

**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 TO SUBJECT PREVIOUSLY  
UNNOTICED PARTIES TO ORDER NO. 535-824,  
POOLING ALL INTERESTS IN AN 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 OF THE FORT  
HAYES, CARLILE, CODELL AND NIOBRARA  
FORMATIONS, UNNAMED FIELD, WELD COUNTY,  
COLORADO

CAUSE NO. 535

DOCKET NO. *To be  
assigned*

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 ("Commission") for an order declaring Commission Order No. 535-824 applicable to include previously unnoticed parties. Commission Order No. 535-824 pooled all interests in an approximate 640-acre drilling and spacing unit established for certain portions of Sections 25 and 36, Township 8 North, Range 67 West, 6<sup>th</sup> 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 is an owner in the below-listed lands:

Township 8 North, Range 67 West, 6<sup>th</sup> P.M.

Section 25: W½

Section 36: W½

640 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. 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 June 12, 2017, the Commission entered Order No. 535-824 which, among other things, pooled all interests in an approximate 640-acre drilling and spacing unit for the Application Lands, for the development and operation of the Fort Hayes, Carlile, Codell and Niobrara Formations, and to subject any nonconsenting interests to the cost recovery provisions of §34-60-116(7), C.R.S. for the drilling of the Toque 8-67-36-26N Well (formerly known as the Brewski #8-67-36-25N Well) (API No. 05-123-44534), the Double-Double 8-67-36-25C Well (formerly known as the Liquid Bread #8-67-36-25C Well) (API No. 05-123-44535), the Cowtown 8-67-36-25C Well (formerly known as the Frostie #8-67-36-25C Well) (API No. 05-123-44536), and the Maple 8-67-36-25C Well (formerly known as the Suds #8-67-36-25C Well) (API No. 05-123-44539).

5. Applicant has since identified one or more interested parties, identified on Exhibit B attached hereto, who did not receive notice of the pooling application in Order No. 535-824.

6. Applicant is not seeking to apply the cost recovery provisions of §34-60-116(7), C.R.S. to the additional interested parties identified on Exhibit B.

7. Applicant requests that the Commission subject the unnoticed interested parties to Order No. 535-824, and that said order be effective as of the date of the original pooling application.

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. That the names and addresses of the interested parties (previously unnoticed persons own any interest in the mineral estate of the tracts to be pooled by Order No. 535-824, except owners of overriding royalty interest) 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 Order No. 535-824 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 1<sup>st</sup> day of March, 2018.

Respectfully submitted,

**ENERPLUS RESOURCES (USA)  
CORPORATION**

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

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.

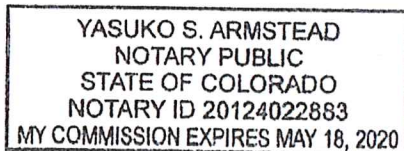
ENERPLUS RESOURCES (USA)  
CORPORATION

  
Sean Gallagher

Subscribed and sworn to before me this 3 day of March, 2018, by Sean Gallagher, Senior Landman for Enerplus Resources (USA) Corporation.

Witness my hand and official seal.

