revocable Trust*
Alicia Anne Scheid*
Andrew Kennedy Leaming*
Argonaut Ventures, LLC*
Barry L. Snyder*
Bill L. Dumler*
Brian A. Brantner*
Bryan L. Bunting*
Cari Campbell*
Colorado Commodity Traders, Inc. *
Comanche Enterprises, Inc. *
Daniel Phillip Seelinger*
Darlene Campbell*
Davee Jo Bunting*
David C. Wilkinson*
Dennis D. Loose and Sharlene A. Loose, JT*
Donald A. Roth*
Donna J. Sharp*
Dorothea Sharon Sweet, as Trustee of the Heidbrink Family Trust*
Douglas Lee Herbster or Myra Joan Herbster, as Trustee of the Herbster Family Trust*
Dwayne Schultz*
Eileen Dumler*
Elsie L. Bacon and June L. Franklin, JT*
FBO Investments, LLLP*
Fougasse Ventures, LLC*
Gary Edstrom and Alaina Edstrom, JT*
George E. Neukirch and Evelyn L. Neukirch, JT*
George Everett Bunting and Sandra Camille Bunting, JT*

Helen H. Burns*
Henry L. Giesick*
Hugh J. Leaming and Olive Leaming, JT*
Incline Niobrara Partners, LP*
James A. Ford*
James Brantner*
James Lee Sitzman, Jr. *
Janice E. Walter*
Jay L. Sitzman*
Jerry Lee Karbs*
John Frederick Schmidt*
John G. Brant*
John P. Allen and Toni L. Dengler*
Joseph F. Zufall and LaVeta A. Zufall, JT*
Joseph W. Brantner and Katherine M. Brantner, JT*
KRL Black River Royalty*
Laura Elizabeth Leonard Insurance Trust*
LeAnna Annette Seelinger*
Lennan Main, Ltd. *
Leo J. Sitzman*
Lori Campbell*
Louise Keffler*
Lydia Dietrich Trust*
Mary Wilson*
Michael A. Brantner*
Michael Boulter Farms, LLC*
Michael J. Boulter and Daisy I. Boulter, JT*
Michael J. Roth*
Michelle Campbell*
Noble Energy, Inc.*
O. Paul Leonard, III*
Patrick L. McNear*
Paul Brantner*
REO-DEO Resources, LP*
Richard L. Roth*
Robert A. Roth*

Ronald A. Pickering*
Ryan G. Fadeley and Anna C. Fadeley, JT*
Ryland Royalty*
Stelaron, Inc. *
Sue Geisick*
Taku Resources LLC*
Tall Grass Energy, LLC*
The Jack Donald Bennalack and Sylvia C. Bennalack Revocable Trust*
The Londell A. Bunting Family Trust*
The Lower Latham Reservoir Company*
The Union Central Life Insurance Company*
Timothy J. Sharp*
Trinity Resources, LLC*
Wanda K. Sitzman*
Weld County, Colorado c/o Board of County Commissioners*
Westco Family Limited Partnership*
William L. Brantner*

EXHIBIT B

Plat

Bunting 26Q-304 Well

[ATTACHED]

