



**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:**

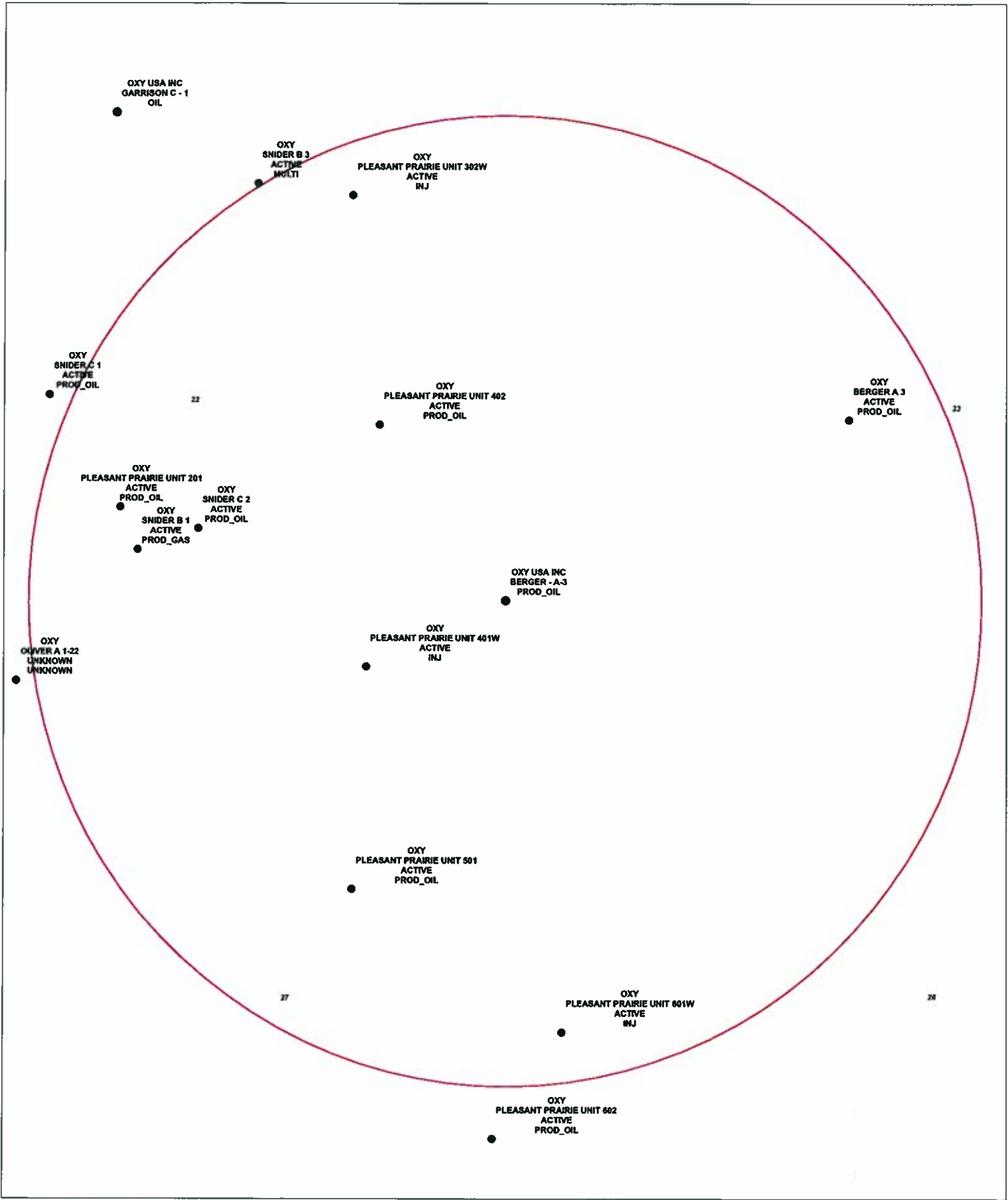
- 7. Well construction diagram of subject well.
- 8. Any available water chemistry data demonstrating the compatibility of the fluids to be commingled.

**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.*



**Legend**

- OXY USA INC
- 1/2 MILE BUFFER



**Mid-Continent**  
SURFACE MAP

Berger A-3  
SE 22-27S-34W  
1003 FSL 1932FEL

Prepared By	Drawn By	Checked By	Company Number
Scale	Date	Scale	
Revised	Revised	Revised	

**AFFIDAVIT OF NOTICE SERVED**

RE: Application for : OXY USA Inc.

