

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

IN THE MATTER OF THE APPLICATION OF  
HIGHPOINT OPERATING CORPORATION FOR  
AN ORDER TO POOL ALL INTERESTS IN AN  
APPROXIMATE 640-ACRE DESIGNATED  
HORIZONTAL WELLBORE SPACING UNIT  
ESTABLISHED FOR PORTIONS OF SECTIONS  
5 AND 6, TOWNSHIP 4 NORTH, RANGE 63  
WEST, 6<sup>TH</sup> P.M., FOR THE PRODUCTION OF  
OIL, GAS AND ASSOCIATED  
HYDROCARBONS FROM THE NIOBRARA  
FORMATION, WATTENBERG FIELD, WELD  
COUNTY, COLORADO

CAUSE NO. 407

DOCKET NO. 181200\_\_\_\_

TYPE: POOLING

**APPLICATION**

COMES NOW HighPoint Operating Corporation (Operator No. 10071) ("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 within an approximate 640-acre designated horizontal Wellbore Spacing Unit, as defined below, for the production and operation of the Wetco 4-63-5-4033CB (API No. Pending) for the development and operation of the Niobrara Formation on the following lands (hereinafter collectively, the "Application Lands"):

**Wellbore Spacing Unit:**

Wetco 4-63-5-4033CB (API No. Pending)

Township 4 North, Range 63 West, 6<sup>th</sup> P.M.

Section 5: S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$

Section 6: S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$

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

In support thereof, Applicant states and alleges as follows:

1. Applicant is a corporation 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 in the Application Lands, as defined by the Colorado Oil & Gas Conservation Act, C.R.S. § 34-60-101, *et seq.*, and the 100 Series Commission Rules and own certain leasehold interests or 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 Rule 318A for the Niobrara Formation.

4. Applicant designated the Wellbore Spacing Unit comprising the Application Lands for the production of oil, gas and associated hydrocarbons from the Niobrara Formation pursuant to Rule 318A and notified the appropriate parties under Rule 318A.

5. 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 Formation underlying the Wellbore Spacing Unit for the drilling of the Wetco 4-63-5-4033CB (API No. Pending).

6. 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 C.R.S. § 34-60-116(7)(b) are first incurred for the drilling of the Wetco 4-63-5-4033CB (API No. Pending) to the Niobrara Formation on the Application Lands.

7. 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 60 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.

8. In order to prevent waste and to protect correlative rights, all interests in the Wellbore Spacing Unit should be pooled for the orderly development and operation of the Niobrara Formation, including any non-consenting interests therein.

WHEREFORE, Applicant requests that this matter be set for hearing on December 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 wellbore spacing unit established for the development and operation of the Niobrara Formation:

**Wellbore Spacing Unit:**

Wetco 4-63-5-4033CB (API No. Pending)

Township 4 North, Range 63 West, 6<sup>th</sup> P.M.

Section 5: S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$

Section 6: S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$

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 C.R.S. § 34-60-116(7)(b) are first incurred for the drilling of the Wetco 4-63-5-4033CB (API No. Pending) for the production of oil, gas and associated hydrocarbons from the Niobrara Formation 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 C.R.S. § 34-60-116(6) and (7), and made subject to the cost recovery provisions thereof with respect to the Well drilled to develop the Niobrara Formation in the wellbore 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 October 17<sup>th</sup>, 2018.

Respectfully submitted:

**HIGHPOINT OPERATING CORPORATION**

By: 

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Kelsey Wasylenky  
Jost Energy Law, P.C.  
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(720) 446-5620

Applicant's Address:  
HighPoint Operating Corporation  
ATTN: Leslie Mann  
1099 18th Street, Suite 2300  
Denver, CO 80202

## VERIFICATION

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

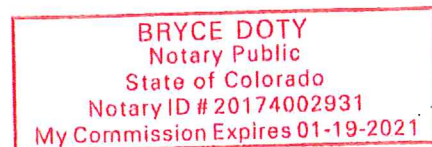
Leslie Mann, of lawful age, being first duly sworn upon oath, deposes and says that she is a Landman for HighPoint Operating Corporation, and that she has read the foregoing Application and that the matters therein contained are true to the best of his knowledge, information and belief.

  
Leslie Mann  
Landman  
HighPoint Operating Corporation

Subscribed and sworn to before me this 17<sup>th</sup> day of October, 2018.

Witness my hand and official seal.

[SEAL]



My commission expires: 1-19-2021

Notary Public