



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

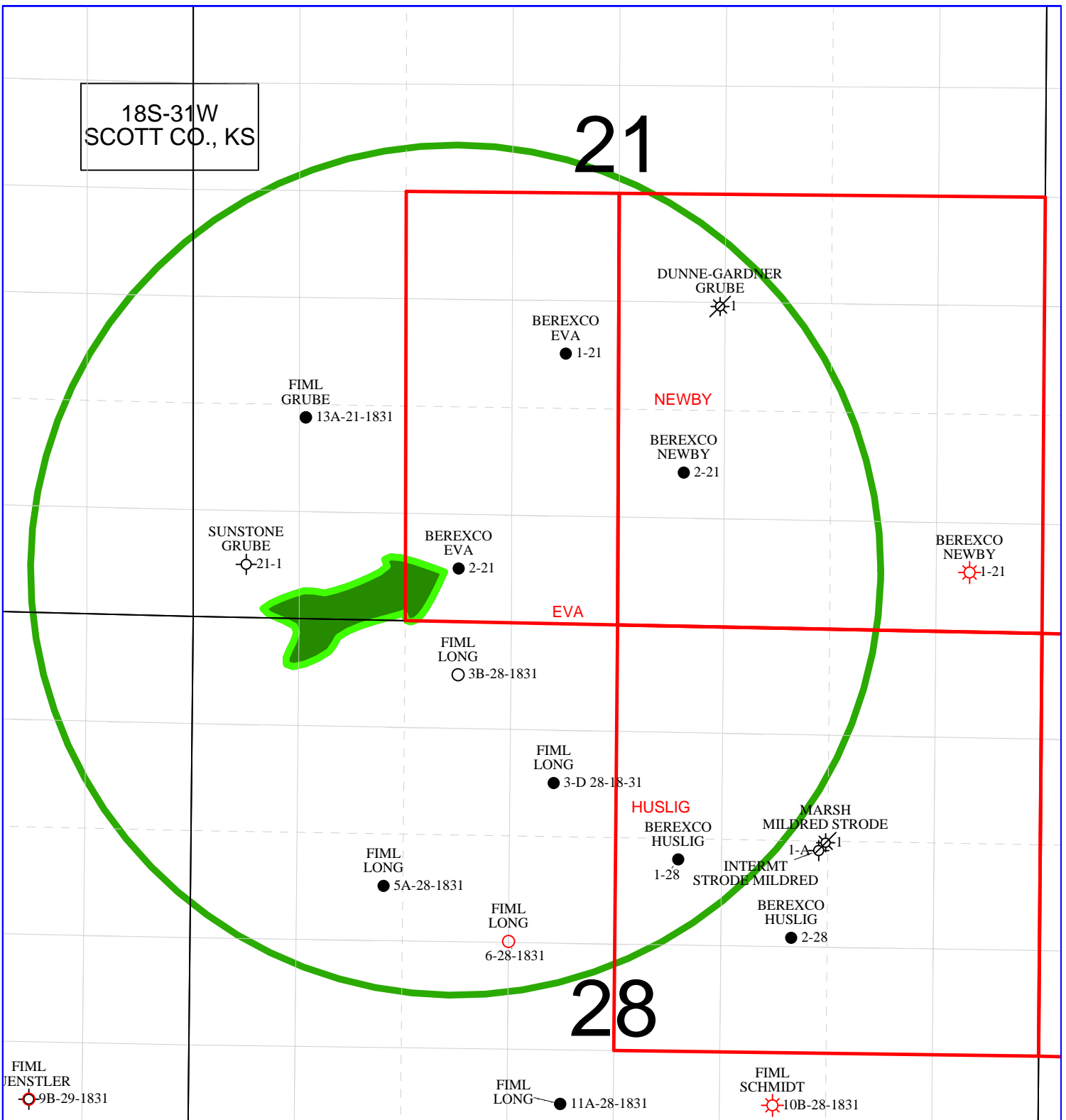
KCC Office Use Only
 Denied Approved
15-Day Periods Ends: _____
Approved By: _____ Date: _____

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.

