

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

IN THE MATTER OF THE APPLICATION OF  
GREAT WESTERN OPERATING COMPANY,  
LLC FOR AN ORDER TO POOL ALL  
INTERESTS IN TEN APPROXIMATE 1040-  
ACRE DESIGNATED HORIZONTAL  
WELLBORE SPACING UNITS FOR PORTIONS  
OF SECTIONS 4, 9, 16 AND 21, TOWNSHIP 1  
SOUTH, RANGE 67 WEST, 6<sup>TH</sup> P.M., FOR THE  
DEVELOPMENT OF THE CODELL AND  
NIOBRARA FORMATIONS, WATTENBERG  
FIELD, ADAMS COUNTY, COLORADO

CAUSE NO. 407

DOCKET NO. 180700\_\_\_\_\_

TYPE: POOLING

**APPLICATION**

COMES NOW Great Western Operating Company, LLC (Operator No. 10110) ("Great Western" or "Applicant"), by its attorneys, Jost Energy Law, P.C., and makes this application to the Oil and Gas Conservation Commission of the State of Colorado ("Commission") for an order to pool all interests in ten approximate 1040-acre designated horizontal wellbore spacing units, as defined below, for the drilling of the ("Wells"), for the development and operation of the Codell and Niobrara Formations on the following described lands:

Township 1 South, Range 67 West, 6<sup>th</sup> P.M.

Section 4: E $\frac{1}{2}$   
Section 9: E $\frac{1}{2}$   
Section 16: E $\frac{1}{2}$   
Section 21: N $\frac{1}{2}$ NE $\frac{1}{4}$

**Wellbore Spacing Unit Nos. 1-10 (1040 acres)**

Seltzer LD 21-033HC (Codell) (Doc. No. 401490774)  
Seltzer LD 21-033HN (Niobrara) (Doc. No. 401490097)  
Seltzer LD 21-034HN (Niobrara) (Doc. No. 401490000)  
Seltzer LD 21-034HNX (Niobrara) (Doc. No. 401489828)  
Seltzer LD 21-036HC (Codell) (Doc. No. 401484999)  
Seltzer LD 21-036HN (Niobrara) (Doc. No. 401482401)  
Seltzer LD 21-037HN (Niobrara) (Doc. No. 401482281)  
Seltzer LD 21-037HNX (Niobrara) (Doc. No. 401482037)  
Seltzer LD 21-039HC (Codell) (Doc. No. 401481918)  
Seltzer LD 21-039HN (Niobrara) (Doc. No. 401481400)

Hereinafter "Application Lands."

In support thereof, Applicant states and alleges as follows:

1. Applicant is a limited liability company duly authorized to conduct business in the State of Colorado, and is a registered operator in good standing with the Commission.

2. Applicant is an "Owner" as defined by the Oil and Gas Conservation Act and owns certain leasehold interests or has the right to operate leasehold interests in the Application Lands.

3. On April 27, 1998, the Commission adopted Rule 318A, the Greater Wattenberg Area Special Well Location, Spacing and Unit Designation Rule. The Application Lands are subject to this Rule for the Niobrara and Codell Formations.

4. 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 and Niobrara Formations underlying certain lands, with permitted well locations in accordance with the provisions of Order No. 407-1. The Application Lands are subject to this Order for the Niobrara and Codell Formations.

5. Applicant designated the ten approximate 1040-acre designated wellbore spacing units, for the production of oil, gas and associated hydrocarbons from the Codell and Niobrara Formations pursuant to Rule 318A and notified the appropriate parties under Rule 318A.

6. Applicant, pursuant to Commission Rule 530 and/or the provisions of §34-60-116(6) and (7), C.R.S., hereby requests an order to pool all interests in the ten approximate 1040-acre designated wellbore spacing units established for the Application Lands for the development and operation of the Wells in the Niobrara and Codell Formations, and to subject any nonconsenting interests to the cost recovery provisions of §34-60-116(7), C.R.S., 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 Wells to the Niobrara or Codell Formations.

7. Applicant certifies that copies of this Application will be served on all persons owning an interest in the mineral estate of the tracts to be pooled within seven (7) days of the date hereof, as required by Rule 503.e., 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 respective Wells, and will be provided with the information required by Rule 530 as applicable.

8. That in order to prevent waste and to protect correlative rights, all interests in WSU #1, WSU #2, WSU #3, WSU #4, WSU #5, WSU #6, WSU #7, WSU #8, WSU #9, and WSU #10 should be pooled for the orderly development and operation of the Codell and Niobrara Formations, including any non-consenting interests therein.

9. 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.

