



**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: Brown E-1  
Legal Location: NW-NW-NE-SE 35-32S-43W Morton Co, KS

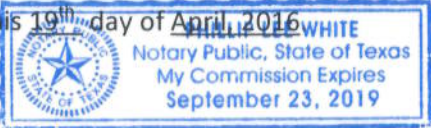
The undersigned hereby certifies that he/she is a duly authorized agent for the applicant, and that on the 19<sup>th</sup> day of April 2016, a true and correct copy of the application referenced above was delivered or mailed to the following parties:


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

Name:  
John B. Smith Trust, Etal (Surface Owner)  
PO Box 129  
Elkhart, Ks 67950-0129

Merit Energy Company, LLC  
P.O. Box 1293  
Liberal, KS 67905

**No Offset Operators**

Signed this 19<sup>th</sup> day of April, 2016  


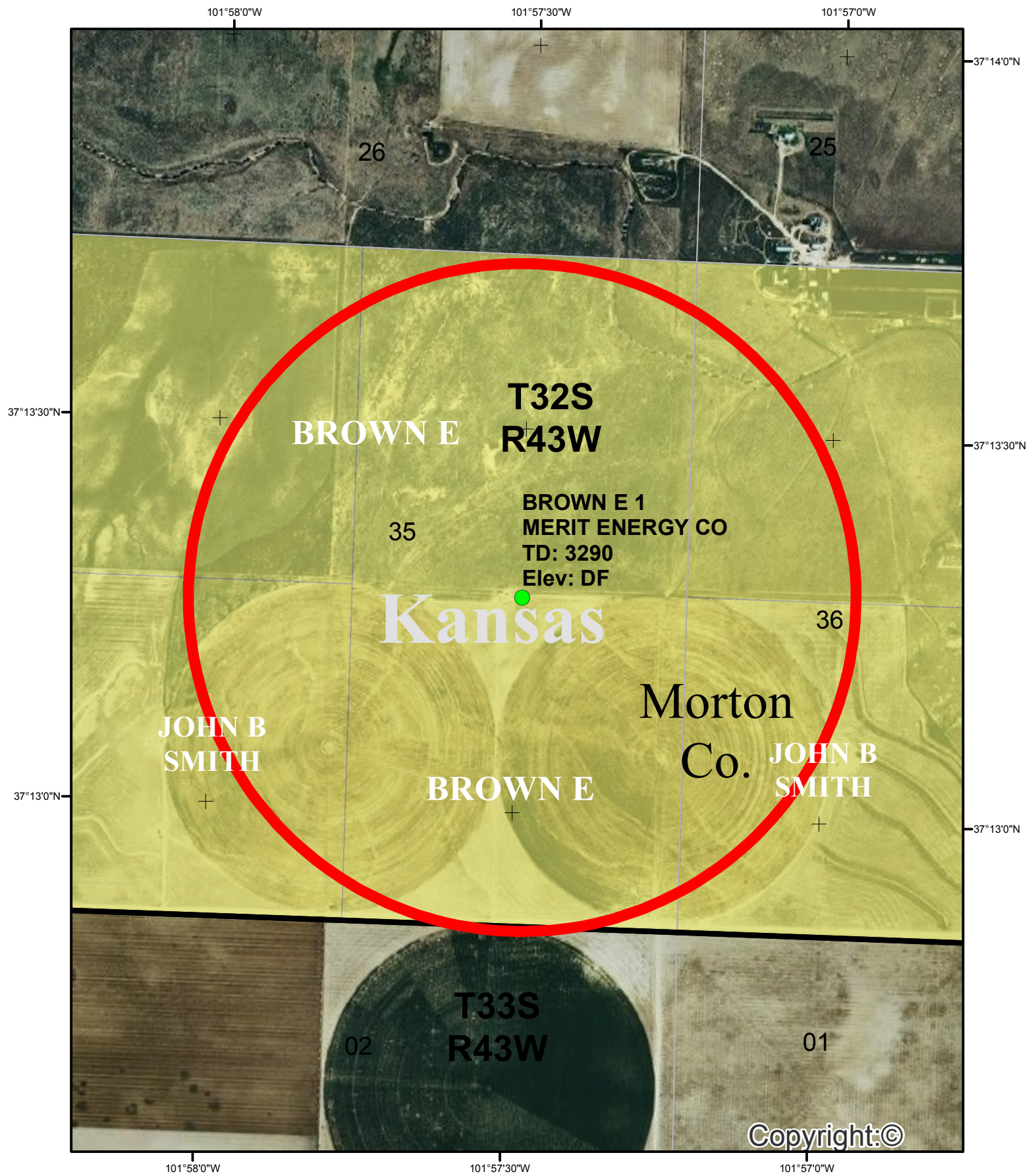
  
Katherine McClurkan  
Applicant or Duly Authorized Agent

Subscribed and sworn to before me this 19<sup>th</sup> day of April, 2016

  
Notary Public

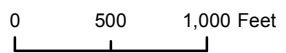
My Commission Expires: September 23, 2019

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.



