

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

IN THE MATTER OF THE APPLICATION OF KERR- ) CAUSE NO.  
MCGEE OIL & GAS ONSHORE LP, FOR AN ORDER )  
TO SUBJECT PREVIOUSLY UNLOCATABLE PARTIES ) DOCKET NO.  
TO DOCKET NO. 1404-UP-105 (ORDER NO. )  
PENDING), POOLING ALL INTERESTS IN AN )  
APPROXIMATE 480-ACRE DESIGNATED WELLBORE )  
SPACING UNIT IN SECTIONS 22, 23 AND 24, )  
TOWNSHIP 3 NORTH, RANGE 68 WEST, 6TH P.M., )  
FOR THE CODELL AND NIOBRARA FORMATIONS, )  
WATTENBERG FIELD, WELD COUNTY, COLORADO )

APPLICATION

COMES NOW Kerr-McGee Oil & Gas Onshore LP ("Applicant"), by and through its attorneys, Jost & Shelton Energy Group, P.C., and respectfully submits this Application to the Oil and Gas Conservation Commission of the State of Colorado ("Commission"), for an order declaring a prior order of the Commission applicable to previously unlocatable parties. The prior pooling order ("Pooling Order") in Docket No. 1404-UP-105 (Order No. Pending) pooled all interests in an approximate 480-acre designated wellbore spacing unit for the drilling of the Reynolds Cattle 5C-23HZ Well (API No. 05-123-39138) in WSU #1, the Reynolds Cattle 31N-23HZ Well, (API No. 05-123-39136) in WSU #2, and the Reynolds Cattle 31C-23HZ Well, (API No. 05-123-39133) in WSU #3 ("Wells"), for the development of the Codell and Niobrara Formations underlying:

<u>Township 3 North, Range 68 West, 6<sup>th</sup> P.M.</u>	WSU #1
Section 22: E½NE¼	(Codell)
Section 23: N½	
Section 24: W½NW¼	
 <u>Township 3 North, Range 68 West, 6<sup>th</sup> P.M.</u>	 WSU #2
Section 22: E½NE¼	(Niobrara)
Section 23: N½	
Section 24: W½NW¼	
 <u>Township 3 North, Range 68 West, 6<sup>th</sup> P.M.</u>	 WSU #3
Section 22: E½NE¼	(Codell)
Section 23: N½	
Section 24: W½NW¼	

480-acres, more or less, Weld County, Colorado (hereinafter  
"Application Lands")

In support of its application, Applicant states and avers as follows:

1. Applicant is a corporation duly authorized to conduct business in the State of Colorado and is an operator in good standing with the Commission.
2. Applicant owns substantial leasehold interests in the Application Lands.
3. On February 19, 1992, the Commission entered 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 Niobrara Formation underlying certain lands, with the permitted well locations in accordance with the provisions of Order No. 407-1 and allowed downhole commingling of production from the Codell and Niobrara Formations.
4. 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 of the Cretaceous Age Formations from the base of the Dakota Formation to the surface. On December 5, 2005, Rule 318A was amended 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 to, among other things, address the drilling of horizontal wells.
5. As of the date of this filing, the Pooling Order (Order No. Pending) is set to be entered by the Commission on April 28, 2014. The Pooling Order is set to pool all interests in an approximate 480-acre designated wellbore spacing unit for the Application Lands, for the development and operation of the Codell and Niobrara Formations, effective as of the date of the Application.
6. Applicant has since located additional interested parties who are the successors in interest to parties who had not been previously located because they appeared to be defunct entities or deceased individuals with no heirs and/or devisees. The interested parties have not previously received notice of the pooling application in Docket No. 1404-UP-105.
7. The grounds upon which Applicant sought the pooling order, and upon which the Pooling Order was entered, still pertain. Specifically:
  - a. Applicant owns substantial leasehold interests in the Application Lands.
  - b. The Application Lands were established as an approximate 480-acre designated wellbore spacing unit for the Niobrara Formation.
  - c. Applicant intends to drill the the Reynolds Cattle 5C-23HZ Well (API No. 05-123-39138) in WSU #1, the Reynolds Cattle 31N-23HZ Well, (API No. 05-123-39136) in WSU #2, and the Reynolds Cattle 31C-23HZ Well, (API No. 05-123-39133) for the production of oil and associated hydrocarbons from the Niobrara Formation underlying the Application Lands.

