

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF COLORADO**

IN THE MATTER OF THE APPLICATION OF	)	
UNIOIL FOR AN ORDER POOLING CERTAIN	)	CAUSE NO. 407
NONCONSENTING INTERESTS IN THE CODELL	)	
AND NIOBRARA FORMATIONS IN ESTABLISHED	)	DOCKET NO.
DRILLING AND SPACING UNITS LOCATED IN THE	)	
WATTENBERG FIELD, WELD COUNTY, COLORADO	)	

**APPLICATION**

**COMES NOW**, Unioil, a wholly-owned subsidiary of Petroleum Development Corp. (“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 pooling certain nonconsenting interests for wells drilled to the Codell/Niobrara Formations in the lands described in Paragraph 2, such lands comprising two existing “stand-up” 80-acre drilling and spacing units for the Codell/Niobrara Formations, pursuant to Commission Order 407 *et seq.* In support thereof, Applicant states as follows:

1. Applicant is a corporation duly authorized to conduct business in the State of Colorado, and is a registered operator in good-standing with the COGCC.
2. Applicant owns leasehold interests in the units requested for pooling:

SE/4 of Section 21, Township 5N, Range 67W, 6<sup>th</sup> P.M., Weld County, Colorado

3. Applicant has drilled the four wells listed below and shown in red on the plat attached hereto as Exhibit 1, for which it is requesting that this order apply, as of the spud date of each well:

- Wiedeman 33-21U
- Wiedeman 34-21U
- Wiedeman 43-21U
- Wiedeman 44-21U

4. OMX Corp. (“OMX”) owns leasehold working interests in the referenced lands and has been offered the opportunity to participate in the wells, but has failed to respond to such offers. The correspondence to OMX has been returned as undeliverable, and Applicant has been unable to locate OMX, or a successor in interest, despite diligent efforts.

5. Authorizations For Expenditure (“AFE”) containing the information required by COGCC Rule 530.a were sent to OMX regarding these wells more than thirty (30) days

prior to the date of the hearing on this Application. The well proposal letters and AFEs are attached as Exhibits 2-5.

6. The name and last-known address of OMX, the only interested party with respect to this Application, are set forth in Exhibits 2-5, and the undersigned certifies that copies of this Application will be served on OMX within seven (7) days of the date hereof, as required by COGCC Rule 503.e.

7. That in order to prevent waste, to protect correlative rights, and in the best interests of conservation, the non-consenting interest of OMX in the described lands should be pooled for the Codell/Niobrara Formations in accordance with C.R.S 34-60-116 and COGCC Rule 530.

WHEREFORE, Applicant requests that this matter be set for hearing at the next available opportunity and that notice thereof be provided as required by law, and that upon such hearing, this Commission enter its order:

A. That all of the leasehold working interest of OMX in the lands and wells described in this Application be pooled involuntarily with respect to the Codell/Niobrara Formations, and that OMX be treated as a nonconsenting owner under C.R.S. 34-60-116 and be made subject to the terms and penalties provided for therein, as of the spud date of each of the wells described in this Application.

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

RESPECTFULLY SUBMITTED THIS 26<sup>TH</sup> DAY OF MAY, 2009:

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