

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 # CO090804

Operator Information:

License #: 32566
Name: Cleary Petroleum Corporation
Address: 3817 N.W. Expressway, Suite 1050
City/State/Zip: Oklahoma City, OK 73112
Contact Person: George Moore
Phone #: 405-848-5019

Well Information:

API #: 15 - 033-21455-00-00
Lease Name: Merrill Trust Well #: 1-24
Spot: - NE - SE - NW Sec. 24 Twp. 34 S. R. 16 East West
County: Comanche
Feet from North / South Line of Section: 1650'
Feet from East / West Line of Section: 990'

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

Formation: Mississippi (Detrital & Solid) (Perfs): 4832'-4862'
Formation: Oswego (Perfs): 4761'-4769'
Formation: _____ (Perfs): _____
Formation: _____ (Perfs): _____
Formation: _____ (Perfs): _____

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

Formation: Mississippi (Detrital & Solid) BOPD: 6 MCFPD: 28 BWPD: 34
Formation: Oswego BOPD: 0 MCFPD: 4 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 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.
- 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.

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KANSAS CORPORATION COMMISSION
AUG 22 2008
CONSERVATION DIVISION
WICHITA, KS

State of Oklahoma)
)
County of Oklahoma)

ss:

George Moore

Signature: _____
Printed Name: George Moore
Title: Vice President, Operations

Subscribed & sworn to before me this 19th day of August, 20 08

Notary Public: SUSAN TIGHE
My Commission Expires: 12/31/10

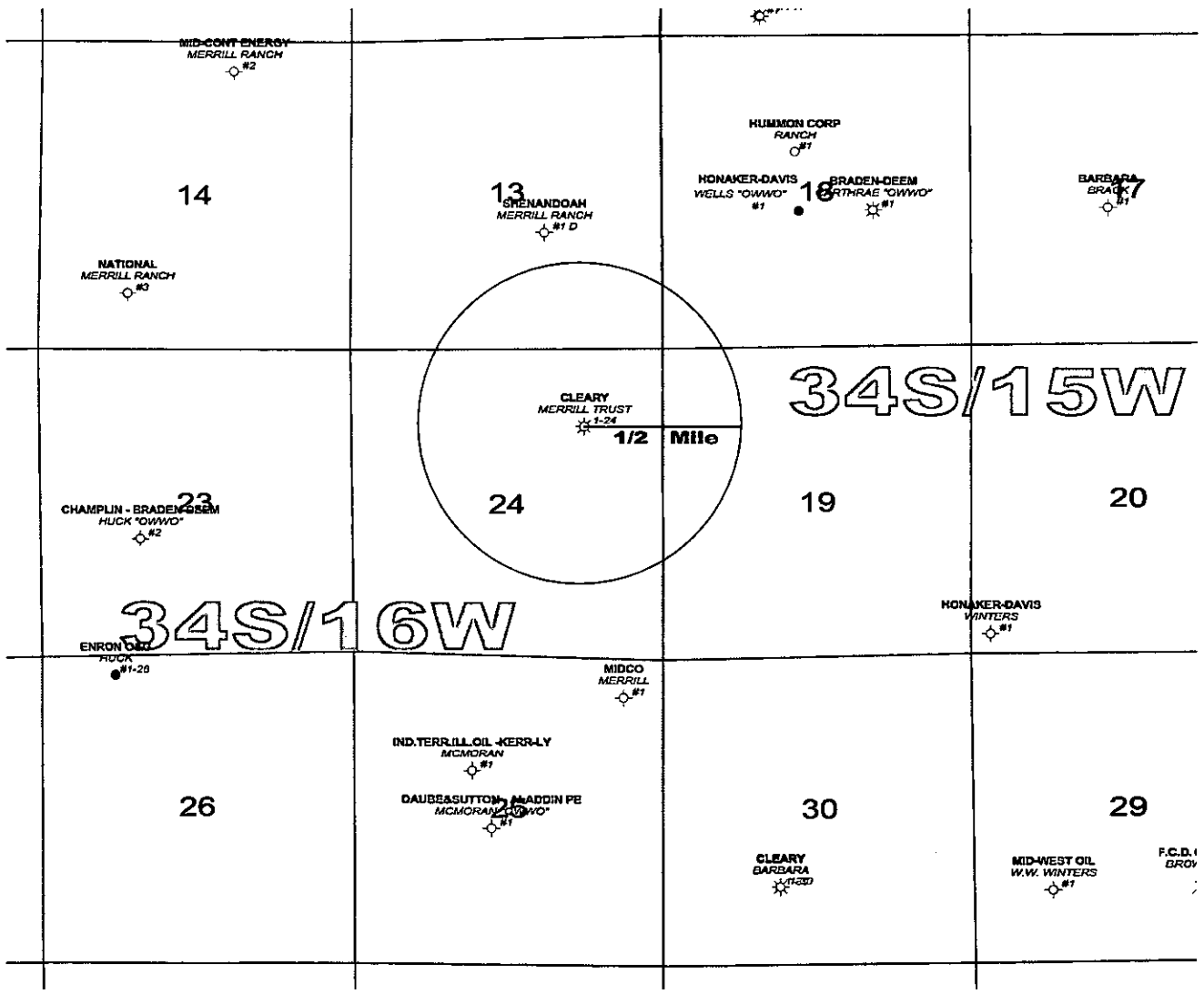
Protests may be filed by any party having an interest in the application. Protests must be in writing and comply with K.A.R. 82-3-123 and must be filed within 15 days of publication of the notice of application.

