

KANSAS CORPORATION COMMISSION  
OIL & GAS CONSERVATION DIVISION

Form ACO-4  
Form must be typed  
July 2006

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

Commingling ID # CO 110803

Operator Information:

License #: 32211  
Name: O'Brien Energy Resources Corp.  
Address: 18 Congress Street, Suite 207  
City/State/Zip: Portsmouth, NH 03801  
Contact Person: Joseph Forma  
Phone #: 603-427-2099

Well Information:

API #: 15 - 119-21193-0000  
Lease Name: Borchers Well #: 1-34  
Spot:        -        - SW - SE Sec. 34 Twp. 32 S. R. 29  East  West  
County: Meade  
Feet from  North /  South Line of Section: 330'  
Feet from  East /  West Line of Section: 1,110'

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

Formation: St. Louis (Perfs): 6098'-6108'  
Formation: Chester (Perfs): 5983'-5988'  
Formation: Morrow (Perfs): 5684'-5690'  
Formation: \_\_\_\_\_ (Perfs): \_\_\_\_\_  
Formation: \_\_\_\_\_ (Perfs): \_\_\_\_\_

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

Formation: St. Louis BOPD: 5 MCFPD: \_\_\_\_\_ BWPD: \_\_\_\_\_  
Formation: Chester BOPD: 5 MCFPD: \_\_\_\_\_ BWPD: \_\_\_\_\_  
Formation: Morrow BOPD: \_\_\_\_\_ MCFPD: 50 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 by K.A.R. 82-3-135b. RECEIVED KANSAS CORPORATION COMMISSION

For Commingling of PRODUCTION ONLY, include the following:

- 5. Wireline log of subject well.
- 6. Complete Form ACO-1 (Well Completion form) for the subject well.

*Original filed confidential*

NOV 24 2008

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OCT 09 2008  
CONSERVATION DIVISION  
WICHITA, KS

For Commingling of FLUIDS ONLY, include the following:

- \_\_\_\_\_ 5. Well construction diagram of subject well.
- \_\_\_\_\_ 6. Any available water chemistry data demonstrating the compatibility of the fluids to be commingled.

State of New Hampshire )  
County of Rockingham )

ss:

VERIFICATION: I 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.

Signature: [Signature]  
Printed Name: Joseph Forma  
Title: Vice President

Subscribed & sworn to before me this 6 day of OCTOBER, 2008  
Notary Public: [Signature]

PATRICIA A. O'BRIEN  
Notary Public - New Hampshire  
My Commission Expires May 18, 2010  
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.

**KCC Office Use Only**  
 Denied  Approved  
KCC Date Received: 11-24-08 15-Day Periods Ends: 11-12-08  
Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

**KANSAS**  
CORPORATION COMMISSION

Kathleen Sebelius, Governor  
Thomas E. Wright, Chairman  
Michael C. Moffet, Commissioner  
Joseph F. Harkins, Commissioner

November 25, 2008

Joseph Forma  
O'Brien Energy Resources Corp.  
18 Congress Street, Suite 207  
Portsmouth, NH 03801

RE: Approved Commingling CO110803  
Borchers 1-34, Sec. 34-T32S-R29W, Meade County  
API No. 15-119-21193-00-00

Dear Mr. Forma:

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. 82-3-123a. 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 November 24, 2008 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. Louis	5	0	0	6098-6108
Chester	5	0	0	5983-5988
Morrow	0	50	0	5684-5690
Total Estimated Current Production	10	50	0	

Based upon the depth of the St. Louis formation perforations, total oil production shall not exceed 300 BOPD and total gas production shall not exceed 50% of the absolute open flow (AOF).

File form ACO-1 with the Conservation Division when the re-completion of this well for commingling is complete.

