



APPLICATION FOR COMMINGLING OF PRODUCTION (K.A.R. 82-3-123) OR FLUIDS (K.A.R. 82-3-123a) Commingling ID # CO101108

OPERATOR: License # 5447
Name: OXY USA Inc.
Address 1: 5 E GREENWAY PLZ
Address 2: PO BOX 27570
City: HOUSTON State: TX Zip: 77227 + 7570
Contact Person: LAURA BETH HICKERT
Phone: (620) 629-4253

API No. 15 - 15-081-21937-00-00
Spot Description: _____
NW NE SW SE Sec. 22 Twp. 27 S. R. 34 East West
1003 Feet from North / South Line of Section
1932 Feet from East / West Line of Section
County: Haskell
Lease Name: BERGER Well #: A-3

1. Name and upper and lower limit of each production interval to be commingled:
Formation: ST. GENEVIEVE (Perfs): 5132-5139
Formation: MORROW (Perfs): 5063-5075
Formation: _____ (Perfs): _____
Formation: _____ (Perfs): _____
Formation: _____ (Perfs): _____

2. Estimated amount of fluid production to be commingled from each interval:
Formation: ST. GENEVIEVE BOPD: 20 MCFPD: 0 BWPD: .66
Formation: MORROW BOPD: 10 MCFPD: 0 BWPD: .34
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. Previously Filed with ACO-1: Yes No
- 6. Complete Form ACO-1 (Well Completion form) for the subject well.

For Commingling of FLUIDS ONLY, include the following:

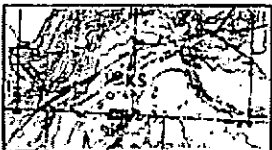
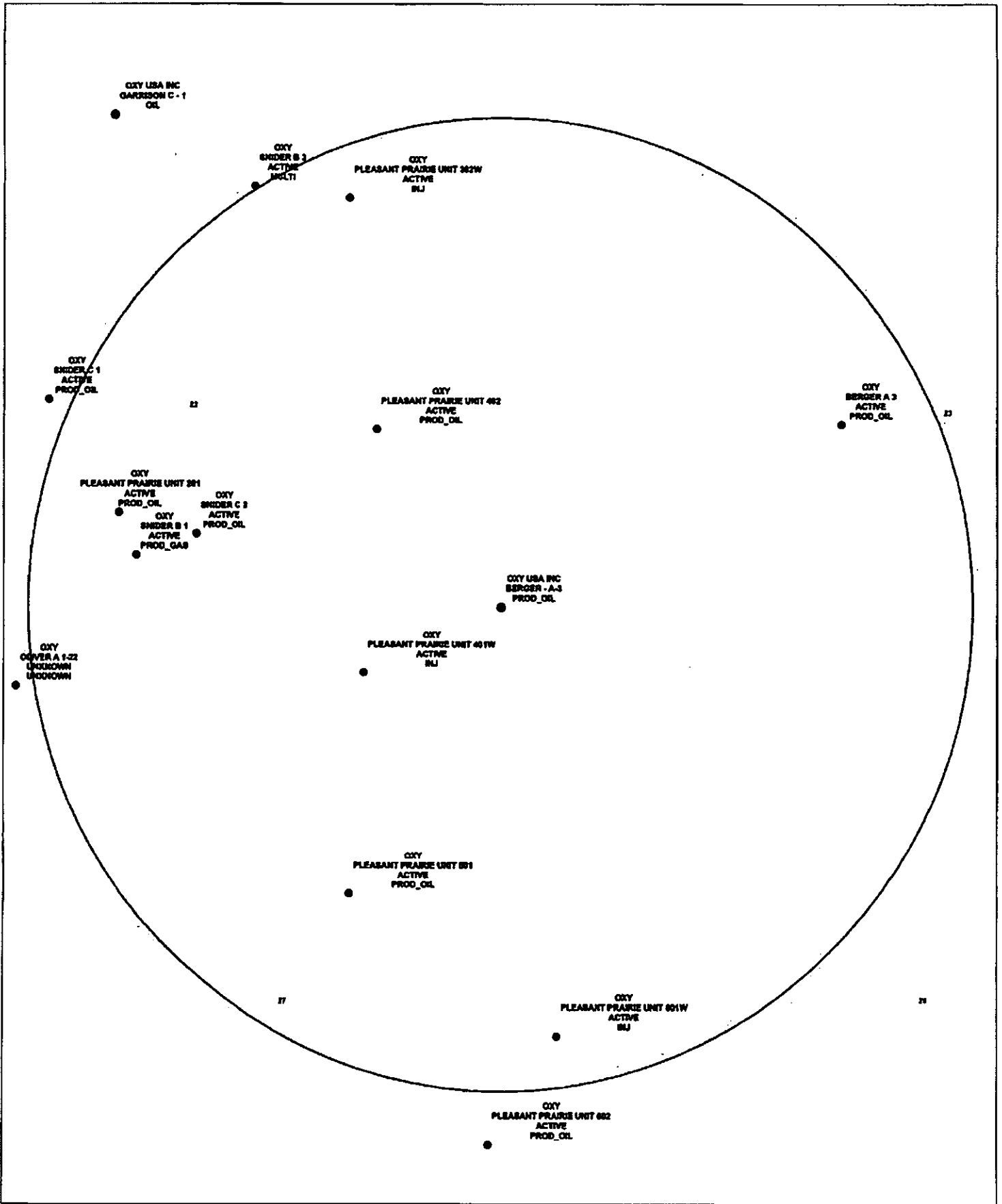
- 7. Well construction diagram of subject well.
- 8. Any available water chemistry data demonstrating the compatibility of the fluids to be commingled.