KCC Office Use Only
 Denied Approved
KCC Date Received: _____ 15-Day Periods Ends: 10/2/08
Approved By: [Signature] Date: 8/14/08

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BALLET RANCH PROSPECT		
Barber & Comanche County, Kansas Base Map with Wells		
Whytax		5/15/2008



WELL SCHEMATIC
Merrill Trust 1-24
 Section 24-T34S-R16W
 Comanche County, Kansas

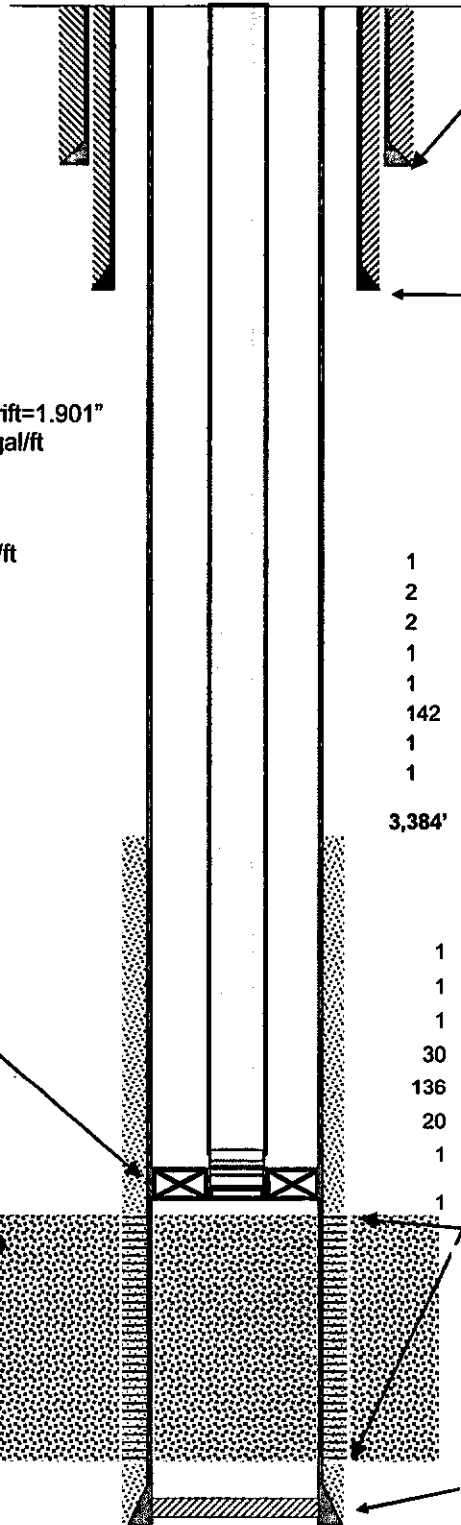
DRAWN BY: GUS GUSTAFSON

DATE: 04/03/06

SPUD: 12-29-05 (19:45)
 COMP: 01-24-06 (Mississippi)

GROUND ELEVATION: 1,196'
 RKG ELEVATION: 1,209'
 KB TO GL: 13'

Recomplete to Oswego



261'
 13-3/8" PROTECTION 54.5 lb/ft J-55, STC
 Cemented with 175 sks 65/35 Poz, 1/4
 lb/sks Flo-Seal, 3% CC, 150 sks Class 'A',
 2% Gel, 3% CC,

1,029'
 8-5/8" SURFACE 24 lb/ft J-55 STC
 cemented with Lead 350 sks 35/65 Poz, 1/4
 lb/sks Flo-Seal, 3% CC, Tail 150 sks Class
 'A', 1/4 lb/sks Flo-Seal, 3% CC, Lost returns
 on tail temp survey TOC @ 559'. Top off
 with 100 sks Class A with 3% CC.

2-3/8" 4.7 lb/ft, J-55, EUE Tubing drift=1.901"
 Capacity = 0.00387 bbls/ft; 0.1624 gal/ft

5-1/2" 15.5 lb/ft J-55 LTC Casing
 drift=4.825
 Capacity=0.0238 bbls/ft; 0.9997 gal/ft

TUBING DETAILS

	<u>Item</u>	<u>Length</u>
	KB	13.00
1	2-3/8 x 31' mud anchor	31'