Docket Number CO110803 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,

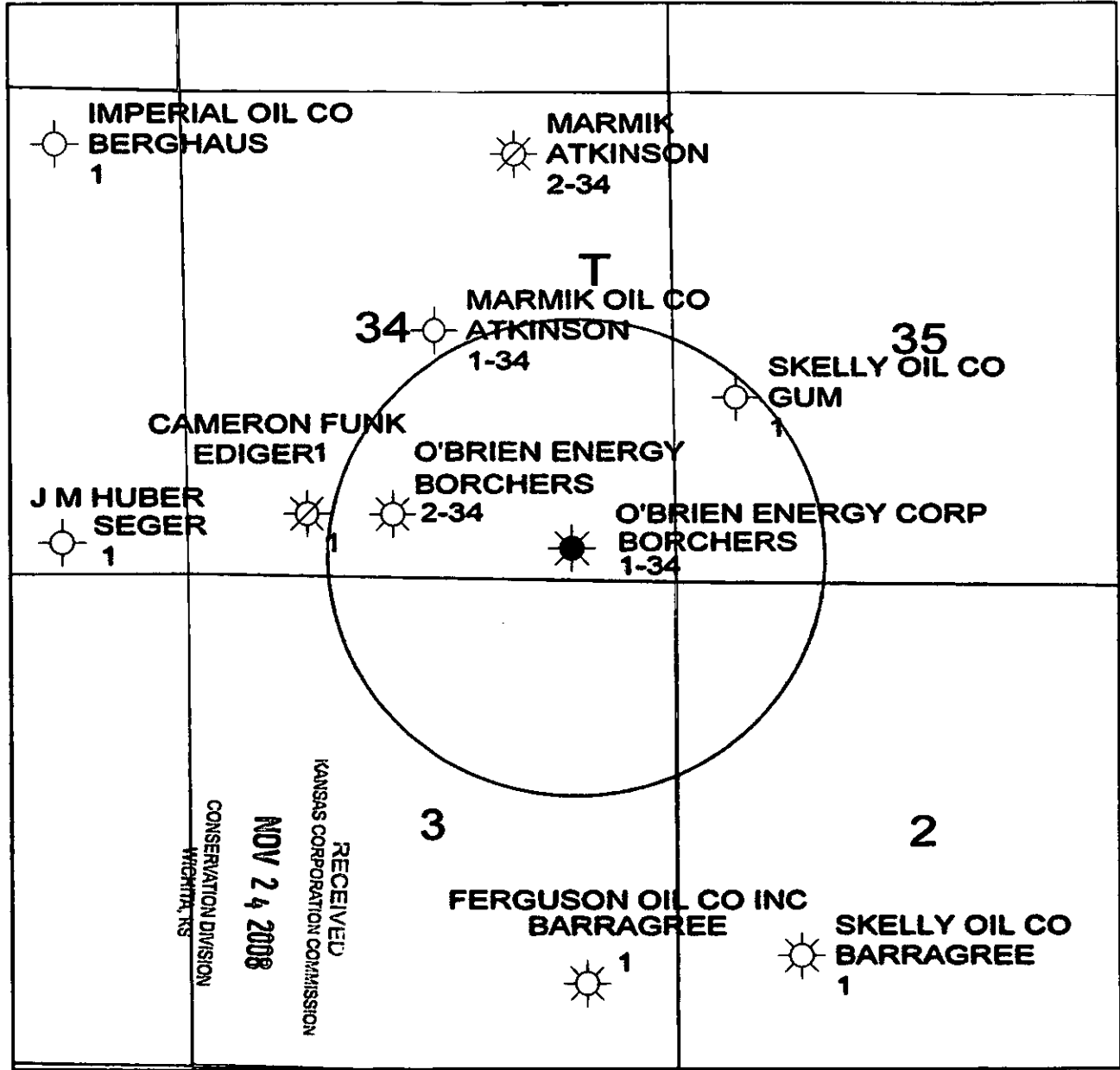


Rick Hestermann  
Production Department

**O'Brien Energy Resources Corp.**

18 Congress Street, Suite 207  
 Portsmouth, NH 03801  
 1-800-291-1969

Meade County, KS  
 T 32 S / R 29 W



- ☉ On Well
- ☼ Abandoned Oil Well
- ☼ Oil and Oil Well
- ☉ Oil Well
- ☼ Potential Oil Well
- ◇ Dry Well

