

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

IN THE MATTER OF THE APPLICATION OF CUB CREEK)	
ENERGY, LLC, FOR AN ORDER ESTABLISHING AN)	CAUSE NO. 407
APPROXIMATE 320-ACRE DRILLING AND SPACING)	
UNIT FOR THE N½ OF SECTION 12, TOWNSHIP 4)	DOCKET NO. 150700400
NORTH, RANGE 68 WEST, 6 TH P.M., AND AUTHORIZING)	
THE DRILLING OF NINE HORIZONTAL WELLS WITHIN)	
SAID UNIT, FOR PRODUCTION FROM THE CODELL-)	
NIOBRARA FORMATION, WATTENBERG FIELD, WELD)	
COUNTY, COLORADO)	

AMENDED APPLICATION

Cub Creek Energy, LLC (“Cub Creek” or “Applicant”), Operator #10542, by and through its attorneys, Shanor & Collins LLC, respectfully submits this Application to the Oil and Gas Conservation Commission of the State of Colorado (“Commission” or “COGCC”) for an order: (1) establishing an approximate 320-acre drilling and spacing unit for the N½ of Section 12, Township 4 North, Range 68 West, 6th P.M., and authorizing the drilling of nine (9) horizontal wells within the proposed unit, for the production of oil, gas and associated hydrocarbons from the Codell-Niobrara Formation; and (2) maintaining allocation of proceeds for any existing wells located within the proposed unit and producing from the Codell and/or Niobrara Formations. In support of this Amended Application (“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 COGCC.
2. Applicant owns substantial leasehold interests in the below-listed lands (“Application Lands”):

Township 4 North, Range 68 West, 6th P.M.
Section 12: N½

3. On December 19, 1983, the Commission issued Order No. 407-1 (amended March 29, 2000) which, among other things, established 80-acre drilling and spacing units for the production of oil, gas and associated hydrocarbons from the Codell Formation, with the unit to be designated by the operator drilling the first well in the quarter section. The permitted well shall be located in the center of either 40-acre tract within the unit with a tolerance of 200 feet in any direction. The operator shall have the option to drill an additional well on the undrilled 40-acre tract in each 80-acre drilling and spacing unit. The Application Lands are subject to this Order for the Codell Formation.

4. On February 19, 1992, the Commission issued Order No. 407-87 (amended August 20, 1993) which, among other things, established 80-acre drilling and spacing units for the production of oil, gas and associated hydrocarbons from the Codell and Niobrara Formations, with the permitted well

locations in accordance with the provisions of Order No. 407-1. The Application Lands are subject to this Order for the Codell and Niobrara Formations.

5. On April 27, 1988, 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 Rule 318A for the Codell and Niobrara Formations.

Establishment of approximate 320-acre drilling and spacing unit for the Application Lands, for production from the Codell-Niobrara Formation

6. Applicant herein seeks the establishment of an approximate 320-acre drilling and spacing unit for the Application Lands, and the authority to drill nine (9) horizontal wells within the proposed unit, for the production of oil, gas and associated hydrocarbons from the Codell-Niobrara Formation. The establishment of the drilling and spacing unit is not smaller than the area which can be efficiently and economically drained by the drilling of the requested horizontal wells to be drilled within said unit.

7. Applicant herein requests the treated intervals of any horizontal well permitted under this Application should be located not less than 460 feet from unit boundaries and not less than 150 feet from any other well producing or drilling from the Codell-Niobrara Formation, without exception being granted by the Director.

8. Further, Applicant herein requests any permitted wells drilled under this Application should be located on no more than two multi-well pads within the drilling and spacing unit from Rule 318A drilling windows, or on adjacent lands with surface owner consent, without exception being granted by the Director.

Maintaining allocation of proceeds for existing wells within the proposed unit and producing from the Codell and/or Niobrara Formations

9. Peterson Energy Operating Inc. presently operates the NLB 1-3-12 well (API #05-123-26635), with bottomhole located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 4 North, Range 68 West, 6th P.M., and allocates production on an 80-acre basis under Order No. 407-87 by designating the E $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 12.

10. Peterson Energy Operating Inc. presently operates the NLB 2-1-12 well (API #05-123-26634), with bottomhole located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 4 North, Range 68 West, 6th P.M., and allocates production on an 80-acre basis under Order No. 407-87 by designating the E $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 12.