Copyright:©

- OIL
- GAS
- Half Mile Buffer
- Merit Leasehold
- World Imagery



	<b>MERIT ENERGY COMPANY</b> <b>BROWN E 1</b> with <b>1/2 MILE BUFFER</b>
	Map by: Richard Norzagaray Morton Co, Kansas Date: APR 15, 2016 Scale: 1:12,000 Projection: State Plane Kansas South NAD 27



# LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
457658	0002395642	BEFORE THE STATE CORPORATION CO		\$343.19	1	57

**Attention:**

MERIT ENERGY CORPORATION  
1701 N. KANSAS  
LIBERAL, KS 67905

In The STATE OF KANSAS  
In and for the County of Sedgwick  
AFFIDAVIT OF PUBLICATION

1 Insertions

Beginning issue of: 04/16/2016

Ending issue of: 04/16/2016

STATE OF KANSAS)  
.SS  
County of Sedgwick)

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

RE: Merit Energy Company Application for order to commingle Wabaunsee and the Topeka sources of supply in the following wells:

Brown E-1 located in Sec. 35-32S-43W, Morton County, Kansas.  
Smith R-1 located in Sec. 36-32S-43W, Morton County, Kansas.  
Smith R-3 located in Sec. 36-32S-43W, Morton County, Kansas.

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

You, and each of you, are hereby notified that Merit Energy Company has filed an application to commingle the production from the Wabaunsee and Topeka sources of supply in the above referenced wells in Morton 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  
Katherine McClurkin  
13727 Noel Road, Suite 1200  
Dallas, TX 75240  
(972)-628-1660

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 from 4/16/2016 to 04/16/2016.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

*Mark Fletchall*

(Signature of Principal Clerk)  
DATED: 4/18/2016

*J. Bailey*  
Notary Public Sedgwick County, Kansas

JENNIFER RAE BAILEY  
Notary Public - State of Kansas  
My Appt Expires 6/1/17



**Proof of Publication**

APPLICATION TO  
COMMINGLE WABAUNSEE  
AND TOPEKA SOURCES OF  
SUPPLY

Publication Fee \$ 65.80

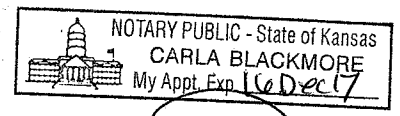
**Clifford Blackmore**

Being first duly sworn, deposes and says: that he is the Publisher of the ELKHART TRI-STATE NEWS, a weekly newspaper published in the State of Kansas, with a general paid circulation on a weekly basis in Morton County, Kansas, and that said newspaper is not a trade, religious or fraternal publication. Said newspaper is a weekly, published at least 50 times a year; and has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the Post Office of Elkhart in said County as second class matter. That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper, publications thereof being made as aforesaid on the following dates:

<u>4/21</u>	<u>20</u>	<u>16</u>	<u>20</u>
<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>

*Clifford Blackmore*

Subscribed and Sworn to before me this  
21 day of APRIL 20 16



*Carla Blackmore*

Approved \_\_\_\_\_ 20 \_\_\_\_\_

Clerk or Judge

**Legal Notice**

First published in the Elkhart Tri-State News, Thursday, April 21, 2016.

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

RE: Merit Energy Company Application for order to commingle Wabaunsee and the Topeka sources of supply in the following wells:

- Brown E-1 located in Sec. 35-32S-43W, Morton County, Kansas.
- Smith R-1 located in Sec. 36-32S-43W, Morton County, Kansas.
- Smith R-3 located in Sec. 36-32S-43W, Morton County, Kansas.

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

You and each of you, are hereby notified that Merit Energy Company has filed an application to commingle the production from the Wabaunsee and Topeka sources of supply in the above referenced wells in Morton 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  
Katherine McClurkan  
13727 Noel Road, Suite 1200  
Dallas, TX 75240  
(972)-628-1660

**Legal Notice**

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



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

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

Sam Brownback, Governor

May 6, 2016

Katherine McClurkan  
Merit Energy Company  
13727 Noel Rd Ste 1200  
Dallas, TX 75240

RE: Approved Commingling CO041603  
Brown E 1  
API No. 15-129-10000-00-01

Dear Ms. McClurkan:

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 Topeka formation perforations, total oil production shall not exceed 100 BOPD and total gas production shall not exceed 50% of the absolute open flow (AOF).

File form ACO-1 upon re-completion of the well to commingle.

Sincerely,

Rick Hestermann  
Production Department