



**APPLICATION FOR COMMINGLING OF PRODUCTION (K.A.R. 82-3-123) OR FLUIDS (K.A.R. 82-3-123a)** *Commingling ID # \_\_\_\_\_*

OPERATOR: License # \_\_\_\_\_ API No. 15 - \_\_\_\_\_  
Name: \_\_\_\_\_ Spot Description: \_\_\_\_\_  
Address 1: \_\_\_\_\_ - - - - - Sec. \_\_\_\_\_ Twp. \_\_\_\_\_ S. R. \_\_\_\_\_  East  West  
Address 2: \_\_\_\_\_ Feet from  North /  South Line of Section  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ + \_\_\_\_\_ Feet from  East /  West Line of Section  
Contact Person: \_\_\_\_\_ County: \_\_\_\_\_  
Phone: ( \_\_\_\_\_ ) \_\_\_\_\_ Lease Name: \_\_\_\_\_ Well #: \_\_\_\_\_

1. Name and upper and lower limit of each production interval to be commingled:  
Formation: \_\_\_\_\_ (Perfs): \_\_\_\_\_  
Formation: \_\_\_\_\_ (Perfs): \_\_\_\_\_  
Formation: \_\_\_\_\_ (Perfs): \_\_\_\_\_  
Formation: \_\_\_\_\_ (Perfs): \_\_\_\_\_  
Formation: \_\_\_\_\_ (Perfs): \_\_\_\_\_

2. Estimated amount of fluid production to be commingled from each interval:  
Formation: \_\_\_\_\_ BOPD: \_\_\_\_\_ MCFPD: \_\_\_\_\_ BWPD: \_\_\_\_\_  
Formation: \_\_\_\_\_ BOPD: \_\_\_\_\_ MCFPD: \_\_\_\_\_ BWPD: \_\_\_\_\_  
Formation: \_\_\_\_\_ BOPD: \_\_\_\_\_ MCFPD: \_\_\_\_\_ BWPD: \_\_\_\_\_  
Formation: \_\_\_\_\_ BOPD: \_\_\_\_\_ MCFPD: \_\_\_\_\_ BWPD: \_\_\_\_\_  
Formation: \_\_\_\_\_ BOPD: \_\_\_\_\_ MCFPD: \_\_\_\_\_ BWPD: \_\_\_\_\_

3. Plat map showing the location of the subject well, all other wells on the subject lease, and all wells on offsetting leases within a 1/2 mile radius of the subject well, and for each well the names and addresses of the lessee of record or operator.

4. Signed certificate showing service of the application and affidavit of publication as required in K.A.R. 82-3-135a.

**For Commingling of PRODUCTION ONLY, include the following:**

- 5. Wireline log of subject well. Previously Filed with ACO-1:  Yes  No
- 6. Complete Form ACO-1 (*Well Completion form*) for the subject well.

**For Commingling of FLUIDS ONLY, include the following:**

- 7. Well construction diagram of subject well.
- 8. Any available water chemistry data demonstrating the compatibility of the fluids to be commingled.

**AFFIDAVIT:** I am the affiant and hereby certify that to the best of my current information, knowledge and personal belief, this request for commingling is true and proper and I have no information or knowledge, which is inconsistent with the information supplied in this application.

**Submitted Electronically**

**KCC Office Use Only**  
 Denied  Approved  
15-Day Periods Ends: \_\_\_\_\_  
Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

*Protests may be filed by any party having a valid interest in the application. Protests must be in writing and comply with K.A.R. 82-3-135b and must be filed within 15 days of publication of the notice of application.*

**AFFIDAVIT OF NOTICE SERVED**

RE: Application for: MERIT ENERGY COMPANY, LLC

Well Name: Cundiff A-3

Legal Location: NW-SW-NE-SW 10-23-34W Finney Co, KS

The undersigned hereby certifies that he/she is a duly authorized agent for the applicant, and that on the 26<sup>th</sup> day of August, 2015, a true and correct copy of the application referenced above was delivered or mailed to the following parties:

NOTE: A copy of this affidavit must be served as a part of the application.