2	2-3/8 x 4' perf sub	8
2	2-3/8" tbg	62
1	TA 4 1/2" x 2-3/8"	3.10
1	2-3/8" SN	1.10
142	2-3/8" tbg	4657.60
1	2-3/8" x 4' tbg sub	4.00'
1	2-3/8 x 12' perf sub	12.00

3,384' Estimated Top of cement

SUCKER ROD DETAILS

	<u>#</u>	<u>Length</u>
1	22' x 1 1/4" Polish Rod w/10' liner	22.00
1	7/8" 8' rod	8.00
1	7/8" 4' rod	4.00
30	7/8" rods	750.00
136	3/4" rods	3,400.00'
20	7/8" rods	500.00'
1	7/8" x 2' pony rod	2.00
1	2" x 1 1/2" x 16' btm hole pump w/6' GA	22.00

Cement Retainer set
 between 4,795' to 4,880'

Cement from squeeze
 4,836' to 4,950'

Oswego Perforations

4,761' to 4,769' (8' 6SPF) 48 holes

Mississippi Re-Perforations

4,832' to 4,862' (30' 1SPF) 31 holes

5,030'

5-1/2" PRODUCTION 15.5 lb/ft, LTC J-55
 Cemented 500 gals mud flush, 250 sx Class 'H',
 (yield 1.53 ft³/sk; 14.8 ppg) containing 10% Salt,
 10% Gypseal, 6#sx Kolsel, .8% FL-160,
 displaced with 121 bbls 2% KCL water, bumped
 plug with 1500 psi,

PBDT: 4,880' MD
 4,880' TVD

TD: 5,030' MD
 5,030' TVD

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 WICHITA, KS

Water Analysis Analysis #20582

Company: CLEARY PETROLEUM
 Field: CLEARY PETROLEUM
 Lease: MERRILL TRUST 1-24
 Location:
 Description:
 Well:
 Sample Point: BLEEDER



JACAN Chemicals, L. L. C.