11. Applicant herein requests that existing vertical/directional wells within the unit should be excluded from the approximate 320-acre drilling and spacing unit proposed for the Application Lands, and that the allocation of proceeds from existing vertical/directional wells shall continue to pay on their current spacing.

* * *

12. 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 COGCC rules.

13. Applicant requests that relief granted as result of this Application should be effective on oral order by the Commission, and Applicant hereby agrees to be bound by the oral order of the Commission.

14. That the names and addresses of interested parties (owners within the Application Lands) 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 seven days as required by Rule 503.e.

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

A. Establishing an approximate 320-acre drilling and spacing unit for the Application Lands, and authorizing the drilling of nine (9) horizontal wells within the proposed unit, for the production of oil, gas and associated hydrocarbons from the Codell-Niobrara Formation, with the treated intervals of any horizontal well permitted under this Application located not less than 460 feet from unit boundaries and not less than 150 feet from any other well producing or drilling from the Codell-Niobrara Formation, without exception being granted by the Director.

B. Maintaining allocation of proceeds for any existing wells located within the proposed unit and producing from the Codell and/or Niobrara Formations and excluding those wells from the 320-acre drilling and spacing unit proposed for the Application Lands.

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

DATED this 10th day of June, 2015.

Respectfully submitted,

CUB CREEK ENERGY, LLC

By: *Robert A. Willis*
Robert A. Willis (Colorado Bar #26308)
Shanor & Collins LLC
600 Seventeenth Street, Suite 2800
Denver, CO 80202
(303) 995-5120

Applicant's Address:
200 Plaza Drive, Suite 100
Highlands Ranch, CO 80129

VERIFICATION

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

Scott B. Baily, Vice President of Land for Cub Creek Energy, 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.

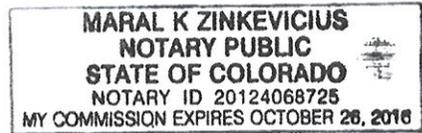
CUB CREEK ENERGY, LLC

Scott B. Baily
Scott B. Baily

Subscribed and sworn to before me this 10th day of June, 2015, by Scott B. Baily, Vice President of Land for Cub Creek Energy, LLC.

Witness my hand and official seal.

My commission expires: October 26, 2016



Maral K Zinkevicius
Notary Public

Exhibit A
Application Map

Township 4 North, Range 68 West, 6th P.M.

