

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

IN THE MATTER OF THE APPLICATION OF  
MALLARD EXPLORATION, LLC FOR AN  
ORDER TO POOL ALL INTERESTS IN AN  
APPROXIMATE 640-ACRE DRILLING AND  
SPACING UNIT FOR SECTION 35, TOWNSHIP  
8 NORTH, RANGE 60 WEST, 6<sup>TH</sup> P.M., FOR  
THE DEVELOPMENT AND OPERATION OF  
THE NIOBRARA, FORT HAYS, CODELL AND  
CARLILE FORMATIONS, UNNAMED FIELD,  
WELD COUNTY, COLORADO

CAUSE NO. 535

DOCKET NO. 180900 \_\_\_\_\_

TYPE: POOLING

**APPLICATION**

COMES NOW Mallard Exploration, LLC (Operator No. 10670) ("Applicant"), by and through its undersigned attorneys, and respectfully submits this Application to the Oil and Gas Conservation Commission of the State of Colorado (the "Commission") for an order to pool all interests within an approximate 640-acre drilling and spacing unit for Section 35, Township 8 North, Range 60 West, 6<sup>th</sup> P.M., for the development and operation of the Niobrara, Fort Hays, Codell and Carlile Formations underlying the below-described lands. In support of its Application, 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 has the authority to operate the leasehold in the Application Lands on behalf of DPOC, LLC, the leasehold owner in the Application Lands. DPOC, LLC is a wholly owned subsidiary of Mallard Exploration, LLC. Applicant is an Owner and/or Operator as defined by the Colorado Oil and Gas Conservation Act, § 34-60-103(7) and the Commission 100 Series Rules, owns leasehold interests and/or has the right to drill and produce on the following lands (hereafter "Application Lands"):

Township 8 North, Range 60 West, 6<sup>th</sup> P.M.  
Section 35: All

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

A reference map of the Application Lands is attached hereto.

3. On September 31, 2013, the Commission entered Order 535-91, which among other things, established an approximate 640-acre drilling and spacing unit in Section 35, Township 8 North, Range 60 West, 6<sup>th</sup>P.M., and approved two horizontal

wells within the unit, for the production of oil, gas, and associated hydrocarbons from the Niobrara Formation.

4. On July 9, 2012, the Commission Order No. 535-187 which pooled all interests in an approximate 640-acre drilling and spacing unit, for Section 35, Township 8 North, Range 60 West, 6<sup>th</sup> P.M., to accommodate the Hemberger 3-26-34-8-60 Well, for the development and operation of the Niobrara Formation.

5. On January 26, 2015, the Commission entered Order No. 535-632 which approved up to a total of 16 horizontal wells the approximate 640-acre drilling and spacing unit in Section 35, Township 8 North, Range 60 West, 6<sup>th</sup> P.M., for the production of oil, gas, and associated hydrocarbons from the Niobrara Formation.

6. On November 15, 2012, the Commission entered Order No. 535-219 which, among other things, approved up to four horizontal wells within each of three approximate 640-acre drilling and spacing units, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation, with the treated interval of the horizontal wellbore to be no closer than 600 feet from the unit boundaries, and no closer than 600 feet from the treated interval of any other wellbore located in the unit, without exception being granted by the Director. Sections 25, 26 and 35, Township 8 North, Range 60 West, 6<sup>th</sup> P.M. are subject to this Order for the Niobrara Formation.

7. On March 25, 2013, the Commission entered Order No. 535-294 which approved up to a total of six horizontal wells within each of three approximate 640-acre drilling and spacing units established for Sections 25, 26 and 35, Township 8 North, Range 60 West, 6<sup>th</sup> P.M., for the production of oil, gas and associated hydrocarbons from the Niobrara Formation.

8. On January 26, 2015, the Commission entered Order No. 535-632 which approved an additional 10 horizontal wells, for a total of up to 16 horizontal wells within an approximate 640-acre drilling and spacing unit established for Section 35, Township 8 North, Range 60 West, 6<sup>th</sup> P.M., for the development and operation of the Niobrara Formation.

9. On February 12, 2018, the Commission entered Order No. 535-942 which, among other things, amended Order 535-91, insofar as it applies to the 640-acre drilling and spacing unit previously established for Section 35, Township 8 North, Range 60 West, to include the Niobrara, Fort Hays, Codell, and Carlile Formations and approve an additional four horizontal wells within the unit, for the production of oil, gas, and associated hydrocarbons from the Niobrara, Fort Hays, Codell, and Carlile Formations.

