



KANSAS CORPORATION COMMISSION 1063247  
OIL & GAS CONSERVATION DIVISION

Form ACO-4  
Form must be typed  
March 2009

APPLICATION FOR COMMINGLING OF PRODUCTION (K.A.R. 82-3-123) OR FLUIDS (K.A.R. 82-3-123a) *Commingling ID #* **CO091104**

OPERATOR: License # 33094  
Name: Cimarex Energy Co.  
Address 1: 348 RD. DD  
Address 2: \_\_\_\_\_  
City: Satanta State: KS Zip: 67870 + \_\_\_\_\_  
Contact Person: Melissa Imler  
Phone: (620) 276-3693

API No. 15 - 15-081-10073-00-00  
Spot Description: \_\_\_\_\_  
SE NW SE SW Sec. 33 Twp. 28 S. R. 34  East  West  
720 Feet from  North /  South Line of Section  
1920 Feet from  East /  West Line of Section  
County: Haskell  
Lease Name: EUBANK A TWIN Well #: 3

1. Name and upper and lower limit of each production interval to be commingled:
- |                                   |                           |
|-----------------------------------|---------------------------|
| Formation: <u>Toronto</u>         | (Perfs): <u>4020-4026</u> |
| Formation: <u>Lansing A, B, C</u> | (Perfs): <u>4048-4174</u> |
| Formation: <u>Kansas City B</u>   | (Perfs): <u>4570-4592</u> |
| Formation: <u>Upper Marmaton</u>  | (Perfs): <u>4660-4672</u> |
| Formation: _____                  | (Perfs): _____            |

2. Estimated amount of fluid production to be commingled from each interval:
- |                                   |                 |                 |                 |
|-----------------------------------|-----------------|-----------------|-----------------|
| Formation: <u>Toronto</u>         | BOPD: <u>1</u>  | MCFPD: <u>0</u> | BWPD: <u>3</u>  |
| Formation: <u>Lansing A, B, C</u> | BOPD: <u>8</u>  | MCFPD: <u>0</u> | BWPD: <u>19</u> |
| Formation: <u>Kansas City B</u>   | BOPD: <u>10</u> | MCFPD: <u>0</u> | BWPD: <u>22</u> |
| Formation: <u>Upper Marmaton</u>  | BOPD: <u>2</u>  | MCFPD: <u>0</u> | BWPD: <u>6</u>  |
| 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:**

