

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 NIOBRARA FORMATION,) DOCKET NO. 180600414
WATTENBERG FIELD, WELD COUNTY,)
COLORADO) TYPE: POOLING

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 4 North, Range 62 West, 6th P.M.
Section 27: N $\frac{1}{2}$ N $\frac{1}{2}$
Section 28: N $\frac{1}{2}$ N $\frac{1}{2}$
Section 21: S $\frac{1}{2}$ S $\frac{1}{2}$
Section 22: S $\frac{1}{2}$ S $\frac{1}{2}$

APPLICATION

On April 12, 2018, HighPoint Operating Corporation (Operator No. 10071) ("HighPoint" or "Applicant"), filed a verified application pursuant to §34-60-116, C.R.S., for an order to:

- 1) Pool all interests in the Application Lands underlying an approximate 640-acre designated horizontal wellbore spacing unit established for the Application Lands, for the development and operation of the Niobrara Formation;
- 2) Providing that any party who fails to make a timely election to lease or to participate is pooled by operation of statute, pursuant to C.R.S. § 34-60-116(6) and (7), and made subject to the cost recovery provisions of §34-60-116(7), C.R.S., effective as of the earlier of the date of the Application, or the date that any of the costs specified in §34-60-116(7)(b), C.R.S., are first incurred for the drilling of the Anschutz Equus Farms 4-62-28-0108CNB (API No. 05-123-43694) to the Niobrara Formation on the Application Lands.
- 3) 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://cogcc.state.co.us>, under "Regulation," then select "Orders" or "Rules")

- On April 27, 1998, the Commission adopted Rule 318A, the Greater Wattenberg Area Special Well Location, Spacing and Unit Designation Rule. The Application Lands are subject to Rule 318A for the Niobrara Formation.
- On March 17, 2014, the Commission entered Order No. 407-949 which, among other things, established an approximate 1,280-acre drilling and spacing unit for Sections 15 and 22, Township 4 North, Range 62 West, 6th P.M., and approved up to 16 horizontal

wells within the unit, for the production of oil, gas, and associated hydrocarbons from the Niobrara Formation. Order No. 407-949 applies to portions of the Application Lands but does not affect this wellbore-specific Application.

- On October 27, 2014, the Commission entered Order No. 407-1146 which, among other things, pooled all interests in an approximate 1,280-acre drilling and spacing unit established for Sections 15 and 22, Township 4 North, Range 62 West, 6th P.M., for the development and operation of the Niobrara Formation, and subjected any nonconsenting interests to the cost recovery provisions of §34-60-116(7), C.R.S., effective as of the date of the Application, for the drilling of the initial permitted horizontal Niobrara Formation well drilled within the Application Lands and any subsequent horizontal Niobrara Formation wells approved by the Commission. Order No. 407-1146 applies to portions of the Application Lands but does not affect this wellbore-specific Application.
- On January 26, 2016, the Commission entered Order No. 407-1603 which, among other things, established an approximate 1,280-acre drilling and spacing unit for Sections 20 and 21, Township 4 North, Range 62 West, 6th P.M., and approved up to 16 horizontal wells within the proposed unit, for the production of oil, gas, and associated hydrocarbons from the Niobrara Formation. Order No. 407-1603 applies to portions of the Application Lands but does not affect this wellbore-specific Application.
- On January 26, 2016, the Commission entered Order No. 407-1605 which, among other things, vacated an approximate 640-acre drilling and spacing unit established by Order No. 407-797 for Section 27, Township 4 North, Range 62 West, 6th P.M., for production from the Niobrara and Codell Formations, and established an approximate 1,280-acre drilling and spacing unit for Sections 27 and 28, Township 4 North, Range 62 West, 6th P.M., and approved up to sixteen horizontal wells within the unit, for the production of oil, gas, and associated hydrocarbons from the Niobrara Formation. Order No. 407-1605 applies to portions of the Application Lands but does not affect this wellbore-specific Application.

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: June 11 - 12, 2018
Time: 9:00 a.m.
Place: Lindou Auditorium
Michener Library
University of Northern Colorado (UNC)
501 20th Street
Greeley, Colorado 80639

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 May 25, 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 May 28, 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: May 4, 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 HighPoint:
Jamie L. Jost
Kelsey Wasylenky
Jost Energy Law, P.C.
1401 17th Street, Suite 370
Denver, Colorado 80202
Phone: (720) 446-5620
jjost@jostenergylaw.com
kwasylenky@jostenergylaw.com