

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

IN THE MATTER OF AN APPLICATION BY ENCANA)	
OIL & GAS (USA) INC. FOR AN ORDER POOLING)	CAUSE NO. 407
ALL INTERESTS IN THE 320-ACRE ESTABLISHED)	
WELLBORE SPACING UNIT LOCATED IN SECTION)	DOCKET NO. <i>To be assigned</i>
4, TOWNSHIP 3 NORTH, RANGE 68 WEST, 6 TH P.M.,)	
FOR THE DEVELOPMENT/OPERATION OF THE)	
CODELL FORMATION, WATTENBERG FIELD, WELD)	
COUNTY, COLORADO)	

APPLICATION

Encana Oil & Gas (USA) Inc., acting by and through its authorized agent, Encana Services Company, Ltd. ("Encana" or "Applicant"), by and through its attorneys, Beatty & Wozniak, P.C., respectfully submits this Application to the Oil and Gas Conservation Commission of the State of Colorado (the "Commission") for an order pooling all interests within an approximate 320-acre established horizontal wellbore spacing unit located in Section 4, Township 3 North, Range 68 West, 6th P.M., for the development and operation of the Codell Formation. In support of its Application, Applicant states and alleges as follows:

1. Applicant is a corporation duly authorized to conduct business in the State of Colorado, and has registered as an operator with the Commission.
2. Applicant owns majority leasehold interests in the below-listed lands:

Township 3 North, Range 68 West, 6th P.M.
Section 4: S½N½, N½S½

These lands are hereinafter referred to as the "Application Lands." A depiction of the Application Lands is attached hereto and marked Exhibit A.

3. On April 27, 1998, the Commission adopted Rule 318A. which, among other things, 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 Cretaceous Age Formations from the base of the Dakota Formation to the surface. Rule 318A. supersedes all prior Commission drilling and spacing orders affecting well location and density requirements of Greater Wattenberg Area wells. On December 5, 2005, Rule 318A. was amended, among other things, to allow interior infill and boundary wells to be drilled and wellbore spacing units to be established. On August 8, 2011, Rule 318A. was again amended, among other things, to address drilling of horizontal wells. The Application Lands are subject to this Rule for the Codell Formation.

4. Pursuant to Rule 318A., Applicant designated an approximate 320-acre horizontal wellbore spacing unit for the Peppler Farms 1H-4H Well (API No. 05-123-37305) ("Well"), for the production of oil, gas and associated hydrocarbons from the Codell Formation. Applicant notified all owners in the proposed wellbore spacing unit pursuant to Rule 318A.e.(6). Applicant did not receive objections to the establishment of the proposed wellbore spacing unit within the 30-day response period.

5. Acting pursuant to the relevant provisions of §34-60-116(6) & (7), C.R.S., and Rule 530., Applicant seeks an order pooling all interests, including, but not limited to, any nonconsenting interests, for the approximate 320-acre established horizontal wellbore spacing unit for the Application Lands, for the development and operation of the Codell Formation.

6. Applicant requests that the pooling order entered as a result of this Application be made effective as of the date of this Application.

7. Further, Applicant requests 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 Well proposed for the Codell Formation, are pooled by operation of statute, pursuant to §34-60-116(6) and (7), C.R.S., and made subject to the cost recovery provisions thereof.

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

9. That the names and addresses of the interested parties (persons who own any interest in the mineral estate of the tracts to be pooled, except owners of overriding royalty interest) are attached hereto under Exhibit B. The Applicant shall submit a certificate of service for the Application within the seven days as required by Rule 503.e.

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 320-acre horizontal wellbore spacing unit established for the Application Lands, for the development and operation of the Codell Formation, with the pooling order made effective as of the date of this Application.

B. 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 Well proposed for the Codell Formation, are pooled by operation of statute, pursuant to §34-60-116(6) and (7), C.R.S., and made subject to the cost recovery provisions thereof.

C. For such other findings and orders as the Commission may deem proper or advisable in the premises.

DATED this 14th day of April, 2014.

Respectfully submitted,

ENCANA OIL & GAS (USA) INC., acting by and
through its authorized agent, Encana Services
Company, Ltd.

