

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

IN THE MATTER OF AN APPLICATION BY BILL BARRETT )  
CORPORATION FOR AN ORDER POOLING ALL ) CAUSE NO. \_\_\_\_  
INTERESTS IN THE 320-ACRE HORIZONTAL WELLBORE )  
SPACING UNIT ESTABLISHED FOR THE S½N½, N½S½ OF ) DOCKET NO. *To be assigned*  
SECTION 32, TOWNSHIP 5 NORTH, RANGE 63 WEST, 6<sup>TH</sup> )  
P.M., FOR THE DEVELOPMENT/OPERATION OF THE )  
NIOBRARA-CODELL FORMATIONS, WATTENBERG )  
FIELD, WELD COUNTY, COLORADO )

APPLICATION

Bill Barrett Corporation (“BBC” 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 in the approximate 320-acre horizontal wellbore spacing unit established for a portion of Section 32, Township 5 North, Range 63 West, 6<sup>th</sup> P.M., for the development and operation of the Niobrara-Codell Formations. 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 5 North, Range 63 West, 6<sup>th</sup> P.M.  
Section 32: S½N½, N½S½

These lands are hereinafter referred to as the “Application Lands.” A map depicting the acreage comprising the Application Lands is attached hereto and marked as 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 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 drilling of horizontal wells. The Application Lands are subject to Rule 318A. for the Codell and Niobrara Formations.

4. Pursuant to Rule 318A., Applicant designated an approximate 320-acre horizontal wellbore spacing unit, comprised of the Application Lands, for three planned horizontal wells (namely, the CVR 5-63-32-3225CDH well (API No. 05-123-36897), the CVR 5-63-32-3225CH well (API No. 05-123-36898), and the CVR 5-63-32-3340BH well (API No. 05-123-36899) (the “Subject Wells”), for production of oil, gas and associated hydrocarbons from the Niobrara-Codell Formations. 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 horizontal wellbore spacing unit within the 30-day response period and, as such, certifies to the Commission that it did not receive any objections to either the proposed well location or proposed spacing unit.

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, in the approximate 320-acre horizontal wellbore spacing unit established for the Application Lands wherein

BBC has drilled and completed the Subject Wells, for development and operation of the Niobrara-Codell Formations.

6. 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 Subject Wells, are made subject to the cost recovery provisions of §34-60-116(7), C.R.S.

7. 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.

8. Applicant requests that relief granted under this Application should be effective on oral order by the Commission, and Applicant hereby agrees to be bound by said oral order.

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) according to the information and belief of the Applicant are set forth in Exhibit B attached hereto. 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 approximate 320-acre horizontal wellbore spacing unit established for the Application Lands for the development and operation of the Niobrara-Codell Formations, 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 Subject Wells, are made subject to the cost recovery provisions of §34-60-116(7), C.R.S.

C. 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,

**BILL BARRETT CORPORATION**

By: 

Robert A. Willis (Colorado Bar No. 26038)

Jillian Fulcher (Colorado Bar No. 45010)

Beatty & Wozniak, P.C.

Attorneys for Applicant

216 16th Street, Suite 1100

Denver, Colorado 80202

(303) 407-4499

rwillis@bwenergylaw.com

jfulcher@bwenergylaw.com

Kenneth A. Wonstolen

Senior Vice-President & General Counsel

Bill Barrett Corporation

Applicant's Address:

Bill Barrett Corporation

Wes DiGrappa, Landman

1099 18<sup>th</sup> Street, Suite 2300

Denver, CO 80202

## VERIFICATION

STATE OF COLORADO

)


) ss.

CITY &amp; COUNTY OF DENVER

)

Wes DiGrappa, Landman for Bill Barrett Corporation, 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.

BILL BARRETT CORPORATION

  
Wes DiGrappa

Wes DiGrappa

Subscribed and sworn to before me this 17<sup>th</sup> day of April, 2014, by Wes DiGrappa, Landman for Bill Barrett Corporation.

Witness my hand and official seal.

My commission expires: 10-04-17

**TERESA L. PETERSON**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
**NOTARY ID 19894002026**  
**MY COMMISSION EXPIRES OCT. 4, 2017**

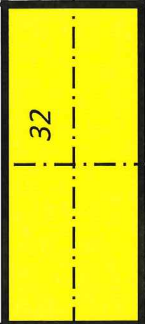
\_\_\_\_\_  
Teresa Letusa

Notary Public

T5N, R63W  
Weld County

**Exhibit A**  
Application Map

Application lands - 

 32		33	34	35	36
5	4	3	<b>T5N, R63W</b>		1
8	9	10	<b>T4N, R63W</b>		12
17	16	15	14	13	

## EXHIBIT B

### INTERESTED PARTIES

The names and addresses of the interested parties according to the information and belief of the Applicant are set forth in this Exhibit B.

