

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 AND BROOMFIELD COUNTIES,)
COLORADO)

Cause No. _____

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 designating a drilling and spacing unit and to pool all non-consenting interests for the drilling of wells in an approximate 320-acre drilling and spacing unit a 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, 6th P.M., Weld and Broomfield 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 leasehold interests in the drilling and spacing unit requested for pooling.

Township 1 North, Range 68 West, 6th P.M.
Section 34: W/2

Weld and Broomfield Counties, Colorado

(“Application Lands”)

3. These lands are also subject to the provisions of Rule 318A(e) of the Rules and Regulations of this Commission.
4. The Application Lands are also subject to Commission Orders Nos. 232-23, 232-89 and 407-66. Order No. 232-23 established 320-acre drilling and spacing units for the production of gas and associated hydrocarbons from the “J” Sand.
5. The attached Well Proposal Plat, Exhibit A, describes the spacing unit Applicant wishes to designate and for purposes of force pooling the proposed wells.
6. Applicant proposes to drill the following wells within the 320-acre drilling and spacing unit described in paragraph 2 above (Section 34: W/2) and as reflected on the Well Proposal Plat:

<u>Well Names</u>	<u>Surface Location</u>	<u>Bottomhole Location</u>
Bickler 23-34	2426’ FSL & 2412’ FWL	2015’ FSL & 1830’ FWL
Bickler 24-34	2411’ FSL & 2412’ FWL	510’ FSL & 1830’ FWL

These proposed surface locations and bottomhole locations are reflected on the approved APDs attached hereto as Exhibit B.

7. AFEs containing the information required by COGCC Rule 530.a. were sent regarding these wells more than thirty (30) days prior to the date of the hearing on this Application. A copy of an example of such AFEs and letter are attached hereto as Exhibit C.
8. Moreover, that with respect to any non-consenting owners of unleased mineral interests listed on Exhibit D, 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. A copy of the form of the letter sent to the unleased interest owners is attached hereto as Exhibit C.

9. 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 D 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.

10. That the names and addresses of the interested parties with respect to this Application are as set forth in Exhibit D hereto and the undersigned certifies that copies of this Application shall be served on each interested party within the next seven days as required by Rule 503.d.

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 working interest owners with whom Applicant has been unable to secure an agreement for the drilling of the proposed well and all unleased mineral interests owners who refuse to execute a lease as described in paragraphs 7 and 8 be pooled involuntarily with respect to the J Sand, Codell, and Niobrara Formation wells, 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 April, 2008.

Respectfully submitted,

ENCANA OIL & GAS (USA) INC.

By:

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

Applicants' Address:

370 17th Street, Suite 1700
Denver, CO 80202

VERIFICATION

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

Drew E. Neagle, 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 & GAS (USA) INC.

By: _____
Drew E. Neagle, Land Negotiator

Subscribed and sworn to before me this _____ day of April, 2008, by Drew E. Neagle, Land Negotiator of EnCana Oil & Gas (USA) Inc.

Witness my hand and official seal. My commission expires:_____

Notary Public

EXHIBIT D

Interested Parties

June Ann Pease 34750 Church Road Warren, OR 97053	Leased	Timothy J. Rockwell and Arlene F. Rockwell, 24695 US Hwy 85 PMB 136 Four Corners, WY 82715	Leased
Raymond J. Armstrong P.O. Box 1599 Mansfield, LA 71052 or 701 E. Lassen Space 134 Chico, CA 95973	Leased	Ronald W. Hocker & Mary Ann Hocker 14762 Weld County Rd 3 Longmont, CO 80504	Leased
Beverly J. Collins 2764 S. Golden Way Denver, CO 80227	Leased	John G. Shamy and Dorothy M.Shamy, Trustees of the Shamy Family Trust 3110 Johnson Ln Erie, CO 80516	Leased
Roberta A. Hensley 985 California Street P.O. Box 454 Rodeo, CA 94572	Leased	Kathleen S. Armitage and Ashleigh Armitage 654 County Road 7 Erie, CO 80516	Leased
Betty Jean Cosslett Gilkinson 16008 NE 26 St. Bellevue, WA 98008	Unleased**	William D. Barnett and Sandra S. Barnett 3160 Johnson Ln Erie, CO 80516	Leased
Viola Lara 1836 Winchester Drive Manteca, CA 95336	Leased	Stanley E. Luebbers, Raymond T. Luebbers and Delores J. Luebbers 3136 Lowell Ln Erie, CO 80516	Leased
Nancy Loghry 1798 Holly Oak Ct Manteca, CA 95336	Leased	Swallow Living Trust, dated Sept. 13, 2002 584 County Road 7 Erie, CO 80516	Leased
Ruth Traupe and John Leo Truape 984 CR 7 Erie, CO 80516	Leased	Jeffrey A. Freeburg and Cheri L. Freeburg 14137 Whitney Circle Broomfield, CO 80020-4510	Leased
William S. Raimo and Christina R. Raimo, joint tenants 914 County Road 7 Erie, CO 80516	Leased	Clayton Struble and Sherri R. Struble 3310 Johnson Ln Erie, CO 80516	Leased
Horst W. Mueller and Donna Mueller 3348 Weld County Road 4 Erie, CO 80516	Leased	Wendell D. Stahl 1965 E. 135 Way Thornton, CO 80241	Leased
Alexandra L. Janowiecki 1236 Lynx Trl Las Cruces, NM 88001	Leased	Scott A. Rairden and Beverly A. Rairden, 3410 Johnson Ln Erie, CO 80516	Leased
Roland G. Murren and Marlena J. Murren, Trustees of the Marlena J. Murren Living Trust (1/2) and Roland G. Murren and Marlena J. Murren, Trustees of the Roland G. Murren Living Trust (1/2) 844 Weld County Road 7 Erie, CO 80516	Leased	Phyllis B. York P.O. Box 540 Firestone, CO 80205	Leased
James K. Barnett and Carolyn E. Barnett, 794 W County Road 7 Erie, CO 80516	Leased	Randolph C. Tappan 1470 FM Rd 839 Reklaw, TX 75784	Unleased
Horst W. Mueller and Donna Mueller 3348 Weld County Road 4 Erie, CO 80516	Leased	Mary P. Fountain Address Unknown	Leased
Herbert E. Riehl and Cathryn L. Reihl	Leased	Michael Francis Schweitzer 3298 Weld County Road 4 Erie, CO 80516	Leased
Sean Reider 3448 Weld County Road 4 Erie, CO 80516	Leased	Johannes Lauer, Jr. & Dorothy Ann Lauer, 3261 Johnson Ln Erie, CO 80516	Leased
John R. Perschbacher and Michelle Perschbacher 3411 Johnson Lane Erie, CO 80516	Leased	John W. Zahn and Rachelle L. Zahn, 3211 Johnson Ln Erie, CO 80516	Leased

John C. Johnson and Betty M. Johnson 2623 Millmar Drive Dallas, TX 75228	Leased
Daryl L. Phipps and Linda Phipps, 3260 Johnson Lane Erie, CO 80516	Leased
Susan Socolofsky Hyde 3236 Lowell Lane Erie, CO 80516	Leased
Estol L. Rockwell 3213 Lowell Lane Erie, CO 80516	Leased
Anthony E. Struble & Charlotte M. Struble J3210 Johnson Ln Erie, CO 80516	Leased
Brett E. Wilcox 2727 NW Westover Road Portland, OR 97210	Consenting
E.O.G. Oil Company P.O. Box 668 Niwot, CO 80544	Non-consenting