

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

Form ACO-4
Form must be typed
September 2005

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

Commingling ID # CA 70605

Operator Information:

License #: 33017
Name: Davis Operating Company
Address: 2800 Mid-Continent Tower
City/State/Zip: Tulsa, OK 74103
Contact Person: Autumn R. Minnick
Phone #: 479-285-9036

Well Information:

API #: 15 - 125-30674 - 0000
Lease Name: Dakota Well #: 1-18
Spot: C - SE - SE Sec. 18 Twp. 33 S. R. 17 East West
County: Montgomery
Feet from North / South Line of Section: 660
Feet from East / West Line of Section: 660

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

Formation: Riverton Coal (Perfs): 914-917'
Formation: Mississippi Chat (Perfs): 930-940'
Formation: _____ (Perfs): _____
Formation: _____ (Perfs): _____
Formation: _____ (Perfs): _____

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

Formation: Riverton Coal BOPD: 0 MCFPD: 25 BWPD: 20
Formation: Mississippi Chat BOPD: 0 MCFPD: 45 BWPD: 0
Formation: _____ BOPD: _____ MCFPD: _____ 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 as required in K.A.R. 82-3-135a(b).

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.

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 _____)
County of _____)

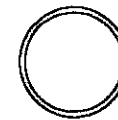
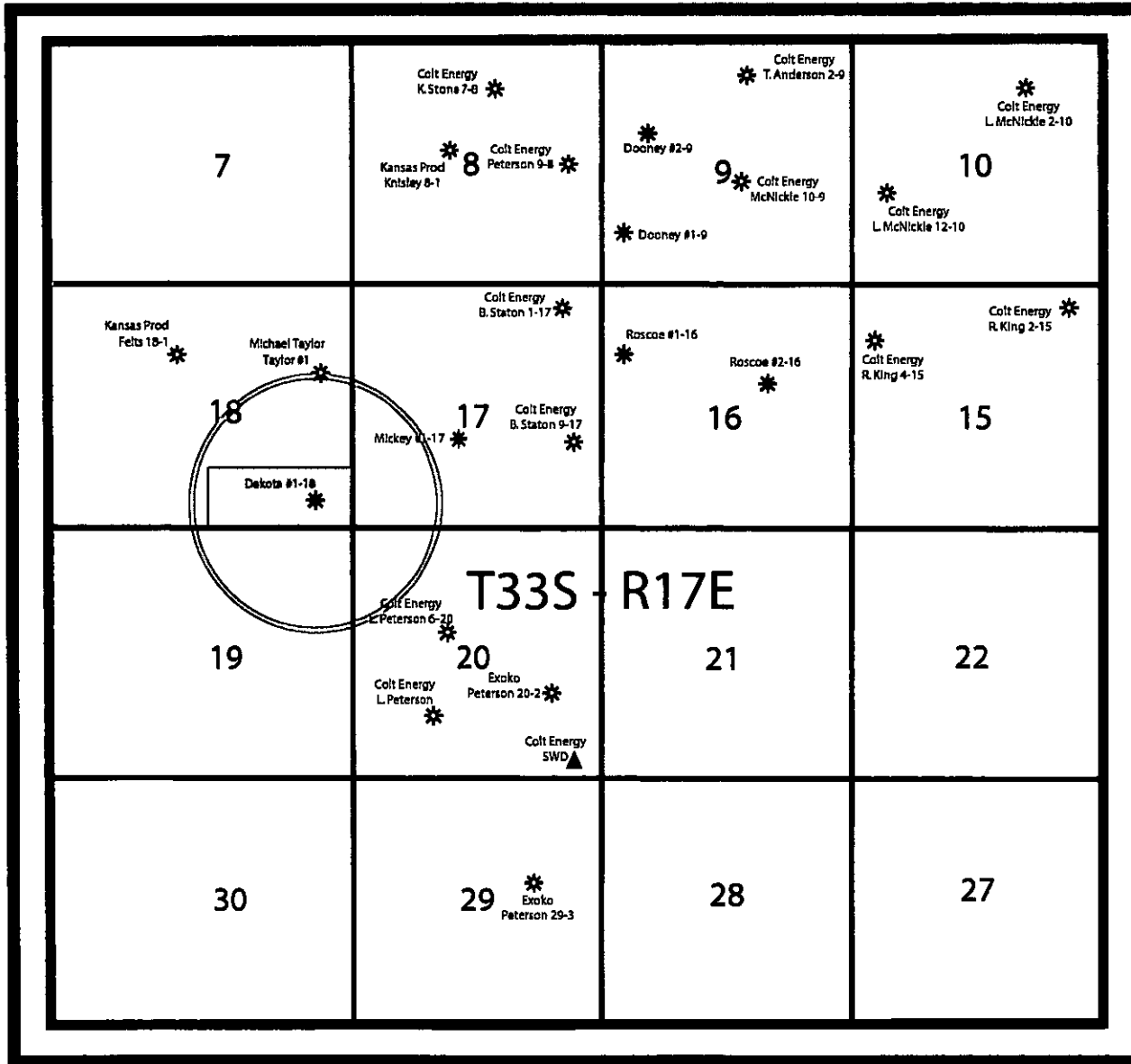
ss:

