

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

IN THE MATTER OF THE APPLICATION OF
BAYHORSE PETROLEUM, LLC FOR AN ORDER
ESTABLISHING SPACING AND WELL LOCATION
RULES FOR THE MARMATON FORMATION FOR
CERTAIN DESCRIBED LANDS IN THE LEFT HAND
FIELD (ABD) AREA, KIOWA COUNTY, COLORADO

CAUSE NO. 252

DOCKET NO.

APPLICATION

COMES NOW Bayhorse Petroleum, LLC ("Applicant"), a Utah limited liability company, by its attorneys, Beatty & Wozniak, P.C., and makes application to the Oil and Gas Conservation Commission of the State of Colorado for an order establishing two (2) new drilling and spacing units and establishing well location rules applicable to the drilling and producing of wells from the Marmaton Formation covering certain described lands in the Left Hand Field Area, Kiowa County, Colorado and in support of its application states and alleges as follows:

1. Applicant is a limited liability company duly authorized to conduct business in the State of Colorado.
2. Applicant owns a leasehold interest in a substantial portion of the following described lands:

Township 18 South, Range 47 West, 6th P.M.
Section 21: N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$

("Application Lands")

3. That there are no spacing orders affecting the Application Lands; the Application Lands are subject to Rule 318. a. The Application Lands are shown on the attached plat marked as Exhibit B.

4. At least two wells have been drilled, tested and completed in the Marmaton Formation upon the Application lands in the immediate vicinity of the Application Lands. Other wells in the area have penetrated the Marmaton and reached total depth in the Mississippian, beneath the Marmaton.

5. As to all future Marmaton Formation wells to be drilled upon the Application Lands within each drilling and spacing unit, the well should be located downhole anywhere in the drilling and spacing unit but no closer than 600 feet from the boundaries of the unit without exception being granted by the Director of the Oil and Gas Conservation Commission.

6. Except as previously authorized by order of the Commission, wells to be drilled under this application will be drilled from the surface either vertically or directionally from no more than one pad located on a given quarter quarter section (or lots or parcels approximately

equivalent thereto) unless exception is granted by the Director of the Colorado Oil and Gas Conservation Commission pursuant to application made for such exception.

7. The granting of this application will prevent waste; avoid drilling of unnecessary wells and will protect correlative rights.

8. The name and last-known address of the interested parties are set forth in Exhibit A, and the undersigned certifies that copies of this Application will be served on all interested parties within seven (7) days of the date hereof, as required by COGCC Rule 503.e.

WHEREFORE, Applicant respectfully requests that this matter be set for hearing in March, 2010, that notice be given as required by law and that upon such hearing this Commission enter its order consistent with Applicant's proposals as set forth above.

Dated: February __, 2010.

BEATTY & WOZNIAK, P.C.

By: _____
Andrew A. Bremner
216 16th Street, Suite 1100
Denver, CO 80202
303-407-4499
abremner@bwenergylaw.com

ATTORNEYS FOR BAYHORSE PETROLEUM, LLC

Address of Applicant:

2558 Portsmouth Ave.
Salt Lake City, Utah 84121

VERIFICATION

STATE OF COLORADO

CITY AND COUNTY OF DENVER

)
) ss.
)

Rod Vaughn of lawful age, being first duly sworn upon oath, deposes and says that he is a Geologist for Bayhorse Petroleum, LLC and that he has read the foregoing Application and that the matters therein contained are true to the best of his knowledge, information and belief.

By: _____
Rod Vaughn

Subscribed and sworn to before me this _____ day of February, 2010.

Witness my hand and official seal.

