

ENTERED

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03-CONS-319-CUNE

04-CONS-199-CCOM

ACO-4
8/90

OPERATOR Elysium Energy, L.L.C. DOCKET # 020401 DATE 1/23/04
 ADDRESS 1625 Broadway, Suite 2000 OPERATOR'S LICENSE # 32754
Denver, CO 80202 API NO. 15-163-23370-0000
 LEASE Hederhorst WELL NO. 7
 QUARTER NWNENW SEC 11 TWP 9S RGE 19 E
 W XX
 Rooks County

COMINGLING 82-3-123

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KCC WICHITA

XX 1. Description of the well.
A plat showing:

- a) Location of subject well.
- b) Location of other wells on the lease.
- c) Location of offsetting wells and operator's name.

XX 2. Names and upper and lower limits of the source of supply involved.

(NAME) Arbuckle (PERFS) 3436-3442'
 (NAME) Lansing/Kansas City (PERFS) 3188-3400'
 (NAME) _____ (PERFS) _____

XX 3. Wireline log of the subject well.

XX 4. A complete ACO-1 form.

XX 5. Expected production, oil-gas-water, for each source of supply.

FORMATION	<u>Arbuckle</u>	BOPD	<u>12</u>	MCF	_____	BWPD	<u>200</u>
FORMATION	<u>LKC</u>	BOPD	<u>8</u>	MCF	_____	BWPD	<u>100</u>
FORMATION	_____	BOPD	_____	MCF	_____	BWPD	_____
FORMATION	_____	BOPD	_____	MCF	_____	BWPD	_____
ESTIMATED COMBINED TOTAL		BOPD	<u>20</u>	MCF	_____	BWPD	<u>300</u>

XX 6. Application shall be supported by an Affidavit and shall contain a certificate showing service of a copy of the application without attachments to the offsetting operators. You are responsible for this. Unless waivers are obtained, applications are held for fifteen days to give offsetting operators time to file objections. If waivers are obtained, applications can be processed immediately. If objections are filed, applications are then set for hearing.



January 27, 2004

Kansas Corporation Commission
Conservation Division
130 S. Market, Room 2078
Wichita, KS 67202-3802
Attn: Mr. Bob Petersen

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FEB 02 2004
KCC WICHITA

RE: Hederhorst #7 Commingle Application
Elysium Energy, L.L.C. (Operator #32754)

Dear Mr. Petersen:

Attached is Form ACO-4 with attachments for the commingling of production from the Arbuckle and Lansing/Kansas City formations in the Hederhorst #7 well. The Hederhorst #7 well is currently producing from the Arbuckle. The Lansing/Kansas City (LKC Unit) will be perforated and commingled with the Arbuckle.

Since lease production is being commingled with unit production, the allocation method is attached along with the order allowing unit production to be commingled with non-unit production.

Attached is an affidavit certifying that Elysium Energy, L.L.C. has mailed a copy of the application (Form ACO-4) to all offset operators/unleased mineral owners within a ½ mile radius of the Hederhorst #7. Also attached are copies of the certified mail receipts to offset operators.

