

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

IN THE MATTER OF THE APPLICATION OF )  
CATAMOUNT ENERGY PARTNERS LLC FOR )  
AN ORDER POOLING NONCONSENTING )  
INTERESTS IN THE FRUITLAND COAL )  
SEAMS COVERING CERTAIN LANDS IN )  
SECTION 4 OF TOWNSHIP 33 NORTH, )  
RANGE 7 WEST, N.M.P.M., LA PLATA )  
COUNTY, COLORADO. )

Cause No. 112

Docket No. \_\_\_\_

Intake No. \_\_\_\_

APPLICATION

Catamount Energy Partners LLC ("Catamount" or "Applicant"), by and through its attorneys, Welborn Sullivan Meck & Tooley, P.C., respectfully submits this Application to the Oil and Gas Conservation Commission of the State of Colorado ("Commission" or "COGCC") for an order pooling all interests in an approximate 320-acre drilling and spacing unit established in the S½ of Section 4, Township 33 North, Range 7 West, N.M.P.M., La Plata County, Colorado for the development and production from the Fruitland coal seams. In support thereof, the Applicant states as follows:

1. Applicant is a corporation duly authorized to conduct business in the State of Colorado.
2. Applicant owns a leasehold interest in the following lands ("Application Lands"):

Township 33 North, Range 7 West, N.M.P.M.  
Section 4: S½

La Plata County, Colorado.

A reference map of the Application Lands is attached hereto.

1. On June 17, 1988, the Commission issued Order No. 112-60, which established 320-acre drilling and spacing units for production of gas from the Fruitland coal seams, with the permitted well to be located no closer than 990 feet to any outer boundary of the unit, nor closer than 130 feet to any interior quarter section line. The Application Lands are subject to this Order.

2. On May 15, 2000, the Commission issued Order No. 112-157, which allowed an optional second Fruitland coal seam well to be drilled in each 320-acre drilling and spacing unit with such additional well located no closer than 990 feet to any outer boundary of the unit, nor

closer than 130 feet to any interior quarter section line. The Application Lands are subject to this Order.

3. On July 10, 2006, the Commission issued Order No. 112-190, which allowed up to four (4) wells to be drilled in each 320-acre drilling and spacing unit subject to the Order for the production of gas from the Fruitland coal seams, with the permitted wells to be located no closer than six hundred sixty (660) feet from the unit boundary, with no interior section line setback. The Order further requires the surface location of each well to be located on a common or expanded pad with the existing wells and that the wells drilled pursuant to this Order must comply with the provisions of the MOU between BP America Production Company and La Plata County. The Application Lands are subject to this Order.

4. Applicant plans to drill the Campbell 33-7-4 #1H Well (API #05-067-09902), with an anticipated spud date in June 2014, in the S $\frac{1}{2}$  of Section 4, Township 33 North, Range 7 West, N.M.P.M., La Plata County, Colorado with a surface location of 989 feet FSL and 1178 feet FWL in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 3, and a bottomhole location of 1,926 feet FSL and 661 feet FWL in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 4, Township 33 North, Range 7 West, N.M.P.M. The above described horizontal well is designed to test and produce gas and associated substances from the Fruitland coal seams underlying the Application Lands.

5. Applicant also plans to drill the Campbell 33-7-4 #2H Well (API #05-067-09902), with an anticipated spud date in July 2014, in the S $\frac{1}{2}$  of Section 4, Township 33 North, Range 7 West, N.M.P.M., La Plata County, Colorado with a surface location of 955 feet FSL and 1,213 feet FWL in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 3, and a bottomhole location of 660 feet FSL and 662 feet FWL in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 4, Township 33 North, Range 7 West, N.M.P.M. The above described horizontal well is designed to test and produce gas and associated substances from the Fruitland coal seams underlying the Application Lands.

6. Pursuant to the relevant provisions of Section 34-60-116(6) & (7), C.R.S., and COGCC Rule 530, Applicant seeks an order pooling all interests in the Application Lands for the development and operation of the Fruitland coal seams.

