

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

IN THE MATTER OF THE APPLICATION OF
CONOCOPHILLIPS COMPANY FOR AN
ORDER TO APPROVE AN ADDITIONAL SIX
WELLS, FOR A TOTAL OF UP TO EIGHT
HORIZONTAL WELLS IN AN APPROXIMATE
960-ACRE DRILLING AND SPACING UNIT
ESTABLISHED FOR SECTION 30, TOWNSHIP
3 SOUTH, RANGE 64 WEST, 6TH P.M., AND
SECTION 25, TOWNSHIP 3 SOUTH, RANGE
65 WEST, 6TH P.M., FOR PRODUCTION FROM
THE NIOBRARA FORMATION, UNNAMED
FIELD, ADAMS COUNTY, COLORADO,

CAUSE NO. 535

DOCKET NO. 180700 ____

TYPE: ADDITIONAL WELLS

APPLICATION

ConocoPhillips Company (Operator No. 19160) and its wholly owned subsidiary Burlington Resources Oil & Gas LP (Operator No. 26580) (together, "Applicant" or "COPC"), by and through its attorneys, Jost Energy Law, P.C., respectfully submits this Application to the Oil and Gas Conservation Commission of the State of Colorado (the "Commission") for an order to approve an additional six horizontal wells, for a total of up to eight horizontal wells in an approximate 960-acre drilling and spacing unit established for the Application Lands described below, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation. In support of its Application, Applicant states and alleges as follows:

1. Applicant is a Delaware corporation duly organized and authorized to conduct business in the State of Colorado.

2. Applicant is an Owner as defined by the Colorado Oil and Gas Conservation Act and/or owns leasehold interests or holds the right to drill and operate on the following lands (hereafter "Application Lands"):

Township 3 South, Range 64 West, 6th P.M.
Section 30: W½

Township 3 South, Range 65 West, 6th P.M.
Section 25: All

960 acres, more or less, Adams County, Colorado.

A reference map of the Application Lands is attached hereto.

3. On December 11, 2017, the Commission entered Order No. 535-898 which established an approximate 960-acre drilling and spacing unit established for Section 25, Township 3 South, Range 65 West, 6th P.M., and the W½ of Section 30, Township 3 South, Range 64 West, 6th P.M., and approved two horizontal wells within the unit, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation, with the productive interval of any horizontal well to be located be no closer than 460 feet from the boundaries of the unit and not less than 150 feet from the productive interval of another well within the unit, unless an exception is granted by the Director.

4. On May 4, 2018, Applicant filed a verified concurrent Application pursuant to §34-60-116, C.R.S. for an order to pool all interests in an approximate 960-acre drilling and spacing unit established for the Application Lands for the production of oil, gas and associated hydrocarbons from the Niobrara Formation, and to subject all nonconsenting parties to the cost-recovery provisions of §34-60-116(7), C.R.S. for the drilling of the Yellow 3-64 30-25 2AH Well (API No. Pending), Yellow 3-64 30-25 2DH Well (API No. Pending), Yellow 3-64 30-25 2BH Well (API No. Pending), Yellow 3-64 30-25 2CH Well (API No. Pending), Yellow 3-64 30-25 1AH Well (API No. Pending), Yellow 3-64 30-25 1BH Well (API No. Pending), Yellow 3-64 30-25 1CH Well (API No. Pending) and Yellow 3-64 30-25 1DH Well (API No. Pending) ("Wells").

5. The records of the Commission reflect that no horizontal wells are currently producing from the Niobrara Formation in the Application Lands.

6. To promote efficient drainage within the Niobrara Formation of the Application Lands, to protect correlative rights and to avoid waste, the Commission should approve an additional six horizontal wells, for a total of up to eight horizontal wells, in the approximate 960-acre drilling and spacing unit established for the Application Lands for the production of oil, gas and associated hydrocarbons from the Niobrara Formation.