My commission expires: _____

Notary Public

EXHIBIT A

Marty L. & Betsy A. Barnett
PO Box 216
1104 Luther
Eads, CO 81036-0216

Leonard M. Davis
1505 Flynn Lane
Dillon, MT 59725

Mina Loy Teal, trustee of the
T. T. Teal and Mina Loy Teal Living Trust
PO Box 1015
Clarksville, AR 72830

Helen M. Koch
3039 B 1/2 Road
Grand Junction, CO 81503

Stephen C. & Emily D. Hudkins
105 Legend Hills Blvd.
Llano, TX 78643

Glenn Lee & Phyllis G. Hunter
7730 Sea Crest Way N.
Noblesville, IN 46062-9098

Brett D. Nigh
trustee of the Nigh Revocable Trust
701 Countrywood Ct.
Noblesville, IN 46060

J. Ewing Walker Investment Company, L.L.C.
J. Ewing Walker, Jr., Manager
3916 Woodhead Street
Houston, TX 77098-2816

Merco of Oklahoma, Inc.
Ross M. Coe, Vice President
PO Box 18607
Oklahoma City, OK 73154

Vicki McCurry Cameron
1671 FM 3288 E.
Jacksonville, TX 75766

Patti McCurry Stepp (Patricia Louise)
PO Box 755
362 County Rd #3792
Cleveland, TX 77328

Julia McCurry
205 Turner Ave. #B105
Shelton, WA 98584

Janna Elizabeth McCurry & Clell Wayne Bailey
8457 Graystone Loop NW
Silverdale, WA 98383

Laura D. Sanders & Gary F. Moore
119 Kani Lane
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Charles Earl & Linda Sweatt
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Odessa, TX 79761

Eloise Kathleen McRee Buck
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2799 Scarlet Road
Germantown, TN 38139

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FOG, LLC
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Oklahoma City, OK 73154

Philip C. & Joanna B. Neilson
500 Hardy Drive
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Mark & Julia McCurry
PO Box 111
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Stigler, OK 74462

Walker B. Comegys, Jr. Family LLC
1401 Holliday Street, Suite 316
Wichita Falls, TX 76301-7145

Troy L. & Barbara Davis
c/o Rafter T Ranch LLC
26351 N Hwy 281
Stephenville, TX 76401

Randy T. Wright
aka Randy T. Andrews
4 Harbor Road
Dayton, NV 89403

Frank W. Bunnell Trust
c/o Shannon Eckols, Trust Asset Manager
Wells Fargo Trust OGM Regional Office
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San Antonio, TX 78212

Brockton M. Bunnell Trust
c/o Shannon Eckols, Trust Asset Manager
Wells Fargo Trust OGM Regional Office
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Shelly D. Bunnell Trust
c/o Shannon Eckols, Trust Asset Manager
Wells Fargo Trust OGM Regional Office
750 E. Mulberry, Suite 402
San Antonio, TX 78212

Mildred D. Richard Estate
c/o Nancy Richard Greer, Executor
5813 N. Barnes Ave.
Oklahoma City, OK 73112-7320

Jones-Daube Mineral Company
c/o Patti Wilcox
PO Box 1169
Duncan, OK 73534-1169

Gary Mac & Loretta K. Dryden
1600 Elver Road
Canyon, TX 79015

Van Edward Dryden
2116 S Polk St
Amarillo, TX 79109-2652

Michael Victor & Dorothy R. McRee
263 NW Colquitt Way
Lake City, FL 32055-4853

Curtis C. Kirby Trust
Antoinette Lilley, Successor Trustee
1405 E. Elm
Republic, MO 65738

C. Stanley & Debbie Kirby
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Dianne Davisson
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Downs, IL 61736

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Jackson, WY 83001

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Darrell L. & Phyllis R. Koch
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James W. Wimzeler
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Judith Ann Little
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Ardmore, OK 73402

Debra C. Lening
Kiowa County
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PO Box 37
Eads, CO 81306

Colorado Division of Wildlife
6060 Broadway
Denver, CO 80216

Colorado Department of Public Health
and Environment
4300 Cherry Creek Drive South
Denver, CO 80246-1530

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AFFIDAVIT OF MAILING

Andrew A. Bremner, of lawful age, and being first duly sworn upon his oath, states and declares:

That he is the attorney for Bayhorse Petroleum, LLC, that on or before February ____, 2010, he caused a copy of the attached Application in the subject docket to be deposited in the United States Mail, postage prepaid, addressed to the parties listed on Exhibit A to the Application.

By: _____
Andrew A. Bremner

Subscribed and sworn to before me this ____ day of February, 2010.

Witness my hand and official seal.

My commission expires:

Notary Public