

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, BOULDER COUNTY, 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 to pool all non-consenting interests for the drilling of a well in an approximate 160-acre 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 69 West, 6th P.M., Boulder 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 drilling and spacing unit requested for pooling.

Township 1 North, Range 69 West, 6th P.M.
Section 24: N/2NE/4
Section 13: S/2SE/4

Boulder County, Colorado

(“Application Lands”)

3. The Application Lands are subject to Rule 318A(e) which authorizes lease line 160-acre drilling and spacing units as provided for therein.
4. Applicant proposes to drill the following well within the 160-acre drilling and spacing unit described in paragraph 2 above as follows:

<u>Well Names</u>	<u>Surface Location</u>	<u>Bottomhole Location</u>
Lumry 6-0-24	863’ FNL & 990’ FEL	50’ FNL & 1320’ FEL

This proposed surface location and bottomhole location is reflected on the approved APD attached hereto as Exhibit B.

5. An AFE containing the information required by COGCC Rule 530.a. was sent to the consenting owners and will be sent to the remaining unlocated owner regarding this well 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 C.
6. Moreover, that with respect to any non-consenting owners of unleased mineral interests listed on Exhibit A, Applicant is making 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.

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 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 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 5 and 6 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
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(303) 407-4499

Applicants' Address:

370 17th Street, Suite 1700
Denver, CO 80202

VERIFICATION

STATE OF COLORADO

)

CITY & COUNTY OF DENVER

) ss.

)

Sheila A. Frazier, Land Negotiator of EnCana Oil & Gas (USA) Inc., upon oath deposes and says that she has read the foregoing Application and that the statements contained therein are true to the best of her knowledge, information and belief.

ENCANA OIL & GAS (USA) INC.

By: _____
Sheila A. Frazier, Land Negotiator

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

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

Notary Public

EXHIBIT A

Interested Parties

Ladye Angieline Smith a/k/a Lady Angieline Smith 512 Fall Creek Court Kingston Springs, TN 37062	Leased
Travis Family Living Trust, Charles R. Travis and Ella M. Travis, Ttes 335 Inca Parkway Boulder, CO 80303-3517	Leased
Anadarko Resources Corp., successor to Union Pacific Land Resources Corp. 1099 18 th St., Suite Denver, CO 80202	Leased
Undetermined heirs of Reid Northrop/T.A. McHarg	Unleased