

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, 6TH P.M., IN THE)
WATTENBERG FIELD, WELD COUNTY,)
COLORADO)

Cause No. 407

Docket No. _____

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 NW¼ of Section 10, Township 2 North, Range 67 West, 6th P.M., Weld County, Colorado (“Application Lands”), and (ii) allowing a total of ten (10) 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 ten (10) 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 four (4) existing producing wells on the Application Lands.
7. The well orientation and proposed bottomhole locations of the additional six (6) wells will result in the NW¼ of Section 10, Township 2 North, Range 67 West containing ten (10) wells. The drilling of the Strear 18-10 Well and Strear 6-10 Well will result in such wells being the ninth (9th) and tenth (10th) wells in the NW¼ of Section 10, Township 2 North, Range 67 West. Well Location Certificates for the Strear 18-10 Well and the Strear 6-10 Well are attached hereto.

8. The surface locations for the six (6) new wells are located within an established drilling window pursuant to Commission Rule 318A.a. Further, the wells will be drilled concurrently therefore resulting in 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 ten (10) wells for production from 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 NW¼ 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 ten (10) wells to be drilled and completed to the Codell Formation or Niobrara Formation for the Application Lands;

B. Approving the surface locations for six (6) 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 ten (10) 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 2nd day of February 2011.

Respectfully submitted,

KERR-MCGEE OIL & GAS ONSHORE LP

By: _____
Michael J. Wozniak
Jamie L. Jost
Beatty & Wozniak, P.C.
Attorneys for Applicant
216 16th Street, Suite 1100
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

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, 6TH P.M., IN THE)
WATTENBERG FIELD, WELD COUNTY,)
COLORADO)

Cause No. 407

Docket No. _____

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

Strear Farms Company, a Colorado Corporation
6825 E. Tennessee #235
Denver, CO 80224

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
Weld County Government
1111 H Street
Greeley, CO 80632