

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

IN THE MATTER OF THE APPLICATION OF ) KERR-MCGEE OIL & GAS ONSHORE LP FOR ) AN ORDER ALLOWING A VARIANCE FROM ) RULE 318A.f. FOR SECTION 10, TOWNSHIP 2 ) NORTH, RANGE 67 WEST, 6 <sup>TH</sup> P.M., IN THE ) WATTENBERG FIELD, WELD COUNTY, ) COLORADO )	Cause No. 407  Docket No. _____
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APPLICATION

COMES NOW Kerr-McGee Oil & Gas Onshore LP (“Applicant”), by and through its undersigned attorneys, and makes application to the Oil and Gas Conservation Commission of the State of Colorado (“Commission”), for an order: (i) approving a variance from Commission Rule 318A.f. that establishes a limit of eight (8) producing completions for the Codell and Niobrara Formations as applied to the SW¼ of Section 10, Township 2 North, Range 67 West, 6<sup>th</sup> P.M., Weld County, Colorado (“Application Lands”), and (ii) allowing a total of nine (9) producing completions for the Application Lands. In support thereof, the Applicant states and alleges as follows:

1. Applicant is a corporation duly authorized to conduct business in the State of Colorado.
2. Applicant owns all or a substantial portion of the leasehold interests on the Application Lands.
3. On February 19, 1992, the Commission issued Order No. 407-87 (amended August 20, 1993), which among other things, established 80-acre drilling and spacing units for the production of oil and/or gas from the Codell and Niobrara Formations underlying certain lands, including the Application Lands, with the permitted well locations in accordance with the provisions of Order No. 407-1. Order No. 407-1 (amended on March 29, 2000 in accordance with Order No. 407-17, entered November 18, 1985), among other things, established 80-acre drilling and spacing units for the production of oil and/or gas and associated hydrocarbons from the Codell Formation underlying certain lands, including the Application Lands, with the drilling and spacing unit to be designated by the operator drilling the first well in the quarter section, (or the Director, if the operator fails to designate). The permitted well shall be located in the center of either 40-acre tract within the drilling and spacing unit with a tolerance of 200 feet in any direction. The operator shall have the option to drill an additional well on the undrilled 40-acre tract in each 80-acre drilling and spacing unit.
4. On April 27, 1998, the Commission adopted Rule 318A, which, among other things, established drilling windows and allowed certain drilling locations to be utilized to drill or twin a well, deepen a well or recomplete a well and to commingle any or all of the Cretaceous Age Formation from the base of the Dakota Formation to the surface. The Application Lands are subject to the foregoing Order and Rule 318A. Pursuant to Rule 318A.j., Rule 318A supersedes all prior Commission drilling and spacing orders affecting well location and density requirements of GWA wells.
5. Commission Rule 318A.f. provides that Rule 318A does not limit the number of wells that may be located within the Greater Wattenberg Area windows but, absent a Commission order otherwise, there shall be no more than eight (8) producing completions in the Codell or Niobrara Formations in any 160-acre governmental quarter section.
6. Applicant proposes to directionally drill a total of nine (9) wells (i.e. producing completions) for the production of oil, gas, and associated hydrocarbons from the Codell Formation or Niobrara Formation on the Application Lands. There are currently five (5) existing producing wells on the Application Lands.
7. The well orientation and proposed bottomhole locations of the additional four (4) wells will result in the SW¼ of Section 10, Township 2 North, Range 67 West containing nine (9) wells. The drilling of the Strear 19-10 Well will result in such well being the ninth (9<sup>th</sup>) well in the SW¼ of Section 10, Township 2 North, Range 67 West. The Well Location Certificate for the Strear 19-10 Well is attached hereto.

8. The surface locations for the four (4) new wells are located within an established drilling window pursuant to Commission Rule 318A.a. Further, the wells will be drilled concurrently therefore having minimal additional impact to the surface.

9. Applicant requests that this Commission approve a variance from the eight (8) well limit in Commission Rule 318A.f. and allow a total of nine (9) wells to be drilled and completed to the Codell Formation or Niobrara Formation for the Application Lands.