By: 

Robert A. Willis (Colorado Bar No. 26308)

Jillian Fulcher (Colorado Bar No. 45010)

Beatty & Wozniak, P.C.

Attorneys for Applicant

216 16th Street, Suite 1100

Denver, Colorado 80202

(303) 407-4499

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Applicant's Address:

Encana Oil & Gas (USA) Inc.

Jack Croom, Sr. Land Negotiator

370 17th Street, Suite 1454

Denver, CO 80202

VERIFICATION

STATE OF COLORADO

)

) ss.

CITY & COUNTY OF DENVER

)

Jack Croom, Sr. Land Negotiator for Encana Oil & Gas (USA) Inc., 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.

ENCANA OIL & GAS (USA) INC., acting by and through its authorized agent, Encana Services Company Ltd.

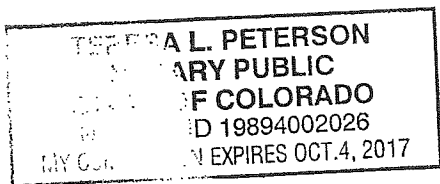
Jack Cream

Jack Croom

Subscribed and sworn to before me this 14th day of April, 2014, by Jack Croom, Sr.
Land Negotiator for Encana Oil & Gas (USA) Inc.

Witness my hand and official seal.

