



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, January 11, 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
- ⌚ 10:00 a.m. Commissioner Comments
- ⌚ 10:15 a.m. Audience Comments
- Earthjustice letter dated January 6, 2010, related to recently-published FAQ regarding Table 910-1. (Letter can be found under "Announcements" on our home page)
- ⌚ 10:45 a.m. Consent Agenda
- 14 Hearing Officer recommendations under Rule 511.

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. 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.

Comments: On November 30, 2009, the Hearing Officer continued the matter to allow for consultation with the DOW and CDPHE. After having received adequate notice, both DOW and CDPHE elected to waive consultation in this matter.

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 from November hearing by Hearing Officer to allow additional time for Whiting to submit 511. testimony and exhibits.

Cause No. 407, Docket No. 1001-UP-01, 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 N½ NE¼ of Section 1, Township 5 North, Range 65 West, 6th P.M., and the S½ SE¼ 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.

Cause Nos. 407 & 232, Docket No. 1001-UP-02, 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 W½ NE¼ and the E½ NW¼ of Section 9, Township 1 North, Range 66 West, 6th P.M., and to pool all nonconsenting interests in said unit, for the development and operation of the Codell, Niobrara, and "J" Sand Formations.

Cause No. 407, Docket No. 1001-UP-03, 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 S½ NW¼ and N½ SW¼ of Section 14, Township 5 North, Range 67 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. 1001-UP-04, Wattenberg Field, Weld County

Applicant: Petro-Canada Resources (USA) Inc.

Attorney: Michael J. Wozniak/ Andrew Bremner

Subject: Request for an order to establish an approximate 160-acre wellbore spacing unit consisting of the NE¼ of Section 28, Township 4 North, Range 68 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. 139, Docket No. 1001-UP-05, Rulison Field, Garfield County

Applicant: Larimer Energy II, LLC

Attorney: Michael J. Wozniak/ Andrew Bremner

Subject: Request for an order to establish an approximate 80-acre laydown drilling and spacing unit consisting of the S½ SW¼ of Section 8, Township 7 South, Range 93 West, 6th P.M., and to pool all nonconsenting interests in said unit, for the development and operation of the Williams Fork Formation.

Cause No. 139, Docket No. 1001-UP-06, Rulison Field, Garfield County

Applicant: Larimer Energy II, LLC

Attorney: Michael J. Wozniak/ Andrew Bremner

Subject: Request for an order to establish an approximate 200.04-acre drilling and spacing unit consisting of Lot 1 and the NE¼ NW¼, W½ NE¼, and NE¼ NE¼ of Section 18, Township 7 South, Range 93 West, 6th P.M., and to pool all nonconsenting interests in said unit, for the development and operation of the Williams Fork Formation.

Cause No. 407, Docket No. 1001-UP-07, 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 N½ NW¼ of Section 1, Township 5 North, Range 65 West, 6th P.M. and the S½ SW¼ 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.

Cause No. 407, Docket No. 1001-UP-08, 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 NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 5 North, Range 65 West, 6th P.M. and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ 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.

Cause No. 407, Docket No. 1001-UP-10, 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 N $\frac{1}{2}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 36, Township 5 North, Range 64 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. 1001-UP-11, 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 NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 5 North, Range 65 West, 6th P.M. and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35 and the SW $\frac{1}{4}$ 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.

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

Applicant: Antero Resources Piceance Corporation

Attorney: William A. Keefe

Subject: Request for an order to vacate drilling and spacing units established in *Order 191-55*, and establish one 240-acre drilling and spacing unit consisting of the SE $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 13, Township 6 South, Range 93 West, 6th P.M., for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations.

Cause No. 191, Docket No. 1001-SP-03, Mamm Creek Field, Garfield County

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

Subject: Request for an order to reaffirm Order 191-55 in the establishment of an approximate 320-acre drilling and spacing unit consisting of N½ of Section 13, Township 6 South, Range 92 West, 6th P.M., for the production of gas and associated hydrocarbons from the Williams Fork and Iles Formations.

⌚ 11:30 a.m.

Executive Session

- *Grand Valley Citizens Alliance v. COGCC*
- *COGA v. COGCC*
- *Confidentiality of records pursuant to Section 34-60-106(1)(b), C.R.S.*

⌚ 12:00 p.m.

Lunch

⌚ 1:00 p.m.

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

Applicant: Noble Energy, Inc.
Attorney: Andrew Bremner

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.

⌚ 1:15 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.

⌚ TBD

Hearing Adjourns

CONTINUED, WITHDRAWN AND DISMISSED MATTERS

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 E½ SE¼ of Section 35 and the W½ SW¼ of Section 36, Township 6 North, Range 65 West, 6th P.M., and to pool all nonconsenting interests in said unit.

Comments: Continued to the February hearing.

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 2010 Commission hearing.

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: The Hearing Officer continued this matter to the February 2010 Commission hearing to allow for consultation with the DOW and CDPHE as is required by Rule 306.

Cause No. 510, Docket No. 0910-GA-07, Rulison Field, Garfield County

Applicant: Puckett Land Company

Representative: Karen LeBaron/Raymond Anderson

Applicants: Craig Hayward, Kristy Koeneke, and Judith Hayward

Attorney: John L. Watson

Subject: Request for Commission hearing, under Rule 325, on application by Noble Energy, Inc. to complete the Parachute Ranch Federal #35-31C Well as a water disposal well ("WDW") in the Iles Formation.

Respondent: Noble Energy, Inc.

Attorney: Michael J. Wozniak

Comments: Continued from October 2009 Commission hearing until January 2010 Commission hearing to provide additional notice period to affected parties. On January 4, 2010, Puckett Land Company, by its representative, filed a letter withdrawing its protest to the WDW application. On January 5, 2010, Craig Hayward, Christy Koeneke, and Judith Hayward, by their attorney, filed a letter withdrawing their protest to the application. Therefore, the hearing matter has been dismissed, and Noble's application to complete the Parachute Ranch Federal #35-31C Well as a WDW in the Iles Formation will be considered in due course by the COGCC Engineering Staff.