**Name & Address:**

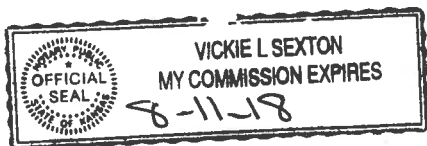
(attach additional sheets if necessary).

The Garden City Company -- Surface Owner  
PO Box 597  
Garden City, Kansas 67846

Merit Energy Company, LLC  
PO Box 1293  
Liberal, KS 67905

Linn Operating, Inc.  
600 Travis Ste 4900  
Houston, TX 77002

Signed this 26th day of August, 2015.



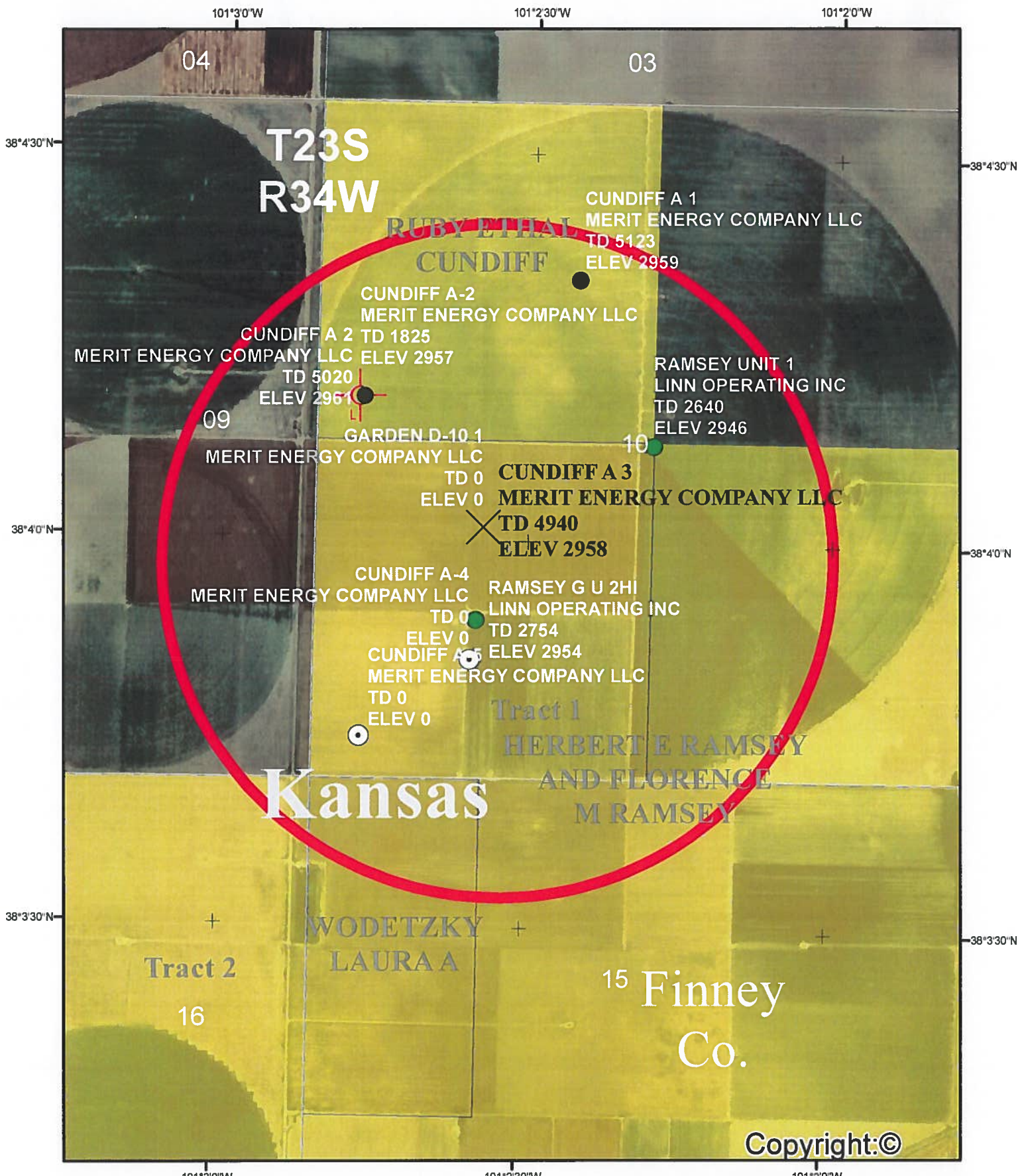
\_\_\_\_\_  
Idania B. Medina  
Applicant or Duly Authorized Agent