18S-31W
SCOTT CO., KS

21

28



Berexco LLC	
Eva #2-21	
ACO-4 Area of Investigation SW SE SW 21-18S-31W Scott County, KS	
WELL SYMBOLS Location not Spud Dry Hole Oil Well Gas Well Plugged & Abandoned Gas Well At TD - Rig Released	
REMARKS Green Arrow = Subject Well Green Circle = 1/2 Mi Radius	
February 11, 2013 3:50 PM	

FIML JENSTLER
● 9B-29-1831

FIML LONG ● 11A-28-1831

FIML SCHMIDT
● 10B-28-1831

Exhibit A

List of Offset Operators & Mineral Rights Owners to Berexco LLC well Eva #2-21

Below is all acreage within a ½ mile radius of subject well, the name and address of owner or lessee of record:

Operator – E/2 SW/4 and SE/4 Sec. 21-18S-31W
NE/4 Sec. 28-18S-31W

Berexco LLC
2020 N. Bramblewood
Wichita, KS 67206-1094

Surface owner – E/2 SW/4 Sec. 21-18S-31W (Eva #2 wellsite)
Unleased mineral owner – NE/4 Sec. 21-18S-31W

Elizabeth Grube
1202 Antelope
Scott City, KS 67871-1715

Unleased mineral owner – NW/4 Sec. 21-18S-31W

JPB, LLC
605 S. College
Scott City, KS 71112-1632

Operator – E/2 Sec. 20; NW/4 & W/2 SW/4 Sec. 21;
NW/4 Sec. 28-18S-31W

FIML Natural Resources, LLC
410 17th Street, Suite 900
Denver, CO 80202-4420

Unleased mineral owner – NE/4 Sec. 29-18S-31W

Paul A. and Rachel Kuentler
P. O. Box 379
Alpine, AZ 85920-0379

**BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

IN THE MATTER OF THE APPLICATION OF)
BEREXCO LLC FOR COMMINGLING OF)
PRODUCTION OR FLUIDS IN THE EVA #2-21)
WELL LOCATED IN SW SE SW SECTION 21,)
TOWNSHIP 18 SOUTH, RANGE 31 WEST,)
SCOTT COUNTY, KANSAS.)

AFFIDAVIT OF MAILING

STATE OF KANSAS)
) ss.
SEDGWICK COUNTY)

Richard R. Smith, of lawful age, being first duly sworn on oath states:

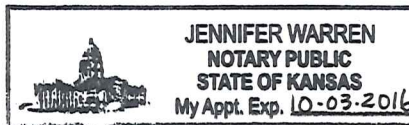
That he is an Engineering Technician for Applicant; that he served a copy of the attached Application by depositing same in the United States Mail, postage prepaid, on the 20 day of February 2013, addressed to the persons listed on Exhibit A in accordance with K.A.R. 82-3-135a.


Richard Smith

SUBSCRIBED AND SWORN to before me this 20 day of February 2013.


Notary Public

My appointment expires: 10-03-2016



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 21st of

February A.D. 2013, with

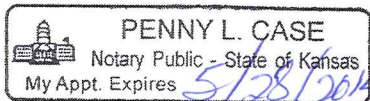
subsequent publications being made on the following dates:

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

21st day of February, 2013



Penny L. Case
Notary Public Sedgwick County, Kansas

Printer's Fee : \$103.60

LEGAL PUBLICATION

PUBLISHED IN THE WICHITA EAGLE
FEBRUARY 21, 2013 (3232752)
BEFORE THE STATE
CORPORATION COMMISSION
OF THE STATE OF KANSAS
NOTICE OF FILING APPLICATION
Re: Berexco LLC Application for a permit to commingle production in the Mississippi (Spergen), Johnson and Marmaton formations in the Eva #2-21 well, located in Scott County, Kansas.
To: All Oil & Gas Producers, Unleased Mineral Interest Owners, Landowners, and all persons whosoever concerned.
You, and each of you are hereby notified that Berexco LLC has filed an application to commingle production from the Mississippi (Spergen), Johnson and Marmaton formations in the Eva #2-21 well located in the N/2 SW/4 SE/4 SW/4 (335' FSL, 1650' FWL) of Sec 21-18S-31W, Scott County, KS. Any persons who object to or protest this application shall be required to file their objections or protests with the Conservation Division of the Kansas Corporation Commission 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. All persons interested or concerned shall take notice of the foregoing and shall govern themselves accordingly.
Berexco LLC
2020 N. Bramblewood
Wichita, KS 67206-1094
Phone: 316-265-3311

Proof of Publication

Affidavit of Publication

STATE OF KANSAS, SCOTT COUNTY, ss:

Rodney R. Haxton, being first duly sworn, deposes and says that he is editor of The Scott County Record, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Scott County, Kansas, with a general paid circulation and that said newspaper is not a trade, religious or fraternal publication.

Public Notice

(Published in The Scott County Record Thurs., Feb. 21, 2013)1t

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

Re: Berexco LLC Application for a permit to commingle production in the Mississippi (Spergen), Johnson and Marmaton formations in the Eva #2-21 well, located in Scott County, Kansas.

To: All Oil & Gas Producers, Unleased Mineral Interest Owners, Landowners, and all persons whosoever concerned.

You, and each of you are hereby notified that Berexco LLC has filed an application to commingle production from the Mississippi (Spergen), Johnson and Marmaton formations in the Eva #2-21 well located in the N/2

SW/4 SE/4 SW/4 (335' FSL, 1650' FWL) of Sec 21-18S-31W, Scott County, KS.

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Berexco LLC
2020 N. Bramblewood
Wichita, KS. 67206-1094
Phone: 316-265-3311

published at least 50 times a year in said county as second class matter at the post office.

A true copy thereof and was published in said newspaper for 1 consecutive days hereof being made as aforesaid on the 22 day of February, 2013, with the following dates:

_____ , 20____

_____ , 20____

\$ 40.60

_____ @ _____ \$ _____

_____ n Fee \$ 40.60

[Signature]

Publisher

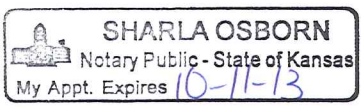
Subscribed and sworn to before me this 22 day of

February, 2013.

[Signature]

Notary Public

My commission expires 10-11-13



Proof of Publication

Affidavit of Publication

STATE OF KANSAS, SCOTT COUNTY, ss:

Rodney R. Haxton, being first duly sworn, deposes and says that he is editor of The Scott County Record, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Scott County, Kansas, with a general paid circulation and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly, published at least 50 times a year in said county, and has been admitted as second class matter at the post office of Scott City in said county.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 21 day of February, 2013, with subsequent publications being made on the following dates:


_____, 20____

_____, 20____

Publication Fee \$ 40.60


Additional Copies @ _____ \$ _____

Total Publication Fee \$ 40.60

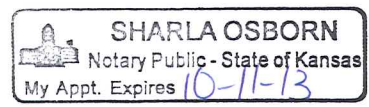


Publisher

Subscribed and sworn to before me this 22 day of February, 2013.



Notary Public



My commission expires 10-11-13

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March 8, 2013

Evan Mayhew
BEREXCO LLC
2020 N. Bramblewood
Wichita, KS 67206-1094

RE: Approved Commingling CO021319
Eva 2-21, Sec.21-T18S-R31W, Scott County
API No. 15-171-20786-00-00

Dear Mr. Mayhew:

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 February 28, 2013 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	
Mississippi (Spergen)	0.1	0.0	30.0	4579-4586
Johnson	0.9	0.0	14.0	4516-4521
Marmaton	4.0	0.0	3.0	4341-4345
Total Estimated Current Production	5.0	0.0	47.0	

Based upon the depth of the Mississippi (Spergen) formation perforations, total oil production shall not exceed 200 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.

Commingling ID number CO021319 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