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.

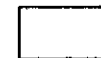
Signature: *Autumn R. Minnick*
Printed Name: Autumn R. Minnick
Title: Geologist
Subscribed & sworn to before me this 27th day of April, 20 06
Notary Public: *Sherrita Robinson*
My Commission Expires: 2-19-07

RECEIVED
KANSAS CORPORATION COMMISSION
JUL 27 2006
CONSERVATION DIVISION
WICHITA, KS

KCC Office Use Only
 Denied Approved
KCC Date Received: 7-27-06 5-Day Periods Ends: 8-15-06
Approved By: *KMS* Date: 2-20-07



1/2 Mile Radius



Lease Boundary

Operators of Offsetting Wells

Michael L. Taylor
Rt. 1, Box 148
Liberty, KS 67351

Davis Operating Company

Commingle Plat
Dakota #1-18



DAVIS OPERATING WELL



OUTSIDE-OPERATED WELL

CONSERVATION DIVISION
WICHITA, KS

JUL 27 2000

RECEIVED
KANSAS CORPORATION COMMISSION

JUL 27 2006

CONSERVATION DIVISION
WICHITA, KS

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

IN THE MATTER OF THE APPLICATION OF DAVIS)
OPERATING COMPANY FOR AN ORDER PERMITTING) Docket No.
THE COMMINGLING OF PRODUCTION IN ITS DAKOTA)
#1-18 WELL, MONTGOMERY COUNTY, KANSAS) _____
License No. 33017

NOTICE OF APPLICATION FOR COMMINGLING OF PRODUCTION

TO: ALL OIL AND GAS OPERATORS, LESSEES, OWNERS OF UNLEASED MINERAL INTERESTS, AND ALL OTHER PERSONS WHOMSOEVER CONCERNED:

You, and each of you, are hereby notified that Davis Operating Company has filed with the Kansas Corporation Commission an Application for an Order permitting the commingling of production from the Riverton Coal and Mississippi Chat Formations in its Dakota #1-18 well located 660 feet from the South line and 660 feet from the East line in Section 18, Township 33 South, Range 17 East, Montgomery County, Kansas.

You are further notified that unless a protest is received by the Kansas Corporation Commission, Oil and Gas Conservation Division, 130 South Market, Room 2078, Wichita, KS 67202, within fifteen (15) days after publication of this Notice, the Application may be granted without a hearing. If written protest is timely received, you are further notified that this Application will be heard before the State Corporation Commission in the Commission's Hearing Room at 130 South Market, Room 2078, Wichita, KS 67202-3802, on September 21, 2006, at 10:00 a.m., or as soon thereafter as said Application may be reached.