T 32 S

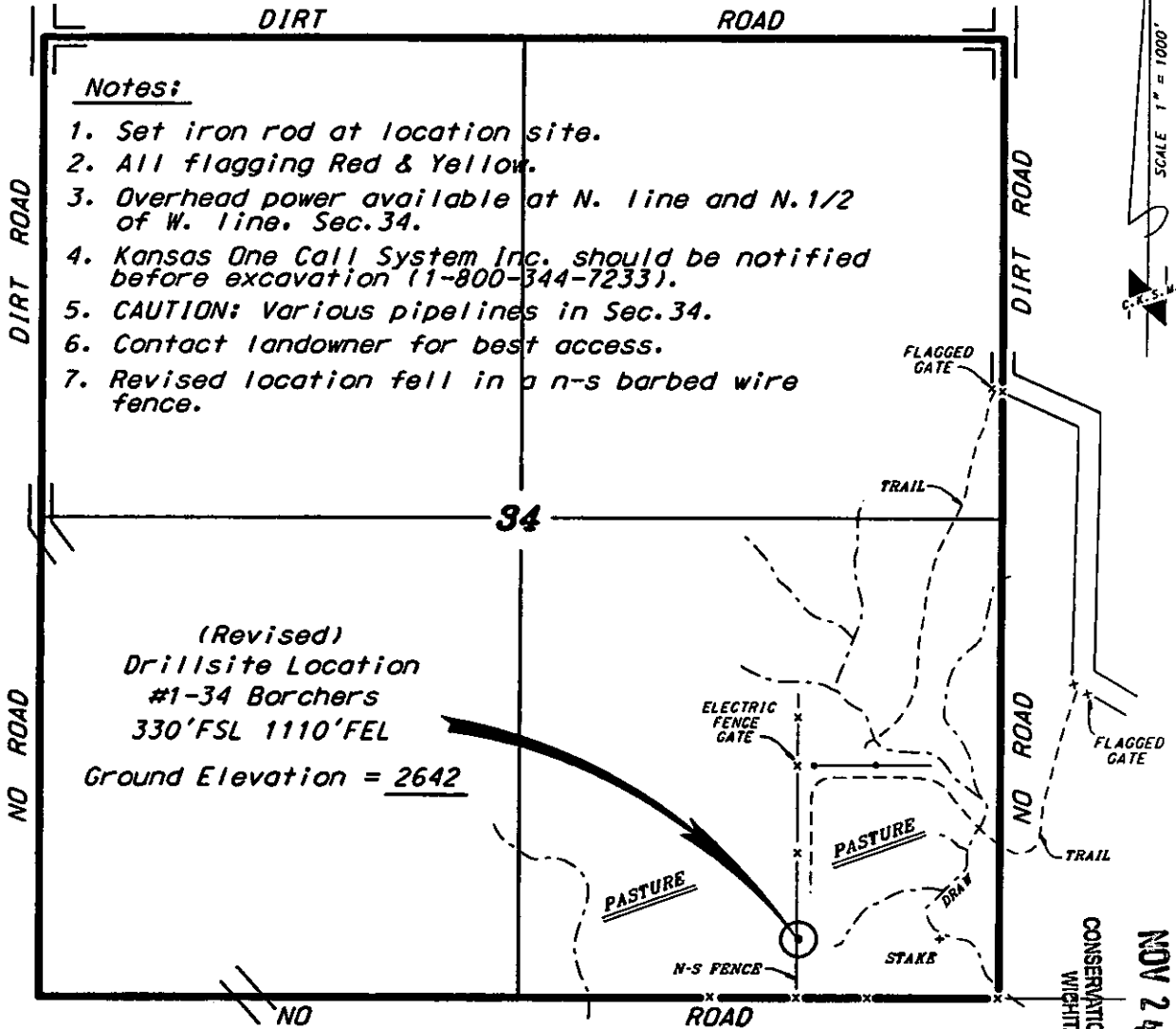
T 33 S

1/2 Mile Radius Plat

Posted Well Data  
 Operator  
 Well Name  
 Well Number

R 29 W

**O'BRIEN ENERGY  
BORCHERS LEASE  
SE. 1/4, SECTION 34, T32S, R29W  
MEADE COUNTY, KANSAS**

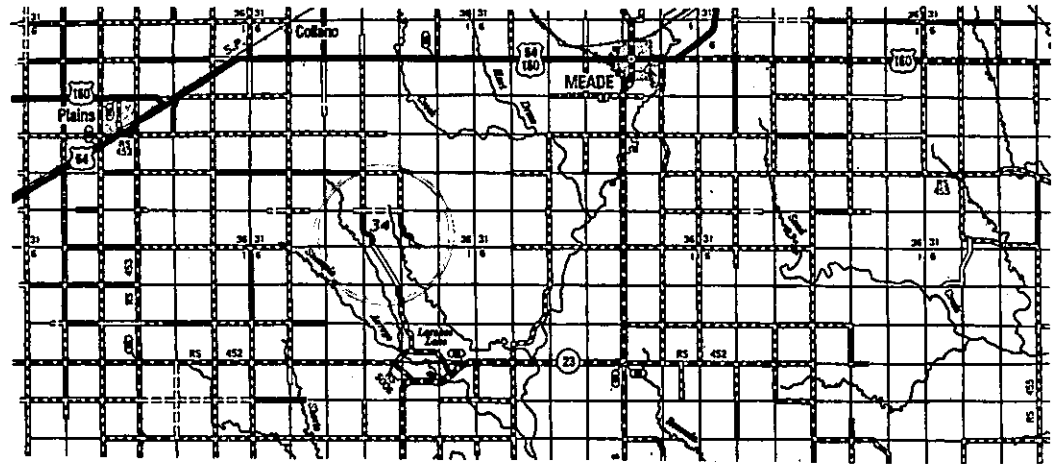


**Notes:**

1. Set iron rod at location site.
2. All flagging Red & Yellow.
3. Overhead power available at N. line and N.1/2 of W. line, Sec.34.
4. Kansas One Call System Inc. should be notified before excavation (1-800-344-7233).
5. CAUTION: Various pipelines in Sec.34.