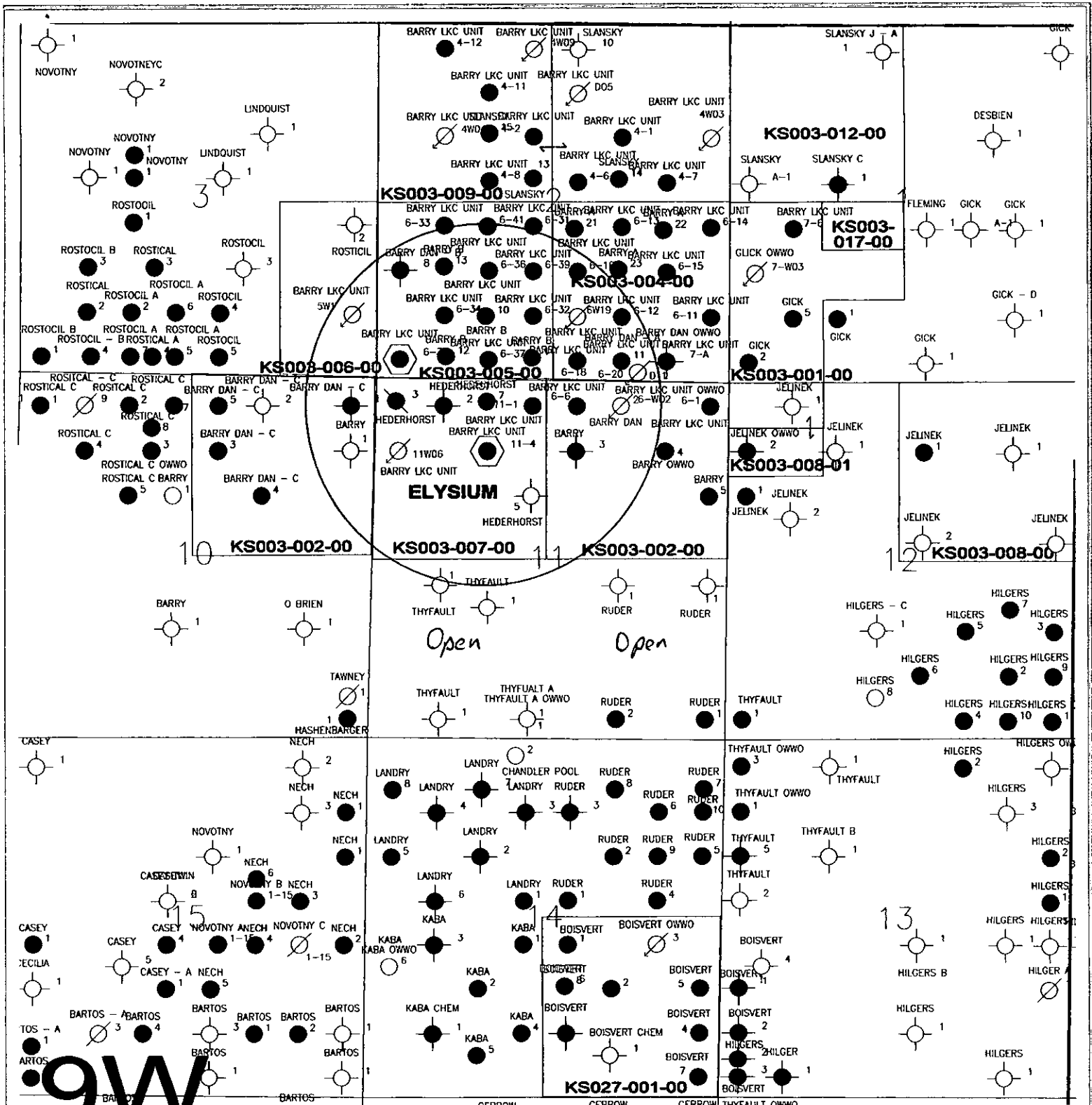
If you should require further information or have any questions, please feel free to contact Jim Annable at 303-389-3610 or by email at jannable@patinaoil.com.

Sincerely,

A handwritten signature in black ink, appearing to be "J Annable", written over a circular stamp or mark.

James Annable
Regulatory Engineer

Attachments: ACO-4, Order, Allocation Method, Affidavit, and Certified Mail Receipts



○ 1/2 MILE RADIUS



ELYSIUM ENERGY, LLC		
KANSAS HEDERHORST #7 ROOKS COUNTY SEC. 11 - 9 SOUTH - 19 WEST		
MAP PREPARED BY:	1" = 2000 FEET	1/14/2004
MARK CURTIS	Scale 1:24000	9-19-11.QPP

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Barry Field Production Allocation Method

Accounting for LKC Unit Production and Arbuckle Lease Production After Commingling in a Common Wellbore