My commission expires: 5/0/2020




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

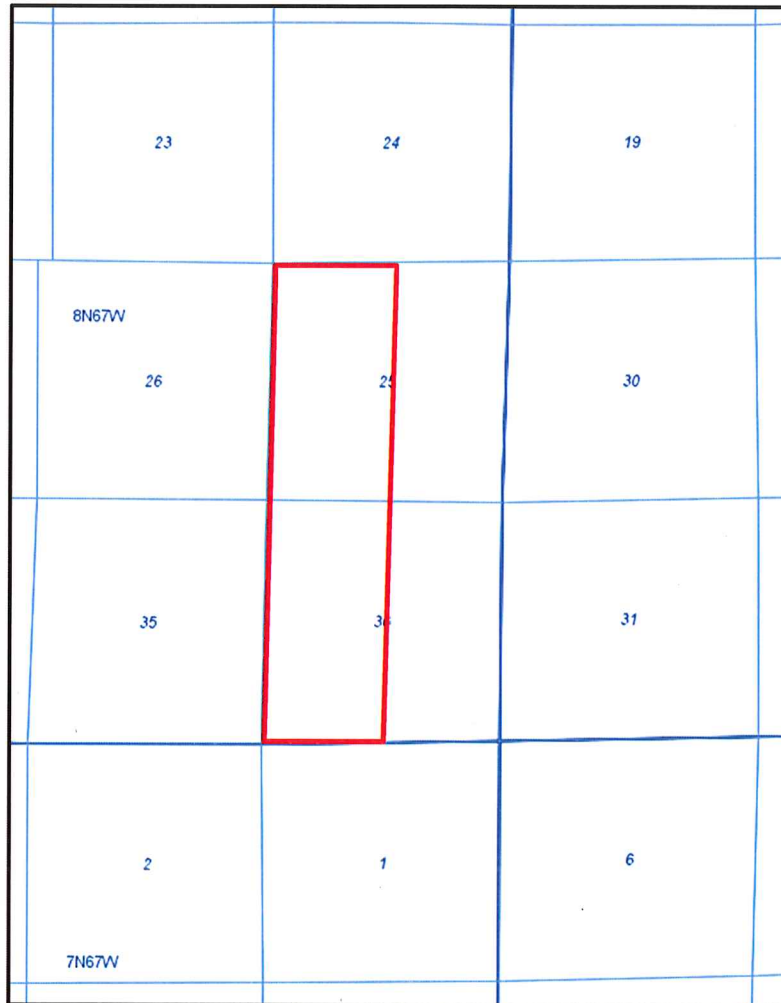
Exhibit A

Reference Map for Pooling Application

Township 8 North, Range 67 West, 6<sup>th</sup> P.M.

Section 25: W½

Section 36: W½



= Application Lands

## EXHIBIT B

Anadarko Land Corp.  
1099 18<sup>th</sup> Street, Suite 1800  
Denver, Colorado 80202-1918  
Attn: Wattenberg Land Manager

Kerr-McGee Oil and Gas Onshore, LP  
1099 18th Street, Suite 1800  
Denver, Colorado 80202-1918  
Attn: Wattenberg Land Manager

Colorado State Board of Land Commissioners  
Attn: Oil and Gas Leasing Manager  
1127 Sherman St., #300  
Denver, CO 80203

IN THE MATTER OF AN APPLICATION BY  
ENERPLUS RESOURCES (USA) CORPORATION  
FOR AN ORDER TO SUBJECT PREVIOUSLY  
UNNOTICED PARTIES TO ORDER NO. 535-824,  
POOLING ALL INTERESTS IN AN 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 OF THE FORT  
HAYES, CARLILE, CODELL AND NIOBRARA  
FORMATIONS, UNNAMED FIELD, WELD COUNTY,  
COLORADO

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 March 8, 2018, 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 1<sup>st</sup> day of March, 2018.

**AIDA LINDA BOWLIN**  
**Notary Public**  
**State of Colorado**  
**Notary ID 19984012218**  
**My Commission Expires May 1, 2018**

Notary Public

## **EXHIBIT A**

### **INTERESTED PARTIES**

ANADARKO LAND CORP.  
1099 18<sup>TH</sup> STREET, SUITE 1800  
DENVER, COLORADO 80202-1918  
ATTN: WATTENBERG LAND MANAGER

KERR-MCGEE OIL AND GAS ONSHORE, LP  
1099 18TH STREET, SUITE 1800  
DENVER, COLORADO 80202-1918  
ATTN: WATTENBERG LAND MANAGER

COLORADO STATE BOARD OF LAND COMMISSIONERS  
ATTN: OIL AND GAS LEASING MANAGER  
1127 SHERMAN ST., #300  
DENVER, CO 80203