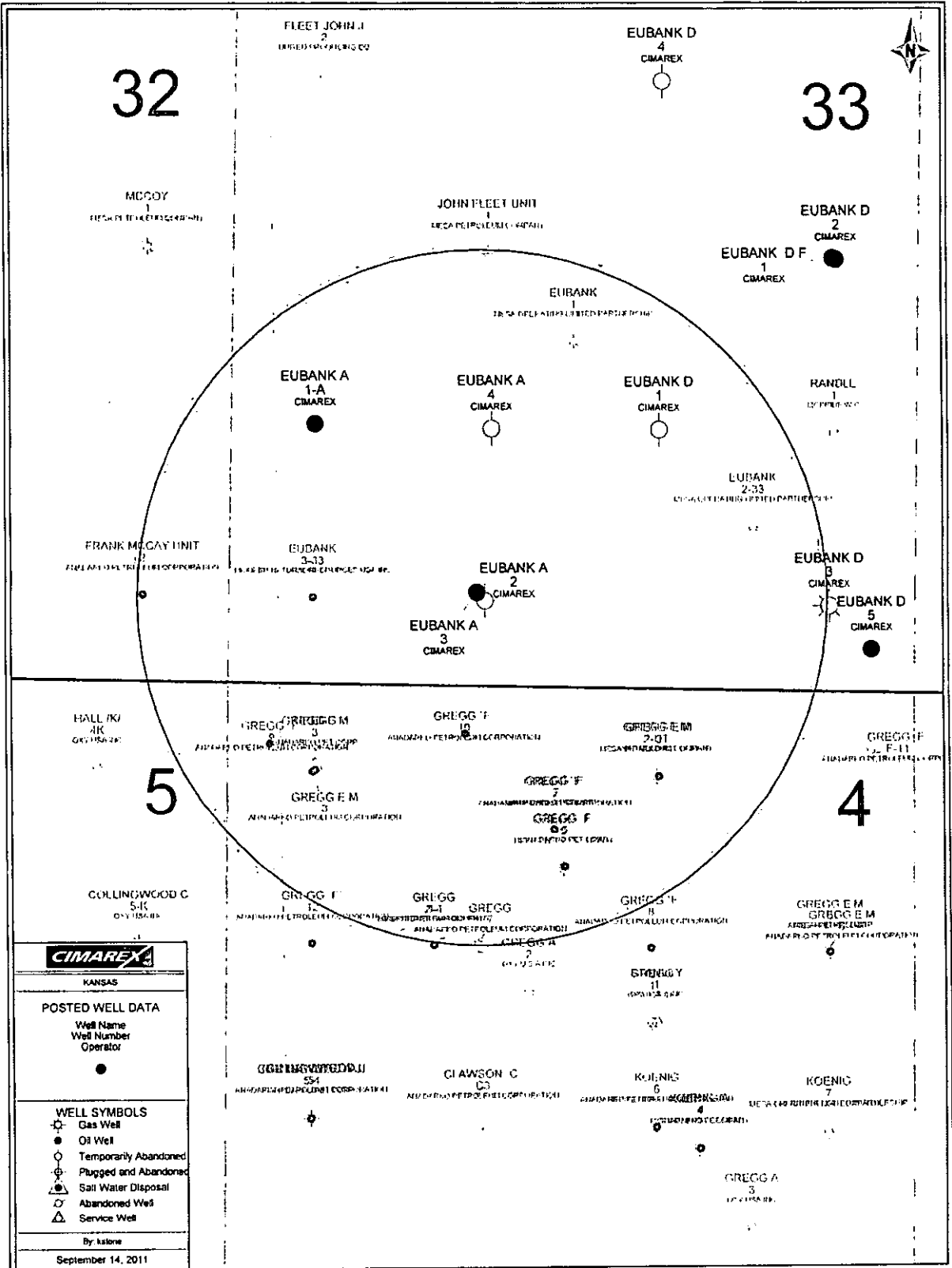
7. Well construction diagram of subject well.
8. Any available water chemistry data demonstrating the compatibility of the fluids to be commingled.

**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

<b>KCC Office Use Only</b>	
<input type="checkbox"/> Denied	<input checked="" type="checkbox"/> Approved
15-Day Periods Ends: <u>10/6/2011</u>	
Approved By: <u>Rick Hestermann</u>	Date: <u>10/06/2011</u>

*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.*



32

33

5

4

**CIMAREX**

KANSAS

**POSTED WELL DATA**

Well Name  
Well Number  
Operator

- Oil Well
- Temporarily Abandoned
- ⊖ Plugged and Abandoned
- ⊕ Salt Water Disposal
- ⊘ Abandoned Well
- ⚠ Service Well

By Istone

September 14, 2011

# Proof of Publication

STATE OF KANSAS  
COUNTY OF HASKELL

SS.

Rolf 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

21 day of Spt, 2011,  
with subsequent publications being made on the following dates:

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

(Sign) Rolf Jungclas  
Witness my hand this 21 day of Spt, 2011

Kelly C Anderson  
(Notary Public)

My commission expires 2-7-2014  
 Publication fee \$ 48.60  
 Affidavit, \_\_\_\_\_  
 Notary's Fee \$ \_\_\_\_\_  
 Additional Copies \$ \_\_\_\_\_  
 Total Fee \$ 48.60

(Seal) **A. KELLY C. ANDERSON**  
 Notary Public - State of Kansas  
 My Aopt. Expires February 7, 2014

(Published in the Haskell County Monitor-Chief on Wednesday, September 21, 2011)

**BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS**

**NOTICE OF FILING APPLICATION**

**RE: CIMAREX ENERGY CO. APPLICATION FOR COMMINGLING OF PRODUCTION IN THE EUBANK AND BLASE LOCATED IN HASKELL COUNTY, KANSAS**

**TO: ALL OIL & GAS PRODUCERS, UNBASED MINERAL INTEREST OWNERS, LANDOWNERS AND ALL PERSONS WHOMEVER CONCERNED**

You and each of you are hereby notified that Cimarex Energy Co. has filed an application to commingle the Toronto zone with the Lansing, Kansas City and the Marmaton formations on the Eubank, A, No. 3 located 730.45S and T920.45W of Sec. 11, T28S, R34W in Haskell County, Kansas.