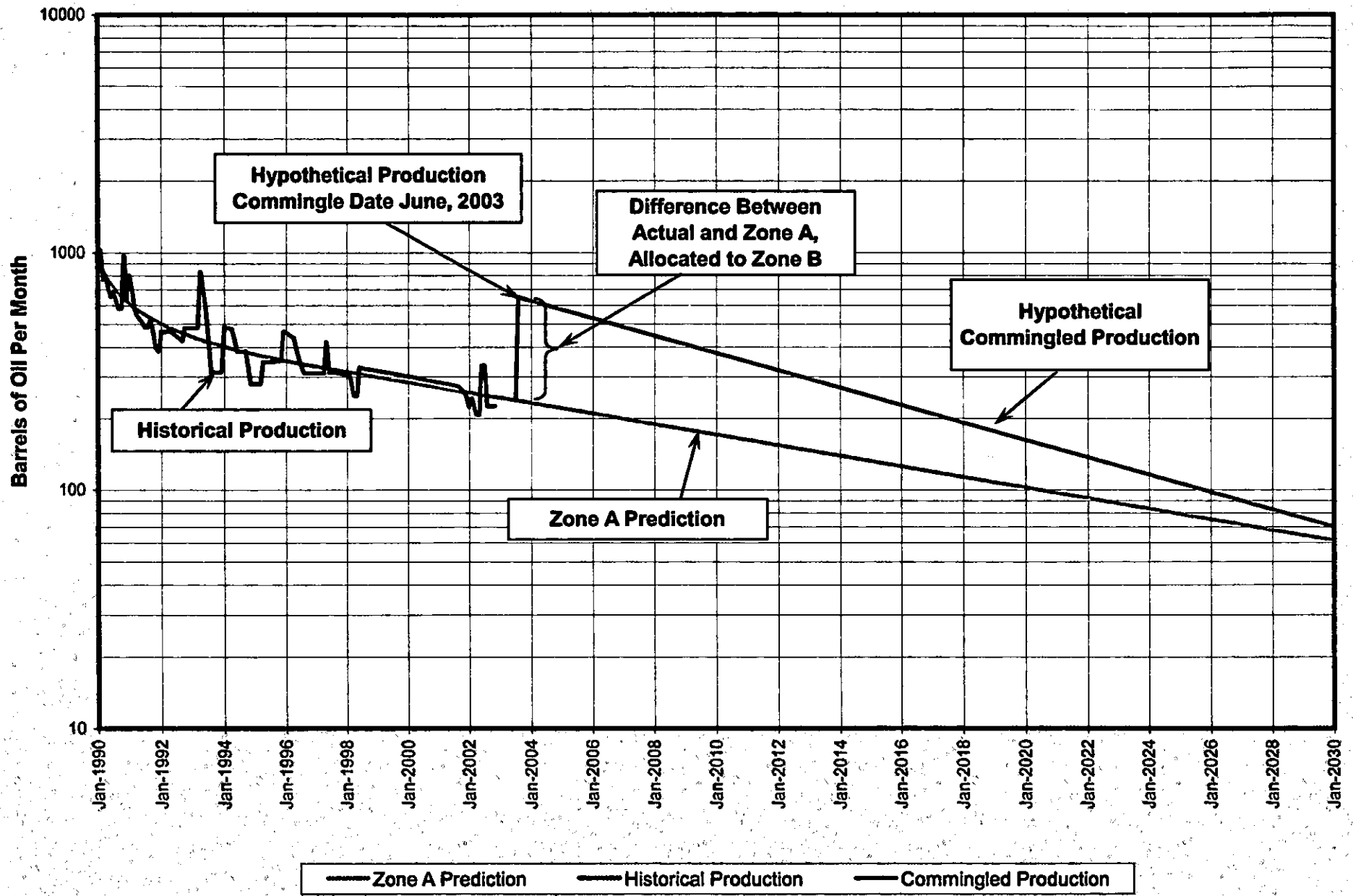
This Production Allocation Method provides for the equitable distribution of proceeds resulting from the concurrent production of oil from the Lansing-Kansas City Unitized Formation and the deeper Arbuckle Formation from a common wellbore. Using generally accepted engineering practices and past production history, a forecast of future production from the current producing interval, let's call it Zone A (either LKC or Arbuckle,) will be developed on a well by well basis. After commingling production within the well, periodic well tests will be taken to determine the current producing rate. Current production will then be allocated as follows: Oil production volumes up to the developed engineering prediction will be assigned to Zone A, with any produced volume above the developed prediction assigned to Zone B (the newly opened zone). This allocation will continue for as long as the producing formations are commingled within the wellbore. In addition, whenever major well work (deemed anything except routine well maintenance) is performed, the individual zones will be isolated and tested to confirm the previous forecast or to modify the current rate assigned to Zone A while maintaining the same decline rate. An example using a Hypothetical Barry Unit Well is outlined below and includes the attached production graph.

1. The historical Zone A well tests are graphed for the individual well. For the Hypothetical Barry Unit Well this covers January 1990 through the present (represented by the blue line).
2. Using accepted engineering practices a "best fit" equation is developed to closely match actual production and to forecast future production (represented by the green line).
3. Using January 2004 as a representative date the forecast predicts 220 barrels of oil will be produced this month (or 7.1 barrels of oil per day) from Zone A.
4. Assume the well is commingled in June 2003 and follows the hypothetical production trend represented by the red line. Total production from the Hypothetical Barry Unit Well would then be 620 barrels of oil in January 2004 (or 20 barrels of oil per day). Based on the process outlined above, production would be allocated as follows:

Zone	Allocated Production (monthly)
Zone A (current zone)	220 Barrels (equal to forecast)
Zone B (new zone)	400 Barrels (remainder of tested volume)

5. This allocation will continue per the original forecast for the life of the well, unless major well work is performed on the well. If major well work is performed, the zones will be isolated and re-tested to confirm current allocations. If tested rates are significantly different (greater than 20%), the allocation forecast will be adjusted with the new producing rate, but will maintain the same decline as originally developed.