205 S. Broadway
 P.O. Box 86
 STEPHENSON, KS 67679
 Email: sales@jacan.com

620-278-8385
 Fax: 620-278-4112
 Web: www.jacan.com

Date: July 30, 2008

Attention: RON RICKE

DISSOLVED SOLIDS

CATIONS	mg/l	meq/l
Sodium, Na (calc)	72,051.41	3,132.67
Calcium, Ca	16,560.00	823.88
Magnesium, Mg	635.66	52.12
Barium, Ba	7.00	0.10
Iron, Fe	50.00	2.69

ANIONS	mg/l	meq/l
Hydroxyl, OH		
Carbonate, CO3		
Bicarbonate, HCO3	12,505.00	204.66
Sulfate, SO4	400.00	8.20
Chloride, Cl	133,000.00	3,746.48
Sulfide, S	0.00	0.00

OTHER PROPERTIES

pH	4.23
Specific Gravity	1.140
Dissolved Oxygen, (mg/l)	
Dissolved Carbon Dioxide	530.00
Sulfide as H2S, (ppm)	0.00
Sample Temp:	90F. 32C.

Total Dissolved Solids (mg/l)	235,209
Total Ionic Strength	4.4383
Maximum CaSO4, (calc.)	610
Maximum BaSO4, (calc.)	19
Total Hardness	43,800.00 976.00

ESTIMATED MINERAL CONTENT AT SAMPLE TEMPERATURE

	mg/l	meq/l	lbs/1000l
CaCO3	0.00	0.00	0.00
CaSO4	6.96	610.00	214.00
BaSO4	0.11	19.00	4.00

Note:
 Since scale forming molecules can exist in solution, refer to the CaCO3 saturation index for CaCO3, or the solubilities for CaSO4 and BaSO4, and compare with the calculated amounts above to determine if precipitated scale may be possible.

Conclusion:

Calcium Carbonate scaling index not calculated. TIS above 4.
 Calcium Sulfate scale is indicated. See appropriate chart for temperature ranges.
 Barium Sulfate scale is indicated at all temperatures.

Remarks:

RECEIVE DATE 07/28/08
 SAMPLE IS ORANGE

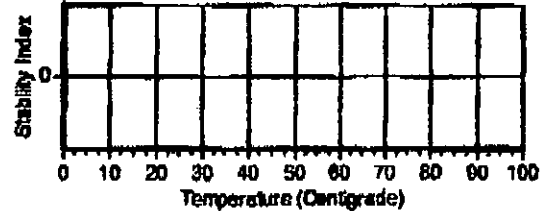
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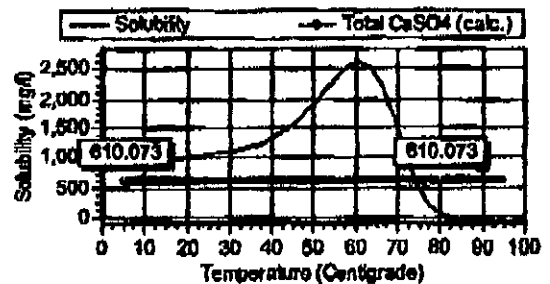
CONSERVATION DIVISION
 WICHITA, KS

Scaling Indices vs. Temperature

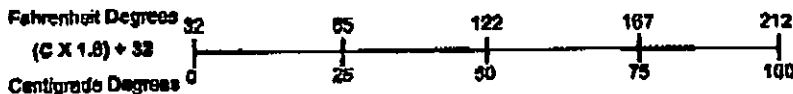
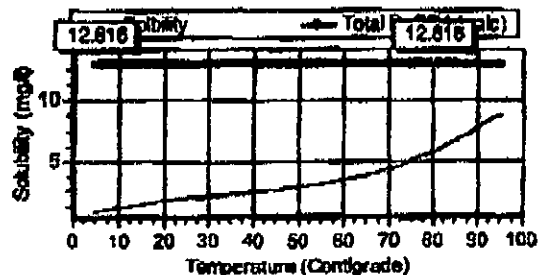
Calcium Carbonate Saturation Index