Any persons who object to or protest this application shall be required to file their objections or protest 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 the 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.

**Cimarex Energy Co.**  
 348 R4 DD  
 Satanta, KS 67870  
 620-276-3693

**AFFIDAVIT**

STATE OF KANSAS \  
- SS.  
County of Sedgwick /

Mark Fletchall, of lawful age, being first duly sworn, depose 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 21st of

September A.D. 2011, with

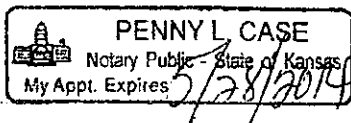
subsequent publications being made on the following dates:

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

21st day of September, 2011



*Penny L. Case*  
Notary Public Sedgwick County, Kansas

Printer's Fee : \$106.00

**LEGAL PUBLICATION**  
PUBLISHED IN THE WICHITA EAGLE  
SEPTEMBER 21, 2011 (3141894)  
BEFORE THE STATE CORPORATION  
COMMISSION OF THE STATE  
OF KANSAS NOTICE OF FILING  
APPLICATION  
RE: CIMAREX ENERGY CO.  
APPLICATION FOR COMMINGLING  
OF PRODUCTION IN THE ELBANK A  
NO. 3 LEASE LOCATED IN HASKELL  
COUNTY, KANSAS  
TO ALL OIL & GAS PRODUCERS,  
UNLEASED MINERAL INTEREST  
OWNERS, LANDOWNERS, AND ALL  
PERSONS WHOEVER CONCERNED:  
YOU and each of you are hereby notified  
that Cimarex Energy Co. has filed an  
application to commingle the Toronto zone  
with the Lansing, Kansas City and the  
Marmaton formations on the Elbank A  
No. 3 located 720 FSL and 1700 FWL of Sec.  
33-T285-R34W in Haskell County, Kansas.  
Any persons who object to or protest this  
application shall be required to file their  
objections or protest 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.  
Cimarex Energy Co.  
348 Rd. DD  
Safanta, KS 67870  
620-276-3693



CERTIFICATE OF SERVICE

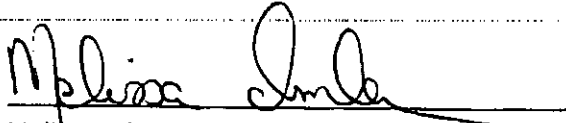
I hereby certify on this 16 day of September, 2011, true and correct copies of the above and foregoing Application for the Commingling of production were served by depositing copies of the same in the United States Mail, postage prepaid, on the 16<sup>th</sup> day of September, 2011 addressed to the following persons or entities:

Harold Myron Edmonson & Melba Swanson  
P.O. Box 366  
Ashland, KS 67831

Merit Energy Co.  
13727 Noel Rd Ste 500  
Dallas, TX 75240

Pioneer Natural Resources  
5205 N. O'Connor BLVD Ste. 200  
Irving, TX 75039-3746

Who are all of the operators of leases, owners of record of the minerals in unleased acreage, and surface owner within a one-half mile radius of the Eubank "A" No. 3

  
Melissa Imler

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

October 6, 2011

Melissa Imler  
Cimarex Energy Co.  
348 RD. DD  
Satanta, KS

RE: Approved Commingling CO091104  
Eubank A Twin #3, Sec.33-T28S-R34W, Haskell County  
API No. 15-081-10073-00-00

Dear Ms. Imler:

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 September 23, 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	
Toronto	1	0	3	4020-4026
Lansing A, B, C	8	0	19	4048-4174
Kansas City B	10	0	22	4570-4592
Upper Marmaton	2	0	6	4660-4672
Total Estimated Current Production	21	0	50	

Based upon the depth of the Upper Marmaton 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 upon completion of the well to commingle.**

Commingling ID number CO091104 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