



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, February 22, 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. Report from Staff - Methane Investigation, Monitoring and Mitigation Plan (Huerfano County)
- ⌚ 10:00 a.m. Report from Staff - Follow-up from January's Audience Comments
- ⌚ 10:05 a.m. Commissioner Comments
- ⌚ 10:15 a.m. Audience Comments
- ⌚ 10:45 a.m. Consent Agenda
 - 12 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 Nos. 513 & 523, Docket No. 1001-SP-02, Mamm Creek/Kokopelli Fields, Garfield County

Applicant: Antero Resources Piceance Corporation
Attorney: William A. Keefe

Subject: Request for an order to establish various approximate drilling and spacing units consisting of certain lands in Section 12, Township 6 South, Range 92 West 6th P.M. and Sections 7 and 18, Township 6 South, Range 91 West, 6th P.M., and allow the equivalent of one well per 10 acres for said units, for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations.

Comments: Continued from the January hearing to allow for Rule 306 consultation with the DOW and CDPHE.

Cause No. 407, Docket No. 1001-UP-09, Wattenberg Field, Weld County

Applicant: Noble Energy, Inc.

Attorney: Andrew Bremner/Michael J. Wozniak

Subject: Request for an order to establish an approximate 160-acre wellbore spacing unit consisting of the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35 and the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 36, Township 6 North, Range 65 West, 6th P.M., and to pool all nonconsenting interests in said unit, for the development and operation of the Codell and Niobrara Formations.

Comments: Continued from the January hearing.

Cause No. 191, Docket No. 1002-AW-01, Kokopelli Field, Garfield County

Applicant: Dejour Energy (USA) Corporation

Attorney: Kenneth A. Wonstolen/Andrew Bremner

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 the lease line for certain lands in Township 6 South, Range 91 West, 6th P.M., for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations.

Intervener: Garfield County

Attorney: Don Deford

Protestant: U.S. Bureau of Land Management

Representative: Lynn E. Rust, Deputy State Director

Comments: Prehearing Conference was held February 10, 2010. Protest of Bureau of Land Management was received February 16, 2010. Applicant withdrew lands at issue.

Cause No. 440, Docket No. 1002-SP-04, Parachute Field, Garfield County

Applicant: Antero Resources Piceance Corporation

Attorney: William A. Keefe

Subject: Request for an order to establish a 320-acre drilling and spacing unit consisting of the S $\frac{1}{2}$ of Section 18, Township 7

South, Range 95 West, 6th P.M., for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations.

Intervener: Garfield County
Attorney: Don Deford

Comments: Prehearing Conference was held February 10, 2010. On February 8, 2010, Garfield County filed a Motion to Intervene and a Motion to Continue with a request that the matter be heard in Garfield County. On February 17, 2010, Garfield County withdrew both motions.

Cause No. 440, Docket No. 1002-SP-05, Parachute Field, Garfield County

Applicant: Antero Resources Piceance Corporation
Attorney: William A. Keefe

Subject: Request for an order to establish a 320-acre drilling and spacing unit consisting of the S½ of Section 8, Township 7 South, Range 95 West, 6th P.M., for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations.

Intervener: Garfield County
Attorney: Don Deford

Comments: Prehearing Conference was held February 10, 2010. On February 8, 2010, Garfield County filed a Motion to Intervene and a Motion to Continue with a request that the matter be heard in Garfield County. On February 17, 2010, Garfield County withdrew both motions.

Cause No. 421, Docket No. 1002-SP-06, Hereford Field, Weld County

Applicant: EOG Resources, Inc.
Attorney: Michael J. Wozniak

Subject: Request for an order to establish 58 approximate 640-acre drilling and spacing units consisting of certain lands in Townships 11 and 12 North, Range 62 West 6th P.M. and Townships 11 and 12 North, Range 63 West, 6th P.M., and allow one horizontal well per said unit, for the production of gas and associated hydrocarbons from the Niobrara Formation.

Comments: Administrative hearing was held February 10, 2010.

Cause No. 191, Docket No. 1002-SP-08, Mamm Creek Field, Garfield County

Applicant: Bill Barrett Corporation
Attorney: William A. Keefe

Subject: Request for an order to establish one approximate 120-acre drilling and spacing unit consisting of certain lands in Sections 13, 14 and 23 of Township 6 South, Range 92 West, 6th P.M., for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations.

Cause No. 535, Docket No. 1002-SP-09, Unnamed Field, Moffat County

Applicant: Durango Pipeline Corporation

Attorney: Thomas W. Niebrugge

Subject: Request for an order to establish two standup 320-acre drilling and spacing units consisting of certain lands in Township 7 North, Range 94 West, 6th P.M. with the option of drilling an additional well. A horizontal well has been drilled in one proposed unit, and a vertical well is planned for the other, for the production of gas and associated hydrocarbons from the Mancos and Niobrara Formations.

