

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. 190100094  
WATTENBERG FIELD, WELD COUNTY, )  
COLORADO ) TYPE: POOLING

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

APPLICATION LANDS

Township 5 North, Range 64 West, 6<sup>th</sup> P.M.  
Section 29: E $\frac{1}{2}$ W $\frac{1}{2}$ , W $\frac{1}{2}$ E $\frac{1}{2}$   
Section 32: E $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$

APPLICATION

On November 21, 2018, PDC Energy, Inc. (Operator No. 69175) ("PDC" or "Applicant"), filed a verified application pursuant to §34-60-116, C.R.S. for an order to:

- 1) Pool all interests in an approximate 560-acre designated horizontal wellbore spacing unit, established for the Application Lands, for the development and operation of the Niobrara formation; and
- 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 Ottenhoff 29M-353 Well (API No. 05-123-43648) ("Well").

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. Sections 29 and 30, Township 5 North, Range 64 West, 6<sup>th</sup> P.M., and Section 25, Township 5 North, Range 65 West, 6<sup>th</sup> P.M., are subject to this Rule for the Niobrara Formation.
- On February 19, 1992, the Commission entered Order No. 407-87 (amended August 20, 1993) which, among other things, established 80-acre drilling and spacing units for the production of oil, gas, and associated hydrocarbons from the Codell-Niobrara Formations, the Codell Formation, and the Niobrara Formation underlying certain lands, including Sections 29 and 30, Township 5 North, Range 64 West, 6<sup>th</sup> P.M., and Section 25, Township 5 North, Range 65 West, 6<sup>th</sup> P.M., with the permitted well locations in accordance with the provisions of Order 407-1.
- On March 14, 2016, the Commission entered Order No. 407-1646, which, among other things, pooled all non-consenting interests in an approximate 720-acre wellbore

spacing unit for the S½SE¼ of Section 19, the S½S½ of Section 20, the S½SW¼ and SW¼SE¼ of Section 21, the N½NW¼ and NW¼NE¼ of Section 28, the N½N½ of Section 29, and the N½NE¼ of Section 30, all of Township 5 North, Range 64 West, 6<sup>th</sup> P.M., for the Schneider 19Q-312 Well (API No. 05-123-39542), from the Niobrara Formation. Order No. 407-1646 is not affected by this Application, and proceeds from any shared lands will be accounted for in the production of the Well.

- On March 14, 2016, the Commission entered Order No. 407-1647, which, among other things, pooled all non-consenting interests in an approximate 720-acre wellbore spacing unit for the S½SE¼ of Section 19, the S½S½ of Section 20, the S½SW¼ and SW¼SE¼ of Section 21, the N½NW¼ and NW¼NE¼ of Section 28, the N½N½ of Section 29, and the N½NE¼ of Section 30, all of Township 5 North, Range 64 West, 6<sup>th</sup> P.M., for the Schneider 19Q-202 Well (API No. 05-123-39541), from the Niobrara Formation. Order No. 407-1647 is not affected by this Application, and proceeds from any shared lands will be accounted for in the production of the Well.
- August 20, 2018, the Commission entered Order No. 407-2537, which, among other things, pooled all non-consenting interests in an approximate 565.441-acre wellbore spacing unit for the S½N½ and N½S½ of Section 31, and the S½NW¼, N½SW¼, SW¼NE¼, and the NW¼SE¼ of Section 32, all of Township 5 North, Range 64 West, 6<sup>th</sup> P.M., for the Daisy 31G-312 Well (API No. 05-123-45262), from the Niobrara formation. Order No. 407-2537 is not affected by this Application, and proceeds from any shared lands will be accounted for in the production of the Well.
- August 20, 2018, the Commission entered Order No. 407-2538, which, among other things, pooled all non-consenting interests in an approximate 720-acre wellbore spacing unit for the S½N½ and N½S½ of Section 32, the S½N½ and N½S½ of Section 33, and the SW¼NW¼ and the NW¼SW¼ of Section 34, all of Township 5 North, Range 64 West, 6<sup>th</sup> P.M., for the Bath-Schmier 1C Well (API No. 05-123-45072), the Bath-Schmier 2N Well (API No. 05-123-45077), the Bath-Schmier 3N Well (API No. 05-123-45078), and the Bath-Schmier 4N Well (API No. 05-123-45074), from the Niobrara and Codell formations. Order No. 407-2538 is not affected by this Application, and proceeds from any shared lands will be accounted for in the production of the Well.
- August 20, 2018, the Commission entered Order No. 407-2565, which, among other things, pooled all non-consenting interests in an approximate 720.42-acre wellbore spacing unit for the S½ of Section 32, the S½ of Section 33, and the W½SW¼ of Section 34, all of Township 5 North, Range 64 West, 6<sup>th</sup> P.M., for the Bath-Schmier 5N Well (API No. 05-123-45067), the Bath-Schmier 6N Well (API No. 05-123-45076), and the Bath-Schmier 7N Well (API No. 05-123-45081) from the Niobrara formation. Order No. 407-2565 is not affected by this Application, and proceeds from any shared lands will be accounted for in the production of the Well.

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 28-29, 2019

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 January 14, 2019.** Please see Commission Rule 509 at: <http://cogcc.state.co.us>, under "Regulation," then select "Rules". Please note that, under Commission Rule 506.c., the deadline for protests and interventions will not be continued even if the hearing is continued beyond the date that is stated above. Protests and interventions must be sent to the Applicant at the below address, and must be sent to the Commission via email to: [dnr\\_hearingapplications@state.co.us](mailto:dnr_hearingapplications@state.co.us). **Anyone who files a protest or intervention must be able to participate in a prehearing conference during the week of January 14, 2019, 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 

Mimi C. Larsen, Secretary

Dated: December 20, 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:  
Michael T. Jewell  
Burns, Figa & Will, P.C.  
6400 S. Fiddlers Green Cir. - Suite 1000  
Greenwood Village, Colorado 80111  
Phone: (303) 796-2626  
[mjewell@bfiwlaw.com](mailto:mjewell@bfiwlaw.com)