10. Applicant asserts that this request to exceed the eight (8) well limit in the SW¼ of Section 10, Township 2 North, Range 67 West is made in order to prevent waste and to maximize the efficient and economic production of the Codell Formation and Niobrara Formation hydrocarbon reserves without adversely affecting correlative rights of adjacent owners.

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 shall enter its order:

A. Approving a Commission Rule 502.b. variance from the eight (8) well limit in Commission Rule 318A.f. and allow a total of nine (9) wells to be drilled and completed to the Codell Formation or Niobrara Formation for the Application Lands;

B. Approving the surface locations for four (4) new wells as located within an established drilling window pursuant to Commission Rule 318A.a. and confirming that the drilling of such wells will result in minimal additional surface impact;

C. Finding that allowing a total of nine (9) wells on the Application Lands will prevent waste, protect correlative rights, and will maximize the efficient and economic production of the Codell Formation and Niobrara Formation on the Application Lands; and

D. Granting any other relief necessary to prevent waste and protect correlative rights of the adjacent owners.

Dated this 2<sup>nd</sup> day of February, 2011.

Respectfully submitted,

**KERR-MCGEE OIL & GAS ONSHORE LP**

By: \_\_\_\_\_  
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Jamie L. Jost  
Beatty & Wozniak, P.C.  
Attorneys for Applicant  
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Denver, Colorado 80202  
(303) 407-4499

Applicant's Address:  
P.O. Box 173779  
Denver, CO 80217-3379

## VERIFICATION

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

\_\_\_\_\_, of lawful age, being first duly sworn upon oath, deposes and says that he is Attorney-in-Fact for Kerr-McGee Oil & Gas Onshore LP 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.

Name: \_\_\_\_\_

Subscribed and sworn to before this \_\_\_\_ day of February, 2011.

Witness my hand and official seal.

[SEAL]

My commission expires: \_\_\_\_\_

Notary Public

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KERR-MCGEE OIL & GAS ONSHORE LP FOR )  
AN ORDER ALLOWING A VARIANCE FROM )  
RULE 318A.f. FOR SECTION 10, TOWNSHIP 2 )  
NORTH, RANGE 67 WEST, 6<sup>TH</sup> P.M., IN THE )  
WATTENBERG FIELD, WELD COUNTY, )  
COLORADO )

Cause No. 407  
  
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**AFFIDAVIT OF MAILING**

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

Jamie L. Jost of lawful age, and being first duly sworn upon her oath, states and declares:

That she is the attorney for Kerr-McGee Oil & Gas Onshore LP, that on or before February \_\_\_, 2011, she attempted to cause a copy of the attached Application to be deposited in the United States Mail, postage prepaid, addressed to the parties listed on Exhibit A to the Application, but there is no known address for such parties.

\_\_\_\_\_  
Jamie L. Jost

Subscribed and sworn to before me on February \_\_\_, 2011.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**EXHIBIT A**

2004 Patterson Family Revocable Trust  
785 El Pintado Rd.  
Danville, CA 94526

Nancy E. Brown  
2808 Bent Ave.  
Cheyenne, WY 82001

Robert B. Brown  
1038 E. Bryan Ave.  
Salt Lake City, UT 84105

Thomas E. Brown  
1719 Viscounti Dr.  
Sandy, UT 84093

Donald F. Edwards  
15820 Ulster St.  
Brighton, CO 80602

Richard Clarke Edwards  
2054 Payne Stewart Dr.  
Titusville, FL 32796

John David and Judith Johnson  
1308 Otter Lane  
Las Cruces, NM 88001

Patricia Ann Jones  
9971 Pine Hurst Dr.  
Sandy, UT 84092

Mary B. Lapoint  
1719 Viscounti Dr.  
Sandy, UT 84093

Celia Greenman  
Colorado Division of Wildlife  
6060 Broadway  
Denver, CO 80216

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

David Bauer  
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Greeley, CO 80632