



KANSAS CORPORATION COMMISSION 1069602  
 OIL & GAS CONSERVATION DIVISION

Form ACO-4  
 Form must be typed  
 March 2009

APPLICATION FOR COMMINGLING OF PRODUCTION (K.A.R. 82-3-123) OR FLUIDS (K.A.R. 82-3-123a) Commingling ID # CO121101

OPERATOR: License # 5447 API No. 15 - 15-129-21801-00-01  
 Name: OXY USA Inc. Spot Description: \_\_\_\_\_  
 Address 1: 5 E GREENWAY PLZ SE SE SW Sec. 9 Twp. 33 S. R. 42  East  West  
 Address 2: PO BOX 27570 330 Feet from  North /  South Line of Section  
 City: HOUSTON State: TX Zip: 77227 + 7570 2310 Feet from  East /  West Line of Section  
 Contact Person: LAURA BETH HICKERT County: Morton  
 Phone: (620) 629-4253 Lease Name: AUSTIN A Well #: 6

1. Name and upper and lower limit of each production interval to be commingled:  
 Formation: TORONTO (Perfs): 3175-3244  
 Formation: TOPEKA (Perfs): 3029-3169  
 Formation: WABAUNSEE (Perfs): 2672-2970  
 Formation: \_\_\_\_\_ (Perfs): \_\_\_\_\_  
 Formation: \_\_\_\_\_ (Perfs): \_\_\_\_\_

2. Estimated amount of fluid production to be commingled from each interval:  
 Formation: TORONTO BOPD: 0 MCFPD: 27.7 BWPD: 2.2  
 Formation: TOPEKA BOPD: 0 MCFPD: 110.8 BWPD: 8.8  
 Formation: WABAUNSEE BOPD: 0 MCFPD: 138.5 BWPD: 11  
 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:**

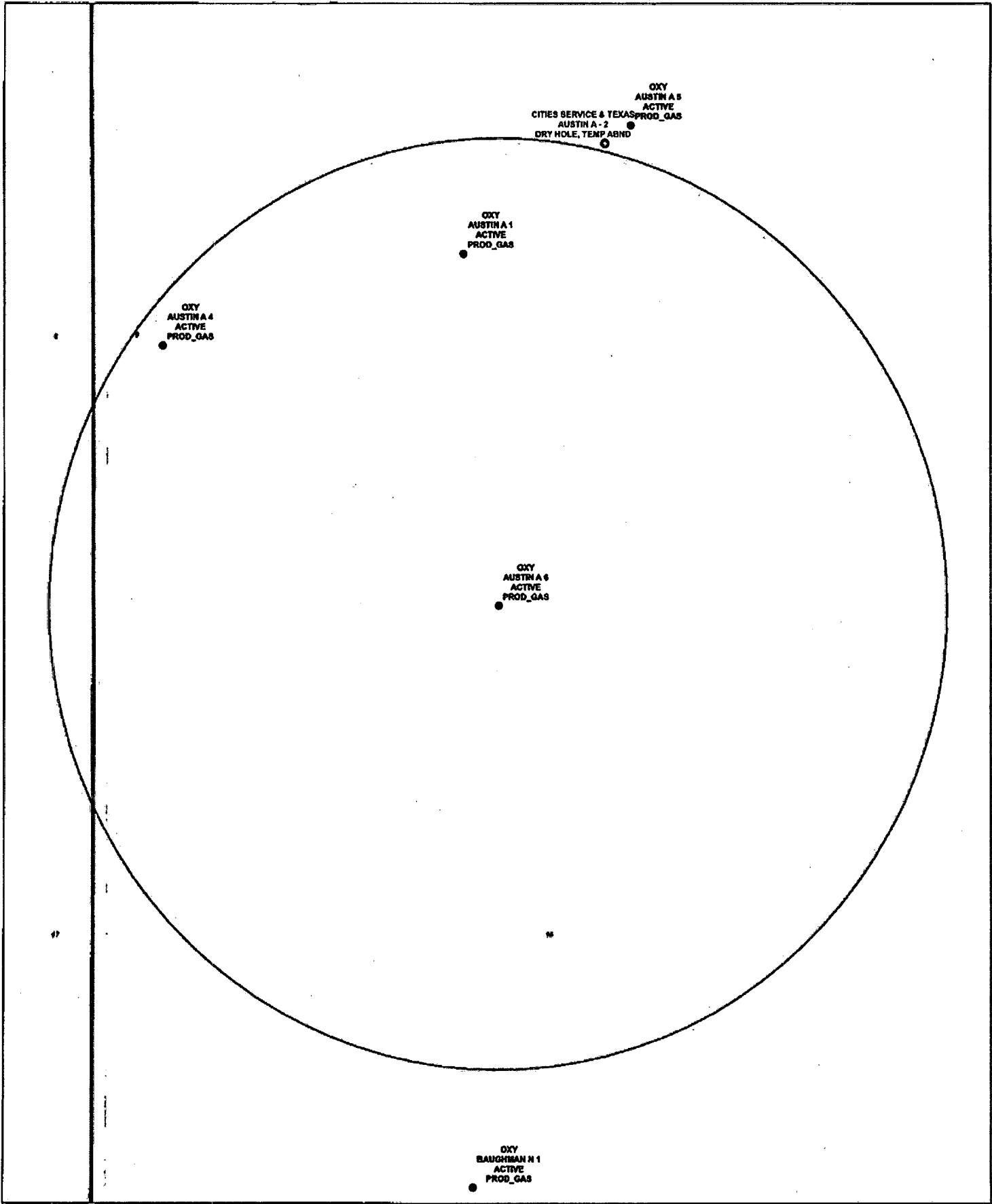
- 7. Well construction diagram of subject well.
- 8. Any available water chemistry data demonstrating the compatibility of the fluids to be commingled.