Bill Barrett Corporation  
1099 18<sup>th</sup> Street, Suite 2300  
Denver, CO 80202

Beatty & Wozniak, P.C.  
216 16th Street, Suite 1100  
Denver, Colorado 80202

Noble Energy Inc.  
1625 Broadway  
Denver, CO 80202

Synergy Resources Corporation  
20203 Colorado 60  
Platteville, CO 80651

Norma Jean Van Wyke Family Trust  
12649 Dunrobin Ave  
Downey, California 90242

Janet L. Hart Revocable Trust  
Unknown  
Denver, CO 80203

Centennial Valley Ranch LLC  
1331 17th St. Ste. 1000  
Denver, CO 80202

Johnny R & Shirley Rein  
PO Box 522  
Kersey, CO 80644

Trimar Energy LLC, a Colorado Limited Liability  
Company  
3810 W. 12 Street Dr.  
Greeley, CO 80634

Donald E. Van Wyke & Mildred E. Van Wyke  
3575 E Vassar  
Denver, CO 80210

William Van Wyke  
3175 S. Newport  
Denver, CO 80224

Carl & Anna Hergenreder  
31539 W.C.R. 50  
Kersey, CO 80644

Steven Paul Jensen  
6012 Cala Lily St.  
Santee, CA 92071

Nyenhuis Trust Dated June 6, 1991  
7900 Cinthia St.  
La Mesa, CA 91941

Susan K. Robinson  
422 Dallas St  
Denver, CO 80230

Noble Energy Inc.  
PO Box 910083  
Dallas, TX 75391

Jonathan Ehrlich  
Unknown  
Denver, CO 80203

Reuben Ehrlich  
Unknown  
Denver, CO 80203

Russell Ehrlich  
Unknown  
Denver, CO 80203

Walter Ehrlich  
Unknown  
Denver, CO 80203

Raymond Kaveny  
Unknown  
Denver, CO 80203

Sandy Kenney  
Unknown  
Denver, CO 80203

Linda Dianna Weingardt  
Unknown  
Denver, CO 80203

Clarence D. Ehrlich  
5435 W. 7th Street  
Greeley, CO 80634

Rachelle Fish  
8640 Forrest Dr.  
Highlands Ranch, CO 80126

Troy Van Wyke  
7073 S. Trenton Dr.  
Centennial, CO 80112

J. Larry Ehrlich  
22092 E. Irish Dr.  
Aurora, CO 80016

EG LLC  
Unknown  
Denver, CO 80203

Karin Alexander  
6429 S. Everett Way  
Littleton, CO 80123

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

IN THE MATTER OF AN APPLICATION BY BILL BARRETT )  
CORPORATION FOR AN ORDER POOLING ALL ) CAUSE NO. \_\_\_\_  
INTERESTS IN THE 320-ACRE HORIZONTAL WELLBORE )  
SPACING UNIT ESTABLISHED FOR THE S½N½, N½S½ OF ) DOCKET NO. *To be assigned*  
SECTION 32, TOWNSHIP 5 NORTH, RANGE 63 WEST, 6<sup>TH</sup> )  
P.M., FOR THE DEVELOPMENT/OPERATION OF THE )  
NIOBRARA-CODELL FORMATIONS, WATTENBERG )  
FIELD, WELD COUNTY, COLORADO )

AFFIDAVIT OF MAILING

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

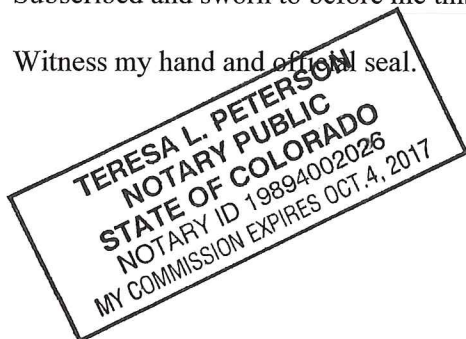
Jennifer Pittenger, of lawful age, and being first duly sworn upon her oath, states and declares:

That she is a Legal Assistant at Beatty & Wozniak, P.C., attorneys for Bill Barrett Corporation, and on or before April 24, 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 17<sup>th</sup> day of April, 2014.

Witness my hand and official seal.



  
Notary Public