



HEARING AGENDA

Adams County Economic Development Offices
12050 N. Pecos St., Suite 200
Westminster, CO 80234-3493

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.

Thursday August 12, 2010

- ⌚ 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
- ⌚ 9:45 a.m. Commissioner Comments
- ⌚ 10:00 a.m. Audience Comments
- ⌚ 10:15 a.m. Consent Agenda
 - 8 Hearing Officer recommendations under Rule 511.
 - 1 Administrative Order by Consent

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. 513, Docket No. 1007-SP-18, Kokopelli Field, Garfield County

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

Subject: Request for an order to establish a 320-acre drilling and spacing unit consisting of the E½ of Section 7, and for certain lands in Township 6 South, Range 91 West, 6th P.M., allow the equivalent of optional one well per 10 acres, for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations.

Comments: Continued from the July hearing.

Cause No. 407, Docket No. 1007-UP-36, Wattenberg Field, Weld County

Applicant: Noble Energy, Inc.
Attorneys: Brent Chicken/Kenneth A. Wonstolen

Subject: Request for an order to pool all nonconsenting interests in the four designated approximate 80-acre standup drilling and spacing units consisting of the W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 6, Township 5 North, Range 62 West, 6th P.M., for the development and operation of the Codell and Niobrara Formations.

Protestant: Margaret E. (Flynn) Calder, Donald C. Flynn, Patrick H. Flynn
Attorney: Victoria Shupe

Comments: Continued from the July hearing. On August 6, 2010, the Flynn protest was withdrawn.

Cause No. 191, Docket No. 1007-UP-48, Mamm Creek Field, Garfield County

Applicant: Bill Barrett Corporation
Attorney: William A. Keefe

Subject: Request for an order to pool all nonconsenting interests in the established 640-acre drilling and spacing unit consisting of Section 21, Township 6 North, Range 92 West, 6th P.M., to accommodate the 12 wells to be drilled from one pad, for the development and operation of the Williams Fork and Iles Formations.

Comments: Continued from the July hearing.

Cause Nos. 232 & 407, Docket No. 1007-UP-49, Wattenberg Field, Weld County

Applicant: Bonanza Creek Energy Operating Company, LLC
Attorney: J. Michael Morgan

Subject: Request for an order to establish 40-acre drilling and spacing units consisting of certain lands in Section 19, Township 5 North, Range 62 West, 6th P.M., and to pool all nonconsenting interests in said units to accommodate the Antelope 12-19, 21-19 and 22-19 Wells, for the development and operation of the Codell, Niobrara, Dakota and "J" Sand Formations.

Protestant: 70 Ranch LLC
Attorney: Christopher G. Hayes

Comments: Continued from the July hearing. On August 6, 2010, 70 Ranch withdrew its protest.

Cause No. 1, Docket No. 1007-UP-50, Wattenberg Field, Weld County

Applicant: Bonanza Creek Energy Operating Company, LLC
Attorney: J. Michael Morgan

Subject: Request for an order to establish a 160-acre drilling and spacing unit consisting of SW $\frac{1}{4}$ of Section 18, Township 5 North, Range 62 West, 6th P.M., and to pool all nonconsenting interests in said unit to accommodate the Antelope 13-18, 14-18, 23-18, and 24-18 Wells, for the development and operation of the Codell, Niobrara, Dakota and "J" Sand Formations.

Protestant: 70 Ranch LLC
Attorney: Christopher G. Hayes

Comments: Continued from the July hearing. On August 6, 2010, 70 Ranch withdrew its protest.

Cause No. 535, Docket No. 1008-SP-22, Checkerboard Field, Weld County

Applicant: Carrizo Oil & Gas, Inc.
Attorney: Kenneth A. Wonstolen

Subject: Request to establish four approximate 640-acre drilling and spacing units for certain lands located in Township 8 North, Range 61 West, 6th P.M., Township 8 North, Range 62 West, 6th P.M., Township 9 North, Range 60 West, 6th P.M., Township 9 North, Range 61 West, 6th P.M. and allow up to two optional horizontal wells in each of the units.

Cause No. 535, Docket No. 1008-SP-23, Unnamed Field, Moffat County

Applicant: Durango Pipeline Corporation
Attorney: Thomas W. Niebrugge

Subject: Request to: (1) vacate the approximate 320-acre drilling and spacing unit established for certain lands located in Sections 3 and 10, Township 7 North, Range 94 West, 6th P.M., and (2) establish an approximate 320-acre drilling and spacing unit for certain lands located within said Sections 3 and 10.

Cause Nos. 232 & 407, Docket No. 1008-UP-52, Wattenberg Field, Weld County

Applicant: Noble Energy, Inc.
Attorney: William A. Keefe/Jamie L. Jost

Subject: Request for an order to pool all nonconsenting interests in the designated 160-acre wellbore spacing unit consisting of the S½ SE¼ of Section 2 and the N½ NE¼ of Section 11, Township 3 North, Range 66 West, 6th P.M.