6. Contact landowner for best access.
7. Revised location fell in a n-s barbed wire fence.

*(Revised)*  
**Drillsite Location  
#1-34 Borchers  
330' FSL 1110' FEL  
Ground Elevation = 2642**

\*Ingress and egress to location as shown on this plat is for public use only and may not be legally opened for public use. Contact landowner, tenant and county road department for access.



**NOV 24 2008**

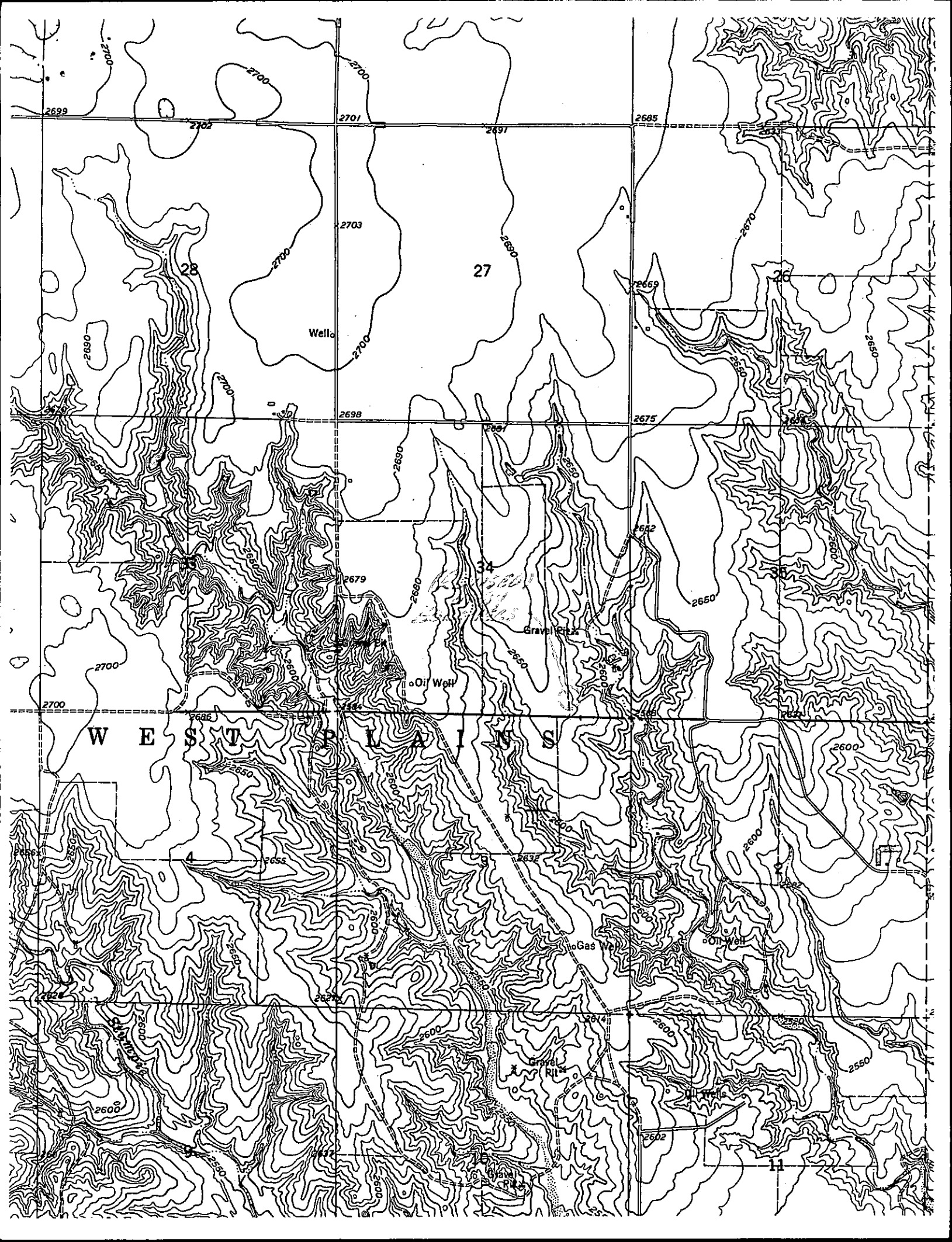
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CONSERVATION DIVISION  
WICHITA, KS