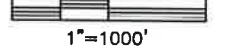
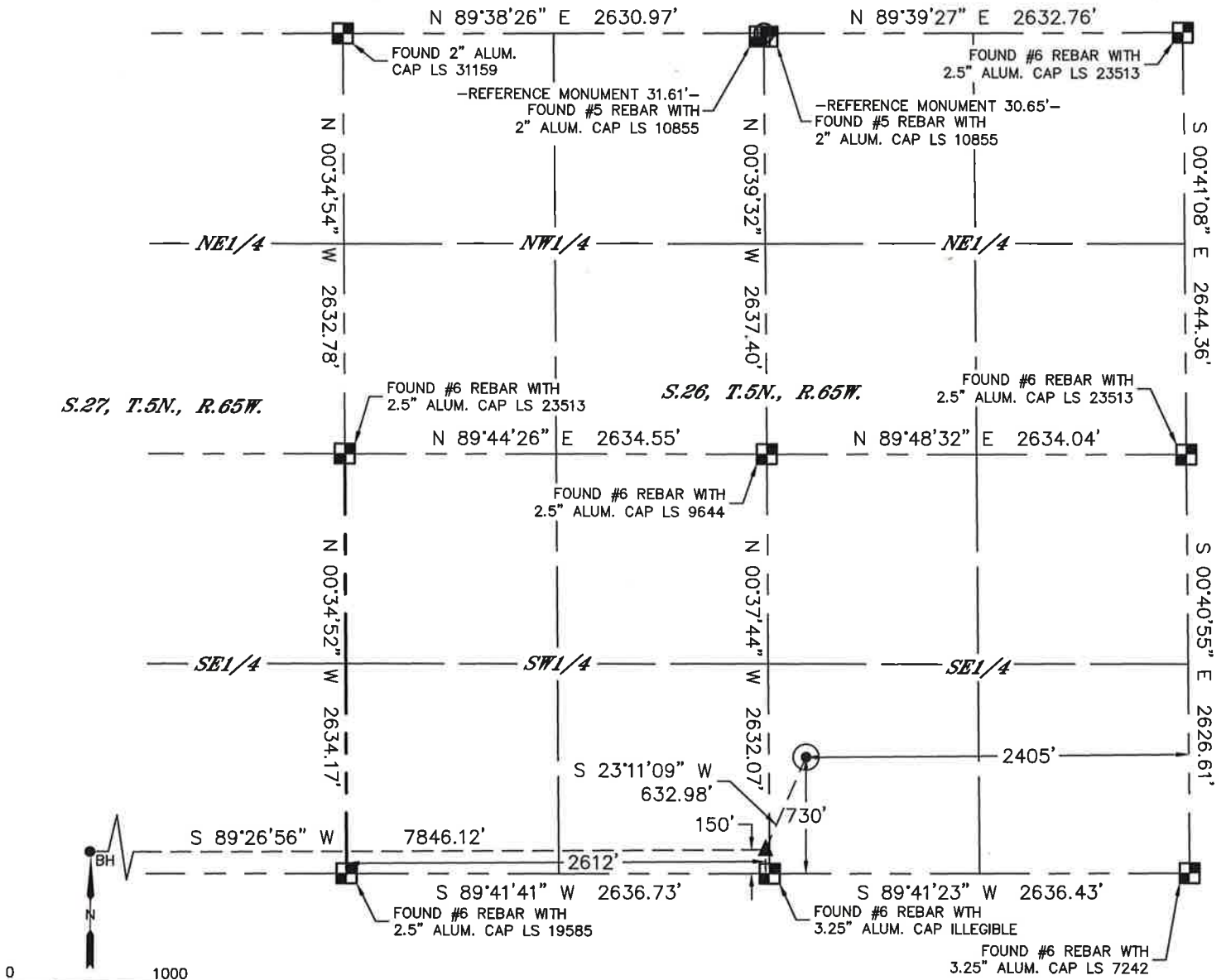


Lat40°, Inc. 6250 W. 10th Street, Unit 2, Greeley, CO 970-515-5294

WELL LOCATION CERTIFICATE

BUNTING 26Q-304

SECTION: 26
TOWNSHIP: 5N
RANGE: 65W
6TH. P.M.
WELD COUNTY, CO



- LEGEND**
- = ALIQUOT MONUMENT AS DESCRIBED
 - = CALCULATED POSITION
 - ⊙ = SURFACE HOLE LOCATION (SHL)
 - ▲ = ENTRY POINT LOCATION (EP)
 - = BOTTOM HOLE LOCATION (BHL)
 - ⊕ = EXISTING WELL
 - ⊖ = ABANDONED WELL

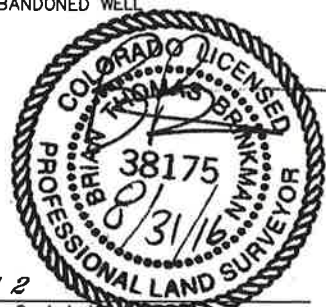
CLIENT: PDC ENERGY				LANDMAN: JEFF HINDMARSH			
INSTRUMENT OPERATOR: BRIAN ROTTINGHAUS				SURVEY DATE: 4/8/2016		SURFACE USE: CROP LAND	
SHL FOOTAGE		SHL LAT °	SHL LONG °	SHL PDOP	SHL ELEV	SHL 1/4/1/4	SHL S-T-R
730	FSL 2405 FEL	40.36502	-104.62962	1.7	4649	SWSE	26-5-65

BHL FOOTAGE		BHL LAT °	BHL LONG °	BHL S-T-R	EP LAT °	EP LONG °	EP S-T-R
130	FSL 50 FWL	40.36343	-104.65868	27-5-65	40.36343	-104.63053	26-5-65

NOTE:

- Bearings shown are Grid Bearings of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983. The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."
- Distances to section lines measured at 90 degrees from said section lines.
- Ground elevations are based on an observed GPS elevation (NAVD 1988 DATUM).
- Latitude and Longitude shown are (NAD 83 DATUM).
- IMPROVEMENTS: See LOCATION DRAWING for all visible improvements within 500' of oil and gas location.
- This map does not represent a boundary survey.