7. The above proposed additional wells will allow efficient drainage of the Niobrara Formation; will prevent waste; will not adversely affect correlative rights and will assure the greatest ultimate recovery of gas and associated hydrocarbon substances from the reservoirs. The unit of the size and shape specified above is not smaller than the maximum area that can be economically and efficiently drained by the proposed wells in the unit.

8. The Applicant maintains that there will be no more than two new well pads in the unit, or adjacent thereto, unless an exception is granted by the Director.

9. The productive interval of each proposed horizontal well shall be no closer than 460 feet from the boundaries of the unit (regardless of the lease lines within the unit) and all horizontal wells shall be no closer than 150 feet from the productive interval of another well producing from the same source of supply within the unit, unless an exception is granted by the Director.

10. The undersigned certifies that copies of this Application will be served on each interested party 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 on July 30, 2018, that notice be given as required by law, and that upon such hearing this Commission enter its order to:

A. Approve an additional six horizontal wells, for a total of up to eight horizontal wells, in an approximate 960-acre drilling and spacing unit established for Section 25, Township 3 South, Range 65 West, 6th P.M., and the W½ of Section 30, Township 3 South, Range 64 West, 6th P.M., for the production of oil, gas and associated hydrocarbons from the Niobrara Formation.

B. Provide that the productive interval of any horizontal well shall be no closer than 460 feet from the boundaries of the unit and not less than 150 feet from the productive interval of another well within the unit, and authorizing up to two well pads in the unit, or adjacent thereto, unless an exception is granted by the Director.

C. Finding that the approval of up to eight horizontal wells in an approximate 960-acre drilling and spacing unit for the development of the Niobrara Formation on the Application Lands will prevent waste, protect correlative rights, and maximize the efficient and economic production of the Niobrara Formation in the Application Lands.

D. For such other findings and orders as the Commission may deem proper or advisable in this matter.

DATED this 4th day of May, 2018.

Respectfully submitted:

ConocoPhillips Company

By: 

Jamie L. Jost
Kelsey H. Wasylenky
Jost Energy Law, P.C.
Attorneys for Applicant
1401 17th Street, Suite 370
Denver, Colorado 80202
(720) 446-5620

Applicant's Address:

ConocoPhillips Company
Attn: Kent Crawford
600 N. Dairy Ashford Road
Houston, TX 77079-1069

VERIFICATION

)

) ss.

;

Kent Crawford, of lawful age, being first duly sworn upon oath, deposes and says that he is a Staff Landman for ConocoPhillips Company, and that he has read the foregoing Application and that the matters therein contained are true to the best of his knowledge, information and belief.

Kent Crawford
Staff Landman
ConocoPhillips Company

Subscribed and sworn to before me this 3rd day of May, 2018.

Witness my hand and official seal.

[SEAL]



My commission expires: 1/19/22

Shelly Dett
Notary Public

Reference Map
ConocoPhillips Company

Section 25, Township 3 South, Range 65 West, 6th P.M., and the W½ of Section 30,
Township 3 South, Range 64 West, 6th P.M.



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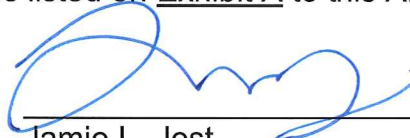
DOCKET NO. 180700____

TYPE: ADDITIONAL WELLS

AFFIDAVIT OF MAILING

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

The undersigned, of lawful age, and being first duly sworn upon my oath, state and declare that I am the attorney for ConocoPhillips Company and that on or before the 7th day of May, 2018, I caused a copy of the Application to be deposited in the United States Mail, postage prepaid, addressed to the parties listed on Exhibit A to this Affidavit.



Jamie L. Jost
Kelsey H. Wasylenky
Jill D. Dorancy

Subscribed and sworn to before me this 4th day of May, 2018.

Witness my hand and official seal.