AFFIDAVIT: I am the affiant and 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.

Submitted Electronically

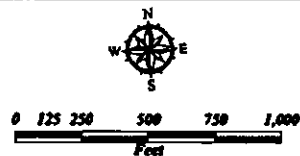
KCC Office Use Only
 Denied Approved
15-Day Periods Ends: 11/9/2011
Approved By: Rick Hestermann Date: 11/09/2011

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.



Legend

- OXY USA INC
- 10 MILE BUFFER



Mid-Continent

PLATEAU MAP

Block A-5
 08 22-870-00W
 1000 FUL 1020FEL

DATE	BY	CHECKED

AFFIDAVIT OF NOTICE SERVED

RE: Application for : OXY USA Inc.

Well Name: Berger A-3 Legal Location NW NE SW SE Sec. 22-T27S-R34W

The undersigned hereby certifies that he/she is a duly authorized agent for the applicant, and that on the 25th day of October, 2011, a true and correct copy of the application referenced above was delivered or mailed to the following parties:

NOTE: A copy of this affidavit must be served as a part of the application.

<u>Name</u>	<u>Address (attach additional sheets if necessary.)</u>
CFS LLC (Surface Owner)	P.O. Box 1003, Ulysses, KS 67880
Oxy USA, Inc.	P.O. Box 2528, Liberal, KS 67905

Signed this 25th day of October, 2011.



Laura Beth Hickert
Applicant or Duly Authorized Agent

Subscribed and sworn to before me this 25th day of October, 2011



Notary Public

My Commission Expires: November 8, 2014

Protests may be filed by any party having a valid interest in the application. Petitions for protests shall be in writing and shall clearly identify the name and address of the Protestant and the title of the application. The petition shall include a clear and concise statement of the direct and substantial interest of the Protestant in the proceedings, including the manner in which the Protestant may be affected, and the nature, extent, character and grounds of the protest. Protestants shall serve the protests upon the applicant by mail or personal service at the same time or before the Protestant files the protest with the Conservation Division.



AFFIDAVIT

STATE OF KANSAS \
- SS.
County of Sedgwick /

Mark Fletchall, 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_ issues, that the first publication of said notice was

made as aforesaid on the 17th of

October A.D. 2011, 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.

