

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

IN THE MATTER OF THE APPLICATION OF)
ENERGEN RESOURCES CORPORATION FOR AN)
ORDER POOLING ALL INTERESTS IN THE)
FRUITLAND COAL FORMATION IN A 320-ACRE)
DRILLING AND SPACING UNIT LOCATED IN)
SECTION 13, TOWNSHIP 32 NORTH, RANGE 6)
WEST, N.M. P.M., IGNACIO BLANCO FIELD,)
ARCHULETA COUNTY, COLORADO.)

Cause No. _____

Docket No. _____

APPLICATION

COMES NOW Energen Resources Corporation (referred to herein as "Applicant"), by and through its undersigned attorneys, makes application to the Colorado Oil and Gas Conservation Commission ("Commission"), for an order to pool all interests within a 320-acre drilling and spacing unit to accommodate the Schumacher 32-6 #13-1 Well (API No. 05-007-06198), Schumacher 32-6 #13-2 Well (API No. 05-007-06209), and Schumacher 32-6 #13-3 Well (API No. 05-007-06239) (collectively "Wells") to produce from the Fruitland Coal Formation located in the following described lands:

Township 32 North, Range 6 West, N.M.P.M.
Section 13: N½

Archuleta County, Colorado (hereafter "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, and is a registered operator in good-standing with the Commission.
2. Applicant owns certain leasehold interests in the Application Lands.
3. On April 24, 2000, the Commission issued Order No. 112-157, which among other things, established 320-acre drilling and spacing units for the production of gas from the Fruitland coal seams underlying certain lands, including the Application Lands, with the permitted well to be located in any undrilled quarter section no closer than 990 feet from the boundaries of the quarter section, nor closer than 130 feet to any interior quarter section line. Order No. 112-215 also includes portions of the Application Lands, but does not apply and has no effect on the relief requested herein.
4. On June 6, 2005, the Commission issued Order No. 112-179, which among other things, allowed to a total of three wells in the existing 320-acre drilling and spacing unit consisting of certain lands, including the Application Lands, for the production of gas and associated hydrocarbons from the Fruitland coal seams.
5. Applicant, pursuant to Commission Rule 530 and pursuant to the provisions of C.R.S. §34-60-116 (6) and (7), seeks an order to pool all interests in the Application Lands for the

development of the Fruitland Coal Formation underlying the following 320-acre drilling and spacing unit:

Township 32 North, Range 6 West, N.M.P.M.
Section 13: N½

(referred to herein as the "Drilling and Spacing Unit").

A. Applicant drilled the Schumacher 32-6 #13-1 Well within the established Drilling and Spacing Unit as described on the approved APD submitted by Applicant to the Commission on or about August 20, 2003. Applicant seeks to pool all interests in the Drilling and Spacing Unit to accommodate the Schumacher 32-6 #13-1 Well.

B. Applicant drilled the Schumacher 32-6 #13-2 Well within the established Drilling and Spacing Unit as described on the approved APD submitted by Applicant to the Commission on or about March 16, 2005. Applicant seeks to pool all interests in the Drilling and Spacing Unit to accommodate the Schumacher 32-6 #13-2 Well.

C. Applicant drilled the Schumacher 32-6 #13-3 Well within the established Drilling and Spacing Unit as described on the approved APD submitted by Applicant to the Commission on or about January 30, 2008. Applicant seeks to pool all interests in the Drilling and Spacing Unit to accommodate the Schumacher 32-6 #13-3 Well.

6. Applicant requests that the Commission's pooling order be made effective as of the earlier of the date of this Application, or the date that the costs specified in C.R.S. § 34-60-116(7)(b)(II) are first incurred for the drilling of each of the Schumacher wells for the development of the Fruitland Coal Formation on the Application Lands.

7. Applicant certifies that copies of this Application will be served on all persons owning an interest in the mineral estate of the tracts to be pooled within seven (7) days of the date hereof, as required by Rule 507.b(2), and that at least thirty (30) days prior to the hearing on this matter, each such interest owner not already leased or voluntarily pooled will be offered the opportunity to lease, or to participate in the drilling of the well, and will be provided with the information required by Rule 530.