Calcium Sulfate Solubility



Barium Sulfate Solubility



COMPANY: CLEARY PETROLEUM
LEASE/WELL #: MERRILL TRUST 1-24
DATE: 07/30/08

REV: 5/6/86

STIFF-DAVIS

FORMULA SI - pH - pCa - pAlk - K

pH is the pH of the sample of water
pCa is the negative logarithm of the calcium concentration
pAlk is the negative logarithm of the total alkalinity
K is a constant determined by the amount of dissolved solids and temperature

pH (4.23)
Ca (16560) pCa = 0.3829997
HCO3 (125.05) pAlk = 2.5882461

	Mg/L		
Na	(72,051)	x 2.2 E-5	1.5851
Ca	(16,560)	x 5.0 E-5	0.8280
Mg	(636)	x 8.2 E-5	0.0522
Cl	(133,000)	x 1.4 E-5	1.8620
HCO3	(125)	x 0.8 E-5	0.0010
SO4	(400)	x 2.1 E-5	0.0084
TOTAL IONIC STRENGTH			4.3367

TEMP (F)	K Value	SI Value
68	2.60	-1.44
86	2.39	-1.23
104	2.01	-0.85
122	1.85	-0.49
140	1.03	0.13
158	0.48	0.68
176	8888.00	-8886.84
194	8888.00	-8886.84

Note: Positive SI indicates scaling.
Negative indicates corrosion.

VALUE =	3.1	X	X
FROM GRAPH	14	1	5
		2	12
		3	14
		4	15

AFFIDAVIT OF MAILING

Re: Application for approval to commingle production of the Mississippi (Detrital & Solid) & Oswego sources of supply in the Merrill Trust #1-24 Well, Located in the C NE SE NW, Section 24-34S-16W Comanche County, Kansas

I, George Moore, being first duly sworn upon oath, state, that I am the applicant or agent of the above applicant. I certify that on the 1st day of July, 2008, I mailed a copy of the application to the respondents named below at their respective mailing addresses:

Operator or Lessee and Addresses

Acreage Description

Agent for Merrill Trusts
Mr. Craig Hauschild,
Farmer National Company
Minerals Management Department
403 S. Cheyenne, Suite 800
Tulsa, OK 74103

NW SE & SW Section 13-34S-16W
All of Section 24-34S-16W

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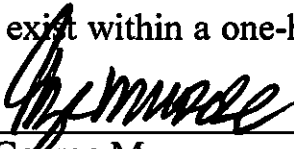
SEP 25 2008

CONSERVATION DIVISION
WICHITA, KS

No other wells exist within a one-half mile radius of the Merrill Trust #1-24 or of the subject acreage.

Mineral Owners in Unleased Acreage:

No unleased mineral owners of record exist within a one-half mile radius of the Merrill Trust ##1-24.



George Moore
Vice President, Operations
Cleary Petroleum Corporation
3817 NW Expressway, Suite 1050
Oklahoma City, OK 73112

Subscribed and sworn to before me this the 9th day of September, 2008.



Notary Public

My commission expires 12-11-10.