Subscribed and sworn to before me this 26th day of August, 2015.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 8-11-18

Protests may be filed by any party having a valid interest in the application. Petitions for protests shall be in writing and shall clearly identify the name and address of the protestant and the title of the application. The petition shall include a clear and concise statement of the direct and substantial interest of the protestant in the proceedings, including the manner in which the protestant may be affected, and the nature, extent, character and grounds of the protest. Protestants shall serve the protest upon the applicant by mail or personal service at the same time or before the protestant files the protest with the Conservation Division.



● OIL: OIL-WO	○ AT-TD	◻ CUNDIFF_A3BUFR
● GAS	✱ D&A-OG	◻ MERIT LEASEHOLD
✕ AB-LOC	⊕ J&A	
⊙ ABD-OW	⊙ PERMIT	

0 500 1,000 Feet

**M**  
MERIT ENERGY COMPANY  
CUNDIFF A-3  
W/ 1/2 MILE BUFFER  
FINNEY CO., KANSAS

Map by: Richard Norzagaray      Scale: 1:12,000  
Date: AUG 03, 2015  
Projection: State Plane Kansas South NAD 27

**AFFIDAVIT**

STATE OF KANSAS \
- SS.
County of Sedgwick /

Ad # 0001876860

Mark Fletchall, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle for 2 issues, that the first publication of said notice was

made as aforesaid on the **4th**

**August** A.D. **2015**, with

subsequent publications being made on the following dates:

N/A

And affiant further says that he has personal knowledge of the statements above set forth and that they are true.

*Mark Fletchall*

Subscribed and sworn to before me this

5<sup>th</sup> day of August 2015

JENNIFER RAE BAILEY
Notary Public - State of Kansas
My Appt. Expires 6/12/17

*JRB*

Notary Public Sedgwick County, Kansas

Printer's Fee : \$293.50

BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS NOTICE OF FILING APPLICATION
RE: Merit Energy Company. Application for order to commingle Kansas City, Marmaton, & Cherokee resources of supply in Cundiff A-3 well, located in Sec. 10-23-34W, Finney County, Kansas.
TO: All Oil and Gas Producers, Unleased Minerals Interest Owners, Landowners, and all persons whosoever concerned.
You, and each of you, are hereby notified that Merit Energy Company has filed an application to commingle the production from the Kansas City, Marmaton, & Cherokee resources of supply in the Cundiff A-3 well, located in the NW-SW-NE-SW of Sec 10 Twp 23S R 34W in Finney County, Kansas.
Any persons who object to or protest this application shall be required to file their objections or protests with the Conservation Division of the State Corporation Commission of the State of Kansas within fifteen (15) days from the date of this publication. These protests shall be filed pursuant to Commission regulations and must state specific reasons why the grant of the application may cause waste, violate correlative rights or pollute the natural resources of the State of Kansas. If no protests are received, this application may be granted through a summary proceeding. If valid protests are received, this matter will be set for hearing.
All persons interested or concerned shall take notice of the foregoing and shall govern themselves accordingly.
Merit Energy Company
P.O. Box 1293
Liberal, KS 67905
(620)-629-4200



# Proof Of Publication

## State Of Kansas - Finney County

Dena A. Sattler, being first duly sworn, deposes and says that she is publisher of THE GARDEN CITY TELEGRAM, a weekly newspaper printed in the State of Kansas and published in and of general circulation in Finney County, Kansas, on a weekly basis in Finney County, Kansas, and that said newspaper is not a trade, religious, or fraternal publication.