🕒 10:30 a.m.

Presentation and Discussion on the Department of Wildlife Consultation Process and Wildlife Mitigation Plans

Kim Kaal, Energy Liaison, Division of Wildlife -10 minutes

Memo from Bob Randall, Deputy Director, Department of Natural Resources

Tim Sullivan, The Nature Conservancy – 10 minutes

Tisha Schuller, Colorado Oil and Gas Association – 10 minutes

ADMINISTRATIVE ORDER BY CONSENT

🕒 11:30 a.m.

Cause No. 1V, Docket No. 1008-OV-06, Garfield County

Staff Recommendation

Subject: Request for approval of an Administrative Order by Consent with Williams Production RMT Company to resolve violation of Rules 324A.a., 324A.b., 902.a., 903.a., and 907.a.(2) for oil and gas operations at the Puckett #WGV 21-23-697 and Puckett #WGV 22-23-697 Wells, located in the NE¼ NW¼ of Section 23, Township 6 South, Range 97 West, 6th P.M.

🕒 12:30 p.m.

Lunch/Executive Session

- *Colorado Oil & Gas Association v. COGCC*
- *Chase/Sutak (Moqui Meadows) v. COGCC (2 Cases)*
- *Grand Valley Citizens Alliance v. COGCC*
- *GDC v. COGCC*
- *Attorney - Client Memorandum Related to Colorado Petroleum Association's Application for Rulemaking*

HEARING MATTERS

🕒 1:30 p.m.

Cause No.1, Docket No. 1008-GA-11, Checkerboard Field, Weld County

Applicant: Cheyenne County Board of County Commissioners, Commissioner Jerry Allen

Subject: Request for Commission hearing to seek a variance from Rule 804., Visual Impact Mitigation, to exempt all operators within the County from painting production facilities, which are observable from any public highway, with uniform, non-contrasting, non-reflective color tones and with colors matched to but slightly darker than the surrounding landscape by September 1, 2010.

Comments: Hearing Officer to introduce issue.

🕒 2:30 p.m.

Cause No. 1, Docket No. 1008-GA-10, Wattenberg Field, Weld County

Applicant: Treasure Resources, Inc.

Attorney: James F. English

Subject: Request for Commission hearing, related to non-payment of royalties, alleging that neither Petro-Canada Resources (USA) Inc. nor Noble Energy, Inc. has made any production payments to the payee for production taken from the Roth #24-21 and Pepler #24-32 Wells.

Protestant: Noble Energy, Inc.

Attorney: Kenneth A. Wonstolen

Comments: The matter has been bifurcated so that the Commission will only hear a jurisdictional issue at the August hearing. Prehearing Conference was held August 4, 2010. Hearing Officer recommends that the Commission grant Protestant's Motion to Dismiss for lack of jurisdiction.

🕒 3:15 p.m.

Cause No. 535, Docket No. 1007-SP-20, Checkerboard Field, Weld County

Applicant: Rubicon Oil & Gas, LLC

Attorney: Gretchen VanderWerf

Subject: Request for an order to establish one hundred forty-five (145) 640-acre drilling and spacing units consisting of certain lands in Township 8 North, Range 67 West, 6th P.M., Townships 8 through 10 North, Range 66 West, 6th P.M., and Townships 8 through 11 North, Range 67 West, 6th P. M., for the production of gas and associated hydrocarbons from the Codell and Niobrara Formations.

Comments: Continued from the July hearing. This unprotested matter will be heard by the Commission, rather than by a hearing officer.

⌚ TBD

Hearing Adjourns

CONTINUED MATTERS

Cause No. 1, Docket No. 0809-GA-01, Adams County

Applicant: Colorado Board of Parks and Outdoor Recreation

Attorney: Timothy J. Monahan

Subject: Request for an order to designate Barr Lake State Park as a Designated Outside Activity Area.

Protestants: James Alexander, Alexander Energy Company, HRM Resources, Texas American Resources Company and Sovereign Energy LLC.

Attorney: Stephen J. Sullivan

Protestant: Noble Energy, Inc.

Attorneys: Michael J. Wozniak/Andrew A. Bremner

Protestant: Anadarko Petroleum Corporation

Attorneys: John R. Jacus/Sam G. Niebrugge

Comments: A prehearing conference was held on September 3, 2008. Continued to the September hearing. Settlement negotiations are proceeding.

Cause No. 1, Docket No. 1004-GA-07, Adams County

Applicant: BP Energy, Inc

Representative: Van K. Bullock

Subject: Request to obtain a variance from the requirement to provide financial assurance in the amount set forth in Rule 706.a.