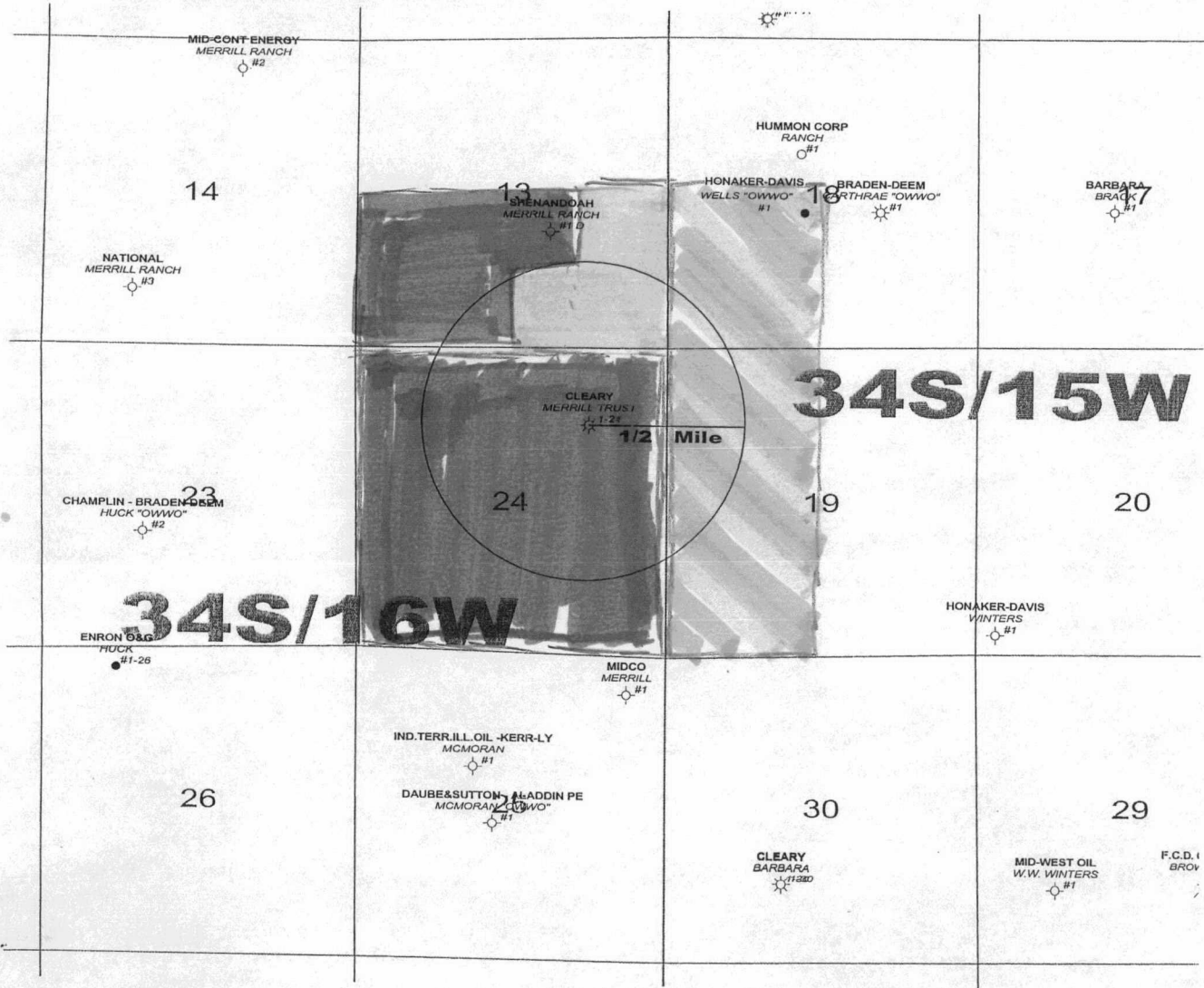
COPY

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MERRILL TRUST 100%
EXXON 50%
ZBAR - 50%
ZBAR - 100%



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WICHITA, KS



BALLET RANCH PROSPECT		
Barber & Comanche County, Kansas Base Map with Wells		
Whybark		5/19/2008

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X <i>Jenni Law</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: Craig Hauschildt 403 S. Cheyenne, Suite 800 Tulsa, OK 74103 Re: Merrill Trusts	B. Received by (Printed Name) <i>Jenni Law</i> C. Date of Delivery <i>8-22-08</i> <input type="checkbox"/> Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No 3. Service type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
2. Article Number (Transfer from service label)	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540 7006 0810 0004 1170 7422	

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CONSERVATION DIVISION
 WICHITA, KS

July 1, 2008

Mr. Craig Hauschildt
Farmer National Company
Minerals Management Department
403 S. Cheyenne, Suite 800
Tulsa, OK 74103

Re: Merrill Trusts
Merrill Trust #1-24
Section 24-34S-16W
Comanche County, KS

Dear Mr. Hauschildt:

As per our phone conversation, enclosed is the Legal Notice expressing Cleary Petroleum Corporation's intent to commingle production of the Mississippi and Oswego sources of supply in the above referenced well.