Well Name: Berger A-3 Legal Location NW NE SW SE Sec. 22-T27S-R34W

The undersigned hereby certifies that he/she is a duly authorized agent for the applicant, and that on the 25th day of October, 2011, 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.)

CFS LLC (Surface Owner)  
Oxy USA, Inc.

P.O. Box 1003, Ulysses, KS 67880  
P.O. Box 2528, Liberal, KS 67905

Signed this 25th day of October, 2011.

Laura Beth Hickert  
Laura Beth Hickert  
Applicant or Duly Authorized Agent

Subscribed and sworn to before me this 25th day of October, 2011

Kathleen R. Poulton  
Notary Public

My Commission Expires: November 8, 2014

*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 protests upon the applicant by mail or personal service at the same time or before the Protestant files the protest with the Conservation Division.*



**AFFIDAVIT**

STATE OF KANSAS \  
- SS.  
County of Sedgwick /

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   1   issues, that the first publication of said notice was

made as aforesaid on the 17th of

October A.D. 2011, with

subsequent publications being made on the following dates:

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

17th day of October, 2011



*Penny L. Case*

Notary Public Sedgwick County, Kansas

Printer's Fee : \$113.20

**LEGAL PUBLICATION**  
PUBLISHED IN THE WICHITA EAGLE  
OCTOBER 17, 2011 (3147908)  
**BEFORE THE STATE CORPORATION  
COMMISSION OF THE STATE  
OF KANSAS**  
**NOTICE OF FILING APPLICATION**  
RE: OXY USA Inc. Application for order to commingle Morrow and St. Genevieve sources of supply in Berger A-3 well, located in Sec. 22 Twp 27S R 34W, Haskell 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 OXY USA Inc. has filed an application to commingle the production from the Morrow and St. Genevieve sources of supply in the Berger A-3 well, located in the SE/4 of Sec. 22 Twp 27S R 34W in Haskell 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.  
OXY USA Inc.  
P.O. Box 2528  
Liberal, KS 67905  
(620)-629-4200

# Proof of Publication

STATE OF KANSAS  
COUNTY OF HASKELL

SS.

Rolf Jungelas

being first duly sworn, deposes and says that he/she is editor of **THE HASKELL COUNTY MONITOR-CHIEF**, a weekly newspaper printed in the State of Kansas and published in and of general circulation in Haskell County, Kansas, with a general paid circulation on a weekly basis in Haskell County, Kansas and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly, published at least weekly 50 times a year; 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 Sublette 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 for 1 consecutive week(s). The first publication thereof being made as aforesaid on the

19 day of Oct, 20 11,  
with subsequent publications being made on the following dates:

\_\_\_\_\_, 20 \_\_\_\_  
\_\_\_\_\_, 20 \_\_\_\_  
\_\_\_\_\_, 20 \_\_\_\_  
\_\_\_\_\_, 20 \_\_\_\_  
\_\_\_\_\_, 20 \_\_\_\_

(Sign) Rolf Jungelas  
Witness my hand this 19 day of Oct, 20 11

Kelly C Anderson  
(Notary Public)

My commission expires 2-7-2014  
Publication fee \$ 50.40  
Affidavit,  
Notary's Fee \$ \_\_\_\_\_  
Additional Copies \$ \_\_\_\_\_

Total Fee 50.40  
KELLY C. ANDERSON  
Notary Public - State of Kansas  
(Seal) Expires February 7, 2014

(Published in the Haskell County Monitor-Chief on Wednesday, October 19, 2011.)  
**BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS**  
**NOTICE OF FILING APPLICATION**  
RE: OXY USA Inc. Application for order to commingle Morrow and St. Genevieve sources of supply in Berger A-3 well, located in Sec. 22 Twp 27S R 34W, Haskell 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 OXY USA Inc. has filed an application to commingle the production from the Morrow and St. Genevieve sources of supply in the Berger A-3 well, located in the SE/4 of Sec. 22 Twp 27S R 34W in Haskell 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.  
OXY USA Inc.  
P.O. Box 2528  
Liberal, KS 67905  
(620)-629-4200



**CONFIDENTIAL**

**WELL COMPLETION FORM**

**WELL HISTORY - DESCRIPTION OF WELL & LEASE**

OPERATOR: License # 5447  
Name: OXY USA Inc.  
Address 1: 5 E GREENWAY PLZ  
Address 2: PO BOX 27570  
City: HOUSTON State: TX Zip: 77227 + 7570  
Contact Person: LAURA BETH HICKERT  
Phone: ( 620 ) 629-4253  
CONTRACTOR: License # 33784  
Name: Trinidad Drilling Limited Partnership  
Wellsite Geologist: N/A  
Purchaser: \_\_\_\_\_

