

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

IN THE MATTER OF THE APPLICATION OF )  
ENCANA OIL & GAS (USA) INC. FOR AN )  
ORDER POOLING ALL NONCONSENTING )  
INTERESTS IN THE "J" SAND, CODELL AND )  
NIOBRARA FORMATIONS IN AN )  
ESTABLISHED DRILLING AND SPACING )  
UNIT LOCATED IN THE WATTENBERG )  
FIELD, WELD COUNTY, COLORADO )

Cause No. 232, 407 and 499  
  
Docket No.

APPLICATION

COMES NOW EnCana Oil & Gas (USA) Inc. (referred to herein as "Applicant"), by and through its undersigned counsel, and makes application to the Oil and Gas Conservation Commission of the State of Colorado ("COGCC"), for an order establishing a 320-acre drilling and spacing unit in the lands described in Paragraph 2 and, once established, to pool all non-consenting interests for the drilling of wells in such drilling and spacing unit in the "J" Sand, Codell and Niobrara Formations in the lands more particularly described in Paragraph 2 below located in Township 1 North, Range 68 West, 6<sup>th</sup> P.M., Weld County, 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 leasehold interests in the unit requested for pooling.

Township 1 North, Range 68 West, 6<sup>th</sup> P.M.  
Section 18: W/2

Weld County, Colorado

3. Commission Order 232-1 established 320-acre drilling and spacing units for the production of gas and associated hydrocarbons from the "J" Sand underlying the Wattenberg Field. Order 232-20 allowed a second well, in addition to the permitted well within the 320-acre unit for production of gas from the "J" Sand for the Application Lands. Commission Order 407-87 established eighty (80) acre drilling and spacing units for the Codell-Niobrara Formations.

4. Coincident with prior orders and the drilling and spacing unit established for the "J" Sand Formation, Applicant wishes to designate a 320-acre drilling and spacing unit for the Application Lands in accordance with Rule 318A for production of gas and associated hydrocarbons from the Codell-Niobrara Formation as well a the "J" Sand Formation.

5. Applicant has proposed four (4) wells to be completed in the "J" Sand, Codell and Niobrara Formations within the drilling and spacing unit described in paragraph 2 above identified as follows:

Sosa 11-18 WellSosa 21-18 Well

Sosa 12-18Sosa 22-18

6. That some of the parties listed on Exhibit A hereto own separate leased mineral interests in the referenced drilling and spacing unit located in Section 18 encompassed within the proposed drilling and spacing unit, and such parties have been offered the option to participate in the drilling of the Wells 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 respective Wells. An AFE for each of the Wells containing the information required by COGCC Rule 530.a. was sent respecting the Wells more than thirty (30) days prior to the date of the hearing on this Application. A copy of an example of such AFE and letter is attached hereto as Exhibit B.

7. As of the date of this Application, the interest owners listed on Exhibit A have not consented to participate or granted a lease. Applicant has made reasonable attempts pursuant to

COGCC Rule 530.b. to enter into leases with such parties but has as of yet been unsuccessful in such attempts.

That in order to prevent waste, protect correlative rights and in the best interests of conservation, all interests owned by the parties listed on Exhibit A should be pooled in the "J" Sand, Codell and Niobrara Formations 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 leasehold interest owners with whom Applicant has been unable to secure an agreement for the drilling of the proposed wells and all unleased mineral interests owners who refuse to execute a lease as described in paragraphs 6 and 7 be pooled involuntarily with respect to the "J" Sand, Codell and Niobrara Formations, 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 September, 2007.

Respectfully submitted,

ENCANA OIL & GAS (USA) INC.

By:

\_\_\_\_\_  
Susan L. Aldridge  
Michael J. Wozniak  
BEATTY & WOZNIAK, P.C.  
216 16<sup>th</sup> Street, Suite 1100  
Denver, CO 80202  
(303) 407-4499

Applicants' Address:

370 17<sup>th</sup> Street, Suite 1700  
Denver, CO 80202

## VERIFICATION

STATE OF COLORADO )  
 ) ss.  
CITY & COUNTY OF DENVER )

Blake Brazelton, Land Negotiator of EnCana Oil & Gas (USA) Inc., upon oath deposes and says that he has read the foregoing Application and that the statements contained therein are true to the best of his knowledge, information and belief.

ENCANA OIL &amp; GAS (USA) INC.

By: \_\_\_\_\_  
Blake Brazelton, Land Negotiator

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2007, by Blake Brazelton, Land Negotiator of EnCana Oil & Gas (USA) Inc.