THAT said newspaper is daily published at least weekly fifty (50) times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five (5) years prior to the first publication of said notice.

THAT the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive days/weeks. The first (1st) publication thereof being made as aforesaid on the 15 day of August, 2015.

With subsequent publications being made on the following dates:

2<sup>nd</sup> Publication made on the \_\_\_\_\_ day of \_\_\_\_\_ .20  
 3<sup>rd</sup> Publication made on the \_\_\_\_\_ day of \_\_\_\_\_ .20  
 4<sup>th</sup> Publication made on the \_\_\_\_\_ day of \_\_\_\_\_ .20

Publication Fee: \$ 55.40

Affidavits (Additional Copies): @ \$5 each \$ 0

Total Publication Fee: \$ 55.40

Sign

*Dena A. Sattler*

Witness my hand this 25<sup>th</sup> day of Aug

2015

SUBSCRIBED AND SWORN before me this 25<sup>th</sup> day of August, 2015.

*[Signature]*

(Notary Public)

My commission expires 11-25-17

Legal Invoice #

241636

(PUBLISHED in The Garden City Telegram Saturday August 1, 2015.)

BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS  
 NOTICE OF FILING APPLICATION

RE: Merit Energy Company. Application for order to commingle Kansas City, Marmaton, & Cherokee resources of supply in Cundiff A-3 well, located in Sec. 10-23-34W, Finney County, Kansas.

TO: All Oil and Gas Producers, Unleased Minerals Interest Owners, Landowners, and all persons whosever concerned.

You, and each of you, are hereby notified that Merit Energy Company has filed an application to commingle the production from the Kansas City, Marmaton, & Cherokee resources of supply in the Cundiff A-3 well, located in the NW-SW-NE-SW of Sec 10 Twp 23S R 34W in Finney County, Kansas.

Any persons who object to or protest this application shall be required to file their objections or protests with the Conservation Division of the State Corporation Commission of the State of Kansas within fifteen (15) days from the date of this publication. These protests shall be filed pursuant to Commission regulations and must state specific reasons why the grant of the application may cause waste, violate correlative rights or pollute the natural resources of the State of Kansas. If no protests are received, this application may be granted through a summary proceeding. If valid protests are received, this matter will be set for hearing.

All persons interested or concerned shall take notice of the foregoing and shall govern themselves accordingly.

Merit Energy Company  
 P.O. Box 1293  
 Liberal, KS 67905  
 (620)-629-4200

241636

NOTARY PUBLIC - State of Kansas  
**NANCY MILLER**  
 My Appt. Exp 11-25-17

Conservation Division  
266 N. Main St., Ste. 220  
Wichita, KS 67202-1513



Phone: 316-337-6200  
Fax: 316-337-6211  
<http://kcc.ks.gov/>

Shari Feist Albrecht, Chair  
Jay Scott Emler, Commissioner  
Pat Apple, Commissioner

Sam Brownback, Governor

September 10, 2015

Idania Medina  
Merit Energy Company  
13727 Noel Rd Ste 1200  
Dallas, TX 75240

RE: Approved Commingling CO081505  
Cundiff A 3  
API No. 15-055-22329-00-01

Dear Ms. Medina:

Your Application for Commingling (ACO-4) for the above described well has been reviewed and approved by the Kansas Corporation Commission (KCC) per K.A.R. 82-3-123. Notice was examined and found to be proper per K.A.R. 82-3-135a. No protest had been filed within the 15-day protest period.

Based upon the depth of the Cherokee formation perforations, total oil production shall not exceed 200 BOPD and total gas production shall not exceed 50% of the absolute open flow (AOF).

Sincerely,

Rick Hestermann  
Production Department