

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-NIOBRARA) DOCKET NO. 170900595
FORMATION, WATTENBERG FIELD, WELD)
COUNTY, COLORADO) TYPE: POOLING

AMENDED NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 3 North, Range 68 West, 6th P.M.

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

Section 8: N $\frac{1}{2}$ N $\frac{1}{2}$

On July 13, 2017, Cub Creek Energy, LLC (Operator No. 10542) ("Cub Creek" or "Applicant"), filed a verified application ("Application") pursuant to §34-60-116, C.R.S., for an order to:

1) Pool all interests in the three approximate 320-acre horizontal wellbore spacing units established for the Application Lands, for development and operation of the Codell-Niobrara Formation, with the pooling order effective as of the date of the Application.

2) 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 certain authorized wells, for production of oil, gas and associated hydrocarbons from the Codell-Niobrara Formation, having been pooled by operation of statute, pursuant to §34-60-116(6) & (7), C.R.S., are made subject to cost recovery and risk penalties provided therein, for the drilling and operation of the Litzenberger 1 Well (API No. 05-123-44854) targeting the Niobrara Formation, the Litzenberger 2 Well (API No. 05-123-44852) targeting the Codell Formation, and the Litzenberger 3 Well (API No. 05-123-44853) targeting the Niobrara Formation.

APPLICABLE ORDERS AND RULES

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

- On April 27, 1998, the Commission adopted Rule 318A. which, among other things, allowed certain drilling locations to be utilized to drill or twin a well, deepen a well or recomplete a well and to commingle any or all Cretaceous Age Formations from the base of the Dakota Formation to the surface. Rule 318A. supersedes all prior Commission drilling and spacing orders affecting well location and density requirements of Greater Wattenberg Area wells. On December 5, 2005, Rule 318A. was amended, among other things, to allow interior infill and boundary wells to be

drilled and wellbore spacing units to be established. On August 8, 2011, Rule 318A. was again amended, among other things, to address drilling of horizontal wells. The Application Lands are subject to Rule 318A. for the Codell and Niobrara Formations.

- Acting pursuant to notice requirements found in Rule 318A.e.(5), Cub Creek established three approximate 320-acre horizontal wellbore spacing units (defined by Rule 318A.a.(4)D.) for the Application Lands, 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: **October 30-31, 2017**

Time: **9:00 a.m.**

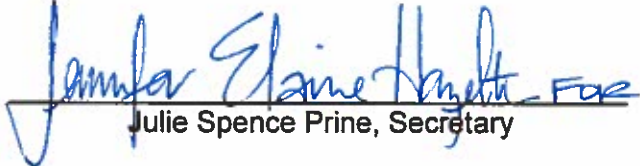
Place: **The Colorado Oil and Gas Conservation Commission
The Chancery Building
1120 Lincoln St. Suite 801
Denver, CO 80203**

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 October 16, 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 October 16, 2017, if a prehearing conference is requested by the Applicant, or any person who has filed a protest or intervention.** 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: 
Julie Spence Prine, Secretary

Dated: September 25, 2017

Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, CO 80203
Website: <http://cogcc.state.co.us>
Phone: (303) 894-2100
Fax: (303) 894-2109

Attorneys for Applicant:
Robert A. Willis
The Shanor Group LLC
600 Seventeenth Street, Suite 2800
Denver, CO 80202
Phone: (303) 995-5120
rwillis@shanorgroup.com