8. Applicant requests that the Commission subject the unnoticed interested parties to the Pooling Order, as such Pooling Order is made as of the earlier of the date of the original pooling application in Docket No. 1404-UP-105.

9. 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. The list of such interested parties is attached hereto as Exhibit A.

WHEREFORE, Applicant requests that this matter be set for hearing, that notice thereof be given as required by law, and that upon such hearing the Commission enter its order declaring the Pooling Order applicable to the said previously unnoticed interest owners, and for such other findings and orders as the Commission may deem proper or advisable in the premises.

DATED this 17<sup>th</sup> day of April, 2014.

Respectfully submitted:

**Kerr-McGee Oil & Gas Onshore LP**

By: Jamie L. Jost

Jamie L. Jost

Joseph M. Evers

Jost & Shelton Energy Group, P.C.

Attorneys for Applicant

1675 Larimer St., Suite 420

Denver, Colorado 80202

(720) 379-1812

Applicant's Address:


Kerr-McGee Oil & Gas Onshore LP

ATTN: Jamie Sullivan


1099 18<sup>th</sup> Street, Suite 1800

Denver, CO 80202

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

  
Jay Errebo  
Project Land Advisor  
Kerr-McGee Oil & Gas Onshore LP

**JAMIE SULLIVAN**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
**NOTARY ID 20114075324**  
**MY COMMISSION EXPIRES 11/29/2015**

  
Notary Public

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WATTENBERG FIELD, WELD COUNTY, COLORADO )

**AFFIDAVIT OF MAILING**

STATE OF COLORADO )  
 ) ss.  
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 April 24, 2014, 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

Subscribed and sworn to before me this 10<sup>th</sup> day of April, 2014.

Witness my hand and official seal.

My commission expires: 9/18/17

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



Exhibit A

Kerr-McGee Oil & Gas Onshore LP  
1099 18th Street, Suite 1800  
Denver, CO 80202

Jim H. McKinstry Trust U/A dated October  
25, 1979  
3750 Weld County Road 32  
Mead, CO 80542

Lynda L. McKinstry Trust U/A dated 6/14/01  
3750 Weld County Road 32  
Mead, CO 80542

PDC Energy, Inc., f/k/a  
Petroleum Development Corporation  
1775 Sherman Street, Suite 3000  
Denver, CO 80203

The Highland Ditch Company  
P.O. Box 649  
Mead, CO 80542-0649

Longmont United Hospital Foundation  
P.O. Box 1159  
Longmont, CO 80502

Zeek Partnership, LLLP  
P.O. Box 189  
Mead, CO 80452

Realty Income Corporation  
600 La Terraza Blvd  
Escondido, CA 92025

Devisee(s) of the Estate of Theodore J.  
Rademacher  
c/o Louis J. Rademacher  
13184 WCR 13  
Longmont, CO 80501

Louis J. and Frances J. Rademacher,  
Trustees of the Rademacher Living Trust  
dated 3-3-1994  
13184 WCR 13  
Longmont, CO 80501

Rademacher Trust LLC  
P.O. Box 978  
Longmont, CO 80502-0978

Rosemary Ann Ames  
7075 Brigadoon Drive  
Longmont, CO 80503

Edward C. and Magdalen Rademacher  
Living Trust dtd 5-19-1993  
2439 Eagleview Circle  
Longmont, CO 80504

Teresa M. Applehans  
11335 Franklin Street  
Denver, CO 80233

Rita M. Regnier  
1325 11th Ave.  
Longmont, CO 80501

Helen P. Wadle  
9631 Majestic Drive  
Longmont, CO 80504

Theodore A. Rademacher  
10227 Echo Circle  
Longmont, CO 80504

Robert M. Rademacher  
13774 E I-25 Frontage Road  
Longmont, CO 80504

Josephine E. Warren  
12795 Columbine Drive  
Longmont, CO 80504

Heirs of Pearl M. Nauman  
Nauman Family LLC  
5660 Dudley Street  
Arvada, CO 80002