HYPOTHETICAL BARRY UNIT WELL



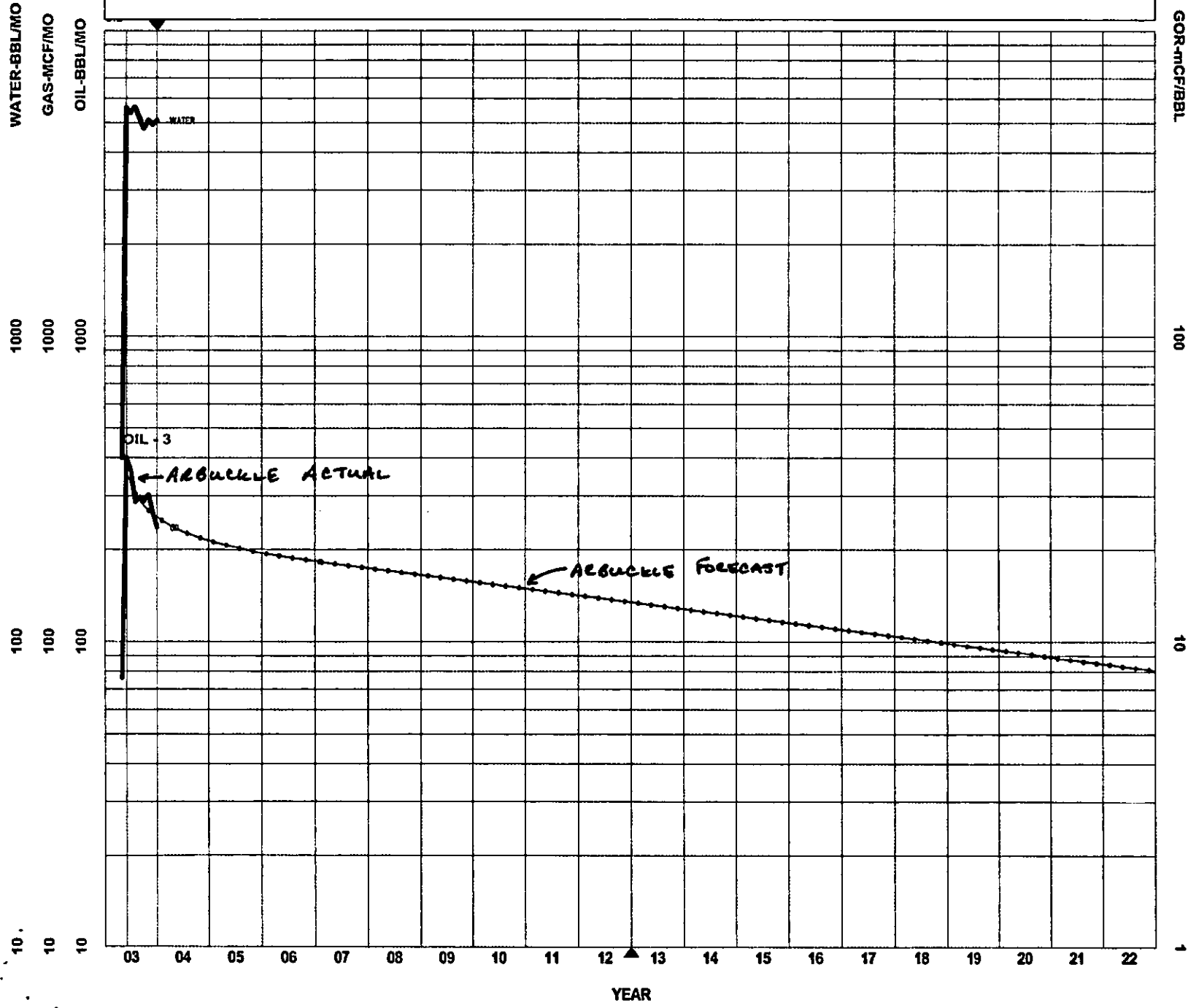


Hederhorst #7

Proposed Arbuckle Allocated Monthly Volumes

Month/Year	BOPM	Month/Year	BOPM	Month/Year	BOPM	Month/Year	BOPM	Month/Year	BOPM
Jan-04	252	Jan-08	173	Jan-12	141	Jan-16	115	Jan-20	93
Feb-04	249	Feb-08	172	Feb-12	140	Feb-16	114	Feb-20	93
Mar-04	245	Mar-08	172	Mar-12	140	Mar-16	114	Mar-20	93
Apr-04	242	Apr-08	171	Apr-12	139	Apr-16	113	Apr-20	92
May-04	238	May-08	170	May-12	139	May-16	113	May-20	92
Jun-04	235	Jun-08	169	Jun-12	138	Jun-16	112	Jun-20	92
Jul-04	231	Jul-08	169	Jul-12	137	Jul-16	112	Jul-20	91
Aug-04	228	Aug-08	168	Aug-12	137	Aug-16	111	Aug-20	91
Sep-04	225	Sep-08	167	Sep-12	136	Sep-16	111	Sep-20	90
Oct-04	221	Oct-08	166	Oct-12	136	Oct-16	110	Oct-20	90
Nov-04	218	Nov-08	166	Nov-12	135	Nov-16	110	Nov-20	90
Dec-04	215	Dec-08	165	Dec-12	134	Dec-16	109	Dec-20	89
Jan-05	212	Jan-09	164	Jan-13	134	Jan-17	109	Jan-21	89
Feb-05	209	Feb-09	164	Feb-13	133	Feb-17	109	Feb-21	88
Mar-05	206	Mar-09	163	Mar-13	133	Mar-17	108	Mar-21	88
Apr-05	203	Apr-09	162	Apr-13	132	Apr-17	108	Apr-21	88
May-05	200	May-09	162	May-13	132	May-17	107	May-21	87
Jun-05	197	Jun-09	161	Jun-13	131	Jun-17	107	Jun-21	87
Jul-05	194	Jul-09	160	Jul-13	130	Jul-17	106		
Aug-05	192	Aug-09	159	Aug-13	130	Aug-17	106		
Sep-05	189	Sep-09	159	Sep-13	129	Sep-17	105		