7. Applicant certifies that, at least 30 days prior to the date of the scheduled protest deadline for this Application, each owner which Applicant was able to locate, not already leased or voluntarily pooled, will be provided with the well proposal and information required by Rule 530 and tendered a reasonable offer to lease (if an unleased mineral owner), or participate and bear costs associated with the drilling and completion of the Campbell 33-7-4 #1H and Campbell 33-7-4 #2H Wells.

8. Applicant requests that a pooling order be entered as a result of this Application and that it be made effective as of the earlier of the date of this Application, or the date costs specified in Section 34-60-116(7)(b)(II), C.R.S., are first incurred for the drilling of the Campbell 33-7-4 #1H and Campbell 33-7-4 #2H Wells.

9. The granting of this Application is in accord with the Oil and Gas Conservation Act, found at Section 34-60-101, *et seq.*, C.R.S., and the Commission Rules.



10. The names and addresses of the interested parties (persons who own an interest in the mineral estate of the tracts to be pooled, except owners of overriding royalty interest) are attached hereto and marked Exhibit A. Applicant certifies that copies of this Application will be served on all locatable interested parties within seven (7) days of the date hereof, as required by Commission Rule 507.b(2), and that at least thirty (30) days prior to the hearing on this matter, each such owner not already leased or voluntarily pooled will be offered the opportunity to lease, or to participate in the drilling of the respective wells, and will be provided with the information required by Rule 530.

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

A. Pooling all interests in the Application Lands for the development and operation of the Fruitland coal seams.

B. Providing that the pooling order is made effective as of the date of this Application, or the date that the costs specified in Section 34-60-116(7)(b)(II), C.R.S., are first incurred for the drilling of the Applicant's proposed Fruitland coal seams wells on the Application Lands, whichever is earlier.


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 wells, are pooled by operation of statute, pursuant to Section 34-60-116(7), C.R.S., 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 the premises.

Dated this 27th day of February, 2014.

Respectfully submitted,

WELBORN SULLIVAN MECK & TOOLEY, P.C.

By:   
Stephen J. Sullivan  
Chelsey J. Russell  
Welborn Sullivan Meck & Tooley, P.C.  
Attorney for Applicant  
1125 - 17th Street, Suite 2200  
Denver, CO 80202  
303-830-2500  
[ssullivan@wsmtlaw.com](mailto:ssullivan@wsmtlaw.com)  
[crussell@wsmtlaw.com](mailto:crussell@wsmtlaw.com)

Applicant's Address:

1801 Broadway, Suite 1000  
Denver, CO 80202  
Attn: Jared Rush, Senior Landman  
Phone: 720-484-2354



## VERIFICATION

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

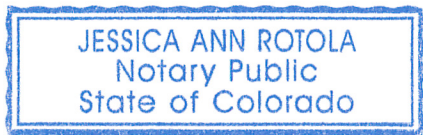
Jared Rush, Senior Landman with Catamount Energy Partners, LLC, upon oath deposes and says that he has read the foregoing Application and that the statements contained therein are true to the best of his knowledge, information and belief.

CATAMOUNT ENERGY PARTNERS, LLC

  
Jared Rush, Senior Landman

Subscribed and sworn to before me this 26<sup>th</sup> day of February, 2014 by Jared Rush, Senior Landman for Catamount Energy Partners, LLC.

Witness my hand and official seal.



My Commission Expires March 19, 2016

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 3/19/2016

## Exhibit A

### OIL AND GAS OWNERS (LEASED)

The American Cancer Society  
P. O. Box 720366  
Oklahoma City, OK 73162

Broken Arrow Trust  
4514 Robin Lane  
Midland, TX 79707

Ben Nighthorse Campbell Revocable Trust dated December 21, 2005  
14099 Highway 172  
Ignacio, CO 81137

Linda C. Campbell Revocable Trust dated December 21, 2005  
14099 Highway 172  
Ignacio, CO 81137

Children's Healthcare of Atlanta  
1687 Tullie Circle  
Atlanta, GA 30329

James Lewis Fosshage  
120 County Rd.  
Tenafly, NJ 07670

Samuel Kelsall IV and Edna M. Kelsall, Trustees of the  
Kelsall Family Trust dated June 9, 1999  
1118 E. Missouri Avenue, Suite B2  
Phoenix, AZ 85014