Witness my hand and official seal. My commission expires:\_\_\_\_\_

Notary Public

## EXHIBIT A

### Non-Consenting or Unleased Interest Owners

568 Briggs Street LLC  
PO Box 930  
Erie, Colorado 80516

Arthurs Harold L & Jody  
PO Box 226  
Erie, Colorado 80516-0226

BDD Inc  
1921 Larson Ct  
Erie, Colorado 80516

685 Briggs LLC  
685 Briggs St  
Erie, Colorado 80516

Atkinson Lorraine K  
PO Box 419  
Erie, Colorado 80516

Beeler Joseph G & Kevin Thede  
933 Lincoln Ave  
Louisville, Colorado 80027-1927

Abeyta Lawrence & Carmen  
PO Box 225  
Erie, Colorado 80516

Brown Richard M (Heirs of) &  
Helen Marie  
1412 Sunshine Canyon Dr.  
Boulder, Colorado 80302

Berry Victoria A  
305 Anderson St - PO Box 267  
Erie, Colorado 80516

Boardwell Matthew A & Pamela G  
PO Box 275  
Erie, Colorado 80516

Bueno Alvina Maria & Romero Raymond  
1103 Adams Ave  
Louisville, Colorado 80027

Canaday Maxine R  
235 Holbrook St  
Erie, Colorado 80516

Bowen Charles W  
PO Box 984  
Erie, Colorado 80516

Bundy John Andrew  
405 Holbrook St  
Erie, Colorado 80516

Carberry Kendra  
410 Pierce St  
Erie, Colorado 80516

Bowker Hans F  
280 Wells St - PO Box 291  
Erie, Colorado 80516

Coal Creek Properties Inc  
PO Box 450  
Erie, Colorado 80516

Ding Judy  
13815 Rockport Landing Road  
Midlothian, Virginia 23112-2025

Brookman Carolyn Sue & John C  
5024 Weld County Rd 6  
Erie, Colorado 80516

Cohen Bruce M  
PO Box 899  
Erie, Colorado 80516-0899

Ditlow Robert L & Mary F  
PO Box 1235  
Erie, Colorado 80516

Cit Group / Consumer Finance Inc.  
PO Box 24610  
Oklahoma, Oklahoma 73124-0610

Cowles Jeffrey D &  
395 Holbrook St  
Erie, Colorado 80516-0893

Domenico Richard A & Melanie  
PO Box 379  
Erie, Colorado 80516

Clyncke Deborah Ann  
175 Holbrook St  
Erie, Colorado 80516

Crafton Libby  
685 Briggs St  
Erie, Colorado 80516

Erie Lions Club  
C/O Howard Blair  
Erie, Colorado 80516

Crowder Earl G  
485 Pierce St - PO Box 842  
Erie, Colorado 80516

Crescentini Ronald P & Virginia L  
PO Box 711  
Erie, Colorado 80516

Erie Lion Club  
PO Box 1012  
Erie, Colorado 80516

Cunningham Troy Eugene & Lisa M  
PO Box 851  
Erie, Colorado 80516

Dowell Lois Kay & Vaughn Eugene  
PO Box 993  
Erie, Colorado 80516-0993

Erie Lodge #46 100F  
C/O Grand Lodge  
Canon City, Colorado 81212

Dascher Vincent John  
PO Box 591  
Erie, Colorado 80516

Durnen Richard L & Sarah A  
PO Box 775  
Erie, Colorado 80516-0775

Town of Erie  
PO Box 98  
Erie, Colorado 80516-0098

Davidson Richard Jr  
PO Box 971  
Erie, Colorado 80516

Ehrmantraut David  
PO Box 694  
Erie, Colorado 80516

Esterman Laura  
490 Kattell St  
Erie, Colorado 80516

Finnegan Joanne Marie  
624 Pine St  
Louisville, Colorado 80027

EOG Oil Company  
PO Box 668  
Niwtot, Colorado 80544

Griffin Clinton R & Cynthia S  
PO Box 432  
Erie, Colorado 80516-0432

First Bank of Erie  
C/O First Bank Holding Company  
Lakewood, Colorado 80215

FS Land LLC  
485 Briggs St  
Erie, Colorado 80516

Gutierrez Louise (Heirs of) &  
Gutierrez Robert L  
9683 Roberts Ave  
Louisville, Colorado 80027

