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November 6, 2009

Rob Willis  
Oil and Gas Conservation Commission  
State of Colorado  
1120 Lincoln Street, Suite 801  
Denver, CO 80202

Re: Application of Petroleum Development Corporation

Dear Rob:

On October 28, 2009, our office received notification in the above referenced matter, from Visconti and Boren, Ltd., with respect to their client, Dr. Bernadette Jabour (a copy of which is attached).

It was addressed that paragraph 5 of the Application submitted erroneously read "one or more offers have been returned undeliverable" with regards to Dr. Jabour. Enclosed herein is an Amended Application correcting this record, along with 13 copies of the letter for submission. The Amended Application is also being sent electronically via email to you.

Thank you in advance for your cooperation and please feel free to contact me should you have any questions.

Very truly yours,

BEATTY & WOZNIAK, P.C.



Susan L. Aldridge /s/

SLA:gkm  
Enclosures

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

IN THE MATTER OF THE APPLICATION OF	)	
PETROLEUM DEVELOPMENT CORPORATION FOR AN	)	
ORDER POOLING CERTAIN NONCONSENTING	)	<b>Cause No. 232</b>
INTERESTS IN THE J SAND FORMATION IN	)	
ESTABLISHED DRILLING AND SPACING UNIT	)	<b>Docket No.</b>
LOCATED IN THE WATTENBERG FIELD, WELD	)	_____
COUNTY, COLORADO	)	

**AMENDED APPLICATION**

**COMES NOW**, Petroleum Development Corporation ("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 J Sand Formation in the lands described in Paragraph 2. 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 unit requested for pooling:

Township 5 North, Range 67 West, Section 34: W/2, 6th P.M.  
Weld County, Colorado

("Application Lands")

3. On November 17, 1970, the Commission issued Order No. 232-1, which established 320-acre drilling and spacing units for the production of gas and associated hydrocarbons from the "J" Sand underlying lands in the Wattenberg Gas Spaced Area, including the Application Lands. In Cause No. 232, the Commission allowed one well allowed for each unit to be located in the NE1/4 and SW1/4 and no closer than 990 feet to the boundaries of the quarter section. The spaced area was extended by subsequent Order Nos. 232-2, 232-3 and 232-5. On August 21, 1979, the Commission issued Order No. 232-20, which amended the spacing orders in Cause 232 and allowed the drilling of an additional well on each 320-acre drilling and spacing unit in a portion of the Wattenberg Gas Spaced Area for the production of gas and associated hydrocarbons from the "J" Sand.



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

- Fields 11-34
- Nelson 13-34
- Nelson 14-34

5. That the parties listed on Exhibit B hereto own separate leasehold working interests in the Application Lands encompassed within the drilling and spacing unit, and such parties have been offered the option to participate in the drilling of the referenced well in the unit, but to date one or more offers **have been refused and/or one or more offers** have been returned as undeliverable and Applicant has been unable to locate them or successor-in-interest despite diligent efforts. Therefore, such parties should be treated as nonconsenting by bearing their proportionate shares of the costs and risks of drilling or operating the wells. 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 AFE and letter is attached hereto as Exhibit C.

6. That in order to prevent waste, to protect correlative rights, and in the best interests of conservation, the non-consenting interest in the described lands should be pooled for the J Sand Formation in accordance with C.R.S 34-60-116 and COGCC Rule 530.

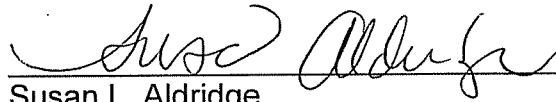
WHEREFORE, Applicant respectfully requests that this matter be set for hearing, that notice thereof be given as required by law and that upon such hearing this Commission enter its order:

A. That all leasehold working interest owners with whom Applicant has been unable to secure an agreement for the drilling of the proposed well as described in paragraph 5 be pooled involuntarily with respect to the J Sand 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.



RESPECTFULLY SUBMITTED THIS 30th DAY OF OCTOBER, 2009:

A handwritten signature in cursive script, appearing to read "Susan L. Aldridge", written over a horizontal line.

Susan L. Aldridge  
Michael J. Wozniak  
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*Of Counsel*  
▼ Gregory P. Cimino, II  
▪ also admitted in MA  
▼ also admitted in MA and NY  
• also admitted in CT and DC

October 28, 2009

**VIA FACSIMILE TO: (303) 407-4494  
and REGULAR MAIL**

Susan L. Aldridge, Esq.  
Beatty & Wozniak, P.C.  
216 16<sup>th</sup> Street, Suite 1100  
Denver, CO 80202

**Re: Petroleum Development Corporation/Dr. Bernadette Jabour**

Dear Ms. Aldridge:

This office represents Dr. Bernadette Jabour. I am enclosing your application before the Oil and Gas Conservation Commission.

You have attached Exhibit B with Dr. Jabour's name listed and have stated in paragraph 5 of your application that you have been unable to locate those persons listed in Exhibit B.

Please be advised that Petroleum Development Corporation has been sending notices to Dr. Jabour, as well as has been communicating with the undersigned.

Dr. Jabour is a non-consenting owner who has no obligation to invest in any future fields, etc.

Although you see in paragraph 5 that "one or more offers have been returned undeliverable," I would like you to correct your record as to Dr. Jabour that she has in fact been contacted through correspondence to her address or the undersigned.

Please confirm.

Very truly yours,

Girard R. Visconti

GRV/ch  
Enclosure  
cc: Dr. Bernadette Jabour