Oct-05	186	Oct-09	158	Oct-13	129	Oct-17	105		
Nov-05	184	Nov-09	157	Nov-13	128	Nov-17	104		
Dec-05	181	Dec-09	157	Dec-13	128	Dec-17	104		
Jan-06	178	Jan-10	156	Jan-14	127	Jan-18	104		
Feb-06	176	Feb-10	155	Feb-14	127	Feb-18	103		
Mar-06	173	Mar-10	155	Mar-14	126	Mar-18	103		
Apr-06	171	Apr-10	154	Apr-14	126	Apr-18	102		
May-06	168	May-10	153	May-14	125	May-18	102		
Jun-06	166	Jun-10	153	Jun-14	124	Jun-18	101		
Jul-06	164	Jul-10	152	Jul-14	124	Jul-18	101		
Aug-06	161	Aug-10	152	Aug-14	123	Aug-18	101		
Sep-06	159	Sep-10	151	Sep-14	123	Sep-18	100		
Oct-06	157	Oct-10	150	Oct-14	122	Oct-18	100		
Nov-06	155	Nov-10	150	Nov-14	122	Nov-18	99		
Dec-06	152	Dec-10	149	Dec-14	121	Dec-18	99		
Jan-07	150	Jan-11	148	Jan-15	121	Jan-19	98		
Feb-07	181	Feb-11	148	Feb-15	120	Feb-19	98		
Mar-07	181	Mar-11	147	Mar-15	120	Mar-19	98		
Apr-07	180	Apr-11	146	Apr-15	119	Apr-19	97		
May-07	179	May-11	146	May-15	119	May-19	97		
Jun-07	178	Jun-11	145	Jun-15	118	Jun-19	96		
Jul-07	177	Jul-11	145	Jul-15	118	Jul-19	96		
Aug-07	177	Aug-11	144	Aug-15	117	Aug-19	95		
Sep-07	176	Sep-11	143	Sep-15	117	Sep-19	95		
Oct-07	175	Oct-11	143	Oct-15	116	Oct-19	95		
Nov-07	174	Nov-11	142	Nov-15	116	Nov-19	94		
Dec-07	174	Dec-11	142	Dec-15	115	Dec-19	94		

HEDERHORST #7-ARBUCKLE ACTUAL
 Field : Case :
 County : State : @M.STA
 Topval : Last Review
 RCATS : YR/Q :



