

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

IN THE MATTER OF THE PROMULGATION AND ESTABLISHMENT OF FIELD RULES TO GOVERN OPERATIONS FOR THE CODELL, FORT HAYS, CARLILE, AND NIOBRARA FORMATIONS, HEREFORD FIELD, WELD COUNTY, COLORADO	CAUSE NO. 421 DOCKET NO. 171000707 TYPE: SPACING
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AMENDED NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 10 North, Range 63 West, 6th P.M.
Section 5: All

Township 11 North, Range 63 West, 6th P.M.
Section 32: All

APPLICATION

On August 31, 2017, (Amended September 20, 2017, and November 27, 2017), Fifth Creek Energy Operating Company, LLC (Operator No. 10629) ("Fifth Creek" or "Applicant"), filed a verified application pursuant to §34-60-116, C.R.S., for an order to:

1. ~~Establish an approximate 1,280-acre drilling and spacing unit for the Application Lands Amend Order No. 421-42 to include the Codell, Fort Hays and Carlile Formations~~ and approve up to six new horizontal wells within the ~~proposed~~ unit, for the production of oil, gas, and associated hydrocarbons from the Codell, Fort Hays, and Carlile Formations;
2. Approve up to a total of 15 horizontal wells, in an approximate 1,280-acre drilling and spacing unit established by Order No. 421-42 for the Application Lands, for the production of oil, gas, and associated hydrocarbons from the Niobrara Formation; and
3. Require that the productive interval of each additional proposed horizontal well in each approximate 1,280-acre drilling and spacing unit shall be no closer than 300 feet from the boundaries of the unit and all horizontal wells shall be no closer than 150 feet from the productive interval of another well producing from the same source of supply within the unit, unless an exception is granted by the Director; and
4. For such other findings and orders as the Commission may deem proper or advisable in this matter.
5. Applicant stated that the wells will be drilled from no more than ~~five~~ **four** well pads within the proposed drilling and spacing unit, to be located within such unit or adjacent thereto, unless an exception is granted by the Director.

APPLICABLE RULES AND ORDERS

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

- Rule 318.a. of the Commission Rules provides a well to be drilled 2,500 feet or greater shall be located not less than 600 feet from any lease line, and shall be located not less than 1,200 feet from any other producible oil or gas well when drilling to the same common source of supply, unless authorized by the Commission upon hearing. Rule 318.a. applies to the Codell, Fort Hays, and Carlile Formations on the Application Lands.
- On October 21, 2010, the Commission entered Order No. 421-3 which, among other things, established 83 approximate 640-acre drilling and spacing units for certain lands, including the Application Lands, for the production of oil and gas and associated hydrocarbons from the Niobrara Formation, with no more than one horizontal well to be drilled in each unit from a surface location anywhere in the unit with the horizontal leg and bottom-hole location to be not closer than 600 feet from the boundaries of each unit.
- On February 11, 2013, the Commission entered Order No. 421-42 which, among other things, vacated two approximate 640-acre drilling and spacing units established by Order No. 421-3 for Section 32, Township 11 North, Range 63 West, 6th P.M. and Section 5, Township 10 North, Range 63 West, 6th P.M., and established one approximate 1280-acre stand-up exploratory drilling and spacing unit for the Application Lands, and approved up to ten wells within the unit, for the production of oil, gas and associated hydrocarbons from the Niobrara Formation, with the bottomhole locations not less than 600 feet from the boundary of the drilling unit and not less than 460 feet from any other well or treated interval of a well producing from the Niobrara Formation, without exception being granted by the Director. Order No. 421-42 applies to the Niobrara Formation on the Application Lands.

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: **January 29-30, 2018**

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 the 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 arrangements 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 January 12, 2018.** 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 January 12, 2018, 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: December 20, 2017

Colorado Oil and Gas Conservation Commission
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