

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

IN THE MATTER OF AN APPLICATION BY KERR-MCGEE OIL & GAS ONSHORE LP FOR AN ORDER POOLING ALL INTERESTS IN TWO APPROXIMATE 800-ACRE DESIGNATED HORIZONTAL WELLBORE SPACING UNITS FOR CERTAIN PORTIONS OF SECTIONS 1, 2, 11, 12, 13 AND 14, TOWNSHIP 1 NORTH, RANGE 66 WEST, 6TH P.M. AND CERTAIN PORTIONS OF SECTIONS 35 AND 36, TOWNSHIP 2 NORTH, RANGE 66 WEST, 6TH P.M., FOR THE DEVELOPMENT/OPERATION OF THE CODELL AND NIOBRARA FORMATIONS, WATTENBERG FIELD, WELD COUNTY, COLORADO

CAUSE NO. 407

DOCKET NO.

TYPE: POOLING

**APPLICATION**

Kerr-McGee Oil & Gas Onshore LP (Operator No. 47120) ("Kerr-McGee" 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 ("Commission") for an order pooling all interests in two approximate 800-acre horizontal wellbore spacing units established for certain portions of Sections 1, 2, 11, 12, 13 and 14, Township 1 North, Range 66 West, 6<sup>th</sup> P.M., and Sections 35 and 36, Township 2 North, Range 66 West, 6<sup>th</sup> P.M., for the development and operation of the Codell and Niobrara Formations. In support of its Application, Applicant states and alleges as follows:

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

Township 1 North, Range 66 West, 6<sup>th</sup> P.M.

Sec. 1:       W<sup>1</sup>/<sub>2</sub>W<sup>1</sup>/<sub>2</sub>  
Sec. 2:       E<sup>1</sup>/<sub>2</sub>E<sup>1</sup>/<sub>2</sub>  
Sec. 11:       E<sup>1</sup>/<sub>2</sub>E<sup>1</sup>/<sub>2</sub>  
Sec. 12:       W<sup>1</sup>/<sub>2</sub>W<sup>1</sup>/<sub>2</sub>  
Sec. 13:       NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>  
Sec. 14:       NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>

Township 2 North, Range 66 West, 6<sup>th</sup> P.M.

Sec. 35:       SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>  
Sec. 36:       SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>

***Wellbore Spacing Unit ("WSU") Nos. 1 & 2***

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

These lands are hereinafter collectively referred to as the "Application Lands" and depicted in Exhibit A, attached hereto.

3. On April 27, 1998, the Commission adopted Rule 318A. which, among other things, allowed certain drilling locations to be utilized to drill or twin a well, deepen a well or recomplete a well and to commingle any or all of the Cretaceous Age Formations from the base of the Dakota Formation to the surface. On December 5, 2005, Rule 318A. was amended to allow interior infill and boundary wells to be drilled and wellbore spacing units to be established. On August 8, 2011, Rule 318A. was again amended to, among other things, address drilling of horizontal wells. The Application Lands are subject to Rule 318A.

4. Upon information and belief, Applicant designated two approximate 800-acre horizontal wellbore spacing units comprised of certain portions of the Application Lands, for the below-described wells, for the production of oil, gas and associated hydrocarbons from the Codell and Niobrara Formations. Applicant notified all owners in the proposed wellbore spacing units pursuant to Rule 318A.e.(5). Applicant did not receive objections to the establishment of the proposed horizontal wellbore spacing units within the 30-day response period:

- a. Verde 13-1HZ Well (API No. 05-123-46015) - Codell Formation - WSU #1;
- b. Verde 13-2HZ Well (API No. 05-123-46018) - Niobrara Formation - WSU #2.

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

5. 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, including, but not limited to, any nonconsenting interests, in WSU Nos. 1 and 2 established for the Application Lands, for the development and operation of the Codell and Niobrara Formations.

6. 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 the Subject Wells within WSU Nos. 1 and 2.

7. 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 the Subject Wells.

8. 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.

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 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, the Commission enter its order:

A. Pooling all interests in WSU Nos. 1 and 2 established for the Application Lands, for the development and operation of the Codell and Niobrara Formations, 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 the Subject Wells within WSU Nos. 1 and 2.

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 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 the Subject Wells.

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

DATED this 11<sup>th</sup> day of January, 2018.

