



December 17, 2009

Cassie Parks  
FIML Natural Resources, LLC  
410 17<sup>th</sup> Street, Suite 900  
Denver, CO 80202

RE: Approved Commingling CO120902  
Dearden 4-16-1931, Sec. 16-T19S-R31W, Scott County  
API No. 15-171-20710-00-01

Dear Ms. Parks:

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 7, 2009 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	16	0	13	4364-4389 OA
Mississippi	39	0	117	4623-4630
Total Estimated Current Production	55	0	130	

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

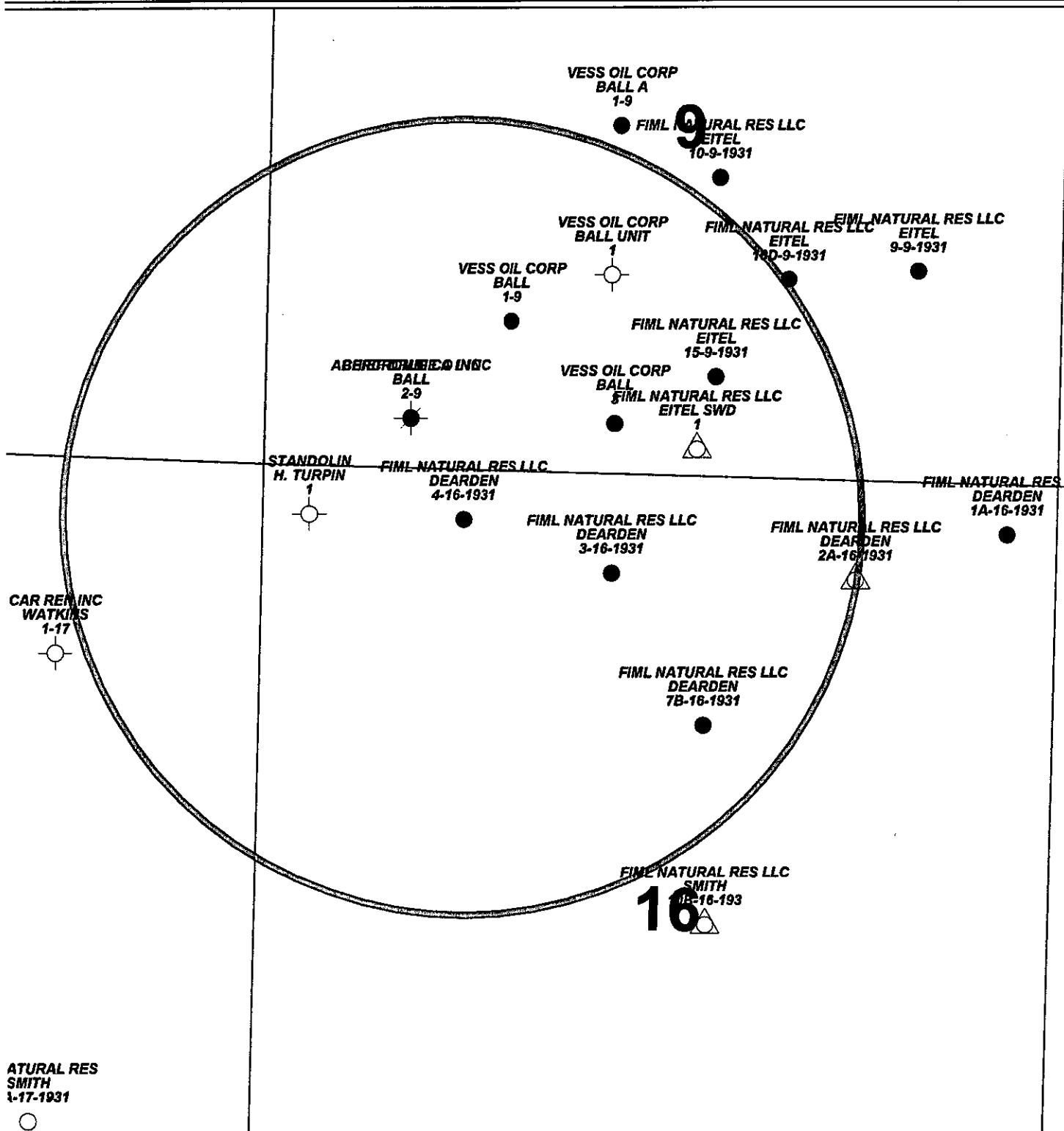
Docket Number CO120902 has been assigned to this approved application. Use this number for well completion reports (ACO-1) and other correspondence that may concern this approved commingling.