OIL-BBL/MO -----
 Qual= OIL - 3
 Ref= 1/2004
 Cum= 2514
 Rem= 50092
 EUR= 52606
 Yrs= 103.132
 Qref= 254.3
 De= 16.019947
 Dmin= 5.000
 b= 5.079848
 Qab= 1.1

GAS-MCF/MO -----
 Ref= 1/2004
 Cum= 0

WATER-BBL/MO -
 Ref= 1/2004
 Cum= 42009

GOR-mCF/BBL -----
 Ref= 1/2004
 Cum= 0

BEFORE THE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of) Docket No.
Elysium Energy, L.L.C. for an Order)
Authorizing the Commingling of Oil) CONSERVATION DIVISION
& Gas Production from the Arbuckle)
and Lansing/Kansas City Formations)
Hederhorst #7 Well)
Rooks County, KS) Operator Number 32754

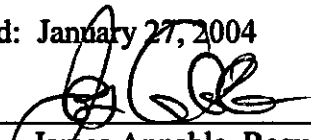
Affidavit of Mailing

This is to advise that a copy of the application for an order authorizing the commingling of oil & gas production was sent by certified mail on January 23, 2004 to the following offset operators:

See Attached List

Dated: January 27, 2004

By:

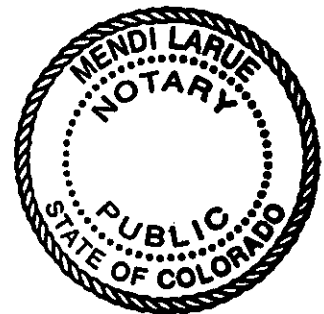

James Annable, Regulatory Engineer
Elysium Energy, L.L.C.

STATE OF COLORADO)
) SS.
CITY AND COUNTY OF DENVER)

Subscribed & sworn to me before this 27th day of January 2004.

My Commission Expires:

8/26/04



My Commission Expires 8/26/2008


Notary Public

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 Emporia, KS 66801

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 2930 S. Martinson
 Wichita, KS 67217

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 11405 Carrier Dr.
 Yukon, OK 73099

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 5110 S. Custer
 Wichita, KS 67217

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 c/o Nancy Kendrick
 1700 E. Waterman, Lot 249
 Wichita, KS 67207

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 HC1, Box 1134-BB
 Payson, AZ 85541

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 Grand Junction, CO 81503

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 Wichita, KS 67233

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 PO Box 428
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James F. Eichman and Cynthia K. Eichman
 2225 16 Rd
 Plainville, KS 67663

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Marjorie Jane Cunningham
 48 Pegs Circle
 Hot Springs Village, AR 71909

PS Form 3800

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Martina Ruder
 508 W. Wyoming
 Plainville, KS 67663

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Dorothy A. Hrabe
 15 Hillcrest Dr.
 Stockton, KS 67669

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Mary F. Krahl
 2008 Leland Way
 Salina, KS 67401

PS Form 3800

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Sent To: **Betty Jo Krysl**
820 N. 5th St.
Stockton, KS 67669

Postmark Here: **DENVER CO 23 2004**

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Restricted Delivery Fee (Endorsement Required)	
Total	\$

Sent To: **Dave E. Reese**
2800 Monticello Dr.
Bartlesville, OK 74006

Postmark Here: **DENVER CO 23 2004**

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Return Receipt Fee (Endorsement Required)	
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Sent To: **Esther Ruder**
210 E. 14th St.
Hays, KS 67601

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Restricted Delivery Fee (Endorsement Required)	
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Sent To: **Brian A. Smee**
3504 Rockwood
Hutchinson, KS 67502

Postmark Here: **DENVER CO 23 2004**

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Total Postage & Fees	\$

Sent To: **Sabrina L. Smee**
c/o Cathy Smee
3504 Rockwood
Hutchinson, KS 67502

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To: **Jason J. Smee**
1501 Harvey Rd. #457
College Station, TX 77840

Postmark Here: **DENVER CO 23 2004**

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To: **Patricia P. Sis**
578 Chaparral Dr.
Grand Junction, CO 81503

Postmark Here: **DENVER CO 23 2004**

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total	\$

Sent To: **Mary M. Engle**
7651 Allspice Rd.
Norman, OK 73072

Postmark Here: **DENVER CO 23 2004**

PS Form 3800

**RECORD CHECK
KCC NOTIFICATION REQUIREMENT**

J. FRED HAMBRIGHT, INC.
January 28, 2003

RE: Acreage within a 1/2 mile radius of the
BARRY UNIT , ROOKS COUNTY, KANSAS

Township 9 South, Range 19 West
Section 10: S/2SE/4

**MINERAL OWNER-
IF UNLEASED:**

Christine A. Tawney
5435 Pheasant Ridge
Manhattan, KS 66502

**LESSEE/OPERATOR-
IF LEASED/HBP:**

Shows Leased:
Murfin Drilling Company, Inc.
250 N. Water, Suite 300
Wichita, KS 67202
EXP: 05-22-01 w/option to renew
for 2 years.