Edward J. Kresse, Jr.  
6000 Colorado Boulevard  
Denver, CO 80207

Mary Lowrance  
213 Sendero Dr.  
Waxahachie, TX 75165

Pevehouse, Inc.  
3300 N. "A", Building One, Suite 201  
Midland, TX 79705

Joseph Michael Rigglin  
600 Whipple Court  
Wickenburg, AZ 85390-2370

Helen Marie Ringeisen (fka Helen Marie Fosshage)  
43 Prospect Ave.  
Tarrytown, NY 10591

C. Henry Roath  
5405 S. Cottonwood Ct.  
Greenwood Village, CO 80121

Juan A. Romero  
355 Empire Street  
Ignacio, CO 81137

Niki David Shrode  
12988 West Kokopelli Drive  
Peoria, AZ 85383

Robert Kenneth Shrode  
9838 Gazelle Ford  
San Antonio, TX 78251

Walter Eric Shrode  
238 Paramount Drive  
Sedona, AZ 86336

Philip Earl Shorde  
7912 Chelsea Drive, Apt. 104  
Woodridge, IL 60517

Mel Allen Silva and Mahvash Silva, joint tenants  
18517 Highway 172 South  
Ignacio, CO 81137

Ralph B. Sievwright and Carolyn C. Sievwright, Trustee  
of the Ralph B. Sievwright and Carolyn C. Sievwright  
Revocable Trust dated November 28, 1989  
525 W. LaMar Road  
Phoenix, AZ 85013

Nancy P. Tonkin, Trustee or the successor trustees under  
the Nancy P. Tonkin Revocable Trust Agreement dated  
December 12, 1991  
1524 Park Avenue SW  
Albuquerque, NM 87104



Triple H. Resources, Inc.  
P. O. Box 10463  
Midland, TX 79702

Jeanie Mae Turner  
1033 CR 524  
Bayfield, CO 81122

United Cerebral Palsy of Georgia Inc.  
3300 Northeast Expressway, Building 9  
Atlanta, GA 30341

Manuel G. Valencia and Debbie B. Valencia, joint tenants  
907 El Sol  
Aztec, NM 87410

Janice L. Watson  
1315 East County Road 127  
Midland, TX 79706

Jerry M. Wilmer and Deborah B. Wilmer, joint tenants  
P. O. Box 773  
Ignacio, CO 81137

#### **OIL AND GAS OWNERS (UNLEASED)**

Heirs/devisees of Gwendolyn Kelsall  
c/o First City National Bank of Houston  
P. O. Box 10088  
Houston, TX 77212

#### **LEASEHOLD OWNERS**

BP America Production Company  
501 Westlake Park Boulevard  
Houston, TX 77079

Petrogulf Corporation  
518 17<sup>th</sup> Street, Suite 1525  
Denver, CO 80202

Gosney & Sons, Inc.  
P.O. Box 367  
Bayfield, CO 81122



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

IN THE MATTER OF THE APPLICATION OF )  
CATAMOUNT ENERGY PARTNERS LLC FOR )  
AN ORDER POOLING NONCONSENTING )  
INTERESTS IN THE FRUITLAND COAL SEAMS )  
COVERING CERTAIN LANDS IN SECTION 4 )  
OF TOWNSHIP 33 NORTH, RANGE 7 WEST, )  
N.M.P.M., LA PLATA COUNTY, COLORADO. )

Cause No. 112

Docket No. \_\_\_\_\_

Intake No. 25

AFFIDAVIT OF MAILING

STATE OF COLORADO §  
§  
CITY AND COUNTY OF DENVER §

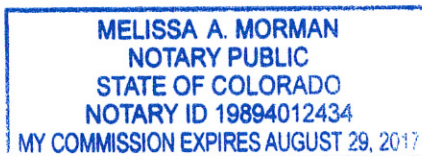
I, Chelsey J. Russell, of lawful age, and being first duly sworn upon my oath, state and declare:

That I am the attorney for Catamount Energy Partners LLC and that on or before March 3, 2014, I 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.

Chelsey J. Russell  
Chelsey J. Russell

Subscribed and sworn to before me March 5, 2014.

Witness my hand and official seal.



Melissa A. Morman  
Notary Public  
My commission expires: 8/29/2017