

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

IN THE MATTER OF AN APPLICATION BY HIGHPOINT  
OPERATING CORPORATION FOR AN ORDER TO,  
AMONG OTHER THINGS, POOL ALL INTERESTS  
WITHIN AN APPROXIMATE 320-ACRE WELLBORE  
SPACING UNIT ESTABLISHED FOR PORTIONS OF  
SECTIONS 22 AND 27, TOWNSHIP 5 NORTH, RANGE  
63 WEST, 6<sup>TH</sup> P.M., FROM THE NIOBRARA  
FORMATION, WATTENBERG FIELD, WELD COUNTY,  
COLORADO

CAUSE NO. 407

DOCKET NO. 190300 \_\_\_\_

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 a designated horizontal Wellbore Spacing Unit, as defined below, for the drilling of the Helton 05-63-27-0108CB (API No. Pending) for the development and operation of the Niobrara Formation on the following lands (hereinafter collectively, the "Application Lands"):

1. HighPoint 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 and/or Operator, 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:

**Wellbore Spacing Unit**

Helton 05-63-27-0108CB (Niobrara)

Township 5 North, Range 63 West, 6<sup>th</sup> P.M.

Section 22: S<sup>1</sup>/<sub>2</sub>S<sup>1</sup>/<sub>2</sub>

Section 27: N<sup>1</sup>/<sub>2</sub>N<sup>1</sup>/<sub>2</sub>

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

These lands are referred to as 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.

4. On November 29, 2018, Applicant filed a Spacing Application in Docket No. 190100126 for an order to establish an approximate 640-acre drilling and spacing unit for Section 27, Township 5 North, Range 63 West, 6<sup>th</sup> P.M. and to approve

up to five horizontal wells within the proposed unit, for the production of oil, gas, and associated hydrocarbons from the Niobrara and Codell Formations. Docket No. 190100126 is scheduled to be heard at the March 11-12, hearing. Docket No. 190100126 does not affect the relief requested in this pooling Application.

5. 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.

6. Applicant, pursuant to Commission Rule 530 and/or the provisions of C.R.S. § 34-60-116 (6) and (7), 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 Helton 05-63-27-0108CB Well ("Well").

7. 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 drilling and spacing unit established for the Application Lands for the drilling of the Well.

8. 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 Well to the Niobrara Formation on the Application Lands.

9. 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, as required by Rule 503.a., 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 and § 34-60-116, C.R.S. as applicable.

10. 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 March 11-12, 2019, 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 approximate 320-acre drilling and spacing unit established for the development and operation of the Niobrara Formation:

**Wellbore Spacing Unit:**

Helton 05-63-27-0108CB (API No. Pending)

Township 5 North, Range 63 West, 6<sup>th</sup> P.M.

Section 22: S $\frac{1}{2}$ S $\frac{1}{2}$

Section 27: N $\frac{1}{2}$ N $\frac{1}{2}$

320-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 Helton 05-63-27-0108CB (API No. Pending) ("Well") 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, or who fails to fulfill its election 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 Formation 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: January 10, 2019.

**HIGHPOINT OPERATING CORPORATION**

By:



Jamie L. Jost  
Kelsey H. Wasylenky  
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:

HighPoint Operating Corporation  
ATTN: Bryce Doty  
1099 18th Street, Suite 2300  
Denver, CO 80202

## VERIFICATION

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

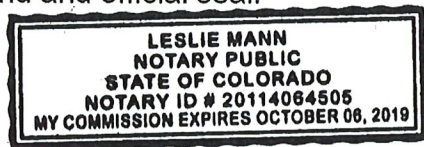
Bryce Doty, of lawful age, being first duly sworn upon oath, deposes and says that he is a Landman for HighPoint Operating Corporation, and that he has read the foregoing Application and that the matters therein contained are true to the best of his knowledge, information and belief.

  
Bryce Doty, Landman  
HighPoint Operating Corporation

Subscribed and sworn to before me this 10<sup>th</sup> day of January, 2019.

Witness my hand and official seal.

[SEAL]



My commission expires: 10/1/2019

Jessie Mann  
Notary Public

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

IN THE MATTER OF AN APPLICATION BY	)	CAUSE NO. 407
HIGHPOINT OPERATING CORPORATION FOR	)	
AN ORDER TO, AMONG OTHER THINGS, POOL	)	DOCKET NO. 190300218
ALL INTERESTS WITHIN AN APPROXIMATE	)	
320-ACRE WELLBORE SPACING UNIT	)	TYPE: POOLING
ESTABLISHED FOR PORTIONS OF SECTIONS	)	
22 AND 27, TOWNSHIP 5 NORTH, RANGE 63	)	
WEST, 6 <sup>TH</sup> P.M., FROM THE NIOBRARA	)	
FORMATION, WATTENBERG FIELD, WELD	)	
COUNTY, COLORADO	)	

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Application and Notice of Hearing in the above-referenced docket were deposited in the U.S. mail on or before February 4th, 2019 postage pre-paid, to the interested parties listed on the attached Exhibit A.

DATED this 12th day of February 2019.

  
\_\_\_\_\_  
Sydney Nelson

**Exhibit A**  
**HighPoint FP Helton 0108CB 5N-63W 22 27**

2017 Permian Joint Venture  
P.O. Box 10  
Folsom, LA 70437

Anadarko E&P Company LP  
1099 18th Street, Suite 1800  
Denver, CO 80202

Anadarko E&P Onshore LLC  
1201 Lake Robbins Dr.  
The Woodlands, TX 77380

Anadarko Land Corp.  
1201 Lake Robbins Dr.  
The Woodlands, TX 77380

Bonanza Creek Energy Operating  
Company, LLC  
410 17th Street, Suite 1400  
Denver, CO 80202

HighPoint Operating Corporation  
1099 18th Street, Suite 2300  
Denver, CO 80202

JED Wattenberg One, LLC  
4060 S. Holly Street  
Englewood, CO 80111

Noble Energy, Inc.  
1001 Noble Energy Way  
Houston, TX 77070

United States of America, C/O Colorado  
Bureau of Land Management  
2850 Youngfield St  
Lakewood, CO 80215