Application
Lands

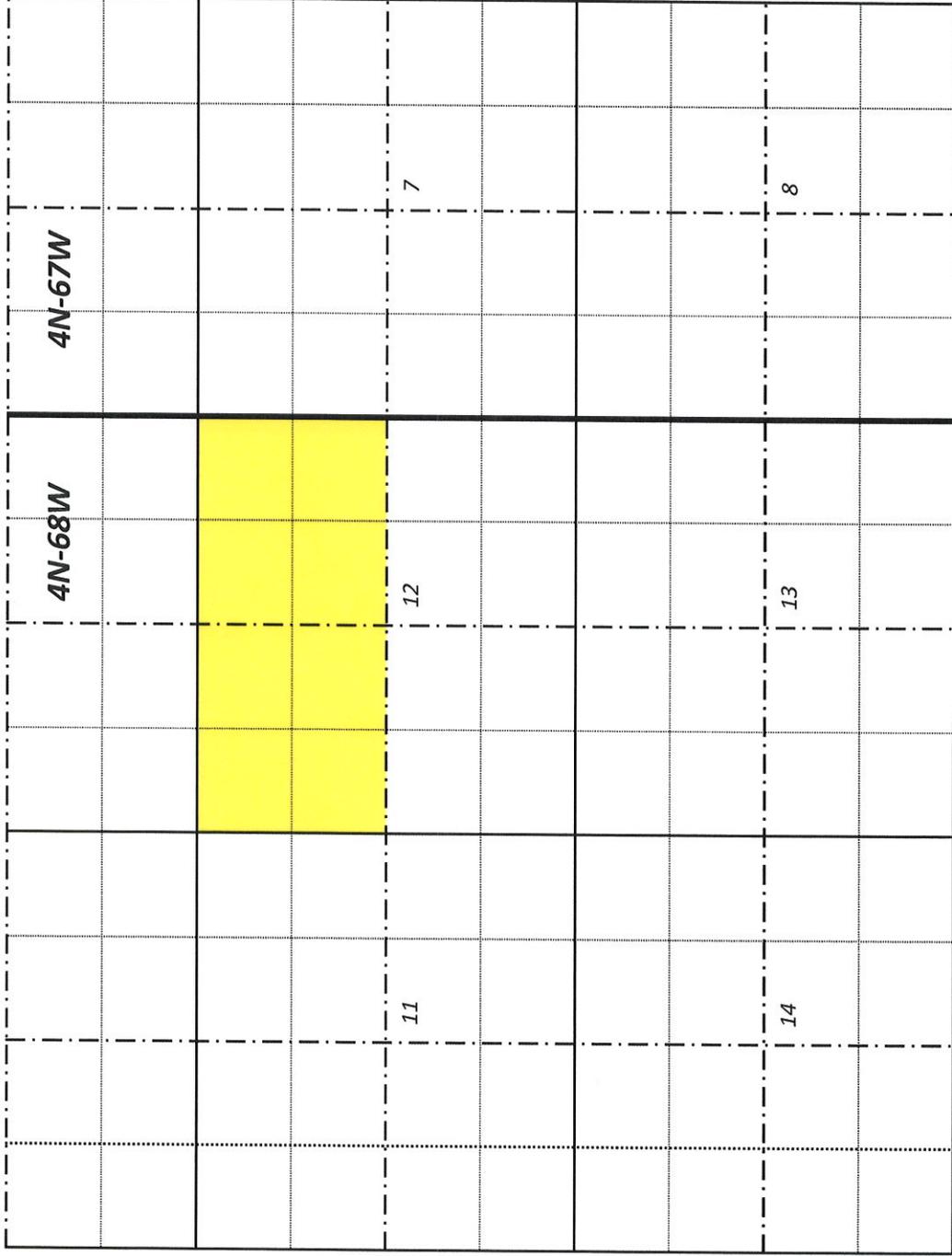


EXHIBIT B

INTERESTED PARTIES

The names and addresses of the interested parties (owners within the Application Lands) according to the information and belief of the Applicant are set forth in this Exhibit B.

Cub Creek Energy, LLC
Mr. Scott B. Baily
200 Plaza Drive, Suite 100
Highlands Ranch, CO 80129

Robert A. Willis
Shanor & Collins LLC
600 Seventeenth St., Suite 2800
Denver, CO 80202

Troy Swain
Weld County
Department of Planning Services
1555 North 17th Avenue
Greeley, CO 80631

Roy Lauricello
Town of Johnstown
P.O. Box 609
Johnstown, CO 80534

Colorado Department of Public Health &
Environment
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Colorado Parks & Wildlife
6060 Broadway
Denver, CO 80216

