

**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 DECLARING COMMISSION
ORDERS 535-773 AND 407-1938 APPLICABLE TO
INCLUDE UNNOTICED PARTIES, FOR
HORIZONTAL WELL DEVELOPMENT OF THE FORT
HAYES, CARLILE, CODELL AND NIOBRARA
FORMATIONS, UNNAMED FIELD, WELD COUNTY,
COLORADO

CAUSE NOS. 535, 407

DOCKET NO.

TYPE: SPACING

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 (“Commission”) for an order declaring Commission Order Nos. 535-773 and 407-1938 applicable to include previously unnoticed parties, for the production of oil, gas and associated hydrocarbons from 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 is an owner in the below-listed lands:

Township 8 North, Range 67 West, 6th P.M.
Section 35: All

Township 7 North, Range 67 West, 6th P.M.
Section 2: All

1,280 acres, more or less, Weld County, Colorado.

These lands are hereinafter referred to as the “Application Lands” and depicted in Exhibit A attached hereto.

3. On or about March 20, 2017, the Commission entered Order Nos.535-773 and 407-1938 which, among other things, established a 1,280-acre drilling and spacing unit for the Application Lands, and approved eight horizontal wells within the unit, for the production of oil, gas and associated hydrocarbons from the Fort Hayes, Carlile, Codell and Niobrara Formations.

4. Pursuant to §34-60-108, C.R.S. and Commission Rule 507.b.(1), notice of an application 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 application.

5. Applicant states that certain interested parties were inadvertently not provided notice of the application requesting the relief granted by Order Nos.535-773 and 407-1938. Because these parties are entitled to notice under §34-60-108, C.R.S. and Commission Rule 507.b.(1), Applicant hereby requests that Order Nos.535-773 and 407-1938 be declared applicable to previously unnoticed parties. The previously unnoticed parties are identified on Exhibit B attached hereto.

6. 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.

7. 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.

8. That the names and addresses of the interested parties (previously unnoticed parties) according to the information and belief of the Applicant are set forth in Exhibit B attached hereto. The Applicant shall submit a certificate of service for the Application within the seven days 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. Declaring Commission Order Nos.535-773 and 407-1938 applicable to previously unnoticed parties.

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

DATED this 18th day of January, 2018.

Respectfully submitted,

**ENERPLUS RESOURCES (USA)
CORPORATION**

By: 

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James P. Parrot
Evan B. Bekkedahl
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Applicant's Address:

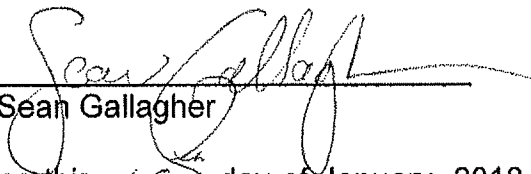
Enerplus Resources (USA) Corporation
Sean Gallagher, Senior Landman
950 17th Street, Suite 2200
Denver, Colorado 80202

VERIFICATION

STATE OF COLORADO)
) ss.
CITY & 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 10th day of January, 2018, by Sean Gallagher, Senior Landman for Enerplus Resources (USA) Corporation.

Witness my hand and official seal.

