

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

IN THE MATTER OF THE PROMULGATION AND ) CAUSE NO. 407  
ESTABLISHMENT OF FIELD RULES TO GOVERN )  
OPERATIONS FOR THE CODELL AND CODELL- ) DOCKET NO. 170700449  
NIOBRARA FORMATION, WATTENBERG FIELD, )  
WELD COUNTY, COLORADO ) TYPE: POOLING

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 6 North, Range 66 West, 6<sup>th</sup> P.M.  
Section 29: W½  
Section 30: All

APPLICATION

On May 25, 2017, Incline Niobrara Partners, LP, ("INP" or "Applicant"), filed a verified application pursuant to §34-60-116, C.R.S., for an order to:

1) Amend Order No. 407-1547 insofar as it subjects Applicant and Applicant's interests in the Application Lands to the cost recovery provisions of C.R.S. § 34-60-116(7), and to declare that as to the Litzenberger Wells: a) Applicant is not a nonconsenting party and b) Applicant and its interests in the Application Lands are not subject to the cost recovery provisions of § 34-60-116(7), C.R.S.;

2) Ratify and confirm the remaining portions of Order No. 407-1547, specifically, establishment of the drilling and spacing unit, authorization for horizontal wells in the unit, and pooling of all interests in the unit, for the production of oil, gas and associated hydrocarbons from the Codell-Niobrara Formation; and

3) Order that Cub Creek comply with Rule 530 prior to deeming Applicant a nonconsenting party as to the Litzenberger Wells, including without limitation, sending accurate well election forms and AFEs for the Litzenberger Wells and to allow Applicant a new 35-day election period specified by Rule 530.

APPLICABLE RULES AND ORDERS

(available online at: <http://cogcc.state.co.us>, under "Regulation," then click on "Orders" or "Rules")

- On April 27, 1998, the Commission adopted Rule 318A, the Greater Wattenberg Area Special Well Location, Spacing and Unit Designation Rule.
- On December 8, 2015, the Commission entered Order No. 407-1547 which, among other things: A) established an approximate 640-acre drilling and spacing unit for the

Application Lands; B) authorized the drilling of 19 horizontal wells within the unit; C) pooled all interests in the unit; and D) subjected all nonconsenting interests to the cost recovery provisions of § 34-60-116(7), C.R.S., for the production of oil, gas and associated hydrocarbons from the Codell-Niobrara Formation.

NOTICE IS HEREBY GIVEN, pursuant to §§ 34-60-101 to -130, C.R.S., and the Commission's Rules of Practice and Procedure, 2 CCR 404-1, that the Commission has scheduled this matter for hearing on:

Date: July 24-25, 2017  
Time: 9:00 a.m.  
Place: Colorado Oil and Gas Conservation Commission  
1120 Lincoln Street, Suite 801  
Denver, CO 80203

Additional information about the hearing on this Application will be in the Commission's Agenda, which is posted on the Commission website approximately 3 days before the hearing.

In accordance with Americans with Disabilities Act, if any party requires special accommodations as a result of a disability for this hearing, please contact Margaret Humecki at (303) 894-2100, ext. 5139, prior to the hearing and accommodations will be made.

At hearing, the Commission will consider the Application and enter an order pursuant to its authority under the statute. **Any interested party desiring to protest or intervene should file with the Commission a written protest or intervention in accordance with Rule 509., no later than July 10, 2017.** Such interested party shall, at the same time, serve a copy of the protest or intervention to the person filing the application. One electronic (cogcc.hearings\_unit@state.co.us), one original and two copies shall be filed with the Commission. **Anyone who files a protest or intervention must be able to participate in a prehearing conference during the week of July 10, 2017.** Pursuant to Rule 511., if the matter is uncontested, it may be approved without a hearing.

OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF COLORADO

By:   
Peter Gowen, Acting Secretary

Dated: June 19, 2017

Colorado Oil and Gas Conservation Commission  
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Denver, Colorado 80203  
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