

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

IN THE MATTER OF THE PROMULGATION AND) CAUSE NO. 540
ESTABLISHMENT OF FIELD RULES TO GOVERN)
OPERATIONS FOR THE NIOBRARA FORMATION,) DOCKET NO. 181200977
UNNAMED FIELD, ROUTT COUNTY, COLORADO)
) TYPE: POOLING

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 6 North, Range 88 West, 6th P.M.
Section 29: W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
Section 30: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 31: NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 32: NW $\frac{1}{4}$ NW $\frac{1}{4}$

APPLICATION

On October 18, 2018, Ephphatha, LLC (Operator No. 10282) ("Ephphatha" or "Applicant") filed a verified application pursuant to §34-60-116, C.R.S., for an order to:

1) Amending the Pooling Order at Docket No. 180600468 to account for the amendment to Order No. 540-70, and thereby pool all interests in the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 29, Township 6 North, Range 88 West, 6th P.M. in addition to the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 29, the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, resulting in an approximate 280-acre drilling and spacing unit for development and operation of the Niobrara Formation, effective as of the earlier of the date of Pooling Order at Docket No. 180600468, or the date the costs specific in §34-60-116(7)(b), C.R.S., are first incurred for the drilling of the Dry Creek UT HD 31 #1A (Pilot Hole) Well (API No. 05-107-06175).

2) Subject any nonconsenting interests 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., were first incurred for the drilling of the:

a. Dry Creek UT HD 31 #1A (Pilot Hole) Well (API No. 05-107-06175).

APPLICABLE ORDERS AND RULES

(available online at: <http://cogcc.state.co.us>, under "Regulation," then select "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.
- On September 17, 2018, the Commission entered Order No. 540-70 which, among other things, established an approximate 200-acre drilling and spacing unit for the Original Lands, and approved one vertical, directional, or horizontal well within the unit, for the

production of oil, gas, and associated hydrocarbons from the Niobrara Formation. Order No. 540-70 established boundary setbacks such that the productive interval of the wellbore to be located no closer than 600 feet from boundaries of the proposed unit except that it may be located no closer than 300 feet from the southern boundary of the NE¼NE¼ of Section 31 of the Application Lands and no closer than 300 feet from the eastern boundary of the NW¼SW¼ of Section 29 of the Application Lands, without exception being granted by the Director.

- On April 12, Ephphatha, LLC filed a pooling application at Docket No. 180600468 requesting that all interests in the 200-acre drilling and spacing unit under Order No. 540-70 be pooled, for the development and operation of the Subject Well, effective as of the date that the costs specified in §34-60-116(7)(b), C.R.S. were first incurred for the drilling of the Subject Well within the 200-acre drilling and spacing unit. This pooling application is set to be heard before the Commission at the October 29, 2018 hearing.

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: December 17-18, 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 three 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 December 3, 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 December 3, 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: November 7, 2018

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