Mark Fletchall

Subscribed and sworn to before me this

17th day of October, 2011



Penny L Case

Notary Public Sedgwick County, Kansas

Printer's Fee : \$113.20

LEGAL PUBLICATION
PUBLISHED IN THE WICHITA EAGLE
OCTOBER 17, 2011 (3147908)
BEFORE THE STATE CORPORATION
COMMISSION OF THE STATE
OF KANSAS
NOTICE OF FILING APPLICATION
RE: OXY USA Inc. Application for order
to commence Morrow and St. Genevieve
sources of supply in Berper A-3 well,
located in Sec. 22 Twp. 27S R. 34W,
Haskell County, Kansas.
TO: All Oil and Gas Producers, Unleased
Minerals Interest Owners, Landowners,
and all persons whose ever concerned.
You, and each of you, are hereby notified
that OXY USA Inc. has filed an application to
commence the production from the Morrow
and St. Genevieve sources of supply in the
Berper A-3 well located in the SE 1/4 of
Sec. 22 Twp. 27S R. 34W in Haskell 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. If no
protests are received, this application may
be granted through a summary proceeding.
If valid protests are received, this matter
will be set for hearing.
All persons interested or concerned shall
take notice of the foregoing and shall govern
themselves accordingly.
OXY USA Inc.
P.O. Box 2528
Liberal, KS 67905
(620)-629-4200

Proof of Publication

STATE OF KANSAS
COUNTY OF HASKELL

SS.

Bolf Jungclas

being first duly sworn, deposes and says that he/she is editor of THE HASKELL COUNTY MONITOR-CHIEF, a weekly newspaper printed in the State of Kansas and published in and of general circulation in Haskell County, Kansas, with a general paid circulation on a weekly basis in Haskell County, Kansas and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly, published at least weekly 50 times a year; has been so published continuously and uninterrupted in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Sublette in said county as second class matter.

That the attached notice is a true copy thereof, and was published in the regular and entire issue of said newspaper for 1 consecutive week(s). The first publication thereof being made as aforesaid on the

19 day of Oct, 20 11

with subsequent publications being made on the following dates:

- _____ , 20 _____
- _____ , 20 _____
- _____ , 20 _____
- _____ , 20 _____
- _____ , 20 _____

(Sign) Bolf Jungclas

Witness my hand this 19 day of Oct, 20 11

Kelly C Anderson
(Notary Public)

My commission expires 2-7-2014

Publication fee \$ 50.40

Affidavit, _____

Notary's Fee \$ _____

Additional Copies \$ _____

Total Fee KELLY C. ANDERSON 50.40

(Seal) Notary Public - State of Kansas
My Comm. Expires February 7, 2014

Published in the Haskell County
Monitor-Chief on Wednesday
October 19, 2011

BEFORE THE STATE
CORPORATION
COMMISSION OF THE
STATE OF KANSAS

NOTICE OF FILING
APPLICATION

RE: OKY USA Inc. Application
for order to commingle Morrow
and St. Genevieve sources of
supply in Berger A-3 well located
in Sec. 22, Twp. 27S, R. 34W,
Haskell County, Kansas.

TO: All Oil and Gas Producers,
Unleased Minerals Interest
Owners, Landowners, and all
persons whose ever concerned.

You, and each of you, are hereby
notified that OKY USA Inc. has
filed an application to commingle
the production from the Morrow
and St. Genevieve sources of
supply in the Berger A-3 well
located in the SE 1/4 of Sec. 22, Twp.
27S, R. 34W, in Haskell 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. If no protests
are received, this application may
be granted through a summary
proceeding. If valid protests are
received, this matter will be set
for hearing.

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

OKY USA Inc.
P.O. Box 2528
Liberal, KS 67905
(620) 629-4200

Conservation Division
Finney State Office Building
130 S. Market, Rm. 2078
Wichita, KS 67202-3802



Phone: 316-337-6200
Fax: 316-337-6211
<http://kcc.ks.gov/>

Mark Sievers, Chairman
Ward Loyd, Commissioner
Thomas E. Wright, Commissioner

Sam Brownback, Governor

November 9, 2011

Laura Beth Hickert
OXY USA, Inc.
5 E Greenway PLZ
Houston, TX 77227-7570

RE: Approved Commingling CO101108
Berger A-3, Sec.22-T27S-R34W, Haskell County
API No. 15-081-21937-00-00

Dear Ms. Hickert:

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 October 25, 2011 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. Genevieve	20	0	0.66	5132-5139
Morrow	10	0	0.34	5063-5075
Total Estimated Current Production	30.0	0	1.00	

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

Commingling ID number CO101108 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