If you have any questions or require any additional information please do not hesitate to phone me at (405) 286-9473 or email me at stice@clearypetroleum.com.

Sincerely,

CLEARY PETROLEUM CORPORATION

Susan Tice
Engineering Tech

Enclosure

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SEP 25 2008
REGISTRATION DIVISION

7006 0610 0004 1170 7422

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For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$.42
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	—
Total Postage & Fees	\$ 5.32

Postmark Here
7-1-08
Re: Merrill Trusts

Sent To
Craig Hauschildt
Street, Apt. No.,
or PO Box No. 403 S. Cheyenne, Suite 800
City, State, ZIP+4
Tulsa, OK 74103

PS Form 3800, June 2002 See Reverse for Instructions

AFFIDAVIT OF MAILING

Re: Application for approval to commingle production of the Mississippi (Detrital & Solid) & Oswego sources of supply in the Merrill Trust #1-24 Well, Located in the C NE SE NW, Section 24-34S-16W Comanche County, Kansas

I, George Moore, being first duly sworn upon oath, state, that I am the applicant or agent of the above applicant. I certify that on the 9th day of September 2008, I mailed a copy of the application to the respondents named below at their respective mailing addresses:

Operator or Lessee and Addresses:

Acreage Description

Exxon Oil Corporation
Attn: Land Supervisor
P. O. Box 4610
Houston, TX 77210-4610

50% SW/4 Section 18-34S-15W
50% W/2 Section 19-34S-15W

Z-Bar, LLC
1123 Research Drive
Bozeman, MT 59718

50% SW/4 Section 18-34S-15W
50% W/2 Section 19-34S-15W
100% NE/4 SE/4 & S/2 SE/4
Section 13-34S-16W

No other wells exist within a one-half mile radius of the Merrill Trust #1-24 or of the subject acreage.

Mineral Owners in Unleased Acreage:

No unleased mineral owners of record exist within a one-half mile radius of the Merrill Trust #1-24.

George Moore

George Moore
Vice President, Operations
Cleary Petroleum Corporation
3817 NW Expressway, Suite 1050
Oklahoma City, OK 73112

Subscribed and sworn to before me this the 23rd day of September 2008.



My commission expires 12-11-10.

Susan Tice

Notary Public

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CONSERVATION DIVISION
WICHITA, KS

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**EXXON OIL CORPORATION
ATTN: LAND SUPERVISOR
P.O. BOX 4610
HOUSTON, TX 77210-4610**

2. Article Number

(Transfer from service label)

7006 0810 0004 1170 7309

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

GEE

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

SEP 11 2008

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

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WICHITA, KS



OFFICERS:

WILLIAM B. CLEARY
CHAIRMAN OF THE BOARD

DOUGLAS B. CLEARY
CEO

LOUISE D. CLEARY
CFO

ALPH "SI" SIMON II, CPL
VP LAND

DALE WHYBARK
VP EXPLORATION

GEORGE M. MOORE
VP OPERATIONS

September 9, 2008

Exxon Oil Corporation
Attn: Land Supervisor
P. O. Box 4610
Houston, TX 77210-4610

Certified Mail #7006 0810 0004 1170 7309

Re: Merrill Trust #1-24
Section 24-34S-16W

To Whom It May Concern:

Enclosed is a Legal Notice expressing Cleary Petroleum Corporation's intent to commingle production of the Mississippi and Oswego sources of supply in the above referenced well.

If you have any questions or require any additional information, please do not hesitate to phone me at (405) 429-7823 or email stice@clearypetroleum.com.

