

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

IN THE MATTER OF THE APPLICATION OF )  
WARD PETROLEUM CORPORATION FOR AN ) CAUSE NO. 407  
ORDER TO POOL ALL INTERESTS WITHIN AN )  
APPROXIMATE 640-ACRE DRILLING AND ) DOCKET NO. 1406-UP-\_\_\_\_  
SPACING UNIT FOR SECTION 25, TOWNSHIP 1 )  
SOUTH, RANGE 67 WEST, 6<sup>TH</sup> P.M., FOR THE )  
CODELL AND NIOBRARA FORMATIONS, )  
WATTENBERG FIELD, ADAMS COUNTY, )  
COLORADO )

**AMENDED APPLICATION**

COMES NOW, Ward Petroleum Corporation ("**Ward**" or "Applicant") by its attorneys, Lohf Shaiman Jacobs Hyman & Feiger PC, and submits its **Amended** Application to the Oil and Gas Conservation Commission of the State of Colorado, for an order pooling all interests in an approximate 640-acre drilling and spacing unit for production of oil, gas and associated hydrocarbons from the Codell and Niobrara Formations in certain lands in the Wattenberg Field, Adams County, Colorado, and in support states as follows:

1. Applicant is duly organized and authorized to conduct business in the State of Colorado.
2. Applicant owns leasehold interests in the following described lands in Adams County, Colorado, containing approximately 640-acres (hereinafter, the "Application Lands"):

Township 1 South, Range 67 West, 6th P.M.  
Section 25

3. On April 17, 2014, the Applicant filed a companion application to establish a 640-acre drilling and spacing unit comprised of the Application Lands for production of oil gas and associated hydrocarbons from the Codell and Niobrara Formations. Approval of this pooling application is contingent on Commission approval of the companion spacing application.
4. Applicant proposes to drill and complete the horizontal Schaefer 25-1-4HC to the Codell Formation and the horizontal Schaefer 25-1-3HN wells to the Niobrara Formation (the "Wells") on the Application Lands on a 640-acre unit composed of the Application Lands (the "Unit").
5. Applicant has been unable to obtain consent to voluntary pooling by all interest owners in the proposed Unit. As a result, Applicant requests that all interests in the Unit composed of the Application Lands be involuntarily pooled pursuant to C.R.S. §34-60-116, and as to the Wells, consenting parties be allowed to recover from any non-consenting owner's share of production the penalty costs provided in C.R.S. § 34-60-116 (7) of the Colorado Oil and Gas Conservation Act.

6. The names and addresses of those persons who own any interest in the mineral estate in the Application Lands, exclusive of overriding royalty interests, according to the information and belief of the Applicant are set forth on **Exhibit A**. Copies of this **Amended Application** shall be served on all such owners within seven (7) days of the date of this **Amended Application**, as required by Commission Rule 503.e.

7. At least thirty (30) days prior to the hearing on this **Amended Application**, the Applicant will have sent all owners listed on **Exhibit A**, who have not previously consented to lease or otherwise participate in the drilling and completion of the Wells, an Authority for Expenditures (AFE) and/or supporting documents which contain all information required by Commission Rule 530.b., and in case of unleased mineral owners, an offer to lease which is reasonable based on the factors listed in Commission Rule 530.c. The Applicant shall also agree to first comply with the requirements of Rule 530.b and c with respect to any subsequent well in the pooled unit, prior to applying the cost recovery provisions of said statute.

8. Applicant anticipates that one or more of such owners will refuse or fail to respond to such offer to lease and/or to participate in the drilling, completion and operation of such Wells, and shall be deemed non-consenting parties under Commission Rule 530.b and c.

9. An order of the Commission pooling all interests in the Unit for production from the Codell and Niobrara Formations shall therefore be necessary in order to afford each owner of an interest in the Unit the opportunity to recover and receive its just and equitable share of the oil and/or gas from the common source of supply underlying the unit.

10. The granting of the requested order would not be prejudicial to the owners in the Unit and would protect correlative rights.

11. The requested pooling order should be effective as of the date of this **Amended Application** or the date which costs specified by C.R.S. §34-60-116(7)(b) were first incurred by Applicant for the drilling of either of the Wells, whichever is first in time.

### **REQUEST FOR HEARING AND ORDER**

WHEREFORE, Ward prays that this matter be set for hearing on June 16 or 17, 2014, Notice of said Hearing be given as required by law, if no protests are timely received the matter be considered pursuant to Rule 511.b, and the Commission enter an Order pooling all interests in the Unit comprised of the Application Lands with respect to production of the Codell and Niobrara formations, and that such pooling Order:

(1) be upon terms and conditions which are just and reasonable and afford to the owner of each interest the opportunity to recover or receive, without unnecessary expense, his just and equitable share of oil and gas;

(2) provide that production obtained from the pooled tract be allocated to each owner therein on the basis of the proportion that the number of mineral acres held by each owner in the Unit bears to the total number of mineral acres within the Unit;

(3) provide that with respect to the Wells the consenting parties be allowed to recover from any non-consenting owner's share of production the penalty costs as provided in C.R.S. § 34-60-116 (7)(b); and

(4) require the operator to provide each non-consenting interest owner in the Unit with monthly statement of costs incurred together with the quantity of oil and gas produced and proceeds realized, pursuant to C.R.S. §34-60-116(8).

