

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

IN THE MATTER OF THE APPLICATION OF)	
ENERGEN RESOURCES CORPORATION FOR)	CAUSE NO. 112
AN ORDER POOLING ALL NONCONSENTING)	
INTERESTS IN THE FRUITLAND COAL)	Docket No. _____
FORMATION IN AN ESTABLISHED DRILLING)	
AND SPACING UNIT LOCATED IN THE)	
IGNACIO BLANCO FIELD, LA PLATA AND)	
ARCHULETA COUNTIES, COLORADO)	

APPLICATION

COMES NOW Energen Resources Corporation (referred to herein as “Applicant”), by and through its undersigned attorneys, and makes application to the Oil and Gas Conservation Commission of the State of Colorado (“COGCC”), for an order to pooling all non-consenting interests for the drilling of a well for the applicable 320-acre drilling and spacing unit in the Fruitland Coal Formation in Section 15, Township 32 North, Range 6 West, 6th N.M.P.M., La Plata and Archuleta Counties, Colorado. In support thereof, the Applicant states and alleges as follows:

- 1. That the Applicant is a corporation duly authorized to conduct business in the State of Colorado.
- 2. That the Applicant owns certain leasehold interests in the unit requested for pooling.
- 3. That pursuant to COGCC Order Nos. 112-60 and 112-157, 320-acre drilling and spacing units were established allowing two wells per spacing unit with the permitted wells to be located no closer than 990’ from the outer boundaries of the unit and 130’ from the interior quarter section lines on the following described lands, to-wit:

Township 32 North, Range 6 West, N.M.P.M.
Section 15: E/2

- 4. Applicant proposes to drill the following well within the spacing unit described in paragraph 3 above which has been spaced for production from the Fruitland Coal Formation as follows: Quintana 32-6 #15-2, T32N, R6W, Section 15: E/2, 450’ FSL and 2110’ FEL.
- 5. That the parties listed on Exhibit A hereto own separate leased and unleased mineral interests in the drilling and spacing unit in Section 15, and that such parties have been offered the option to participate in the drilling of a well in the unit, but to date one or more of such parties have refused to participate by bearing their proportionate shares of the costs and risks of drilling or operating the well. An AFE containing the information required by COGCC Rule 530.a. was sent respecting this well more than thirty (30) days prior to the date of the hearing on this Application. A copy of such a letter is attached hereto as Exhibit B.
- 6. That with respect to any non-consenting owners of unleased mineral interests listed on Exhibit A, Applicant has made reasonable attempts pursuant to COGCC Rule 530.b. to enter into leases with such parties but has as yet been unsuccessful in such attempts.
- 7. That in order to prevent waste, protect correlative rights and in the best interests of conservation, all interests owned by the nonconsenting parties listed on Exhibit A should be pooled in the Fruitland Coal Formation in accordance with C.R.S. § 34-60-116 and Rule 530 of the COGCC.
- 8. That the names and addresses of the interested parties with respect to this Application are as set forth in Exhibit A hereto.

WHEREFORE, Applicant respectfully requests that this matter be set for hearing, that notice thereof be given as required by law and that upon such hearing this Commission enter its order:

A. That all unleased mineral interests and the leasehold working interest owners with whom Applicant has been unable to secure an agreement for the drilling of the proposed well as described in paragraph 5 be pooled involuntarily with respect to the Fruitland Coal Formation, and that such owners be treated as non-consenting owners under C.R.S. § 34-60-116 and made subject to the terms and penalties provided for therein.

B. For such other findings and orders as the Commission may deem proper or advisable in the premises.

DATED this ____ day of October, 2005.

Respectfully submitted,

ENERGEN RESOURCES CORPORATION

By:

Michael J. Wozniak
BEATTY & WOZNIAK, P.C.
216 16th Street, Suite 1100
Denver, CO 80202
(303) 407-4499

Applicants' Address:

605 Richard Arrington, Jr. Blvd North
Birmingham, AL 35203

VERIFICATION

STATE OF ALABAMA)
) ss.
COUNTY OF JEFFERSON)

Robert W. Plumb, of lawful age, being first duly sworn upon oath, deposes and says that he is the District Landman for Energen Resources Corporation and that he has read the foregoing Application and that the matters therein contained are true to the best of my knowledge, information and belief.

Robert W. Plumb

Subscribed and sworn to before this ____ day of October, 2005.

Witness my hand and official seal.

My commission expires:

Notary Public

[SEAL]

EXHIBIT A

Working Interest & Unleased Mineral Owners

Consenting Owners

Gary A. Weitz
BP America Production Company
380 Airport Road
Durango, CO 81302

Dale A. & Mary A. Young Revocable Trust
4014 15th Street Lane
Greeley, CO 80634

Dennis W. & Helen F. Seibel
12601 Highway 151
Ignacio, CO 81137

James & Mary B. Coulter
12698 Highway 151
Ignacio, CO 81301

Donald I. Degani
1819 Crestview
Durango, CO 81301

Denver & Rio Grande Western Railroad
c/o Union Pacific Co.
1400 Douglas, Stop 1640
Omaha, NE 68179-1640

Mary Lou Robinson
732 N. Ada
Chicago, IL 60622

Estella & Ben J. Gallegos Life Estate
National Avenue
Las Vegas, NM 87701

Mrs. Emil Walker
(address unknown)

Non-Consenting Owners

Paul D. Clarys
Petrogulf Corporation
518 17th Street, Suite 1455
Denver, CO 80202-4155

Douglas Cameron McLeod
c/o Petrogulf Corporation
518 17th Street, Suite 1455
Denver, CO 80202-4155