



HEARING AGENDA

Suite 801, The Chancery Building
1120 Lincoln Street
Denver, Colorado 80203

The times associated with each docketed item are subject to change. The Commission reserves the right to call any and all agenda items out of order.

Monday, November 30, 2009

- ⌚ 9:00 a.m. Roll Call of Commissioners
- Approval of Proceedings
- ⌚ 9:05 a.m. Report from the Executive Director's Office
- ⌚ 9:15 a.m. Report from the Director - Written report provided
- ⌚ 10:00 a.m. Commissioner Comments
- ⌚ 10:15 a.m. Audience Comments
- ⌚ 10:45 a.m. Consent Agenda
 5 Hearing Officer recommendations under Rule 511.
- ⌚ 11:30 a.m. Executive Session
- *Carnahan v. COGCC*
 - *Grand Valley Citizens Alliance v. COGCC*
 - *COGA v. COGCC*
- ⌚ 12:00 p.m. Lunch
- ⌚ 1:00 p.m. Cause No. 1, Docket No. 0910-GA-09, Wattenberg Field, Adams, Broomfield and Weld Counties
- Applicant: COGCC Staff
- Representative: David Dillon, Engineering Manager
- Subject: Request to establish a bradenhead testing area for lands from Townships 1 South through 4 North and Ranges 64 West through 68 West, 6th P.M., inclusive, having exposed Laramie-Fox Hills Aquifer below the surface casing depth.
- Comments: Written remarks filed by K.P. Kaufman Company, Inc. Continued from the October hearing to allow personal service of notice on affected operators.
- ⌚ 1:30 p.m. Klabzuba Oil & Gas Request to Approve Financial Assurance Obligation and MIT Plan for Shut-In Wells, Adena Field, Morgan County

Requestor: Klabzuba Oil & Gas, Inc.
Representative: Mike Collom, Engineering Manager

Respondent: COGCC Staff
Representative: Stuart Ellsworth, Engineering Supervisor

Subject: Request of Klabzuba to: (1) Approve an agreement with the Director, as provided for by Rule 707., regarding financial assurance for "excess inactive wells", and (2) Approve an agreement with the Director, under Rule 326.b., regarding plan to plug and abandon, perform a mechanical integrity test, or return to production, a list of 158 shut-in wells.

Comments: Continued from October hearing.

🕒 2:00 p.m.

Cause No. 1R, Docket No. 0911-RM-03, Statewide

Subject: Request to amend Rules 328. and 329. to include provisions containing methodology to resolve the payment of proceeds or sales reconciliation from oil and/or gas production from a well.

🕒 2:30 p.m.

Cause No. 1R, Docket No. 0911-RM-04, Statewide

Subject: Request to amend Rule 303.j.(1) to extend the term of drilling permits that are issued pursuant to Applications for Permit-to-Drill ("APDs," Form 2s) from one year to two years.

🕒 3:00 p.m.

Cause No.232 & 407, Docket No. 0907-UP-15, Wattenberg Field, Weld County

Applicant: INB Land & Cattle, LLC.
Representative: Robert L. McPeck

Subject: Request for an order to establish two 160-acre drilling and spacing units consisting of the SW¼ of Section 10 and the NW¼ of Section 30, Township 2 North, Range 66 West, 6th P.M., and to pool all nonconsenting interests in said units, for the development and operation of the Codell, Niobrara and "J" Sand Formations.

Protestant: Anadarko Petroleum Corporation
Attorneys: Michael J. Gallagher/Gregory R. Danielson/Erin McAlpin Eiselein

Comments: A prehearing conference was held on June 30, 2009. The matter has been continued until the November 30, 2009 hearing. On November 18, 2009, a second prehearing conference was held wherein an *Order on Prehearing Conference* was entered which recommended granting the Protestant's *Motion for Summary Judgment* denying the application.

CONSENT AGENDA

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No valid protests/interventions were received or valid protests were resolved, or no interventions were made on the technical merits for the matters listed below. **Based upon requests made by the applicants to approve the applications based on the merits of the verified applications and the supporting written testimony and exhibits, the Hearing Officers recommend approval.** Draft proposed orders were provided. The applicants agreed to be bound by oral order of the Commission.

RULE 511. RECOMMENDATIONS

Cause No. 139, Docket No. 0908-SP-18, Rulison Field, Garfield County

Applicant: Williams Production RMT Company
 Attorney: William A. Keefe

Subject: Request for an order to: (1) continue to allow the equivalent of one well per 10 acres for Section 15, Township 7 South, Range 94 West, 6th P.M., for the production of gas and associated hydrocarbons from the Williams Fork Formation, and (2) allow the equivalent of one well per 10 acres for said Section 15, for the production of gas and associated hydrocarbons from the Iles Formation.

Comments: Protest filed by BLM; subsequently withdrawn due to amendment to original application. Continued from the August hearing.

Cause Nos. 232, 407, 499, Docket No. 0910-EX-06, Wattenberg Field, Weld County

Applicant: Noble Energy, Inc.
 Attorneys: Michael J. Wozniak/Susan L. Aldridge

Subject: Request for an order allowing an exception to the permitted location for the Lorenz L #30-4D Well located at 359 feet FNL and 862 feet FWL in the NW¼ NW¼ of Section 30, Township 30 North, Range 69 West, 6th P.M., for the production of gas and associated hydrocarbons from the Codell and Niobrara Formations.