Respectfully submitted,

**KERR-MCGEE OIL & GAS ONSHORE LP**

By: Jobediah Rittenhouse  
James Parrot  
Jillian Fulcher  
Jobediah Rittenhouse  
Beatty & Wozniak, P.C.  
Attorneys for Applicant  
216 16th Street, Suite 1100  
Denver, Colorado 80202  
(303) 407-4499  
jparrot@bwenergylaw.com  
jfulcher@bwenergylaw.com  
jrittenhouse@bwenergylaw.com

Applicant's Address:

Kerr-McGee Oil & Gas Onshore LP  
ATTN: Anthony Landry  
1099 18<sup>th</sup> Street, Suite 1800  
Denver, Colorado 80202

VERIFICATION

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

Anthony Landry, Landman for Kerr-McGee Oil & Gas Onshore LP, 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.

KERR-MCGEE OIL & GAS ONSHORE LP

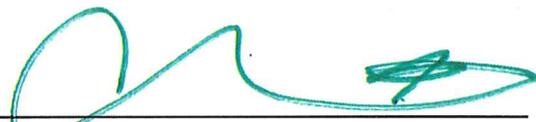
  
\_\_\_\_\_  
Anthony Landry

Subscribed and sworn to before me this 14<sup>th</sup> day of January, 2018,  
by Anthony Landry, Landman for Kerr-McGee Oil & Gas Onshore LP.

Witness my hand and official seal.

My commission expires: 11/7/2021

CELESTE C CARDOSO  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20134080883  
MY COMMISSION EXPIRES 11/07/2021

  
\_\_\_\_\_  
Notary Public

## Exhibit A

### Reference Map for Pooling Application

#### Township 1 North, Range 66 West, 6<sup>th</sup> P.M.

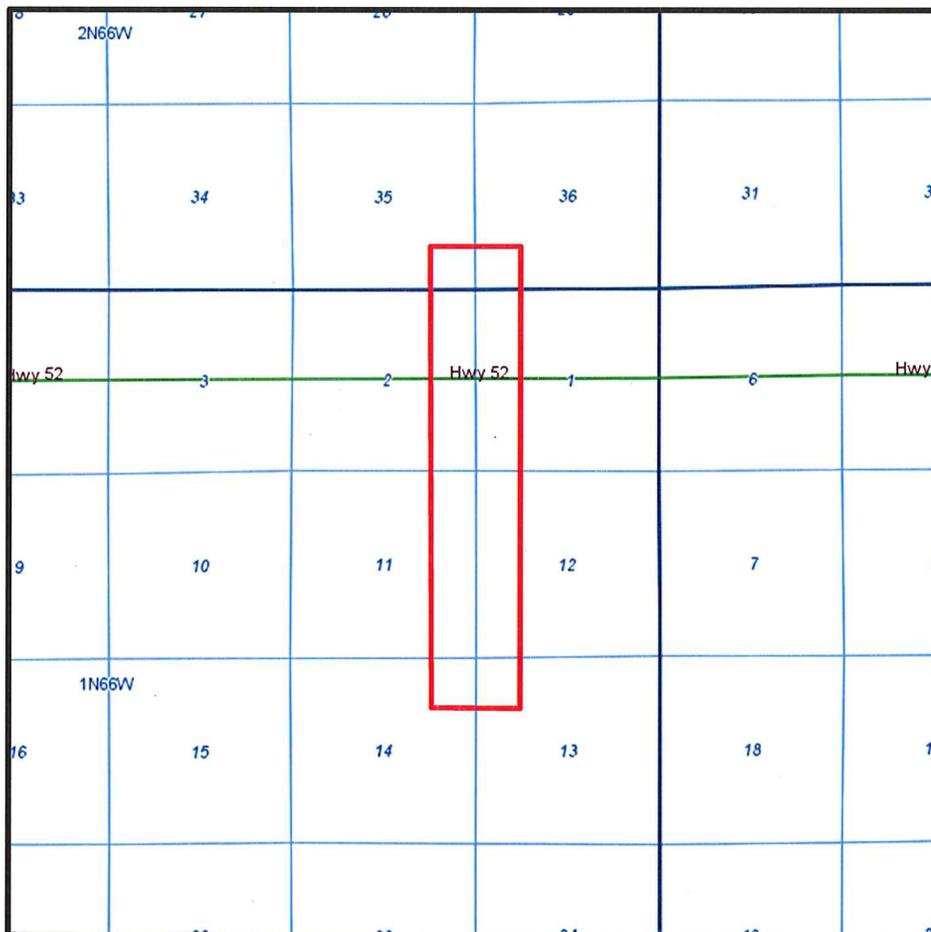
Sec. 1:  $W\frac{1}{2}W\frac{1}{2}$   
Sec. 2:  $E\frac{1}{2}E\frac{1}{2}$   
Sec. 11:  $E\frac{1}{2}E\frac{1}{2}$   
Sec. 12:  $W\frac{1}{2}W\frac{1}{2}$   
Sec. 13:  $NW\frac{1}{4}NW\frac{1}{4}$   
Sec. 14:  $NE\frac{1}{4}NE\frac{1}{4}$