My commission expires: 10-04-17



Lewia A. Peterso

Notary Public

Exhibit A
Application Map

Sec. 4, T3N, R68W
Weld County



Application lands -

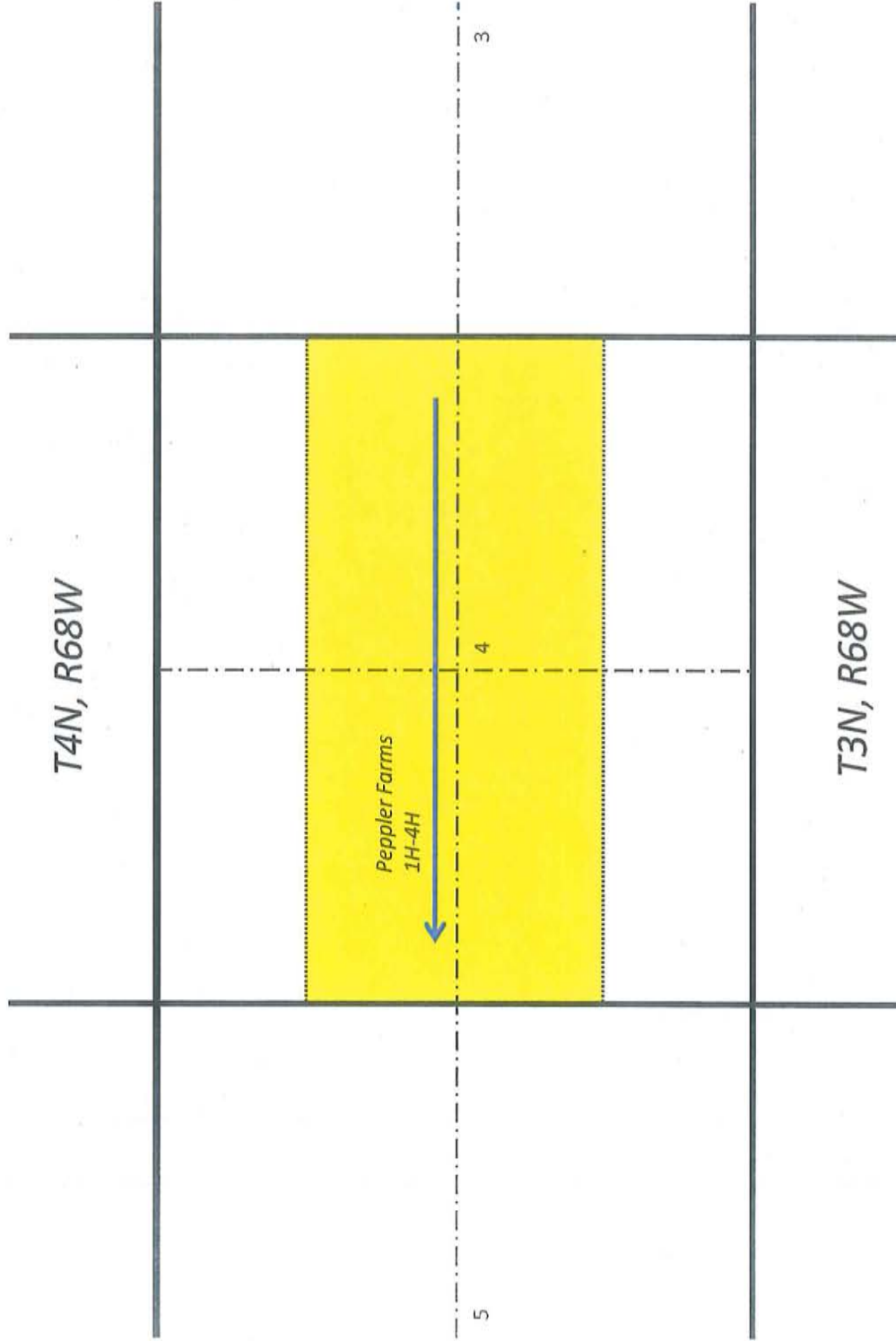


EXHIBIT B

INTERESTED PARTIES

The names and addresses of the interested parties (persons who own any interest in the mineral estate underlying the Application Lands, except overriding royalty interest owners) according to the information and belief of the Applicant are set forth in this Exhibit B.

Encana Oil & Gas (USA) Inc.
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Denver, CO 80202

Robert A. Willis
Beatty & Wozniak, P.C.
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Denver, Colorado 80202

Wyotex Oil Company
P.O. Box 280969
Lakewood, CO 80228

Synergy Resources Corp.
20203 Highway 60
Platteville, CO 80651

Old West Tours
c/o Ken Welshimer
110 E. Center Street, PMB 1989
Madison, SD 57402-2908

NG Resources, LLC
9898 Clairton Way
Highlands Ranch, CO 80126

B&J Resources, LLC
410 17 Street, Suite 1150
Denver, CO 80202

Joe Freeman, LLC
3415 S. Clayton Blvd.
Englewood, CO 80113-7611

Triton Energy Holdings, LLC
c/o Triton Investment Company
7901 E. Belleview Ave., Ste. 120
Englewood, CO 80111

Omaha Beach, LLC
9981 E. Progress Circle
Greenwood Village, CO 80111

Wattenberg Investment Group, LLC
154 Vine Street
Sun Prairie, WI 53590

Jean L. Baker Trust
Antonia Natale, Trustee
17255 County Road 7
Mead, CO 80542

Peppler Farms, LLC
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Platteville, CO 80651

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Don Minch & Betty N. Minch
17076 Weld County Road 5
Mead, CO 80513

Alice Mae Lawing
169 Grant Street
Longmont, CO 80501

The Jean L. Baker Irrevocable Trust
Antonia Natale, Trustee
17255 County Road 7
Mead, CO 80542

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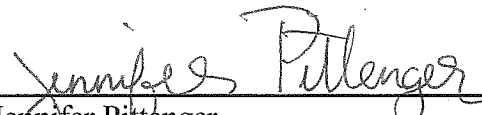
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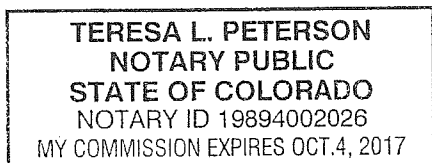
Jennifer Pittenger, of lawful age, and being first duly sworn upon her oath, states and declares:


That she is a Legal Assistant at Beatty & Wozniak, P.C., attorneys for Encana Oil & Gas (USA) Inc., and on or before April 21, 2014, caused a copy of the attached Application to be deposited in the United States Mail, postage prepaid, addressed to the parties listed on Exhibit B to the Application.


Jennifer Pittenger

Subscribed and sworn to before me this 14th day of April, 2014.

Witness my hand and official seal.




Notary Public