Comments: Continued to the July and August hearings. Applicant is attempting to obtain financial assurance in the amount required by COGCC Rules, failing which it will request a variance. On August 2, 2010, Applicant provided evidence of an application for surety with IMA.

Cause No. 112, Docket No. 1004-UP-21, Ignacio-Blanco Field, Archuleta County

Applicant: Seibels

Attorney: Scott M. Campbell

Subject: Request for an order to clarify that Order No. 112-162 force pooled the Seibel Trust only in the Swanemyr 32-6#1-2 Well and declaring that the Seibel Trust must be offered the opportunity to participate in the Swanemyr 32-6 #1-2 and Swanemyr 32-6 #1-3 Wells, located in the SE¼ SE¼ of Section1, Township 32 North, Range 6 West, 6th P.M., and for an accounting under the provisions of § 34-60-118.5 of the Oil and Gas Conservation Act, for the development and operation of the Fruitland coal seams.

Protestant: Energen Resources, Inc.

Attorney: Andrew A. Bremner/Michael J. Wozniak

Protestant: BP America Production Company
Attorney: Thomas P. Dugan

Comments: Continued to the September hearing. Settlement negotiations are proceeding.

Cause No. 139, Docket No. 1004-UP-29, Rulison Field, Garfield County

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

Subject: Request for an order to pool all nonconsenting interests in the established 320-acre drilling and spacing unit consisting of the N½ of Section 24, Township 6 South, Range 94 West, 6th P.M., for the development and operation of the Codell and Niobrara Formations.

Protestants: J. Andrew Dunn and Niki D. LeClair
Attorney: Gretchen VanderWerf

Comments: Continued to the September hearing.

Cause No. 112, Docket No. 1007-AW-07, Ignacio-Blanco Field, La Plata County

Applicant: Pablo Operating Company
Attorneys: Michael J. Wozniak/Jamie L. Jost

Subject: Request for an order to allow up to four wells per 320-acre standup drilling and spacing unit, with the permitted well to be located no closer than 600 feet from the unit boundary, for Section 27, Township 33 North, Range 8 West, 6th N.M.P.M., for the production of gas and associated hydrocarbons from the Fruitland coal seams.

Intervention: La Plata County
Attorney: Paul D. Kosnik

Comments: Continued to the September hearing.

Cause No. 1, Docket No. 1008-GA-09, Ignacio-Blanco Field, La Plata County

Applicant: Lois Hood, mineral interest owner
Attorneys: Jeffrey P. Robbins

Subject: Request for Commission hearing, related to non-payment of royalties, alleging that neither Samson Resources Company nor BP America Production Company has made any production payments to the payee for production taken from the Echols-Ute #1-12U, SE Bayfield 34-7 #12U-1, and Echols Unit #2-12U Wells.

Comments: Continued to the September hearing. Settlement negotiations are proceeding.

Cause No. 191, Docket No. 1007-UP-47, Mamm Creek Field, Garfield County

Applicant: Bill Barrett Corporation
Attorney: William A. Keefe

Subject: Request for an order to pool all nonconsenting interests in the established 640-acre drilling and spacing unit consisting of Section 36, Township 6 North, Range 91 West, 6th P.M., to accommodate

the Hilton 36-21D Well, for the development and operation of the Williams Fork and Iles Formations.

510 Statement: Don McBurney, Jerry McBurney, Pat McBurney and Sharon Gibson

Protestant: Gene R. and Mary J. Hilton
Attorney: Cynthia L. Bargell

Comments: Second pre-hearing conference held August 5, 2010. Hearing officer continued the matter to the September hearing because of Protestants' application to vacate 640-acre drilling and spacing unit.

Cause No. 112, Docket No. 1008-UP-51, Ignacio-Blanco Field, La Plata County

Applicant: BP America Production Company
Attorney: William A. Keefe/Jamie L. Jost

Subject: Request for an order to pool all nonconsenting interests for the 320-acre drilling and spacing unit consisting of the S½ of Section 21, Township 34 North, Range 9 West, N.M.P.M.

Comments: Continued to the September hearing.

Cause Nos. 232 & 407, Docket No. 1007-UP-46, Wattenberg Field, Weld County

Applicant: EnCana Oil & Gas (USA) Inc.
Attorneys: Michael J. Wozniak/Jamie J. Jost

Subject: Request for an order to pool all nonconsenting interests in the established 160-acre wellbore spacing unit consisting of the SE¼ NE¼, NE¼ SE¼ of Section 22, and SW¼ NW¼, NW¼ SW¼ of Section 23, Township 2 North, Range 68 West, 6th P.M., to accommodate the Haley 8-4-22 Well, for the development and operation of the Codell and Niobrara Formations.

Protestant: MRPC, II LLC
Attorneys: Howard L. Boigon and Jennifer L. Biever

Comments: Continued to the August hearing. Settlement negotiations are proceeding. On August 9, 2010, the application was withdrawn.