PBR Properties Joint Venture  
P.O. Box 2802  
Midland, TX 79702

Colorado Land Services, LLC  
1051-D West Highway 34  
Loveland, CO 80537

Kings Court Properties, LLLP  
224 Mulligan Lake Drive  
Mead, CO 80542

Gilbert C. Swanson, Jr. and  
Nancy L. Swanson  
300 Riverview Court  
Longmont, CO 80501

Gilbert C. Swanson Testamentary Trust  
c/o Farmers National, Co-Agent  
P. O. Box 3480  
Omaha, NE 68103-0480

LN Real Estate LLC  
801 Second Avenue, Ste # 1300  
Seattle, WA 98104

Garage Storage II, LLC  
4075 Camelot Cir Unit 200  
Longmont, CO 80504

Robert M., Janice M. and  
Theodore A. Rademacher  
13774 E I-25 Frontage Road  
Longmont, CO 80504

The Reynolds Cattle Co.  
P.O. Box 675  
Longmont, CO 80502

The Leeper Family Revocable Trust  
7290 Magnolia Street  
Commerce City, CO 80022

Barbara M. White  
549 Longhurst Place  
Brighton, CO 80601

Esther K. Offen  
P.O. Box 706  
Eagle, CO 81631  
Zundel, LLC  
2510 White Wing Road  
Johnstown, CO 80534

John E. White  
2032 Meadow Vale Road  
Longmont, CO 80504

4064 Camelot, LLC  
c/o Bruce E. Miller  
HC 62, Box 61  
Raton, NM 87740

Apollo, LLC  
c/o Anton Dworak  
P. O. Box 978  
Longmont, CO 80501

Kristine Bowyer  
1651 Doppler Street  
Strasburg, CO 80136

Kim Scaff  
21931 East Ridge Trail Circle  
Aurora, CO 80016

Investors Independent Trust Company  
Trustee of George S. Reynolds Marital Trust  
P.O. Box 8052  
Boulder, CO 80306-8052

Guaranty Bank and Trust Company  
Trustee of George S. Reynolds Marital Trust  
1331 17th Street, Suite 345  
Denver, CO 80202

Maxica Group, LLC  
6788 Harvest Road  
Boulder, CO 80301

HP-Farms Royalty, LLC  
6850 TPC Drive, Suite 202  
McKinney, TX 75070

William B. Preston Living Trust  
U/A 08/26/97  
William B. and Linda L. Preston, Trustees  
11904 Arbor Street, Suite 200  
Omaha, NE 68114

Two Sisters, LLC  
1712 Pioneer Avenue, Suite 470  
Cheyenne, WY 82001

Next Energy, LLC  
c/o The Fleischaker Companies  
100 Broadway, Suite 2460  
Oklahoma City, OK 73102

R.L. Zinn et al #2, Ltd.  
3400 Bissonnet, Suite 250  
Houston, TX 77005

Peyton Energy, LP  
6850 TPC Drive, Suite 202  
McKinney, TX 75070

Kleimor Energy, LLC  
8451 East Oregon Place  
Denver, CO 80231

Sidney Moran  
18 Hudson Circle  
Houston, TX 77024

Jasmine Moran  
Children's Museum Foundation, Inc.  
P.O. Box 1828  
Seminole, OK 74818-1828

Harvey Katz and Mireille Katz, JTROS  
5161 San Felipe, Suite 2325  
Houston, TX 77056

AW et al  
c/o Alan Woodbury  
4641 Wild Indigo, #441  
Houston, TX 77027

Wattenberg III, LP  
150 Filbert Avenue #4  
Sausalito, CA 94965

Sealark Investments, LLC  
4900 Woodway Drive, Suite 800  
Houston, TX 77056

Flower South Beach, LLC  
c/o Emerald Development Managers LP  
909 Third Avenue  
New York, NY 10022

Madant Energy, LLC  
P.O. Box 100728  
Denver, CO 80250

Lee Gilbert Swanson  
450 Camino Don Miguel  
Sante Fe, NM 87505

Jay Fulbright Swanson, Jr.  
2306 West Main Street  
Houston, TX 77098-3219