Section 10: N/2SE/4

Getrude Copher
7373 E. 29th St., North Villa #201
Wichita, KS 67226

Shows Leased:
Murfin Drilling Company, Inc.
EXP: 05-19-01 w/option to renew
for 2 years.

Russell E. Lohrey
722 E. 4th
LaCrosse, KS 67548

Shows Leased:
Murfin Drilling Company, Inc.
EXP: 06-01-01 w/option to renew
for 2 years.

Section 10: NW/4

Shows HBP:
Operator: Gore Oil Company
PO Box 2757, Wichita, KS 67201
Rostocil "C" Well

Section 10: S/2NE/4NE/4, SE/4NE/4

Shows HBP:
Same Base lease as N/2NE/4NE/4
which is a part of the Barry Unit-
Working interest owner:
Jones, Shelbourne & Farmer, Inc.
(1954) possibly c/o
John O. Farmer, Inc.
PO Box 352
Russell, KS 67665

Section 10: W/2NE/4

Shows HBP:
Same Base lease as N/2NE/4NE/4
which is a part of the Barry Unit-
Working interest owner:
Toreador Royalty Corporation
4809 Cole Ave, Suite 108
Dallas, TX 75205

Section 11: SE/4

~~Betty Jo Krysl~~ ✓
820 N. 5th St.
Stockton, KS 67669

Shows Open:

~~Dave E. Reese~~ ✓
2800 Monticello Dr.
Bartlesville, OK 74006

Shows Open:

~~Vernon Joseph Thyfault~~
(Unknown 1950)

Shows Open:

~~Edwin R. Ruder (deceased)~~
Probable Heir:
Esther Ruder
210 E. 14th St. ✓
Hays, KS 67601

Shows Open:

~~Agnes Ruder~~ ✓
11405 Carrier Dr.
Yukon, OK 73099

Shows Open:

~~CeCelia Ruder~~ ✓
1318 Golden Belt Dr. ✓
Hays, KS 67601

Shows Open:

~~Martina Ruder~~ ✓
508 S. Wyoming ✓
Plainville, KS 67663

Shows Open:

**RECORD CHECK
KCC NOTIFICATION REQUIREMENT**

**J. FRED HAMBRIGHT, INC.
January 28, 2003**

**RE: Acreage within a 1/2 mile radius of the
BARRY UNIT**

ROOKS COUNTY, KANSAS

Township 9 South, Range 19 West
Section 11: SW/4

**MINERAL OWNER-
IF UNLEASED:**

**LESSEE/OPERATOR-
IF LEASED/HBP:**

Edna Towns, Life Estate; Nancy Werner, remainderman 306 W. 3rd Palco, KS 67657	Shows Open:
Mary F. Krahl 2008 Leland Way Salina, KS 67401	Shows Open:
Dorothy A. Hrabe 15 Hillcrest Dr. Stockton, KS 67669	Shows Open:
Marjorie Jane Cunningham 48 Pegs Circle Hot Springs Village, AR 71909	Shows Open:
James F. Eichman and Cynthia K. Eichman 2225 16 Rd. Plainville, KS 67663	Shows Open:
Baird Oil, LLLC PO Box 428 Logan, KS 67646	Shows Open:
Louse L. Newell 3547 S. Clifton Wichita, KS 67216	Shows Open:
Annette A. Rohr and Vernon J. Rohr 2604 Capri Wichita, KS 67210	Shows Open:
Patricia P. Sis 578 Chaparral Dr. Grand Junction, CO 81503	Shows Open:
Mary M. Engle 7651 Allspice Rd. Norman, OK 73072	Shows Open:
Deges Living Trust 250 O Rd. Damar, KS 67632	Shows Open:
Catherine C. Smee 3504 Rockwood Hutchinson, KS 67502	Shows Open:
John Thyfault 945 Spring Forest Rd. Greenville, NC 27834	Shows Open:
Gregory Thyfault 3026 NW Silver Lake Rd. Topeka, KS 66618	Shows Open:
Justin J. Deges 250 O Rd. Damar, KS 67632	Shows Open:

**RECORD CHECK
KCC NOTIFICATION REQUIREMENT**

J. FRED HAMBRIGHT, INC.
January 28, 2003

RE: Acreage within a 1/2 mile radius of the
BARRY UNIT

ROOKS COUNTY, KANSAS

Township 9 South, Range 19 West
Section 11: SW/4 (CONTINUED)

**MINERAL OWNER-
IF UNLEASED:**

**LESSEE/OPERATOR-
IF LEASED/HBP:**

✓ Brenda Lemon
2622 P. Street
Belleville, KS 66935 ✓

Shows Open:

✓ Michele Garvert
809 S. Commercial ✓
Plainville, KS 67663 ✓

Shows Open:

✓ Janel Norris
1104 Turnberry Ct. ✓
Waunakee, WI 53597 ✓

Shows Open:

✓ Nancy Griffith
c/o Nancy Kendrick
1700 E. Waterman, Lot 249 ✓
Wichita, KS 67207 ✓

Shows Open:

✓ Sherry Reed
600 Wahoo ✓
Derby, KS 67037 ✓

Shows Open:

✓ Larry Newell
659 N. Woodlawn ✓
Belle Plaine, KS 67013 ✓

Shows Open:

✓ Mike Newell
5110 S. Custer ✓
Wichita, KS 67217 ✓

Shows Open:

✓ Suzanne Pfeifer
2930 S. Martinson ✓
Wichita, KS 67217 ✓

Shows Open:

✓ Dennis Newell
1224 West Street ✓
Emporia, KS 66801 ✓

Shows Open:

✓ Cindy James
633 Parkside Drive NE ✓
Albuquerque, NM 87123 ✓

Shows Open:

✓ Dianne Popp
610 E. Kerby St. ✓
Wichita, KS 67233 ✓

Shows Open:

✓ Sis Living Trust
c/o Patricia P. Sis ✓
578 Chaparral Dr. ✓
Grand Junction, CO 81503 ✓

Shows Open:

✓ Lisa J. Jones
HC1, Box 1134-BB ✓
Payson, AZ 85541 ✓

Shows Open:

✓ Jason J. Smee
1501 Harvey Rd. #457 ✓
College Station, TX 77840 ✓

Shows Open:

✓ Sabrina L. Smee
c/o Cathy Smee ✓
3504 Rockwood ✓
Hutchinson, KS 67502 ✓

Shows Open:

✓ Brian A. Smee
3504 Rockwood ✓
Hutchinson, KS 67502 ✓

Shows Open:



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Evans Brock & Kennedy, Chtd.

Ralph R. Brock
Joseph W. Kennedy
Robert I. Guenther
Ken M. Peterson
Robert D. Overman
A.J. Schwartz, Jr.
Donald E. Schrag
William B. Sorenson, Jr.
Jeffery L. Carmichael
Robert W. Coykendall
Robert K. Anderson
Susan R. Schrag

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Janet Huck Ward
T. Lynn Ward
Roger AL Walter*
James D. Young

Luke A. Sobbs*
Kimberly S. Klemme
Richard A. Kear
Cameron V. Michaud

Of Counsel
Gerald L. Michaud
Rick E. Bailey
Robert P. Burns
Kelly S. Herzik

*Resident in Topeka Office

Lester L. Morris
1801 - 1988

Verna M. Laing
1807 - 2000

Ferd E. Evans, Jr.
1918 - 1991

Dennis M. Peanay
1893 - 2001

Sender's email: rbrock@morrislaing.com

FAX TRANSMITTAL SHEET

RECEIVED

FEB 02 2004

KCC WICHITA

DATE: July 31, 2003

TO: Steve Hawthorne
Elysium Energy, LLC

FAX: 303-595-7410

FROM: Ralph R. Brock

FAX: 262-6226

TOTAL PAGES: 6 (Including This Transmittal Sheet)

Please contact Doris Jarrett at (316) 262-2671 if you do not receive all pages of this transmission.

MESSAGE:

Faxed is order granting application. It reads very well. It does not expressly approve your method of measurement but certainly impliedly does. I thought it would order you to retain the records on the allocation well tests but it does not. In any event, you should retain them as we agreed to do so, also you no doubt need to for your own protection if questions later arise.

If there are any questions, please advise.

Original is being forwarded in the mail.

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