Comments: Administrative hearing was held February 16, 2010.

Cause No. 407, Docket No. 1002-UP-12, Wattenberg Field, Weld County

Applicant: Noble Energy, Inc.

Attorney: Kenneth A. Wonstolen/Andrew Bremner

Subject: Request for an order to establish a 160-acre wellbore spacing unit consisting of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 6, Township 4 North, Range 65 West, 6th P.M., and the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, Township 4 North, Range 66 West, 6th P.M., and to pool all nonconsenting interests in said unit, for the development and operation of the Codell and Niobrara Formations.

Cause No. 407, Docket No. 1002-UP-13, Wattenberg Field, Weld County

Applicant: Petroleum Development Corporation

Attorney: Kenneth A. Wonstolen/William E. Sparks

Subject: Request for an order to pool all nonconsenting interests in the established 80-acre drilling and spacing unit consisting of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 30, Township 4 North, Range 67 West, 6th P.M., for the development and operation of the Codell and Niobrara Formations.

Cause No. 407, Docket No. 1002-UP-14, Wattenberg Field, Weld County

Applicant: Petroleum Development Corporation

Attorney: Kenneth A. Wonstolen/William E. Sparks

Subject: Request for an order to pool all nonconsenting interests in the established 80-acre drilling and spacing unit consisting of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 30, Township 4 North, Range 67 West, 6th P.M., for the development and operation of the Codell and Niobrara Formations.

ADMINISTRATIVE ORDER BY CONSENT

Cause No. 1V, Docket No. 1002-OV-01, Las Animas County
Staff Recommendation

Subject: Staff executed an administrative order by consent with Pioneer Natural Resources USA Inc. to resolve a notice of alleged violation of Rule 324A.a. for not taking adequate precautions to prevent significant adverse environmental impacts to water resources at the Molokai #13-36 TR well site located in the NW¼ SW¼ of Section 36, Township 32 South, Range 68 West, 6th P.M.

⌚ **11:30 a.m.**

Executive Session

- *Grand Valley Citizens Alliance v. COGCC*
- *COGA v. COGCC*

⌚ **12:00 p.m.**

Lunch

⌚ **1:00 p.m.**

Cause No. 1, Docket No. 1001-GA-02, Wattenberg Field, Larimer County

Applicant: Mike Sutak/Laura W. Chase

Attorney: Phillip D. Barber

Subject: Request for an order to designate portions of the W½ SE¼ of Section 36, Township 5 North, Range 68 West, 6th P.M., known as Moqui Meadows, as a Designated Outside Activity Area.

Protestant: Colorado State Land Board

Attorney: Heather A. Warren, Ass't Attorney General

Protestant: Magpie Operating, Inc.

Attorneys: John R. Jacus/Sam G. Niebrugge

Comments: On December 29, 2009, Protestants filed a joint motion to continue the matter until the March 2010 Commission hearing. On January 4, 2010, a Prehearing Conference was convened wherein the Hearing Officer entered her recommendation that the Commission deny the request for continuation. On January 10, 2010, Applicants and Protestants reached an agreement on terms and requested 30 days to complete a surface use agreement. The request was granted by the Hearing Officer.

On February 16, 2010, Protestants filed a joint motion to continue the matter until the March 2010 Commission hearing. On February 17, 2010, Applicants filed an opposition to a continuance. Hearing Officer recommends denial of the motion.

CONTINUED, WITHDRAWN AND DISMISSED MATTERS

Cause No. 191, Docket No. 1002-SP-07, Mamm Creek Field, Garfield County

Applicant: Antero Resources Piceance Corporation

Attorney: William A. Keefe

Subject: Request for an order to establish three approximate 320-acre drilling and spacing units consisting of the W½ and the E½ of Section 11, and the W½ of Section 12, Township 6 South, Range 92 West, 6th P.M., and that such order allow one well per 10 acres for said unit, for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations.

Comment: Continued to allow COGCC the opportunity to consult with CDPHE and DOW.

Cause No. 191, Docket No. 1001-GA-01, Mamm Creek Field, Garfield County

Applicant: Antero Resources Piceance Corporation

Attorney: William A. Keefe

Subject: The Commission will hold a hearing to consider whether to vacate, modify, or affirm *Order No. 191-58*, issued December 9, 2008.

Protestant: James R. and Colleen Carnahan

Attorney: Nathan Keever

Comments: On December 14, 2009, the Hearing Officer entered a *Report of Hearings Officer*, wherein it is recommended that the Commission affirm *Order No. 191-58*. Parties made a joint request to continue the matter to the February and March 2010 Commission hearings.