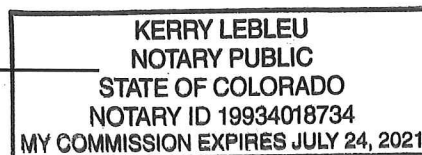
Notary Public

EXHIBIT A
ID - Yellow 3-65 25-30 - 8 wells

ConocoPhillips Company
Central Rockies Land Supervisor
600 N. Dairy Ashford
Houston, TX 77079

Burlington Resources Oil & Gas Company
LP
Central Rockies Land Supervisor
600 N. Dairy Ashford
Houston, TX 77079

AXIS Exploration, LLC
370 17th St., Suite 5300
Denver, CO 80202

AXIS Exploration, LLC
PO Box 1168
Denver, CO 80201

Summit Petroleum Corporation
602 N. Baird St., Suite 200
Midland, TX 79701

Brandon 1983 Drilling Program
c/o PH Basic Partners
38 Sycamore Dr.
Upper Saddle River, NJ 7458

Alexander 1983 Drilling Program
240 West 35th St.
New York, NY 10001

McCullis Resources Co. Inc
620 17th St.
Suite 1320
Denver, CO 80293

George G Vaught, Jr.
PO Box 13557
Denver, CO 80201

IB Haviland and Lucile S. Haviland Heirs and
Devises
507 Lake Shore Dr
Michigan City, IN 46360

Betty Brook Bruning Heirs and Devises
94568 Dublin
Alameda, CA 94502

Leopold Bruning Jr.
5625 S Newport Ave
Tulsa, OK 74105

First Church of Christ Scientist
210 Massachusetts Ave P02-02
Boston, MA 2115

Unity School of Christianity
c/o Capital One, N.A.
PO Box 3928
Beaumont, TX 77704-3928

Unity School of Christianity CARM
401 S.W. Oldham Parkway
Lees Summit, MO 64081

Bison Oil & Gas LLC
999 18th St, Suite 3370
Denver, CO 80202

Kent Kuster
Colorado Department of
Public Health & Environment
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Troy Swain
Weld County
Department of Planning Services
1555 N. 17th Ave.
Greeley, CO 80631

Jennifer Rutter
Adams County
Community & Economic Development
4430 South Adams County Parkway
Brighton, CO 801601-8218

Meriam Lucile Haviland Larson Heirs and
Devises
Unknown

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WELLS, FOR A TOTAL OF EIGHT HORIZONTAL
WELLS IN AN APPROXIMATE 960-ACRE
DRILLING AND SPACING UNIT ESTABLISHED
FOR SECTION 25, TOWNSHIP 3 SOUTH, RANGE
65 WEST, 6TH P.M. AND THE W½ OF SECTION
30, TOWNSHIP 3 SOUTH, RANGE 64 WEST, 6TH
P.M., IN THE NIOBRARA FORMATION, UNNAMED
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**CONOCOPHILLIPS COMPANY'S MOTION FOR AN ORDER OF SERVICE BY
PUBLICATION**

COMES NOW ConocoPhillips Company (Operator No. 19160) and its wholly owned subsidiary Burlington Resources Oil & Gas LP (Operator No. 26580) (together, "Applicant" or "COPC"), by its attorneys, Jost Energy Law, P.C., and files this motion for an order of service by publication ("Motion") to the Colorado Oil and Gas Conservation Commission ("Commission" or "COGCC"). In support of its Motion, COPC states the following:

A. Factual and Procedural History.

1. COPC, as Applicant herein, is a corporation duly authorized to conduct business in the State of Colorado, is a registered operator in good standing with the Commission, and is an interested party in the subject matter of the above-referenced Docket as the applicant and owner of certain leasehold interests in the Application Lands described below.

2. The Commission has jurisdiction over the subject matter embraced in said Docket, and of the parties interested therein, and jurisdiction to promulgate the hereinafter prescribed order pursuant to the Oil and Gas Conservation Act.