Miles & Chandra Thompson
269 Hawthorne Ave.
Johnstown, CO 80534

Lynn Homes & Development, LLC
1635 Foxtrail Dr., No. 129
Loveland, CO 80538-9086

Vanessa Cook
310 Basswood Ave.
Johnstown, CO 80534-9135

Todd T. & Elizabeth Heller
342 Buckeye Ave.
Johnstown, CO 80534-9137

Brooke A. Thomas
322 Basswood Ave.
Johnstown, CO 80534

Executive Homes, Inc.
26400 Henderson Park Rd.
Oak Creek, CO 80467-9678

Oscar & Clara I. Chavez
340 Basswood Ave.
Johnstown, CO 80534-9135

Jason P. Driscoll
347 Buckeye Ave.
Johnstown, CO 80534-9136

Andrew G. Patterson
329 Buckeye Ave.
Johnstown, CO 80534-9136

Miguel Sandoval
323 Buckeye Ave.
Johnstown, CO 80534-9136

Troy C. McWhinney
2725 Rocky Mountain Ave., Suite 200
Loveland, CO 80538-8717

Kathleen Clark-Kitchell
4700 Chippendale Dr.
Fort Collins, CO 80526-3804

Daniel A. & Mary R. Lucero
321 Basswood Ave.
Johnstown, CO 80534-9134

College 4 3 LLC
600 N. 2nd St.
LaSalle, CO 80645-3310

Tina M. Rolf
325 Alder Ave.
Johnstown, CO 80534-9126

Michael J. & Christine C. Derock
3034 Woodbine Dr.
Johnstown, CO 80534-9139

Dustin Killian & Valerie A. Garcia
407 Hawthorne Ave.
Johnstown, CO 80534-9116

Blake T. & Shannon A. Pfankuch
139 Silverbell Dr.
Johnstown, CO 80534-9189

Wells Fargo Bank, NA
3476 Stateview Blvd.
Fort Mill, SC 29715-7203

Misty L. Cobaugh
142 Buckeye Ave.
Johnstown, CO 80534-9155

Lori Ann McWhinney
2725 Rocky Mountain Ave., Suite 200
Loveland, CO 80538-8717

Steven A. Kitchell
4700 Chippendale Dr.
Fort Collins, CO 80526-3804

Robert Webb
315 Basswood Ave.
Johnstown, CO 80534

Brady D. Miller & Amy J. Rivera
307 Alder Ave.
Johnstown, CO 80534-9126

Patricia M. Wildner, Adam E. & Joanne L. Gray
3010 Woodbine Lane
Johnstown, CO 80534-9139

Brandon L. Mein
3051 Sage Creek Road, #A1
Fort Collins, CO 80520

Town of Johnstown
P.O. Box 609
Johnstown, CO 80534-7804

Clearview Development of Johnstown, LLC
c/o PB Roche Solutions Co., LLC
2035 35 Avenue, Unit A-1
Greeley, CO 80634

Nancy J. Page
221 Hawthorne Ave.
Johnstown, CO 80534-9184

Casey R. Collins
245 Hawthorne Ave.
Johnstown, CO 80534

Steven & Stephanie Sawusch
256 Buckeye Ave.
Johnstown, CO 80534-9157

Justin Sessions
117 Buckeye Ave.
Johnstown, CO 80534

Autumn & Brian Powell
157 Basswood Ave.
Johnstown, CO 80534

Clearview Holdings, LLC
7251 W. 20th St., Bldg. L. Suite 200
Greeley, CO 80634-4626

US Bank National Association, as Trustee
The Credit Suisse First Boston Mortgage
Securities Corp.
Home Equity Pass Through Certificates, Series
2007-1
3815 S. West Temple
Salt Lake City, UT 84115

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

Ricky L. & Brandlyn S. Warrick
238 Buckeye Ave.
Johnstown, CO 80534-9157

Richard John & Carol Lynn Stein
263 Hawthorne Ave.
Johnstown, CO 80534-9184

R. Brett & Candace Paterson
224 Basswood Ave.
Johnstown, CO 80534-9180

Foster-Watson 2012 Family, LP
P.O. Box 11213
Midland, TX 79702-8213

US Bank, N.A., as Trustee
Asset Back Securities Corp. Home Equity Loan
Trust, AEG 2006-HE1
Asset Backed Pass-Through Certificates, Series
AEG 2006-HE1
c/o Select Portfolio Servicing, Inc.
3815 S. West Temple
Salt Lake City, UT 84115

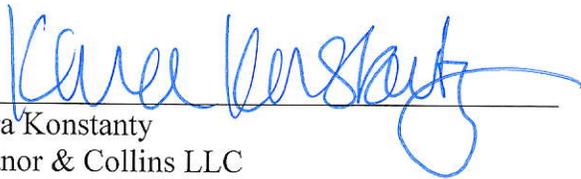
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IN THE MATTER OF THE APPLICATION OF CUB) CAUSE NO. 407
CREEK ENERGY, LLC, FOR AN ORDER)
ESTABLISHING AN APPROXIMATE 320-ACRE) DOCKET NO. 150700400
DRILLING AND SPACING UNIT FOR THE N½ OF)
SECTION 12, TOWNSHIP 4 NORTH, RANGE 68)
WEST, 6TH P.M., AND AUTHORIZING THE DRILLING)
OF NINE HORIZONTAL WELLS WITHIN SAID UNIT,)
FOR PRODUCTION FROM THE CODELL-NIOBRARA)
FORMATION, WATTENBERG FIELD, WELD)
COUNTY, COLORADO)

CERTIFICATE OF MAILING

I, Kara Konstanty, hereby certify that a true and correct copy of the Amended Application and the Notice of Hearing in the above-referenced matter before the COGCC was deposited in the U.S. mail on June 15, 2015, postage pre-paid, to the interested parties listed in the Amended Application submitted to the COGCC regarding the above referenced Docket Number.

DATED this 15th day of June, 2015.



Kara Konstanty
Shanor & Collins LLC
600 17th Street, Suite 2800
Denver, CO 80202