

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

IN THE MATTER OF THE PROMULGATION) CAUSE NO. 421
AND ESTABLISHMENT OF FIELD RULES TO)
GOVERN OPERATIONS FOR THE CODELL,) DOCKET NO. 180300151
FORT HAYS, CARLILE AND NIOBRARA)
FORMATIONS, HEREFORD FIELD, WELD) TYPE: SPACING
COUNTY, COLORADO)

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 11 North, Range 62 West, 6th P.M.
Section 35: All

Township 10 North, Range 62 West, 6th P.M.
Section 2: All

APPLICATION

On January 17, 2018, 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) Vacate the approximate 640-acre drilling and spacing unit established by Order No. 421-3 for Section 2, Township 10 North, Range 62 West, 6th P.M., for the production of oil, gas and associated hydrocarbons from the Niobrara Formation;
- 2) Vacate the 1,280-acre stand-up exploratory drilling and spacing unit established by Order No. 421-29 for Sections 26 and 35, Township 11 North, Range 62 West, 6th P.M., for the production of oil, gas and associated hydrocarbons from the Niobrara Formation;
- 3) Establish an approximate 1,280-acre drilling and spacing unit for Section 35, Township 11 North, Range 62 West, 6th P.M. and Section 2, Township 10 North, Range 62 West, 6th P.M. for the Codell, Fort Hays, Carlile and Niobrara Formations and approve up to six new horizontal wells for the production of oil, gas and associated hydrocarbons from the Codell, Fort Hays and Carlile Formations, and up to 15 new horizontal wells for the production of oil, gas and associated hydrocarbons from the Niobrara Formation.
- 4) Provide that the productive interval any horizontal well in the proposed unit shall be no closer than 300 feet from the boundaries of the unit and not less than 150 feet from the productive interval of another well within the unit, and authorize up to four well pads in the unit, unless an exception is granted by the Director.
- 5) Find that the approximate 1,280-acre drilling and spacing unit for the development of the Codell, Fort Hays, Carlile and Niobrara Formations on the Application Lands, with the requested number of wells and the requested boundary setbacks, will prevent waste, protect correlative rights,

and maximize the efficient and economic production of the Codell, Fort Hays, Carlile and Niobrara Formations on the Application Lands.

6) For such other findings and orders as the Commission may deem proper or advisable in this matter.

APPLICABLE ORDERS AND RULES

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

- 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 Section 35, Township 11 North, Range 62 West, 6th P.M., and Section 2, Township 10 North, Range 62 West, 6th P.M., 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 January 7, 2013, the Commission entered Order No. 421-29 which, among other things, vacated two approximate 640-acre drilling and spacing units established by Order No. 421-3 for Sections 26 and 35, Township 11 North, Range 62 West, 6th P.M., and established one approximate 1280-acre stand-up exploratory drilling and spacing unit for Sections 26 and 35, Township 11 North, Range 62 West, 6th P.M., 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 proposed 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.

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: March 19-20, 2018
Time: 9:00 a.m.
Place: Colorado Oil and Gas Conservation Commission
The Chancery Building
1120 Lincoln Street, Suite 801
Denver, Colorado 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 March 5, 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 March 5, 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: February 7, 2018

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

Attorneys for Applicant:
Jamie L. Jost
Kelsey H. Wasylenky
Jost Energy Law, P.C.
1401 17th Street, Suite 370
Denver, Colorado 80202
(720) 446-5620
jjost@jostenergylaw.com
kwasylenky@jostenergylaw.com