Sincerely,



Rick Hestermann  
Production Department

HARTMAN W L ETAL  
ALBERT POPP



CHIEF DRLG CO INC  
POPP  
1

RECEIVED COMMISSION  
KANSAS OPERATIONS  
WICHITA, KS  
DEC 07 2009  
CONSERVATION DIVISION

### FIML Natural Resources

1/2 Mile Radius Plat

Dearden 4-16-1931

Application to Commingle

POSTED WELL DATA

Operator  
Well Name  
Well Number



#### WELL SYMBOLS

- Location Only
- Oil Well
- ⊙ Dry Hole
- △ Service Well
- Plugged & Abandoned Oil Well

ATURAL RES  
SMITH  
1-17-1931



FIML NATURAL RES LLC  
SMITH  
1B-16-1931  
**16** △

# 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 at said county.

## Public Notice

(Published in The Scott County Record Thurs., Jan. 15, 2009)1t

BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS  
**NOTICE OF FILING APPLICATION**  
Re: FIML Natural Resources, LLC-Application for a permit to commingle production in the St. Louis, Marmaton, and Mississippi of the Dearden #4-16-1931, located in Scott County, Kansas.

To: All Oil and Gas Producers, Unleased Mineral Interest Owners, Landowners, and all persons who-soever concerned.

You, and each of you, are hereby notified that FIML Natural Resources, LLC is filing an application to commingle production from the St. Louis, Marmaton, and Mississippi formations in the Dearden #4-16-1931 well located in the NW/4 Sec

16, 330' FNL, 1320' FWL, T-19S, R-31W, Scott 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.

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

FIML Natural Resources, LLC  
410 17th Street, Ste 900  
Denver, CO 80202  
Phone: 303-893-5090

Notice is a true copy thereof and was published in issue of said newspaper for 1 consecutive publication thereof being made as aforesaid on the January, 2009, with copies being made on the following dates:

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

Publication Fee \$ 35.00

Notary Fee \$ \_\_\_\_\_

Additional Copies @ \$ \_\_\_\_\_

Application Fee \$ 35.00

[Signature]  
\_\_\_\_\_  
Publisher

Subscribed and sworn to before me this 16 day of January, 2009.

**SHARLA OSBORN**  
Notary Public - State of Kansas  
My Appt. Expires 10-11-09

[Signature]  
\_\_\_\_\_  
Notary Public

My commission expires 10-11-09

RECEIVED  
KANSAS CORPORATION COMMISSION  
DEC 07 2009  
CONSERVATION DIVISION  
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  12th  of

January  A.D.  2009 , with

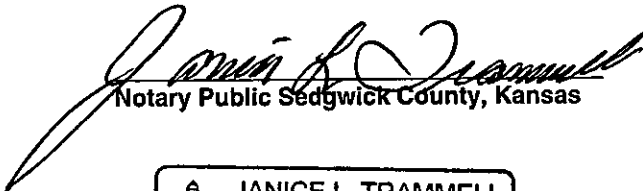
subsequent publications being made on the following dates:

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



Subscribed and sworn to before me this

12th  day of  January ,  2009



Notary Public Sedgwick County, Kansas



Printers Fee:  \$80.00

**LEGAL PUBLICATION**

Published in the Wichita Eagle

January 12, 2009 (2917562)

**BEFORE THE STATE**

**CORPORATION**

**COMMISSION OF THE**

**STATE OF KANSAS**

**NOTICE OF FILING APPLICATION**

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Phone: 303-693-5090

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CONSERVATION DIVISION  
WICHITA, KS

**Offset Operators/Lessee of Record and Unleased Mineral Owners Within a ½ Mile  
Radius of the Dearden 4-16-1931**

The undersigned hereby certifies that she/he is a duly authorized agent for the applicant, and notification of the ACO-4 application was mailed to the following parties:

Vess Oil Corporation  
1700 N. Waterfront Pkwy Bldg 500  
Wichita, KS 67206-5504

Sagebrush  
777 E. Speer Blvd Suite 100  
Denver, CO. 80203

RECEIVED  
KANSAS CORPORATION COMMISSION

DEC 07 2009

CONSERVATION DIVISION  
WICHITA, KS

  
\_\_\_\_\_  
Applicant or Duly Authorized Agent

Cassandra Parks Regulatory Specialist

Subscribed and sworn before me this 1st of December 2009 ↙

  
\_\_\_\_\_  
Notary Public

My commission expires: 7-1-2010