Comments: Continued to the November hearing by Hearing Officer.

Cause No. 1, Docket No. 0911-GA-11, Wattenberg Field, Weld County

Applicant: Unioil
 Attorney: Kenneth A Wonstolen

Subject: Request for Commission hearing for a variance under Rule 502.b. for a one year extension to commence drilling operations for the Zeiler #23-7U Well, the Zeiler #24-7U

Well, and the Zeiler #13-7U Well, for the production of gas and associated hydrocarbons from the Sussex, Shannon, Codell, Niobrara, "J" Sand Formations, and the Zeiler #14-7U Well, for the production of gas and associated hydrocarbons from the Niobrara, Codell, and "J" Sand Formations.

Comments: Administrative hearing was held on November 18, 2009.

Cause No. 527, Docket No. 0911-AW-05, Sulphur Field, Rio Blanco County

Applicant: Williams Production RMT Company

Attorney: William A. Keefe

Subject: Request for an order to allow the equivalent of one well per 10 acres, with the permitted well to be located no closer than 100 feet from any lease line adjacent to the application lands for certain lands in Townships 2 and 3 South, Range 97 West, 6th P.M., Townships 1 through 4 South, Range 98 West, 6th P.M., and Townships 2 and 3 South, Range 99 West, 6th P.M., for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations.

Cause No. 232, Docket No. 0911-UP-28, Wattenberg Field, Weld County

Applicant: Petroleum Development Corporation

Attorney: Susan L. Aldridge/Michael J. Wozniak

Subject: Request for an order to pool all nonconsenting interests in the established 320-acre drilling and spacing unit for the W½ of Section 34, Township 5 North, Range 67 West, P.M., for the production of gas and associated hydrocarbons from the "J" Sand Formation.

CONTINUED, WITHDRAWN AND DISMISSED MATTERS

Cause Nos. 232, 407, 499, Docket No. 0910-GA-06, Wattenberg Field, Weld County

Applicant: Noble Energy, Inc.

Attorneys: Andrew Bremner/Susan L. Aldridge

Subject: Request for Commission hearing, under Rule 318A(e)(6)B., on APD filed by Noble Energy, Inc., for the Nelson-USX WW #09-24D Well which establishes a wellbore spacing unit for certain lands in Section 9, Township 1 North, Range 66 West, 6th P.M., for the production of gas and associated hydrocarbons from the Codell, Niobrara, and "J" Sand Formations.

Objector: Merit Energy Company

Attorney: Chris Hayes

Comments: Objection to proposed Noble APD made by Objector.

Prehearing conference convened on October 19, 2009. Applicant continued application to November hearing to facilitate filing of APD. On November 16, 2009, Noble filed the APD, and, consequently, Hearing Officer entered *Order on Prehearing Conference* recommending dismissal of objection. On November 23, 2009, the Applicant continued the matter until the January 2010 hearing.

Cause No. 527, Docket No. 0911-AW-06, Sulphur Field, Rio Blanco County

Applicant: Whiting Oil and Gas Corporation
Attorney: Stephen J. Sullivan

Subject: Request for an order to amend Order No. 528-1 to vacate the requirement that the Iles and Sego Formation wells must be drilled in conjunction with Williams Fork wells for Section 3, Township 3 South, Range 97 West 6th P.M., and allow Iles and Sego Formation wells to be drilled downhole no closer than 100 feet from the outside boundary of the application lands, for the production of gas and associated hydrocarbons from the Mesaverde Group.

Comments: Application continued to January hearing by Hearing Officer.

Cause No. 449, Docket No. 0908-EX-04, Arapahoe Field, Cheyenne County

Applicant: Wiepking-Fullerton Energy, LLC
Attorney: Howard Boigon

Subject: Request for an order to allow an exception to the permitted well location and remove the production limitations as specified in Order 449-7 for the re-entry of the Lewis 22-17 #4 Well located in the W½ of Section 17, Township 14 South, Range 42 West, 6th P.M., for the production of gas and associated hydrocarbons from the Morrow "A" Formation.

Protestant: Citation Oil & Gas Corporation
Attorneys: Scott M. Campbell/Nick A. Swartzendruber

Comments: A Prehearing Conference was held August 5, 2009. On August 11, 2009, Applicant filed for continuation of application to the September hearing. On September 15, 2009, Applicant requested that the matter be continued to the October hearing. On October 27, 2009, the Commission considered evidence in this matter at an adjudicatory hearing, which resulted in the Commission continuing this matter for deliberations on its November Agenda. On November 10, 2009, COGCC convened a mediation session between the parties. On November 12, 2009, the application was withdrawn.

Applicant: Michael R. Witman

Subject: Request for Commission hearing, under Rule 305, on an APD filed by Great Western Oil & Gas Company, LLC for the Witman #2-34 Well, located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 4 North, Range 67 West, 6th P.M., on the basis that the permitted surface location does not conform with the well location set out in a surface use agreement entered into with Great Western's predecessor, for the production of gas and associated hydrocarbons from the Codell and Niobrara Formations.

Respondent: Great Western Oil & Gas Company, LLC

Representative: Jeff Reale, Vice-President of Operations

Comments: A prehearing conference was convened on November 17, 2009, which resulted in the objection/application being dismissed by the Hearing Officer.