#### Township 2 North, Range 66 West, 6<sup>th</sup> P.M.

Sec. 35:  $SE\frac{1}{4}SE\frac{1}{4}$   
Sec. 36:  $SW\frac{1}{4}SW\frac{1}{4}$

#### **Wellbore Spacing Unit ("WSU") Nos. 1 & 2**

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



 = Application Lands



## 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.

WELD COUNTY, COLORADO, A POLITICAL  
SUBDIVISION  
OF THE STATE OF COLORADO  
1150 "O" STREET  
GREELEY, CO 80634

ANADARKO E & P ONSHORE LLC  
1099 18TH STREET  
DENVER, CO 80202

RAYMOND L. WISEMAN  
2625 COLORADO AVENUE  
BOULDER, CO 80302

MEKUSUKEY OIL COMPANY, L.L.C.  
PO BOX 816  
WEWOKA, OK 74884

G.D. BROWN & CO.  
16317 HIGHWAY 52  
FORT LUPTON, CO 80621

DONNA JESSER  
5029 RUCKER AVE.  
EVERETT, WA 98203

GARRETT JESSER  
167 BLUE BONNET DRIVE  
BRIGHTON, CO 80601

L.M. BROWN & CO.  
16317 HIGHWAY 52  
FORT LUPTON, CO 80621

DONNA JESSER  
5029 RUCKER AVE.  
EVERETT, WA 98203

MARY LOU ELLIOTT  
321 NORTH 11TH STREET  
GUNNISON, CO 81230

DIANE HARVEY DUNN  
2 CARRINGTON COURT  
BAY CITY, TX 77414

HAROLD WAYNE LONG  
620 W. LIMBERLOST #24  
TUCSON, AZ 85705

CRESTONE PEAK RESOURCES HOLDINGS  
LLC  
1801 CALIFORNIA STREET, STE. 2500  
DENVER, CO 80202

SWAN EXPLORATION LLC  
1235 NORTH LOOP WEST STE. 500  
HOUSTON, TX 77008

MARTIN BROTHERS, L.L.C.  
3856 N. GLEBE RD.  
ARLINGTON, VA 22207

ANADARKO LAND CORP  
1099 18TH STREET  
DENVER, CO 80202

STATE OF COLORADO, ACTING BY AND  
THROUGH THE STATE BOARD OF LAND  
COMMISSIONERS  
1127 SHERMAN STREET, STE. 300  
DENVER, CO 80203

FAY E. HARVEY  
1400 CORONADO DR.  
PAMPA, TX 79065

ROBERT JESSER  
PO BOX 786  
SONOITA, AZ 85637

SAMANTHA JESSER  
119 WOOD CANYON ROAD  
PATAGONIA, AZ 85624

THE GARRETT JESSER TRUST  
C/O ROBERT JESSER, PO BOX 786  
SONOITA, AZ 85637

ROBERT JESSER  
PO BOX 786  
SONOITA, AZ 85637

DEBORAH MCQUITTY FOR LIFE, WITH  
REMAINDER TO BRANDI CARROLL AND KEN-  
G JOHNSON  
3309 SOUTH ASH  
PERRYTON, TX 79070

DAMON HARVEY  
5802 SHADY LANE  
AMARILLO, TX 79109

GENE NORMAN LONG  
1850 ALSIS LANE  
TUCSON, AZ 85705

KERR-MCGEE OIL & GAS ONSHORE LP  
1099 18TH STREET  
DENVER, CO 80202

SYNERGY RESOURCES CORPORATION  
1675 BROADWAY, STE. 2600  
DENVER, CO 80202