



APPLICATION FOR COMMINGLING OF PRODUCTION (K.A.R. 82-3-123) OR FLUIDS (K.A.R. 82-3-123a) Commingling ID # CO031105

OPERATOR: License # 33094
Name: Cimarex Energy Co.
Address 1: 348 Rd. DD
Address 2:
City: Satanta State: KS Zip: 67870 +
Contact Person: Melissa Imler
Phone: (620) 276-3693

API No. 15 - 15-081-10228-00-00
Spot Description:
SW NE SW SE Sec. 4 Twp. 27 S. R. 34 East West
4,580 Feet from North / South Line of Section
3,320 Feet from East / West Line of Section
County: Haskell
Lease Name: JONES DEVLIN Well #: 5

- 1. Name and upper and lower limit of each production interval to be commingled:

Formation: <u>Marmaton Zone</u>	(Perfs): <u>4560-4702</u>
Formation: <u>St. Louis "B" Zone</u>	(Perfs): <u>5066-5082</u>
Formation: <u>St. Louis "C" Zone</u>	(Perfs): <u>5148-5156</u>
Formation: _____	(Perfs): _____
Formation: _____	(Perfs): _____

- 2. Estimated amount of fluid production to be commingled from each interval:

Formation: <u>Marmaton Zone</u>	BOPD: <u>30</u>	MCFPD: <u>0</u>	BWPD: <u>30</u>
Formation: <u>St. Louis "B" Zone</u>	BOPD: <u>3</u>	MCFPD: <u>0</u>	BWPD: <u>13</u>
Formation: <u>St. Louis "C" Zone</u>	BOPD: <u>2</u>	MCFPD: <u>0</u>	BWPD: <u>14</u>
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.

*Rec'd
3-31-11*

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

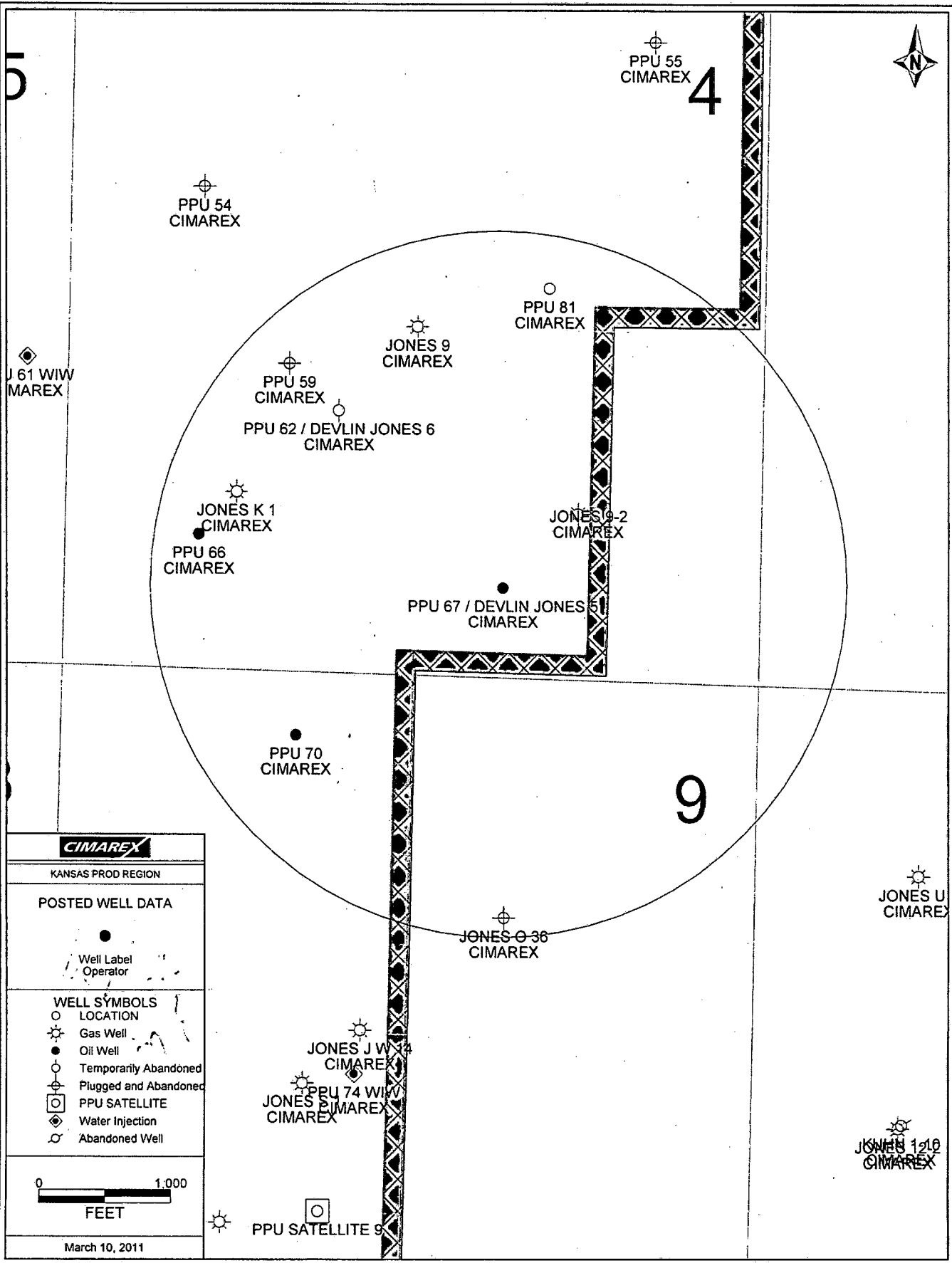
KCC Office Use Only

Denied Approved

15-Day Periods Ends: 03/31/2011

Approved By: Rick Hestermann Date: 03/31/2011

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.