3. On December 11, 2017, the Commission entered Order No. 535-898 which established an approximate 960-acre drilling and spacing unit established for Section 25, Township 3 South, Range 65 West, 6th P.M., and the W½ of Section 30, Township 3 South, Range 64 West, 6th P.M., and approved two horizontal wells within the unit, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation, with the productive interval of any horizontal well to be located be no closer than 460 feet from the boundaries of the unit and not less than 150 feet from the productive interval of another well within the unit, unless an exception is granted by the Director.

4. On May 4, 2018, COPC filed a verified application pursuant to §34-60-116, C.R.S. for an order to approve an additional six horizontal wells, for a total of up to eight horizontal wells, within an approximate 960-acre drilling and spacing unit established for the below-described lands ("Application Lands"), for the production of oil, gas and associated hydrocarbons from the Niobrara Formation, with the productive interval of each proposed horizontal well shall be no closer than 460 feet from the boundaries of the unit (regardless of the lease lines within the unit) and all horizontal wells shall be no closer than 150 feet from the productive interval of another well producing from the same source of supply within the unit, unless an exception is granted by the Director:

Township 3 South, Range 64 West, 6th P.M.
Section 30: W½

Township 3 South, Range 65 West, 6th P.M.
Section 25: All

960 acres, more or less, Adams County, Colorado.

5. On May 4, 2018, Applicant filed a verified concurrent Application pursuant to §34-60-116, C.R.S. for an order to pool all interests in an approximate 960-acre drilling and spacing unit established for the Application Lands for the production of oil, gas and associated hydrocarbons from the Niobrara Formation, and to subject all nonconsenting parties to the cost-recovery provisions of §34-60-116(7), C.R.S. for the drilling of the Yellow 3-64 30-25 2AH Well (API No. Pending), Yellow 3-64 30-25 2DH Well (API No. Pending), Yellow 3-64 30-25 2BH Well (API No. Pending), Yellow 3-64 30-25 2CH Well (API No. Pending), Yellow 3-64 30-25 1AH Well (API No. Pending), Yellow 3-64 30-25 1BH Well (API No. Pending), Yellow 3-64 30-25 1CH Well (API No. Pending) and Yellow 3-64 30-25 1DH Well (API No. Pending).

6. On or before May 10, 2018, COPC will serve copies of the Application on all interested parties to the Application as defined in Rule 507.b.(1) and pursuant to Rule 503.e. (the "Interested Parties" or individually "Interested Party").

7. Upon reasonable due diligence, which is further detailed herein, COPC was unable to find address information for Meriam Lucile Haviland Larson, heirs and devisees (the "Larson Party"). COPC listed the Larson Party as "Address Unknown" in its Application.

8. The Commission has determined that in order for publication by notice to be effective as to persons with unknown addresses, the Applicant must first comply with Colorado Rule of Civil Procedure 4(g), which authorizes service of process by publication only after the Applicant files a verified motion with the Commission detailing Applicant's attempts to provide actual notice of the proceedings and the Commission grants the motion.

B. Standard of Review.

1. Section 34-60-108(4), C.R.S. provides:

“Any notice required by this article, except as provided in this section, shall be given by the commission either by mailing a copy thereof, postage prepaid, to the last known mailing address of the person to be given notice, or by personal service. In addition, the commission shall cause one publication of such notice, at least ten days prior to the hearing, in a newspaper of general circulation in the city and county of Denver and in a newspaper of general circulation in the county where the land affected, or some part thereof, is situated...In all cases where there is an application for the entry of a pooling order or unitization order...notice of the hearing to be held on such application or complaint shall be served on the interested parties either by mail as provided in this subsection (4) or in the same manner as is provided in the Colorado rules of civil procedure for the service of process in civil actions in the district courts of this state.”

2. Commission Rule 519 states that “[t]he Colorado Rules of Civil Procedure apply to Commission proceedings unless they are inconsistent with Commission Rules or the Colorado Oil and Gas Conservation Act.”