10. 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, including but not limited to, any non-consenting interests and any party failing to fulfill its election, in the Application Lands in the Niobrara, Fort Hays, Codell and Carlile Formations underlying the drilling and spacing unit

11. 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 first horizontal well within the drilling and spacing unit.

12. Applicant certifies that copies of this Application will be served on all persons owning a recorded and known interest in the mineral estate of the tracts to be pooled within seven days of the date hereof, as required by Rule 503.e., and that at least 35 days prior to the hearing on this matter, each such recorded and known interest owner not already leased or voluntarily pooled will be offered the opportunity to lease and/or participate and will be provided with the information required by Rule 530 as applicable.

13. In order to prevent waste and to protect correlative rights, all interests in the approximate 640-acre drilling and spacing unit should be pooled for the orderly development and operation of the Niobrara, Fort Hays, Codell and Carlile Formations, including any non-consenting interests therein.

WHEREFORE, Applicant requests that this matter be set for hearing on September 17, 2018, that notice be given as required by law, and that upon such hearing, the Commission enter its order:

A. Pooling all interests, including but not limited to any non-consenting interests and any party failing to fulfill its election, in the following 640-acre drilling and spacing unit established for the development and operation of the Niobrara, Fort Hays, Codell and Carlile Formations;

Township 8 North, Range 60 West, 6<sup>th</sup> P.M.  
Section 35: All

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

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 § 34-60-116(7)(b), C.R.S. are first incurred for the drilling of the well within the unit, for the production of oil, gas and associated hydrocarbons from the Niobrara, Fort Hays, Codell and Carlile Formations on the Application Lands.

C. Providing that any party who fails to make a timely election to lease or to participate is pooled by operation of statute, pursuant to § 34-60-116(6) and (7), C.R.S., and made subject to the cost recovery provisions thereof with respect to the Well drilled to develop the Niobrara, Fort Hays, Codell and Carlile Formations in the approximate 640-acre 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 June 29, 2018.

Respectfully submitted:

**MALLARD EXPLORATION, LLC**

By: \_\_\_\_\_



Jamie L. Jost  
Jill D. Dorancy  
Jost Energy Law, P.C.  
Attorneys for Applicant  
1401 17<sup>th</sup> Street, Suite 370  
Denver, Colorado 80202  
(720) 446-5620

Applicant's Address:  
Mallard Exploration, LLC  
ATTN: Michael Sobecki  
1400 16<sup>th</sup> Street, Suite 300  
Denver, CO 80202

## VERIFICATION

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

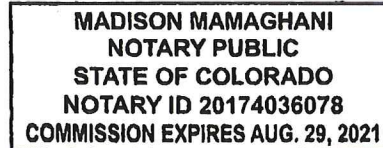
Jordan Mattson, of lawful age, being first duly sworn upon oath, deposes and says that he is a Vice President – Land for Mallard Exploration, LLC and that he has read the foregoing Application and that the matters therein contained are true to the best of his knowledge, information and belief.

  
Jordan Mattson, Vice President - Land  
Mallard Exploration, LLC

Subscribed and sworn to before me this 29<sup>th</sup> day of June, 2018.

Witness my hand and official seal.

[SEAL]



My commission expires: 8/29/21

Mamm  
Notary Public

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
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WELD COUNTY, COLORADO

CAUSE NO. 535

DOCKET NO. 180900644

TYPE: POOLING

**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 Mallard Exploration, LLC, and that on or before the 5<sup>th</sup> day of July, 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.

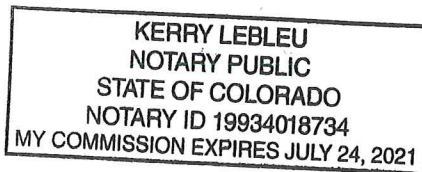
  
\_\_\_\_\_  
Jamie L. Jost  
Jill D. Dorancy

Subscribed and sworn to before me this 3<sup>rd</sup> day of July, 2018.

Witness my hand and official seal.