All parties in any way interested or concerned shall take notice of the foregoing and govern themselves accordingly.

Ralph R. Brock #04654
Michael Lennen #08505
MORRIS, LAING, EVANS, BROCK
& KENNEDY, CHARTERED
300 N. Mead, Suite 200
Wichita, KS 67202-2722
Telephone: 316 262-2671
Attorneys for Davis Operating Company

JUL 27 2006

CERTIFICATE OF SERVICE

CONSERVATION DIVISION
WICHITA, KS

The undersigned hereby certifies that on this 27th day of July, 2006, copies of the Application and of the Notice of Application for Commingling of Production to which this Certificate is attached were mailed to each of the following parties at their addresses as designated, to-wit:

Michael L. Taylor
Route 1 Box 148
Liberty KS 67351

Francis E. O'Brien
Marcia L. O'Brien
5161 CR 3600
Liberty KS 67351

O'Brien Farms
4506 CR 3400
Liberty KS 67351

Quest Cherokee LLC
9520 N May Ave Ste 300
Oklahoma City OK 73120


Josephine Stonecipher Trust
P O Box 9
Arlington WA 98223

James E Bruington
Laura Bruington
RR 1, Box 159
Liberty KS 67351

John D. Bever
Mayme L. Bever
c/o Kenny Allen
RR1, Box 162
Liberty KS 67351

Colt Energy Inc
Ste 280
4350 Shawnee Mission Pkwy
Fairway KS 66205

who are all of the operators of leases and owners of record of minerals in unleased acreage within a one-half mile radius of the Dakota #1-18 well.



Michael Lennen



LAW OFFICES OF
MORRIS LAING
Evans Brock & Kennedy, Chtd.

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

Karl R. Swartz
Roger L. Theis
Richard F. Hayse*
Thomas R. Docking
Diane S. Worth
Tim J. Moore
Janet Huck Ward
Roger N. Walter
James D. Young
Kelly S. Herzik
Luke A. Sobba
Kimberly K. Bonifas

Richard A. Kear
Cameron V. Michaud
Ryan M. Peck
Shannon M. Braun
Will B. Wohlford
Edward L. Robinson

Of Counsel
John W. Johnson
Derek L. Park

Lester L. Morris
1901 - 1966
Verne M. Laing
1907 - 2000
Ferd E. Evans, Jr.
1919 - 1991

Joseph W. Kennedy
1932 - 2005
Dennis M. Feeney
1953 - 2001

Sender's email: mlennen@morrisolaing.com

July 27, 2006

Kansas Corporation Commission
130 South Market, Room 2078
Wichita, KS 67202

RECEIVED
KANSAS CORPORATION COMMISSION
JUL 27 2006
CONSERVATION DIVISION
WICHITA, KS
Via Hand Delivery

Attention: Mr. David Williams

Re: Application of Davis Operating Company
for Commingling of Production on the Dakota #1-18 Well
in the SE/4 SE/4 Section 18-33S-17E, Montgomery County, Kansas

Dear David:

Enclosed herewith for filing is the above Application, together with the required accompanying materials, consisting of a plat map, signed Certificate showing service of the Application, wireline neutron log, and ACO-1 well completion form. In addition and for your information, we enclose a gamma ray cement bond log, drilling log, and cement treatment report.

We will furnish affidavits of publication of the Notice by The Wichita Eagle and The Coffeyville Journal as soon as they are received from the newspapers.

If there are any questions, please call.