WHEREFORE, Applicant 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, the Commission enter its order:

A. Pooling all interests in ten approximate 1040-acre designated horizontal wellbore spacing units on the below-described Application Lands for the development and operation of the Codell and Niobrara Formations:

Township 1 South, Range 67 West, 6<sup>th</sup> P.M.

Section 4: E½

Section 9: E½

Section 16: E½

Section 21: N½NE¼

**Wellbore Spacing Unit Nos. 1-10 (1040 acres)**

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Seltzer LD 21-039HC (Codell) (Doc. No. 401481918)

Seltzer LD 21-039HN (Niobrara) (Doc. No. 401481400)

B. Providing that the Commission's pooling order is made effective as of the earlier of the date of this Application, or the date that any of the costs specified in C.R.S. § 34-60-116(7)(b) are first incurred for the drilling of each Well in WSU #1, WSU #2, WSU #3, WSU #4, WSU #5, WSU #6, WSU #7, WSU #8, WSU #9, and WSU #10 for the development of the Codell and Niobrara Formations on the Application Lands.

C. 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 a horizontal well, or who have failed to make a timely election to lease or participate, are pooled by operation of statute, pursuant § 34-60-116(6) and (7), to C.R.S. and made subject to the cost recovery provisions thereof with respect to any horizontal well drilled to develop the Codell and Niobrara Formations in the drilling and spacing unit comprising the Application Lands.

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

Dated: May 31<sup>st</sup>, 2018.

Respectfully submitted:

**GREAT WESTERN OPERATING COMPANY, LLC**

By:



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Kelsey H. Wasylenky  
Jost Energy Law, P.C.  
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Applicant's Address:

Great Western Operating Company, LLC  
ATTN: Matthew Acree  
1801 Broadway, Suite 500  
Denver, CO 80202

VERIFICATION

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

Matthew Acree, of lawful age, being first duly sworn upon oath, deposes and says that he is a Senior Landman for Great Western Operating Company, LLC, 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.



\_\_\_\_\_  
Matthew Acree  
Senior Landman  
Great Western Operating Company, LLC

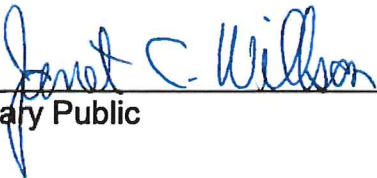
Subscribed and sworn to before me this 24<sup>th</sup> day of May, 2018.

Witness my hand and official seal.

[SEAL]

JANET C WILLSON  
Notary Public  
State of Colorado  
Notary ID # 20024018949  
My Commission Expires 06-11-2022

My commission expires: 6/11/2022

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









Theresa C. Farrington  
8162 E. 157th Court  
Thornton, CO 80602

David G. Kristoff and Tina M. Kristoff, joint  
tenants  
8153 E. 157th Court  
Thornton, CO  
80602

Kevin C. Montoya and Cherie L. Montoya,  
joint tenants  
15815 Ulster Street  
Thornton, CO 80602

Marissa M. DeFilippo  
8164 E 159th CT  
Thornton, CO 80602-7532

Roger L. Kelley and Carla R. Kelley, joint  
tenants  
8155 E. 159th Court  
Brighton/Thornton, CO 80602

Kelly R. Fails and Shannon L. Fails, joint  
tenants  
15935 Ulster St.  
Brighton/Thornton, CO 80602

Samuel Owen Mahnke and Lori Leigh  
Mahnke, joint tenants  
15620 Ulster St.  
Brighton, CO 80602

Roxanne Pachelo  
15600 Ulster St.  
Brighton/Thornton, CO 80602

Kenneth S. Craig and Michelle M. Craig,  
joint tenants  
15540 Ulster St.  
Thornton, CO 80602

Kit G. Sugiyama and Laura M. Akahoshi,  
tenants in common  
15520 Ulster St.  
Thornton, CO 80602

Kenneth L. Moss and Mary M. Gervais, joint  
tenants  
15500 Ulster St.  
Thornton, CO 80602

Lance D. Neumann  
3414 West 149th Court  
Broomfield, CO 80020

Lac V. Vo and Tony Vo, joint tenants  
15535 Ulster St.  
Thornton, CO 80602

Mike B. Gabel and Shannon L. Gabel, joint  
tenants  
8160 E. 156th Court  
Brighton, CO 80602

Joseph E. Morris and Julie L. Morris, joint  
tenants  
8151 E. 156th Court  
Thornton, CO 80602

State of Colorado  
1127 Sherman St., #300  
Denver, CO 80203

Kortum Investment Company, LLLP  
15A Marlborough Rd.  
Shalimar, FL 32579

Patricia A. Castrodale  
4 Sears Court  
Keokuk, IA 52632

E-470 Public Highway Authority  
22470 E 6<sup>th</sup> Ave. Parkway, Suite 110  
Aurora, CO 80018