8. That in order to prevent waste and to protect correlative rights, all interests in the Application Lands should be pooled for the orderly development of the Fruitland Coal Formation, including any nonconsenting interests therein.

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

A. Pooling all interests in the Drilling and Spacing Unit for the development of the Fruitland Coal Formation on the Application Lands.

B. Providing that the Commission's pooling order is made effective as of the earlier of the date of this Application, or the date that any of the costs specified in C.R.S. § 34-60-116(7)(b)(II) were first incurred for the drilling of each of the Wells.

C. Providing that the interests of any owners with whom the Applicant has been unable to secure a lease or other agreement to participate in the drilling of the authorized Well are pooled by operation of statute, pursuant to C.R.S. § 34-60-116(7), and made subject to the cost recovery provisions thereof.

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

WHEREFORE, Applicant respectfully requests that this matter be set for hearing in January, 2013, that notice be given as required by law, and that upon such hearing, the Commission enter its order consistent with Applicant's request as set forth above.

DATED this 1st day of November, 2012.

Respectfully submitted:

ENERGEN RESOURCES CORPORATION

By: 

Jamie L. Jost
Gregory J. Nibert Jr.
Beatty & Wozniak, P.C.
Attorneys for Applicant
216 16th Street, Suite 1100
Denver, Colorado 80202

Applicant's Address:

Energen Resources Corporation
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EXHIBIT A
Interested Parties

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Alma Mae Beamon Heirs
Address Unknown

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Avondale, AZ 85392

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Jan Tiura
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Moss Beach, CA 94038-0301

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Croudine O Guffey
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Broomfield, CO 80020

Lansalot A Olguin &
Zachary G Seibel & Logan Seibel
J/T/W/R/O/S
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Mccarty Family Trust
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DTD 09/12/1997
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Payne Family Trust
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J C Pace III & Alexnadra A P Schneider,
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Anne C S Finney Revocable Tr. DTD
4/23/02
Anne C S Finney, Trustee
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Brett G Taylor Royalty Trust
Revocable Intervivos Trust
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Aledo, TX 76008

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Fort Worth, TX 76102

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FKA Pure Resources, LP
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DTD 03/07/2008
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The Gary H Pace Management Trust
Gary H Pace, Trustee
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The Margaret Pace Sykes Management
Trust Or
Margaret Pace Sykes, Trustee
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Fort Worth, TX 76102

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Eula May Johnson Trust
Bank Of America Na
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Dallas, TX 75284-0738

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Boys Town, NE 68010

Gertrude Bates
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Johnston Oil & Gas Company
Unlocated Address

Lloyd Harold Gazzale Estate
Address Unknown

Ralph A Johnston
Unlocated Address

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Ruth Lopez
Address Unknown

Shriners Hospitals For Children
C/O The Northern Trust Bank Of Texas
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FKA Amoco Production Company
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T H Mcelvain Oil & Gas LLLP
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VERIFICATION

STATE OF NEW MEXICO)
) ss.
COUNTY OF SAN JUAN)

Chandler Marechal, of lawful age, being first duly sworn upon oath, deposes and says that he is a District Landman for Energen Resources Corporation 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: Chandler Marechal
Title: District Landman
Energen Resources Corporation


Subscribed and sworn to before this 1 day of November, 2012.

Witness my hand and official seal.

[SEAL]



My commission expires: 6/11/2015



Notary Public

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

IN THE MATTER OF THE APPLICATION OF)
ENERGEN RESOURCES CORPORATION FOR AN)
ORDER POOLING ALL INTERESTS IN THE)
FRUITLAND COAL FORMATION IN A 320-ACRE)
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SECTION 13, TOWNSHIP 32 NORTH, RANGE 6)
WEST, N.M. P.M., IGNACIO BLANCO FIELD,)
ARCHULETA COUNTY, COLORADO.)

Cause No. _____

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 Energen Resources Corporation that on or before November 12, 2012, she caused 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.

Jamie L. Jost
Jamie L. Jost

Subscribed and sworn to before me on November ____, 2012.

Witness my hand and official seal.

My commission expires: March 3, 2015

[Signature]
Notary Public