Very truly yours,

Michael Lennen
For the Firm

CML:mw
Enclosures
cc: Tony Benevides

AFFIDAVIT

STATE OF KANSAS \
- SS.
County of Sedgwick /

Milt Mounts, of lawful age, being first duly sworn, deposeth 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 consecutive issue - weeks, that the first publication of said notice was

made as aforesaid on the 31st day of

July A.D. 2006 , with

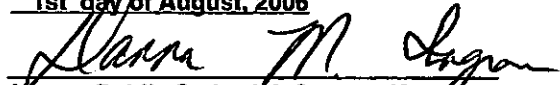
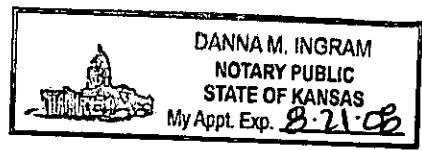
subsequent publications being made on the following dates:

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



Subscribed and sworn to before me this

1st day of August, 2006


Notary Public Sedgwick County, Kansas

Printer's Fee \$106.00

LEGAL PUBLICATION

First Published in The Wichita Eagle on July 31, 2006 (2532569)
BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS IN THE MATTER OF THE APPLICATION OF DAVIS OPERATING COMPANY FOR AN ORDER PERMITTING THE COMMINGLING OF PRODUCTION IN ITS DAKOTA #1-18 WELL, MONTGOMERY COUNTY, KANSAS

Docket No. License No. 33017
NOTICE OF APPLICATION FOR COMMINGLING OF PRODUCTION
TO: ALL OIL AND GAS OPERATORS, LESSEES, OWNERS OF UNLEASED MINERAL INTERESTS, AND ALL OTHER PERSONS WHOMSOEVER CONCERNED:
You, and each of you, are hereby notified that Davis Operating Company has filed with the Kansas Corporation Commission an Application for an Order permitting the commingling of production from the Riverton Coal and Mississippi Chat Formations in its Dakota #1-18 well located 660 feet from the South line and 660 feet from the East line in Section 18, Township 33 South, Range 17 East, Montgomery County, Kansas.
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All parties in any way interested or concerned shall take notice of the foregoing and govern themselves accordingly.
Ralph R. Brock #04654
Michael Lennen #08505
MORRIS, LAING, EVANS, BROCK & KENNEDY, CHARTERED
300 N. Mead, Suite 200
Wichita, KS 67202-2722
Telephone: 316 262-2671
Attorneys for Davis Operating Company

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AUG 11 2006
CONSERVATION DIVISION
WICHITA, KS

STATE OF KANSAS,
Montgomery County } SS.

Affidavit of Publication

RECEIVED
KANSAS CORPORATION COMMISSION
AUG 11 2006
CONSERVATION DIVISION
WICHITA, KS

(First published in The Coffeyville Journal on Sunday, July 30, 2006)

BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS IN THE MATTER OF THE APPLICATION OF DAVIS OPERATING COMPANY FOR AN ORDER PERMITTING THE COMMINGLING OF PRODUCTION IN ITS DAKOTA #1-18 WELL, MONTGOMERY COUNTY, KANSAS
Docket No.

License No. 33017
NOTICE OF APPLICATION FOR COMMINGLING OF PRODUCTION

TO: ALL OIL AND GAS OPERATORS, LESSEES, OWNERS OF UNLEASED MINERAL INTERESTS, AND ALL OTHER PERSONS WHOMSOEVER CONCERNED:

You, and each of you, are hereby notified that Davis Operating Company has filed with the Kansas Corporation Commission an Application for an Order permitting the comingling of production from the Riverton Coal and Mississippi Chat Formations in its Dakota #1 - 18 well located 660 feet from the South line and 660 feet from the East line in

Section 18, Township 33 South, Range 17 East, Montgomery County, Kansas.

You are further notified that unless a protest is received by the Kansas Corporation Commission, Oil and Gas Conservation Division, 130 South Market, Room 2078, Wichita, KS 67202, within fifteen (15) days after publication of this Notice, the Application may be granted without a hearing. If written protest is timely received, you are further notified that this Application will be heard before the State Corporation Commission in the Commission's Hearing Room at 130 South Market, Room 2078, Wichita, KS 67202-3802, on September 21, 2006, at 10:00 a.m., or as soon thereafter as said Application may be reached.

All parties in any way interested or concerned shall take notice of the foregoing and govern themselves accordingly.