3. C.R.C.P. Rule 4(g) provides:

“Except as otherwise provided by law, service by mail or publication shall be allowed only in actions affecting specific property or status or other proceedings in rem. When service is by publication, the complaint need not be published with the summons. The party desiring service of process by mail or publication under this section (g) shall file a motion verified by the oath of such party or of someone in the party's behalf for an order of service by mail or publication. It shall state the facts authorizing such service, and shall show the efforts, if any, that have been made to obtain personal service and shall give the address, or last known address, of each person to be served or shall state that the address and last known address are unknown. The court, if satisfied that due diligence has been used to obtain personal service or that efforts to obtain the same would have been to no avail, shall:

(1) Order the party to send by registered or certified mail a copy of the process addressed to such person at such address, requesting a return receipt signed by the addressee only. Such service shall be complete on the date of the filing of proof thereof, together with such return receipt attached thereto signed by such addressee, or

(2) Order publication of the process in a newspaper published in the county in which the action is pending. Such publication shall be made

once each week for five successive weeks. Within 14 days after the order the party shall mail a copy of the process to each person whose address or last known address has been stated in the motion and file proof thereof. Service shall be complete on the day of the last publication. If no newspaper is published in the county, the court shall designate one in some adjoining county."

C. COPC's Due Diligence in Attempting to Locate the Unknown IPs.

In attempting to locate the Larson Party, COPC utilized the websites Archives.com, Familytreenow.com, Accurint.com, google.com and Ancestry.com in addition to conducting research at Heritage Title Company, the Adams County courthouse, and the probate filings in the Colorado State archives and the Jefferson County archives. As of the date of this Motion, COPC is unable to find a last known address for the Larson Party nor is COPC able to find a last known address for any confirmed heirs of the Larson Party.

D. Relief Requested

WHEREFORE, COPC respectfully requests the following relief:

1. That the Commission order publication of the process in the above-captioned docket in a newspaper published in Denver County, Colorado.
2. For such other findings and orders as the Commission may deem proper or advisable in this matter.

E. Reservation of Rights

COPC reserves its right to supplement this Motion.

Dated: May 4, 2018

Respectfully submitted,

CONOCOPHILLIPS COMPANY



Jamie L. Jost
Kelsey H. Wasylenky
Jost Energy Law, P.C.
1401 17th Street, Suite 370
Denver, CO 80202
720-362-0875
jjost@jostenergylaw.com
kwasylenky@jostenergylaw.com

Applicant's Address:

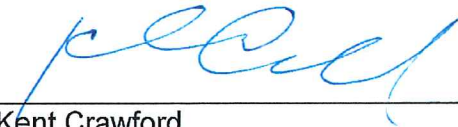
ConocoPhillips Company
Attn: Kent Crawford
600 N. Dairy Ashford Road
Houston, TX 77079-1069

VERIFICATION

STATE OF TEXAS)
) ss.
COUNTY OF HARRIS)

Kent Crawford, Staff Landman with ConocoPhillips Company, upon oath deposes and says that he has read the foregoing Motion for an Order of Service by Publication and that the statements contained therein are true to the best of his knowledge, information and belief.

CONOCOPHILLIPS COMPANY




Kent Crawford
Staff Landman

Subscribed and sworn to before me this 3rd day of May, 2018, by Kent Crawford, Staff Landman for ConocoPhillips Company.

Witness my hand and official seal.

My commission expires: 1/19/22





Notary Public

CERTIFICATE OF SERVICE

I hereby certify that, on May 4th, 2018, Jost Energy Law, P.C. caused ConocoPhillips Company's Motion for Publication of Summons in Colorado Oil and Gas Conservation Commission Docket No. 180700___ to be served via electronic mail to the Colorado Oil and Gas Conservation Commission pursuant to Rule 509.3.(E), and by U.S. mail at the address listed below.

Colorado Oil and Gas Conservation Commission

Julie Spence Prine, Hearing Manager

Margaret Humecki, Hearings Assistant

James Rouse, Hearing Officer

1120 Lincoln Street, Suite 810

Denver, CO 80203

James.Rouse@state.co.us

Margaret.Humecki@state.co.us

James.Rouse@state.co.us



Jost Energy Law, P.C.