My commission expires: 5/18/2020

YASUKO S. ARMSTEAD
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124022883
MY COMMISSION EXPIRES MAY 18, 2020

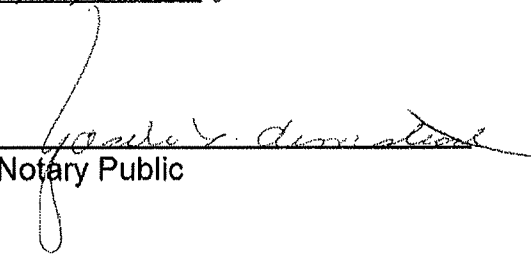

Notary Public

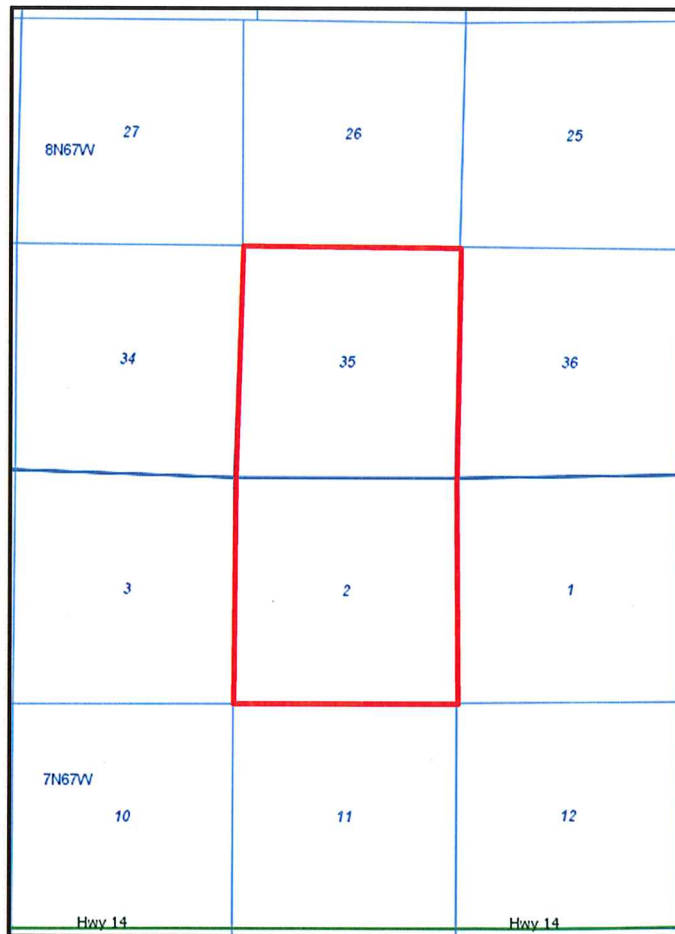
Exhibit A

Reference Map for Spacing Application

Township 8 North, Range 67 West, 6th P.M.
Section 35: All

Township 7 North, Range 67 West, 6th P.M.
Section 2: All

1,280 acres, more or less, Weld County, Colorado.



 = Application Lands

EXHIBIT B

Interested Parties
8N-67W Sec. 35
7N-67W Sec. 02

T8N-R67E-Sec 35: All

T7N-R67E-Sec 02: All

Frank L. Baiamonte & Diana L. Baiamonte
Co-Trustees of Trust No.1, created by that
certain Trust Declaration and Mineral Deed,
dated December 28, 1951, recorded at
Reception No. 1121158 December 28, 1951
PO BOX 57866,
Webster, TX 77598-7866

Frank L. Baiamonte & Diana L. Baiamonte
Co-Trustees of Trust No.1, created by that
certain Trust Declaration and Mineral Deed,
dated December 28, 1951, recorded at
Reception No. 1121158 December 28, 1951
3581 Allison Street,
Wheat Ridge, CO 80033

Frank L. Baiamonte as successor Trustee of
Trust No. 2, created by that certain Trust
Declaration and Mineral Deed, dated April 24,
1956, recorded at Reception No. 1244806 on
January 7, 1957
PO BOX 57866,
Webster, TX 77598-7866

Frank L. Baiamonte & Diana L. Baiamonte
Co-Trustees of Trust No.3, created by that
certain Trust Declaration and Mineral Deed,
dated October 7, 1963, recorded at Reception
No. 1419131 October 15, 1963
PO BOX 57866,
Webster, TX 77598-7866

Frank L. Baiamonte & Diana L. Baiamonte
Co-Trustees of Trust No.3, created by that
certain Trust Declaration and Mineral Deed,
dated October 7, 1963, recorded at Reception
No. 1419131 October 15, 1963
3581 Allison Street,
Wheat Ridge, CO 80033

Doug Fry and Jeri Fry, as Joint Tenants
10295 WCR 84
Ault, CO 80610

Wyotex Drilling Ventures, LLC
PO Box 280969
Lakewood, CO 80228-0969

Cobalt Oil and Gas, LLC
P.O. Box 8806
Denver, CO 80201

Chesapeake Exploration, LLC
PO Box 18496
Oklahoma City, OK 73154-0496

Chesapeake Exploration, LLC
6100 North Western Avenue
Oklahoma City, OK 73118

OOGC America, Inc.
c/o CNOOC International Limited
P.O. Box 4705
No. 25 Chaoyangmenbei Dajie,
Dongcheng District, Beijing
100010, P.R. China