Ralph R. Brock #04654
Michael Lennen #08505
MORRIS, LAING, EVANS,
BROCK & KENNEDY,
CHARTERED
300 N. Mead, Suite 200
Wichita, KS 67202-2722
Telephone: 316262-267 1
Attorneys for Davis
Operating Company

Lola Cawa
Of lawful age, being first duly sworn, deposes, and says, *Mississippian Press* of THE COFFEYVILLE JOURNAL, that same is a daily newspaper; that said newspaper prior to the date of the first publication of notice hereinafter referred to and at the present time was and now is admitted to the mail as second class matter in Montgomery County, Kansas. That said newspaper is of general circulation in said County and has been continuously and uninterruptedly published in said county during the period of one year prior to the first publication hereinafter mentioned; that the notice, a true copy of which is hereto attached, was published in the regular and entire issue of each number of said newspaper for

One consecutive *Sunday*
The first publication being *July 30, 2006*

And the last publication being *July 30, 2006*
And further affiant saith not

Subscribed and sworn to before me this *2nd* day of *August*

CHRISTINA M. ALVIDREZ
Notary Public - State of Kansas
My Comm. Expires *11/1/09*
Notary Public

My Appointment Expires *March 27 09*

Printer's Fee \$ *45.72* Paid



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Evans Brock & Kennedy, Chtd.

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Ferd E. Evans, Jr.
1919 - 1991

Joseph W. Kennedy
1932 - 2005
Dennis M. Feeney
1953 - 2001

Sender's email: mlennen@morrisolaing.com

August 10, 2006

Kansas Corporation Commission
130 South Market, Room 2078
Wichita, KS 67202

Attention: Mr. David Williams

Re: Application of Davis Operating Company
for Commingling of Production on the Dakota #1-18 Well
in the SE/4 SE/4 Section 18-33S-17E, Montgomery County, Kansas

Dear David:

Enclosed herewith for filing are Affidavits of publication from The Wichita Eagle and The Coffeyville Journal. Also enclosed are additional copies to be stamped "Filed" and returned to our courier. As the latest publication was July 31, the last day for protests is August 15.

If there are any questions, please call.

Very truly yours,

Ralph R. Brock
For the Firm

RRB:mw
Enclosures

cc: Tony Benavides

RECEIVED
KANSAS CORPORATION COMMISSION

AUG 11 2006

CONSERVATION DIVISION
WICHITA, KS

Via Hand Delivery

KANSAS

CORPORATION COMMISSION

KATHLEEN SEBELIUS, GOVERNOR

BRIAN J. MOLINE, CHAIR

ROBERT E. KREHBIEL, COMMISSIONER

MICHAEL C. MOFFET, COMMISSIONER

February 20, 2007

Autumn R. Minnick
Davis Operating Company
2800 Mid-Continent Tower
Tulsa, OK 74103

**RE: Approved Commingling CO070605
Dakota 1-18, Sec. 18-T33S-R18E, Montgomery County, Kansas
API No. 15-125-30674-00-00**

Dear Ms. Minnick:

Your "Application for Commingling" (ACO-4) for the above described well has been technically 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 **July 27, 2006** concerns approval to simultaneously produce from the following **two** sources of supply through the same tubing string in the same wellbore: the **Riverton Coal and Mississippi Chat** formations.

According to your application, the estimated current production from the **Riverton Coal** source of supply is **0 BOPD, 25 Mcfpd and 20 BWPD**. The estimated current production from the **Mississippi Chat** source of supply is **0 BOPD, 45 Mcfpd and 0 BWPD**. The total estimated current production from all sources of supply in the subject well is **0 BOPD, 70 Mcfpd and 0 BWPD**.

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

Docket Number **CO070605** has been assigned to this approved application. Please use this number for well completion reports (ACO-1) and other correspondence that may concern this approved commingling.

Sincerely,



Rick Hestermann
Production Department