Fletcher William Lee Sr & Phyllis  
PO Box 362  
Erie, Colorado 80516-0362

Geithman William A & Donna K  
PO Box 191  
Erie, Colorado 80516

Hollenbaugh Charlotte L  
PO Box 843  
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Gonzales Alfonso A & Catherine PO Box 276 Erie, Colorado 80516	Hatch John H & Christine 360 Lawley Drive Erie, Colorado 80516	Lawrence John R & Leslie PO Box 32 Erie, Colorado 80516
Great Western Development LLC PO Box 158 Nederland, Colorado 80466	Hernandez Maria Guadalupe PO Box 701 Erie, Colorado 80516-0701	Madison Bruce PO Box 1251 Erie, Colorado 80516-1251
Jagers David Alan PO Box 256 Erie, Colorado 80516	Herrel Pamela Helton 49 E Tilden Brownsburg, Indiana 46112-1660	Martin Teresa PO Box 667 Erie, Colorado 80516
Jones Karen PO Box 303 Erie, Colorado 80516	Hicks Roy R & Ronda M PO Box 358 Erie, Colorado 80516-0358	Martinez Anastacio N Jr & Carmen PO Box 542 Erie, Colorado 80516-0542
Kleffner Joseph E & Linda K PO Box 844 Erie, Colorado 80516-0844	Joyce Lois A PO Box 585 Erie, Colorado 80516	Martinez Dolores F & Philip J 660 Briggs St Erie, Colorado 80516
Klein Donna M 770 High St Erie, Colorado 80516	Keesling John 575 Moffat St Erie, Colorado 80516	Martinez Frank PO Box 280 Erie, Colorado 80516-0280
Korbe Richard Allen & Carole Dianne PO Box 923 Erie, Colorado 80516	Keith Walter W III PO Box 183 Erie, Colorado 80516-0183	Parks Peter W PO Box 754 Erie, Colorado 80516-0754
Martinez Luis 185 Holbrook St Erie, Colorado 80516-0991	Lott Frederick J & Debra D 609 Whiles Ct Erie, Colorado 80516	Sauceda Jose Jr & Tia Marie PO Box 123 Erie, Colorado 80516-0123
Martinez Manuel E & Lucy PO Box 284 Erie, Colorado 80516-0284	Lotton David E 365 Main St Erie, Colorado 80516	Diana E Shannon c/o Mary Ann McVay 1722 Southard St Erie, Colorado 80516
Martinez Mike Robert & Geraldine Nancy PO Box 664 Erie, Colorado 80516	Louis A Dave & Katherine O PO Box 363 Erie, Colorado 80516	Sherman Mark S & Sheila P PO Box 473 Erie, Colorado 80516
Martinez Ruben A & Leo J PO Box 56 Firestone, Colorado 80520	Louis Andrew David & Katherine O PO Box 363 Erie, Colorado 80516-0363	Simansky Robbie N & Robyn, et al PO Box 404 Wilder, Idaho 83676
McGinnis Cole P & Lynnette D PO Box 644 Erie, Colorado 80516	Lunney Joan 270 Cessna Drive Erie, Colorado 80516	Valdez Sammy & Marivel 709 Glenarbor Circle Longmont, Colorado 80516
McMillan Robert L & Maurine Trustees 14419 West Battenburg Drive Boise, Idaho 83713	Meagher Energy Company, LLC P. O. Box 4782 Englewood, Colorado 80155-4782	Venture Royalties 502 N 1 St. Mulvane, KS 67110
MT Group LLC PO Box 682 Erie, Colorado 80516	Means Rentals LP 1076 8th St Boulder, Colorado 80302	Vigil Johnny J 220 Briggs St Erie, Colorado 80516
Pena Grace PO Box 528 Erie, Colorado 80516	Melahn Lesly J 365 Pineapple St Englewood, Colorado 84233	Whipple Shavone & Jay R 630 Pierce St Erie, Colorado 80516
Portillo Linda E PO Box 91 Erie, Colorado 80516	Melson Clara J & Jerome F PO Box 1145 Erie, Colorado 80516	Wilkes Jeffrey N 1116 Fletcher Drive Erie, Colorado 80516
Prine Dean J 165 Holbrook St Erie, Colorado 80516	Noble Energy Production Inc. 1625 Broadway, Suite 2000 Denver, CO 80202	Wilson Greg R PO Box 871 Erie, Colorado 80516
Puente Pete PO Box 368 Erie, Colorado 80516	Orr James D PO Box 1101 Erie, Colorado 80516-1101	Winding Carter B PO Box 874 Erie, Colorado 80516-0874

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Spendlow Jody M & Harry C Jr  
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Erie, Colorado 80516

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Centennial, CO 80161-3190

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Erie, Colorado 80516-1226

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