**OCT 09 2008**

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CONSERVATION DIVISION  
WICHITA, KS

Rolling data is based upon the best maps and photographs available to us and upon a regular survey of land containing 640 acres.  
Approximate section lines were determined using the normal standard of care of oilfield surveyors acting in the state of Kansas. The section corners, which establish the precise section lines, are not necessarily located, and the exact location of the drillsite location in the section is not guaranteed. Therefore, the operator securing this service and accepting this plat and all other services thereon agree to hold Central Kansas Oilfield Services, Inc., its officers and employees harmless from all losses, costs and expenses and said entities released from any liability incidental or consequential damages.  
As derived from National Geodetic Vertical Datum.

Date December 5, 2007



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**Offset Operators/Lessee of Record and Unleased Owners Within a ½ Mile  
Radius of the Borchers 1-34**

The undersigned hereby certifies that she/he is a duly authorized agent for the applicant, and that a true and correct copy of the ACO-4 was mailed on October 28, 2008 to the following parties:

Harlow Royalties  
22499 Imperial Valley Dr.  
Houston, TX 77073

Gertrude Perkins  
PO Box 86  
Elkhart, KS 67950

Susan Casper  
833 Windward Ct.  
Oshkosh, WI 54901

Penn Royalty Co.  
PO Box 2356  
Oklahoma City, OK 73101

Joseph Caton  
394 Omaha Ct.  
Hudson, WI 54016


Amroy Co.  
PO Box 18442  
Oklahoma City, OK 73154

Joan Anthony  
275 Roebling St.  
Warrenton, VA 20186

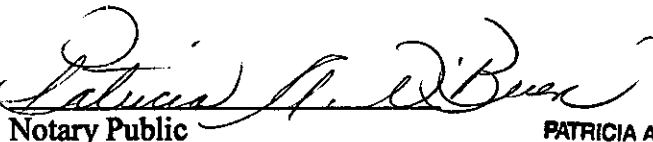
Clyde Holman  
6153 S. Quebec Ave.  
Tulsa, OK 74136

Barbar Stephenson  
161 J Ave.  
Coronado, CA 92118

Carol Canton  
456 Riverside Dr. #12A  
New York, NY 10027

  
\_\_\_\_\_  
Joseph Forma Vice President  
Applicant or Duly Authorized Agent

Subscribed and sworn before me this 28<sup>th</sup> day of October 2008

  
Notary Public

PATRICIA A. O'BRIEN  
Notary Public - New Hampshire  
My Commission Expires May 18, 2010

My commission expires: \_\_\_\_\_

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WICHITA, KS

**AFFIDAVIT**

STATE OF KANSAS \
- SS.
County of Sedgwick /

Nicole Mandina, of lawful age, being first duly sworn, deposeth and saith: That she 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 -  weeks , that the first publication of said notice was

made as aforesaid on the  24th  of

October  A.D.  2008 , with

subsequent publications being made on the following dates:

And affiant further says that she has personal knowledge of the statements above set forth and that they are true.