  
\_\_\_\_\_

Notary Public



**Exhibit A**  
**Mallard FP – 8N 60W 35**

Bayshore Minerals, LLC  
2305 W. Berry Ave.  
Littleton, CO 80125

BLG Resources, LLC  
2218 Worthington St.  
Dallas, TX 75204

Sharon Eileen Brandt  
1311 Whispering Pines Dr.  
Houston, TX 77055

Linda S. Cantrell  
P.O. Box 480  
Kersey, CO 80644

Carrizo (Niobrara) LLC  
500 Dallas St., Suite 2300  
Houston, TX 77002

Carver E&P, LLC  
P.O. Box 46063  
Denver, CO 80201

Centennial Mineral Holding, LLC  
5950 Cedar Springs Road, Suite 200  
Dallas, TX 75235

Chandel Investments, LLC  
400 Nolana, Suite H2  
McAllen, TX 78504

Clove Hitch, LLC  
P.O. Box 357  
Sheridan, WY, 82801

Helen Crews  
6600 W. 20th St, #35  
Greeley, CO 80634

DC Heritage Trust  
1112 Oakridge Dr., #104/208  
Fort Collins, CO 80525

DOXA Heritage Trust  
3739 Precision Dr., #E140  
Fort Collins, CO 80528

DPOC, LLC  
1400 16th Street, Suite 300  
Denver, CO 80202

John Allen Duell  
1301 Zanthia St.  
Denver, CO 80220

Duell Family Irrevocable Trust dated May  
26, 2015  
1601 Rosewood Dr.  
Brentwood, TN 37027

Foundation Energy Fund III-A, L.P.  
16000 Dallas Prkwy, Suite 875  
Dallas, TX 75248

Foundation Energy Fund III-B Holding, L.L.  
16000 Dallas Prkwy, Suite 875  
Dallas, TX 75248

Foundation Energy Fund IV-A, L.P.  
16000 Dallas Prkwy, Suite 875  
Dallas, TX 75248

Foundation Energy Fund IV-B Holding,  
L.L.C  
16000 Dallas Prkwy, Suite 875  
Dallas, TX 75248

Grayrock Minerals, LLC  
5950 Cedar Springs Road, Suite 200  
Dallas, TX 75235

Haimo Oil & Gas LLC  
2901 Wilcrest Dr., Suite 285  
Houston, TX 77042

Harvey E. Cozzens Heritage Trust  
59498 Spring Creek Rd.  
Montrose, CO 81403

John and Kristen Herpers, JT  
951 S. Garfield St.  
Denver, CO 80209

IOCL (USA) Inc.  
333 Clay St., Suite 3300  
Houston, TX 77002

LHB Niobrara, LLC  
P.O. Box 46063  
Denver, CO 80201

LutherMinerals, LLC  
5713 Soapberry Dr.  
Keller, TX 76244

Martha H. Salser (subject to Beneficiary  
Deed @4318723)  
310 4th St.  
Kersey, CO 80644

Mekusukey Oil Company, LLC  
P. O. Box 816  
Wewoka, OK 74884

Mikes Oil Well, LLC  
108 Martinek Lane  
Palmer, TX 75152

Mile Hi Oil & Gas, Inc.  
P.O. Box 621609  
Littleton, CO 80162

MK/Colorado, LLC  
2311 Cedar Springs, Suite 405  
Dallas, TX 75201

Mountain States Minerals, LLC  
1550 Larimer St., #313  
Denver, CO 80202

Oil India (USA) Inc.  
333 Clay St., Suite 3300  
Houston, TX 77002

Pidgeon Cay 4, LLC  
460 S. Marion Pkwy, #1856B  
Denver, CO 80209

Piggyback Petroleum LLC  
P.O. Box 301  
Smithfield, UT 84335

Rincones Two, LLC  
2000 Yaupon Valley Road  
Austin, TX 78746

Rodella Minerals, LLC  
10320 N. Chatfield Drive  
Littleton, CO 80125

Janet K. Schmidt  
24250 CR 58  
Greeley, CO 80631

Cynthia M. Spurlock-Schouter  
325 Washington Ave., S. #342  
Kent, WA 98032

STA, LLC  
3833 W. Dallas Ave.  
Broken Arrow, OK 74012

The Fowler Revocable Living Trust, dated  
April 17, 2015  
548 Tapatio Lane  
Kissimmee, FL 34759

Greg R. Thome  
17737 E. Bellevue Place  
Centennial, CO 80015

Trent Oram, as Trustee of TJO Investment  
Trust  
38 Mountain Moose Rd.  
Philipsburg, MT 59858

United States of America  
2850 Youngfield St.  
Lakewood, CO 80215

Clayton L. Vandergriff  
1477 S. Fairfax St.  
Denver, CO 80222

Verdad Resources LLC  
5950 Cedar Springs Road, Suite 200  
Dallas, TX 75235



Verity Land Company #3, LLC  
P.O. Box 82219  
Oklahoma City, OK 73148

Yggdrasil Minerals, LLC  
2055 Summit Dr.  
Sheridan, WY 82801

Mallard Exploration, LLC  
1821 Blake Street, Suite 2B  
Denver, CO 80202