Designate Type of Completion:

- New Well     Re-Entry     Workover
- Oil     WSW     SWD     SLOW  
 Gas     D&A     ENHR     SIGW  
 OG     GSW     Temp. Abd.  
 CM (Coal Bed Methane)  
 Cathodic     Other (Core, Expl., etc.): \_\_\_\_\_

If Workover/Re-entry: Old Well Info as follows:

Operator: \_\_\_\_\_  
Well Name: \_\_\_\_\_  
Original Comp. Date: \_\_\_\_\_ Original Total Depth: \_\_\_\_\_  
 Deepening     Re-perf.     Conv. to ENHR     Conv. to SWD  
 Conv. to GSW  
 Plug Back: \_\_\_\_\_ Plug Back Total Depth  
 Commingled    Permit #: \_\_\_\_\_  
 Dual Completion    Permit #: \_\_\_\_\_  
 SWD    Permit #: \_\_\_\_\_  
 ENHR    Permit #: \_\_\_\_\_  
 GSW    Permit #: \_\_\_\_\_

<u>05/23/2011</u>	<u>05/27/2011</u>	<u>06/24/2011</u>
Spud Date or Recompletion Date	Date Reached TD	Completion Date or Recompletion Date

API No. 15 - 15-081-21937-00-00

Spot Description: \_\_\_\_\_  
NW NE SW SE Sec. 22 Twp. 27 S. R. 34  East  West  
1003 Feet from  North /  South Line of Section  
1932 Feet from  East /  West Line of Section

Footages Calculated from Nearest Outside Section Corner:

- NE     NW     SE     SW

County: Haskell

Lease Name: BERGER Well #: A-3

Field Name: PLEASANT PRAIRIE

Producing Formation: MORROW, ST. GENEVIEVE

Elevation: Ground: 3019 Kelly Bushing: 3030

Total Depth: 5410 Plug Back Total Depth: 5354

Amount of Surface Pipe Set and Cemented at: 1855 Feet

Multiple Stage Cementing Collar Used?  Yes  No

If yes, show depth set: \_\_\_\_\_ Feet

If Alternate II completion, cement circulated from: \_\_\_\_\_

feet depth to: \_\_\_\_\_ w/ \_\_\_\_\_ sx cmt.

**Drilling Fluid Management Plan**

(Data must be collected from the Reserve Pit)

Chloride content: 2200 ppm Fluid volume: 1200 bbls

Dewatering method used: Evaporated

Location of fluid disposal if hauled offsite:

Operator Name: \_\_\_\_\_

Lease Name: \_\_\_\_\_ License #: \_\_\_\_\_

Quarter \_\_\_\_\_ Sec. \_\_\_\_\_ Twp. \_\_\_\_\_ S. R. \_\_\_\_\_  East  West

County: \_\_\_\_\_ Permit #: \_\_\_\_\_

**AFFIDAVIT**

I am the affiant and I hereby certify that all requirements of the statutes, rules and regulations promulgated to regulate the oil and gas industry have been fully complied with and the statements herein are complete and correct to the best of my knowledge.

Submitted Electronically

**KCC Office Use ONLY**

- Letter of Confidentiality Received  
Date: 09/19/2011
- Confidential Release Date: \_\_\_\_\_
- Wireline Log Received
- Geologist Report Received
- UIC Distribution
- ALT  I  II  III Approved by: NAOMI JAMES Date: 09/21/2011



1063499

Operator Name: OXY USA Inc. Lease Name: BERGER Well #: A-3  
 Sec. 22 Twp. 27 S. R. 34  East  West County: Haskell

**INSTRUCTIONS:** Show important tops and base of formations penetrated. Detail all cores. Report all final copies of drill stems tests giving interval tested, time tool open and closed, flowing and shut-in pressures, whether shut-in pressure reached static level, hydrostatic pressures, bottom hole temperature, fluid recovery, and flow rates if gas to surface test, along with final chart(s). Attach extra sheet if more space is needed. Attach complete copy of all Electric Wire-line Logs surveyed. Attach final geological well site report.

