

<p>IN THE MATTER OF THE APPLICATION OF GREAT WESTERN OPERATING COMPANY, LLC FOR AN ORDER TO POOL ALL INTERESTS IN AN APPROXIMATE 640-ACRE DRILLING AND SPACING UNIT ESTABLISHED FOR THE E1/2 OF SECTIONS 2, AND 11, TOWNSHIP 1 SOUTH, RANGE 68 WEST, 6<sup>TH</sup> P.M. FOR THE DRILLING OF 12 HORIZONTAL WELLS FOR THE CODELL AND NIOBRARA FORMATIONS. WATTENBURG FIELD, ADAMS COUNTY, COLORADO</p>	<p>CAUSE NO. 407 DOCKET NO. 190900569 TYPE: POOLING</p>
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**AMENDED PROTEST OF FORCED POOLING APPLICATION**

Stacy and Eric Lambright pursuant to COGCC Rule 509, respectfully request that they be allowed to protest the forced pooling of its minerals and be granted 30 days to respond to Great Western’s election letter.

**I. DESCRIPTION OF THE AFFECTED INTEREST**

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1. Range 68 West (the “Application Lands”) and therefore have standing pursuant to COGCC Rules to protest Docket No. 190900569, Great Western’s pooling application (the “Application”).

The Lambrights request that any hearing or Commission decision regarding this site and the development of these minerals be halted until due diligence regarding mineral rights is completed and proper notice is received by all mineral owners and lessees

2. The Lambrights are concerned with Great Western’s lack of due diligence in protecting their mineral rights and ensuring that residential oil and gas operations do not endanger the health, safety, and environmental resources of their neighborhood and community.

3. In its spacing and drilling unit applications, Great Western has requested that the Commission approve up to 12 wells in proximity to several residential areas in urban growth areas of Unincorporated Adams County.

**II. LEGAL BASIS FOR THE PROTEST**

4. The operator has failed to offer unleased mineral owners in the Application Lands a “reasonable offer to lease” as required by 34-60-116, C.R.S. and COGCC Rule 530.c.

5. Great Western purported to send forced pooling election letters to the Lambrights, but no letters or leasing offers were received.

6. Based on receiving Docket No. 190900569, the Lambrights assume they have unleased minerals within the Application Lands. Lambrights have documented conversations with Great Western employee, who indicated they were mineral owners but then indicated he “wasn’t sure” and would have their Layman contact them. Great Western did not follow up.

7. The Lambrights never received a leasing offer; therefore, the Lambrights did not receive an application to lease 90 days before the stated hearing. The packet was received on July 26, 2019, and the hearing is set for September 25-26, 2019.

8. It is widely recognized that current market conditions are not favorable to the owner of mineral interests. The Lambrights do not find it economically beneficial to move forward with development of its mineral interests at this time.

9. The Lambrights believe granting the Application will cause waste, as well as the drilling of unnecessary wells, will not protect correlative rights, and will endanger the health, safety, and welfare of the many residents who live in the drilling and spacing unit and the surrounding area, and cause irreparable environmental damage.

### **III. RELIEF REQUESTED**

10. The Lambrights request that the Commission direct the operator to send out reasonable, proper, and compliant election letters and allow 60 days to respond to any lease offer.

11. The Lambrights request that any hearing on the Application be held in Adams County or Denver no earlier than 30 days after any pre-hearing processes have been completed.

12. The Lambrights request that the Commission accept them as protestant in the above-referenced cause and docket number and allow its full participation in the hearing.

13. These mineral owners were not offered a current reasonable lease and should have been by the operator.

14. The Lambrights request that Great Western be required to conduct due diligence in discerning and correcting all mineral ownership and leasing rights.

15. The Lambrights request that any hearing or Commission decision regarding this site and the development of these minerals be halted until due diligence regarding mineral rights is completed and proper notice is received by all mineral owners and lessees.

16. Ultimately, the Lambrights request that the Commission deny the Application and enter such other findings and orders as the Commission may deem proper or advisable in this matter.

### **IV. PROPOSED EVIDENCE AND WITNESSES**

The Lambrights will present at least the following evidence:

1. The packet sent by Great Western.
2. Documentation of outreach and interaction with Great Western since receipt of the packet.

## **V. RESERVATION OF RIGHTS**

The Lambrights reserve the right to supplement a list of witnesses and experts as necessary.

The Lambrights reserve all rights to supplement this Protest with additional information

## **VI. TIME NEEDED**

## **VII. REQUEST FOR NOTICE**

17. Protestants respectfully requests that they be provided with a complete list of all interested parties in this Docket.

## **VIII. CONCLUSION**

WHEREFORE, The Lambrights respectfully request that the Commission allow its amended protest of the Application as described above.

Respectfully submitted, this 26<sup>th</sup> day of August 2019.

Eric and Stacy Lambright

1885 E 166<sup>th</sup> Ave

Thornton, CO 80602

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 26th day of August 2019, a true and correct copy of the foregoing AMENDED PROTEST OF FORCED POOLING APPLICATION was served on the following parties via electronic mail:

IN Colorado Oil and Gas Conservation Commission

Cogcc.Hearings\_Unit@state.co.us

Great Western Operating Company, LLC  
c/o Jamie L. Jost  
Kelsey H. Wasylenky

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*See* DOCKET NO. 190900569

*Pro se* protestants: Eric & Stacy Lambright –[stacylambright@gmail.com](mailto:stacylambright@gmail.com)