*Nicole Mandina*

Subscribed and sworn to before me this

24th day of October, 2008

*Michelle L. Shriver*  
Notary Public Sedgwick County, Kansas



Printers Fee:  \$72.00

**LEGAL PUBLICATION**

First Published in The Wichita Eagle  
October 24, 2008 (2895891)  
BEFORE THE STATE CORPORATION  
COMMISSION OF THE  
STATE OF KANSAS  
NOTICE OF FILING APPLICATION  
Re: O'Brien Energy Resources Corporation  
production in the St. Louis, Chester, and  
Morrow formations of the Borchers 1-34,  
located in Meade County, Kansas.  
To: All Oil and Gas Producers, Unleased  
Mineral Interest Owners, Landowners, and  
all persons whosever concerned. You, and  
each of you, are hereby notified that O'Brien  
Energy Resources Corporation has filed an  
application to commingle production from  
the St. Louis, Chester, and Morrow  
formations of the Borchers 1-34 located in  
the SWSE Sec.34, 330' FSL, 1110' from FEL,  
T32S, R29W. 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 (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. O'Brien Energy Resources  
Corporation 18 Congress Street, Ste. 207  
Portsmouth, NH 03801 Phone: 603-427-2099

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CONSERVATION DIVISION  
WICHITA, KS

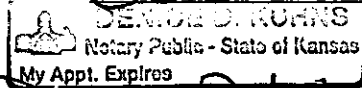


**Affidavit of Publication**

State of Kansas, County of Meade, ss: Thomas E. Kuhns, of lawful age, being first duly sworn on oath says that she is the principal clerk – bookkeeper of Meade County News a weekly newspaper printed and published at Meade, KS; that said newspaper has the following qualifications: (a) it has been published at least weekly fifty (50) times a year and has been so published at least five (5) years prior to the first publication of the attached notice; (b) it is entered at the post office as periodical mail matter; (c) it has a general paid circulation on a weekly basis in said county and it is not a trade, religious or fraternal publication and (d) it is published in Meade County, Kansas; and that the attached legal notice, being a copy of Filing Application as per clipping attached, was published in the regular and entire weekly edition of said newspaper and not any supplement thereof for 1 consecutive week(s), the first publication being on the 22nd of October, 2008, and the last publication being on the 22nd day of October, 2008.

*Thomas E. Kuhns*

Subscribed and sworn to before me this 23<sup>rd</sup> day of October 2008.



*Denise D. Kuhns*

**My Appointment Expires: 4/28/11**

Publication Fee: 39.00

(First published in the Meade County News on Wednesday, October 22, 2008.)

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

Re: O'Brien Energy Resources Corporation production in the St. Louis, Chester, and Morrow formations of the Borchers 1-34, located in Meade County, Kansas.

To: All Oil and Gas Producers, Unleased Mineral Interest Owners, Landowners, and all persons whosever concerned. You, and each of you, are hereby notified that O'Brien Energy Resources Corporation has filed an application to commingle production from the St. Louis, Chester, and Morrow formations of the Borchers 1-34 located in the SWSE Sec.34, 330' FSL, 1110' from FEL, T32S, R29W. 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 (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. O'Brien Energy Resources Corporation 18 Congress Street, Ste. 207 Portsmouth, NH 03801 Phone: 603-427-2099

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WICHITA, KS



*Kathleen Sebelius, Governor  
Thomas E. Wright, Chairman  
Michael C. Moffet, Commissioner  
Joseph F. Harkins, Commissioner*

October 13, 2008

Joseph Forma  
O'Brien Energy Resources Corp.  
18 Congress Street, Suite 207  
Portsmouth, NH 03801

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CONSERVATION DIVISION  
WICHITA, KS

Dear Mr. Forma,

The following information is needed to complete your ACO-4, Application for Commingling:

- ACO-4 Item 3 Missing:** Plat map.
- ACO-4 Item 4 Missing:** Signed certificate showing service of the application to the offset leased and unleased mineral owners within ½ radius mile of the well pursuant to K.A.R. 82-3-135 a (b).
- ACO-4 Item 4 Missing:** Signed certificate of publication of the application in the official county newspaper and the Wichita Eagle newspaper pursuant to K.A.R. 82-3-135 a (d).

Please return the application and requested information to my attention

Thank you.

Rick Hestermann  
KCC Production Department