RESPECTFULLY SUBMITTED this 29<sup>th</sup> day of April, 2014.

LOHF SHAIMAN JACOBS HYMAN & FEIGER PC

By:  \_\_\_\_\_

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[mmorgan@lohfshaiman.com](mailto:mmorgan@lohfshaiman.com)

Address of Applicant:

Ward Petroleum Corporation  
215 West Oak Street, Suite 1000  
Fort Collins, Colorado 80521



**EXHIBIT "A"**

**TO POOLING APPLICATION OF WARD PETROLEUM CORPORATION**

**Applicant:**

Ward Petroleum Corporation  
215 West Oak Street, Suite 1000  
Fort Collins, CO 80521

**Applicant's Attorney:**

J. Michael Morgan, Esq.  
Lohf Shaiman Jacobs Hyman & Feiger PC  
950 South Cherry Street, Suite 900  
Denver, CO 80246

**Local Government Designee:**

Gordon Stevens, Construction Manager  
Adams County Public Works  
4430 South Adams County Parkway  
Brighton CO 80601-8218

**Unleased Mineral Owners:**

Fulton Irrigating Ditch Company  
25 S 4<sup>th</sup> Avenue  
Brighton CO 80601

Rozelle W Hezlep  
12890 Tucson Street  
Brighton CO 80601

Centennial Mineral Holdings  
5950 Cedar Springs Rd  
Dallas TX 75235

City of Brighton  
c/o Chris Ernest  
500 S 4<sup>th</sup> Avenue  
Brighton CO 80601

Sasaki Family Partnership LLLP  
c/o Kathy K Yoshimoto  
697 Voiles Drive  
Brighton CO 80601

Michael Vaughn  
12650 Tucson Street  
Henderson CO 80640

Marilyn B. Walker and  
Carolyn M Read  
1623 Silverado Lane  
Ft Lupton CO 80621

US Department of Interior  
Bureau of Land Management  
2850 Youngfield Street  
Lakewood CO 80215

Gene N & Janice D Read  
13442 E 132<sup>nd</sup>  
Brighton CO 80601

Colorado Highway Commission  
4201 E Arkansas Avenue  
Denver CO 80222

Robert L Warner  
PO Box 9  
Brighton CO 80601

Sampson Family Limited Partnership  
PO Box 468  
Brighton CO 80601

Noe Valeriano  
12890 Tucson Street  
Brighton CO 80601

Neal N Wall  
241 Tamalpais Drive  
Mill Valley CA 94925

Marjorie A Anderson  
6016 S Monaco Way  
Englewood CO 80111

Warren & Shirley Wall  
287 S 13<sup>th</sup> Avenue  
Brighton CO 80601

Catherine A Stevens and  
Erlinda M Valeriano  
12890 Tucson Street  
Brighton CO 80601

Joe Sasaki et al  
1821 County Rd Unit  
Brighton CO 80603

E-470 Public Hwy Authority  
22470 E 6<sup>th</sup> Parkway  
Aurora CO 80018

Katherine & Robert Sakaguchi  
1208 Brighton Drive  
Brighton CO 80601

**Working Interest Owners:**

Grizzly Petroleum Company  
1801 Broadway #500  
Denver CO 80202

Anadarko E&P Company  
1099 18<sup>th</sup> Street #1800  
Denver CO 80202

Sharp Resources  
1801 Broadway #500  
Denver CO 80202

**Leased Mineral Owners:**

Lois E Wall  
1831 Weld County Road  
Hudson CO 80642

Kenneth O Ehlen  
PO Box 1233  
Northville NY 12134

HF Investments Company  
201 University Blvd #20  
Denver CO 80206

Gertrude L Fike  
13022 E 136<sup>th</sup> Avenue  
Brighton CO 80601

John H & Cynthia I Thorngren  
12980 E 136<sup>th</sup> Avenue  
Brighton CO 80601

Louis J & Esther M DeCrescentis  
13372 E 124<sup>th</sup> Avenue  
Brighton CO 80601

Raymond L DeCrescentis  
767 S 10<sup>th</sup> Avenue  
Brighton CO 80601

Robert H Arlt  
1240 W 500 S  
North Judson IN 46366

Market Place 85 GP  
8791 Circle Drive  
Westminster CO 80030

Okada Farms Inc.  
12670 E 132<sup>nd</sup>  
Brighton CO 80601