NEAREST CULTURAL ITEMS	
BUILDING	±471' S
BUILDING UNIT	±558' SW
HIGH OCCUPANCY BUILDING UNIT	5280'+
DESIGNATED OUTSIDE ACTIVITY AREA	5280'+
PUBLIC ROAD (COUNTY ROAD 52)	±717' S
ABOVE GROUND UTILITY	±560' SW
RAILROAD	±1697' NW
PROPERTY LINE	±233' W



SHEET 1 OF 2
 Brian T. Brinkman—On behalf of Lat40°, Inc.
 Colorado Licensed Professional Land Surveyor No. 38175
 DATE: 8/31/2016
 PROJECT#: 2015094

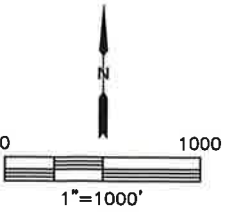
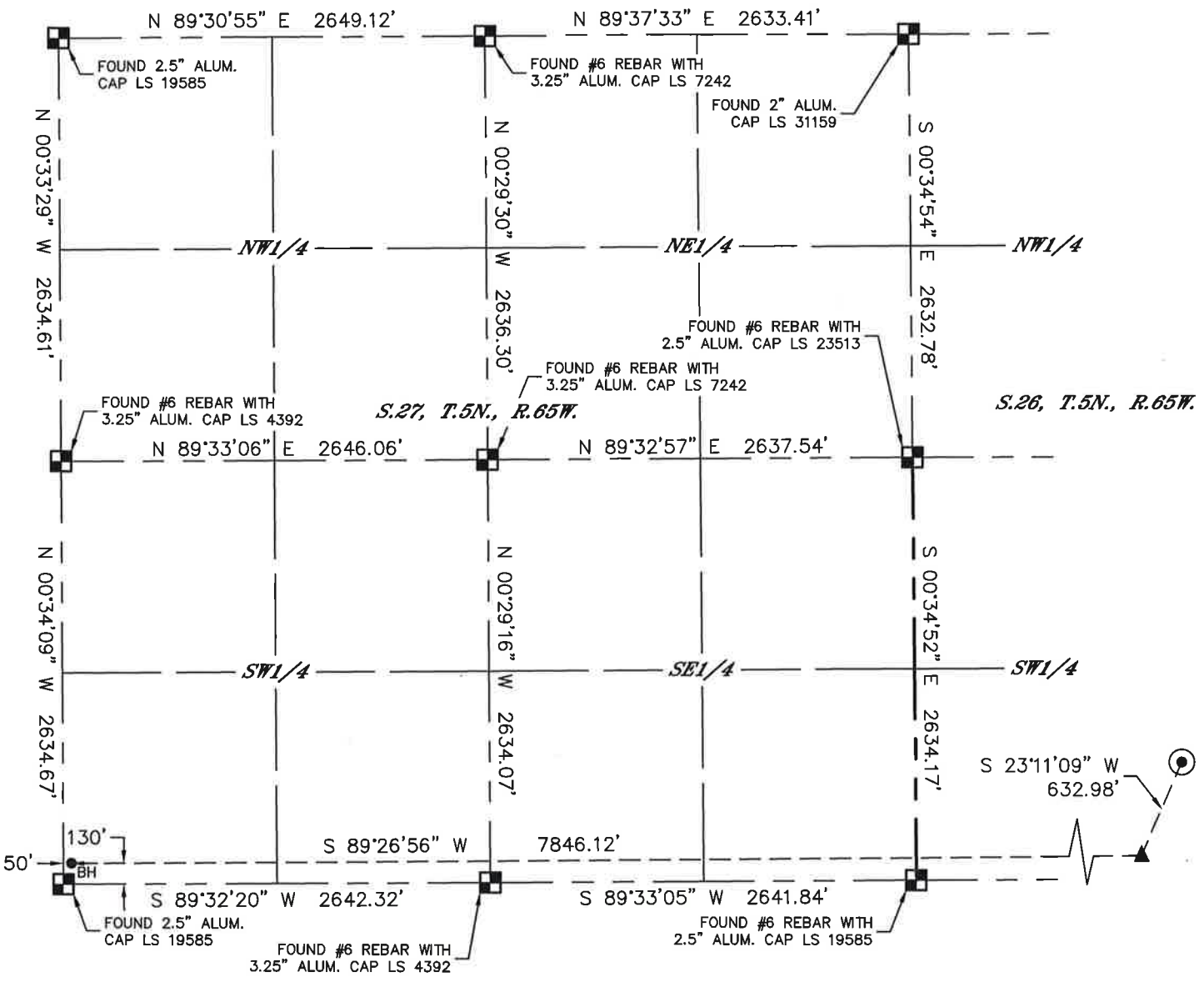