CERTIFICATE OF SERVICE

I hereby certify on this 15 day of March, 2011, true and correct copies of the above and foregoing Application for the Commingling of production were served by depositing copies of the same in the United States Mail, postage prepaid, on the 15th day of March, 2011 addressed to the following persons or entities:

TLW Land & Cattle, LP
P.O. Box 2410
123 Robert S. Kerr, RM 1210
Oklahoma City, OK 73101

Who are all of the operators of leases, owners of record of the minerals in unleased acreage, and surface owner within a one-half mile radius of the USA "C" No. 2 and the Devlin Jones No. 5.



Melissa Imler

AFFIDAVIT

STATE OF KANSAS

- SS.

County of Sedgwick

Mark Fletchall, of lawful age, being first duly sworn, depose 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 14th of

March A.D. 2011, with

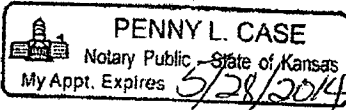
subsequent publications being made on the following dates:

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

14th day of March, 2011

PENNY L. CASE
Notary Public - State of Kansas
My Appt. Expires 5/28/2014

Penny L. Case
Notary Public Sedgwick County, Kansas

Printer's Fee : \$113.20

LEGAL PUBLICATION
First Published in The Wichita Eagle
March 14, 2011 (3103806)
BEFORE THE STATE
CORPORATION COMMISSION
OF THE STATE OF KANSAS
NOTICE OF FILING APPLICATION
RE: CIMAREX ENERGY CO.
APPLICATION FOR COMMINGLING OF
PRODUCTION IN THE USA "C" NO. 2 AND
THE DEVLIN JONES NO. 5 LEASE,
LOCATED IN HASKELL COUNTY,
KANSAS
TO: ALL OIL & GAS PRODUCERS,
UNLEASED MINERAL INTEREST
OWNERS, LANDOWNERS, AND ALL
PERSONS WHOMEVER CONCERNED.
YOU and each of you, are hereby notified
that, Cimarex Energy Co. has filed an
application to commingle the Marmaton
formation with the Morrow and St. Louis
formations of the USA "C" No. 2, located 3360'
from the North line and 4680' from the West
line of Section 6-T27S-R34W, and the Devlin
Jones No. 5, located 4580' from the North line
and 3320' the West line of Section 4-T27S-
R34W, both located in Haskell County,
Kansas.
Any persons who object to or protest this
application shall be required to file their
objections or protest 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.
All persons interested or concerned shall take
notice of the foregoing and shall govern
themselves accordingly.
Cimarex Energy Co.
348 Rd. DD
Salanta, KS 67870
620-276-3693

Proof of Publication

STATE OF KANSAS
 COUNTY OF HASKELL

SS.

Rolf Jungclas

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

16 day of March, 20 11,
 with subsequent publications being made on the following dates:

- _____ , 20 _____
- _____ , 20 _____
- _____ , 20 _____
- _____ , 20 _____
- _____ , 20 _____

(Sign) Rolf Jungclas
 Witness my hand this 16 day of March, 20 11

Ally C Anderson
 (Notary Public)

My commission expires 2-7-2014
 Publication fee \$ 50.40
 Affidavit, _____
 Notary's Fee \$ _____
 Additional Copies \$ _____
 Total Fee \$ 50.40
 (Seal)

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

RE: **CIMAREX ENERGY CO APPLICATION FOR COMMINGLING OF PRODUCTION IN THE USA "C" NO. 2 AND THE DEVLIN JONES NO. 5 LEASE, LOCATED IN HASKELL COUNTY, KANSAS TO ALL OIL & GAS PRODUCERS, UNLEASED MINERAL INTEREST OWNERS, LANDOWNERS, AND ALL PERSONS WHOMEVER CONCERNED**

YOU, and each of you, are hereby notified that Cimarex Energy Co. has filed an application to commingle the Marmaton formation with the Morrow and St. Louis formations at the USA "C" No. 2, located 3360' from the North line and 4680' from the West line of Section 6, T27S, R34W, and the Devlin Jones No. 5, located 4580' from the North line and 3320' the West line of Section 4, T27S, R34W, both located in Haskell County, Kansas.

Any persons who object to or protest this application shall be required to file their objections or protest 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.

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

Cimarex Energy Co.
 348 Rd. DD
 Satama, KS 67870
 620-276-3693

Conservation Division
Finney State Office Building
130 S. Market, Rm. 2078
Wichita, KS 67202-3802



phone: 316-337-6200
fax: 316-337-6211
<http://kcc.ks.gov/>

Thomas E. Wright, Chairman
Ward Loyd, Commissioner

Corporation Commission

Sam Brownback, Governor

March 31, 2011

Melissa Imler
Cimarex Energy Co.
348 Rd DD
Satanta, KS 67870

RE: Approved Commingling CO031105
Jones Devlin #5, Sec. 4-T27S-R34W, Haskell County
API No. 15-081-10228-00-00

Dear Ms. Imler:

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 March 23, 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	
Marmaton Zone	30	0	30	4560-4702
St. Louis "B" Zone	3	0	13	5066-5082
St. Louis "C" Zone	2	0	14	5148-5156
Total Estimated Current Production	35	0	57	

Based upon the depth of the St. Louis "C" 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 completion of the well to commingle.

Commingling ID number CO031105 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