Drill Stem Tests Taken <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>(Attach Additional Sheets)</i>  Samples Sent to Geological Survey <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  Cores Taken <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Electric Log Run <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Electric Log Submitted Electronically <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>(If no, Submit Copy)</i>  List All E. Logs Run: <b>Attached</b>	<input checked="" type="checkbox"/> Log Formation (Top), Depth and Datum <input type="checkbox"/> Sample  Name Top Datum Attached Attached Attached
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CASING RECORD <input checked="" type="checkbox"/> New <input type="checkbox"/> Used							
Report all strings set-conductor, surface, intermediate, production, etc.							
Purpose of String	Size Hole Drilled	Size Casing Set (In O.D.)	Weight Lbs. / Ft.	Setting Depth	Type of Cement	# Sacks Used	Type and Percent Additives
SURFACE	12.25	8.625	24	1855	A-CON/PREM +	600	SEE ATTACHED
PRODUCTION	7.875	5.5	17	5398	50-50 POZ	190	SEE ATTACHED

ADDITIONAL CEMENTING / SQUEEZE RECORD				
Purpose:	Depth Top Bottom	Type of Cement	# Sacks Used	Type and Percent Additives
<input type="checkbox"/> Perforate <input type="checkbox"/> Protect Casing <input type="checkbox"/> Plug Back TD <input type="checkbox"/> Plug Off Zone	-			
	-			

Shots Per Foot	PERFORATION RECORD - Bridge Plugs Set/Type Specify Footage of Each Interval Perforated	Acid, Fracture, Shot, Cement Squeeze Record <i>(Amount and Kind of Material Used)</i>	Depth
6	5132-5139 ST. GENEVIEVE	14 BBL 2% KCL	5132-5139
		ACID: 1400 GAL DS FEHCL	5132-5139
		FLUSH: 1300 GAL 4% KCL	
6	5063-5075 MORROW	12 BBL 4% KCL W/ 1 BAG BACTERIA ADDITIVES	5063-5075

TUBING RECORD: Size: 2.875 Set At: 5200 Packer At: \_\_\_\_\_ Liner Run:  Yes  No

Date of First, Resumed Production, SWD or ENHR: 06/29/2011  
 Producing Method:  Flowing  Pumping  Gas Lift  Other (Explain) \_\_\_\_\_  
 Estimated Production Per 24 Hours: Oil 30 Bbls. Gas 0 Mcf Water 1 Bbls. Gas-Oil Ratio \_\_\_\_\_ Gravity \_\_\_\_\_

DISPOSITION OF GAS: <input type="checkbox"/> Vented <input type="checkbox"/> Sold <input type="checkbox"/> Used on Lease <i>(If vented, Submit ACO-18.)</i>	METHOD OF COMPLETION: <input type="checkbox"/> Open Hole <input checked="" type="checkbox"/> Perf. <input type="checkbox"/> Dually Comp. <input checked="" type="checkbox"/> Commingled <i>(Submit ACO-5) (Submit ACO-4)</i> <input type="checkbox"/> Other (Specify) _____	PRODUCTION INTERVAL: <u>MORROW,</u> <u>ST. GENEVIEVE</u>
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Form	ACO1 - Well Completion
Operator	OXY USA Inc.
Well Name	BERGER A-3
Doc ID	1063499

All Electric Logs Run

MICROLOG
CEMENT BOND LOG
ARRAY COMPENSATED TRUE RESISTIVITY
SPECTRAL DENSITY DUAL SPACED NEUTRON



Form	ACO1 - Well Completion
Operator	OXY USA Inc.
Well Name	BERGER A-3
Doc ID	1063499

Tops

Name	Top	Datum
HEEBNER	3952	
TORONTO	3968	
LANSING	3998	
MARMATON	4581	
ATOKA	4956	
MORROW	5013	
CHESTER	5080	
ST. GENEVIEVE	5116	

November 9, 2011

Laura Beth Hickert  
OXY USA, Inc.  
5 E Greenway PLZ  
Houston, TX 77227-7570

RE: Approved Commingling CO101108  
Berger A-3, Sec.22-T27S-R34W, Haskell County  
API No. 15-081-21937-00-00

Dear Ms. Hickert:

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. This application, which was received by the KCC on October 25, 2011 concerns approval to simultaneously produce from the following sources of supply through the same tubing string in the same wellbore:

Source of Supply	Estimated Current Production			Perf Depth
	BOPD	MCFPD	BWPD	
St. Genevieve	20	0	0.66	5132-5139
Morrow	10	0	0.34	5063-5075
Total Estimated Current Production	30.0	0	1.00	

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

Commingling ID number CO101108 has been assigned to this approved application. Use this number for well completion reports (ACO-1) and other correspondence that may concern this approved commingling.

Sincerely,

Rick Hestermann  
Production Department