**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

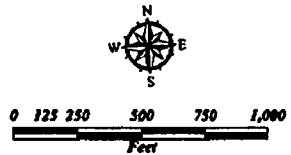
|  |  |
|--|--|
| <b>KCC Office Use Only</b>             |  |
| <input type="checkbox"/> Denied        | <input checked="" type="checkbox"/> Approved |
| 15-Day Periods Ends: <u>12/20/2011</u> |  |
| Approved By: <u>Rick Hestermann</u>    | Date: <u>12/21/2011</u>                      |

*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**

- CITIES SERVICE & TEXAS
- OXY USA INC
- 1/2 MILE BUFFER



**Mid-Continent**  
SURFACE MAP

Austin A-6  
OXY 9-035-12W  
230 FSL. 2310 FWH.

|            |         |         |
|------------|---------|---------|
| Scale      | Graphic | Graphic |
| Projection | UTM     | UTM     |
| Zone       | 18N     | 18N     |
| Datum      | NAD 83  | NAD 83  |
| Units      | Feet    | Feet    |

**AFFIDAVIT OF NOTICE SERVED**

RE: Application for : OXY USA Inc.

Well Name: Austin A-6 Legal Location NE NW SE SE Sec. 33-T26S-R33W

The undersigned hereby certifies that he/she is a duly authorized agent for the applicant, and that on the 5th day of December, 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.

|  |   |
|--|---|
| <u>Name</u>  | <u>Address (attach additional sheets if necessary.)</u>               |
| Ronald G. DeGarmo Trust (Surface Owner)<br>Oxy USA, Inc. | P.O. Box 86, Rolla, KS 67954-0086<br>P.O. Box 2528, Liberal, KS 67905 |

Signed this 5th day of December, 2011.



Laura Beth Hickert  
Laura Beth Hickert  
Applicant or Duly Authorized Agent

Subscribed and sworn to before me this 5th day of December, 2011

Anita Peterson  
Notary Public

My Commission Expires: Oct. 1, 2013

*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.*

**Legal Notice**

(First Published in The Elkhart Tri-State News, Elkhart, Kansas, on Thursday, October 20th, 2011)

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

RE: OXY USA Inc. Application for order to commingle Wabaunsee,

Toronto, and Topeka sources of supply, in Austin A-6 well located in Sec. 9, Twp. 33S, R. 42W, Morton County, Kansas.

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

You and each of you are hereby notified that OXY USA Inc. has filed an application to commingle the production from the Wabaunsee, Toronto, and Topeka sources of supply in the Austin A-6 well located in the SW/4 of Sec. 9, Twp. 33S, R. 42W, 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.

OXY USA Inc.  
P.O. Box 2528  
Liberal, KS 67905  
(620) 629-4200

**Proof of Publication**

Notice of Filing Application  
Austin A-6

By USA - Liberal

Publication Fee \$ 58.10

**Karen L. Brady**

Being first duly sworn, deposes and says: that she 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:

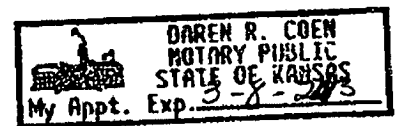
|                     |    |
|---------------------|----|
| <u>Oct. 20</u> 2011 | 20 |
| 20                  | 20 |
| 20                  | 20 |
| 20                  | 20 |

Karen Brady

Subscribed and Sworn to before me this

20 day of October, 2011

Daren R. Coen



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

Clerk or Judge

**AFFIDAVIT**

STATE OF KANSAS

SS.

County of Sedgwick

Mark Fletchall, of lawful age, being first duly sworn, deposes 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 and 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 - State of Kansas  
My Appt. Expires 5/28/2014

*Penny L. Case*  
Notary Public Sedgwick County, Kansas

Printer's Fee : \$113.20

**LEGAL PUBLICATION**

PUBLISHED IN THE WICHITA EAGLE  
ON OCTOBER 17, 2011 (3147905)  
BEFORE THE STATE CORPORATION  
COMMISSION OF THE STATE OF KANSAS  
NOTICE OF FILING APPLICATION

RE: OXY USA, Inc.; Application for order  
to commence [Wabaunsee, Toronto, and  
Topeka] sources of supply in [Austin] A-6  
well, located in [Sec. 19, Twp. 33S R. 42W]  
[Morton County, Kansas].

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

You and each of you are hereby notified  
that OXY USA, Inc. has filed an application  
to commence the production from the  
Wabaunsee, Toronto, and Topeka sources  
of supply in the Austin A-6 well located in  
the SW/4 of Sec. 19, Twp. 33S R. 42W 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 granting 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  
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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

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/>

Mark Sievers, Chairman  
Ward Loyd, Commissioner  
Thomas E. Wright, Commissioner

Sam Brownback, Governor

December 20, 2011

Laura Beth Hickert  
OXY USA, Inc.  
PO Box 27570  
Houston, TX 77227-7570

RE: Approved Commingling CO121101  
Austin A 6, Sec.9-T33S-R42W, Morton County  
API No. 15-129-21801-00-01

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 December 5, 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 |            |
| Toronto                            | 0                            | 27.7  | 2.2  | 3175-3244  |
| Topeka                             | 0                            | 110.8 | 8.8  | 3029-3169  |
| Wabaunsee                          | 0                            | 138.5 | 11.0 | 2672-2970  |
| Total Estimated Current Production | 0                            | 277.0 | 22.0 |            |

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

Commingling ID number CO121101 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