Lat40°, Inc. 6250 W. 10th Street, Unit 2, Greeley, CO 970-515-5294

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SHEET 2 OF 2

Brian T. Brinkman—On behalf of Lat40°, Inc.
 Colorado Licensed Professional Land Surveyor No. 38175
 DATE: 8/31/2016
 PROJECT#: 2015094

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

IN THE MATTER OF THE PROMULGATION AND)	CAUSE NO.	
ESTABLISHMENT OF FIELD RULES TO)		
GOVERN OPERATIONS FOR THE NIOBRARA)	DOCKET NO.	180100100
FORMATION, WATTENBERG FIELD, WELD)		
COUNTY, COLORADO)	TYPE:	POOLING

MOTION FOR PUBLICATION OF SUMMONS

PDC Energy, Inc. (Operator No. 69175) ("PDC"), by and through its attorneys Burns, Figa & Will, P.C., respectfully files this Motion for Publication of Summons ("Motion") to the Colorado Oil and Gas Conservation Commission of the State of Colorado ("COGCC" or "Commission" for an order to serve an unlocatable interested party by Publication of Summons. In support of its Motion, PDC states and alleges the following:

1. On November 30, 2017, PDC filed a verified application with the Commission ("Application") for an order pooling all interests within an approximate 560-acre Wellbore Spacing Unit, for the drilling of the Bunting 26Q--304 well (API No. 05-123-44093) for the development of the Niobrara formation on the following described lands:

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

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

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Section 34: N $\frac{1}{2}$ N $\frac{1}{2}$

Section 35: N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

Weld County, Colorado, containing approximately 560.00 acres ("Application Lands")

2. Burns, Figa & Will, P.C. submitted a Certificate of Service to the Commission for Docket No. 180100100 on December 7, 2017, stating that copies of the Application were deposited in the United States Mail to all parties listed in Exhibit A to the Application, with the exception of the following party, which PDC was unable to locate and planned to notice by publication: Dwayne Schultz.

3. Pursuant to COGCC Rule 507.b.(1), notice of applications affecting drilling units must be served on the "owners within the proposed drilling unit or within the existing drilling unit to be affected by the applications." C.R.S. § 34-60-108(4) mandates that where notice of an application to establish a drilling and spacing unit is not served to interested parties by mail, the same shall be served in accordance with the Colorado Rules of Civil Procedure for the service of process in civil actions in the district courts of the State of Colorado.

4. C.R.C.P. 4(g) authorizes service by publication where a party cannot effect personal service or service by mail. If the Commission is satisfied that PDC has used due diligence to serve interested parties by mail, or that its efforts to would have been to no avail, the Commission may order publication of process in a newspaper published in the county in which

the action is pending.¹ The Commission shall require publication once a week for five successive weeks, and shall deem service complete on the day of the last publication.

5. Despite diligent efforts, PDC has been unable to locate an address for service for Dwayne Schultz, who is believed to be an owner in the Application Lands (the "Unlocatable Party").

6. In an attempt to locate the Unlocatable Party, PDC conducted searches using the Weld County, Colorado ICRIS system (paid service), LexisNexis (paid service), InfoAge IS (paid service), and Google. Despite its efforts, PDC was unable to locate an address for the Unlocatable Party or any information about whether the Unlocatable Party's interest has been transferred to other parties.

WHEREFORE, PDC respectfully requests the following relief:

1. The Commission issue an Order, authorizing by publication in a newspaper published in Denver County, Colorado, the county in which this action will be heard by the Commission, for the purposes of providing notice of the Application to the Unlocatable Party.

2. Require publication to be made once weekly for five successive weeks from the date of the Order.

3. For such other findings and orders as the commission may deem proper or advisable.

DATED this 7th day of December, 2017.

Respectfully submitted,

PDC Energy, Inc.

By: 

Michael T. Jewell, Esq. #40902
Courtney M. Shephard, Esq. #47668

Burns, Figa & Will, P.C.
6400 S. Fiddler's Green Circle – Suite 1000
Greenwood Village, CO 80111

PDC Energy, Inc.
Mr. J. Tyler Sims, MBA, CPL
1775 Sherman Street - Suite 3000
Denver, CO 80203

¹ See C.R.C.P. 4(g)(2).

CERTIFICATE OF SERVICE

I hereby certify that on December 7, 2017, Burns, Figa & Will, P.C. caused PDC's Motion for Publication of Summons to be served via electronic mail and by courier to the Colorado Oil and Gas Conservation Commission pursuant to the applicable rules at the addresses listed below:

Colorado Oil and Gas Conservation Commission
Attn: Julie Prine, Hearings and Regulatory Affairs Manager
1120 Lincoln Street - Suite 801
Denver, CO 80203
julie.prine@state.co.us



Michael T. Jewell, Shareholder
Burns, Figa & Will, P.C.