Sincerely,

CLEARY PETROLEUM CORPORATION

Susan Tice
Engineering Tech

Enclosure

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WICHITA, KS

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Postage	\$.42
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.32

Postmark
Here

9-9-08

Sent To
EXXON OIL CORPORATION
ATTN: LAND SUPERVISOR
P.O. BOX 4610
HOUSTON, TX 77210-4610

PS Form 3800, June 2002. See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> <i>Bow Hill</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Z-BAR LLC 1123 RESEARCH DRIVE BOZEMAN, MT 59718	B. Received by (Printed Name) C. Date of Delivery <i>Barb Hill</i> 9/12/08	
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No	
PS Form 3811, February 2004	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
Domestic Return Receipt	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7006 0810 0004 1170 7293	102595-02-M-1540	

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SEP 25 2008
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 WICHITA, KS



OFFICERS:

WILLIAM B. CLEARY
CHAIRMAN OF THE BOARD

DOUGLAS B. CLEARY
CEO

LOUISE D. CLEARY
CFO

ALPH "SI" SIMON II, CPL
VP LAND

DALE WHYBARK
VP EXPLORATION

GEORGE M. MOORE
VP OPERATIONS

September 9, 2008

Z-Bar, LLC
1123 Research Drive
Bozeman, MT 59718

Certified Mail #7006 0810 0004 1170 7293

Re: Merrill Trust #1-24
Section 24-34S-16W

To Whom It May Concern:

Enclosed is a Legal Notice expressing Cleary Petroleum Corporation's intent to commingle production of the Mississippi and Oswego sources of supply in the above referenced well.

If you have any questions or require any additional information, please do not hesitate to phone me at (405) 429-7823 or email stice@clearypetroleum.com.

Sincerely,

CLEARY PETROLEUM CORPORATION

Susan Tice
Engineering Tech

Enclosure

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SEP 25 2008
CONSERVATION DIVISION
WICHITA, KS

U.S. Postal Service™		CERTIFIED MAIL™ RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)			
For delivery information visit our website at www.usps.com			
OFFICIAL USE			
Postage	\$.42	Postmark Here 9-9-08
Certified Fee		2.70	
Return Receipt Fee (Endorsement Required)		2.20	
Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees	\$	5.32	
Sent To: Z-BAR LLC			
Street or P.O. Box: 1123 RESEARCH DRIVE			
City: BOZEMAN, MT 59718			
PS Form 3800, June 2002		See Reverse for Instructions	

7006 0810 0004 1170 7293

KANSAS

CORPORATION COMMISSION

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

October 14, 2008

George Moore
Cleary Petroleum Corporation
3817 N.W. Expressway, Suite 1050
Oklahoma City, OK 73112

RE: Approved Commingling CO090804
Merrill Trust 1-24, Sec. 24-T34S-R16W, Comanche County
API No. 15-033-21455-00-00

Dear Mr. Moore:

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 September 25, 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	
Mississippi	6	28	34	4832-4862
Oswego	0	4	0	4761-4769
Total Estimated Current Production	6	32	34	

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).

File form ACO-1 with the Conservation Division when the recompletion (workover) of this well for commingling is complete.

Docket Number CO090804 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



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

COPY

August 29, 2008

George Moore
Cleary Petroleum Corporation
3817 N. W. Expressway, Suite 1050
Oklahoma City, OK 73112

Re: ACO-4, Application for Commingling
Merrill Trust 1-24, 15-033-21455-00-00
Sec. 24-T34S-R16W
Comanche County

Dear Mr. Moore,

The following information is needed to complete the referenced ACO-4, Application for Commingling, submitted on August 22, 2008:

- ACO-4 Item 4.** Signed certificate showing service of the application to the offset leased and unleased mineral owners within ½ mile radius of the well pursuant to K.A.R. 82-3-135 a (b). Please indicate the acreage description of each affected party on the certificate of service.

Please return the requested information to my attention.

Sincerely,

A handwritten signature in black ink that reads "Rick Hestermann" with a long horizontal flourish extending to the right.

Rick Hestermann
Production Department