



KANSAS CORPORATION COMMISSION 1081774
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 # **CO051205**

OPERATOR: License # 5447 API No. 15 - 15-129-10327-00-02
 Name: OXY USA Inc. Spot Description: _____
 Address 1: 5 E GREENWAY PLZ SW SW NE Sec. 11 Twp. 33 S. R. 43 East West
 Address 2: PO BOX 27570 2310 Feet from North / South Line of Section
 City: HOUSTON State: TX Zip: 77227 + 7570 2310 Feet from East / West Line of Section
 Contact Person: LAURA BETH HICKERT County: Morton
 Phone: (620) 629-4253 Lease Name: SMITH P Well #: 1

1. Name and upper and lower limit of each production interval to be commingled:
 Formation: WABAUNSEE (Perfs): 2622-2832
 Formation: TOPEKA (Perfs): 2850-3184
 Formation: _____ (Perfs): _____
 Formation: _____ (Perfs): _____
 Formation: _____ (Perfs): _____

2. Estimated amount of fluid production to be commingled from each interval:
 Formation: WABAUNSEE BOPD: 0 MCFPD: 119 BWPD: 17
 Formation: TOPEKA BOPD: 0 MCFPD: 21 BWPD: 3
 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:

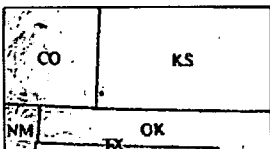
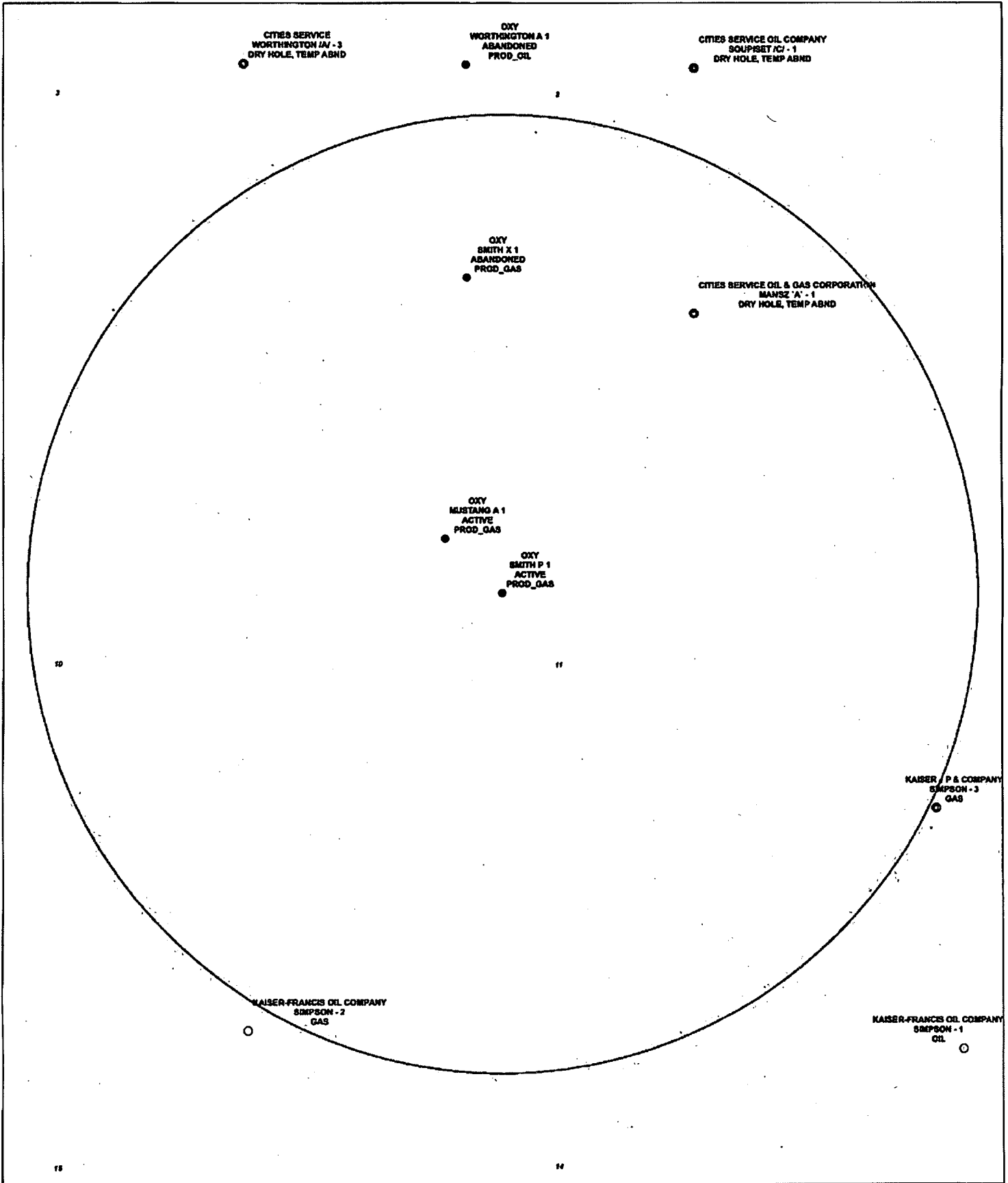
- 7. Well construction diagram of subject well.
- 8. Any available water chemistry data demonstrating the compatibility of the fluids to be commingled.

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

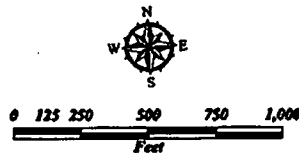
KCC Office Use Only	
<input type="checkbox"/> Denied	<input checked="" type="checkbox"/> Approved
15-Day Periods Ends: <u>6/2/2012</u>	
Approved By: <u>Rick Hestermann</u>	Date: <u>06/04/2012</u>

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.



Legend

- OXY USA INC
- KAISER-FRANCIS OIL COMPANY
- KAISER J P & COMPANY
- CITIES SERVICE
- 12 Mile Buffer



Mid-Continent

SURFACE MAP

SMITH P-1
 2210 OIL & 2340 FEL
 11-205-43W
 MORTON COUNTY, KS

Project No.	2210 OIL & 2340 FEL	Sheet No.	11-205-43W
Date	11-20-82	Scale	1" = 1/2 MI

AFFIDAVIT OF NOTICE SERVED

RE: Application for : OXY USA Inc.

Well Name: Smith P-1 _____ Legal Location NE S-11 T-33S R-43W

The undersigned hereby certifies that he/she is a duly authorized agent for the applicant, and that on the 18th day of May, 2012, 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.

Name

Address (attach additional sheets if necessary.)

Martin Smith (Surface Owner)
Oxy USA, Inc.

801 HC 1, Richfield, KS 67953
P.O. Box 2528, Liberal, KS 67905

Signed this 18th day of May, 2012.



Laura Beth Hickert
Laura Beth Hickert
Applicant or Duly Authorized Agent

Subscribed and sworn to before me this 18th day of May, 2012

Anita Peterson
Notary Public

My Commission Expires: Oct. 1, 2013

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, 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 14th of

April A.D. 2012, with

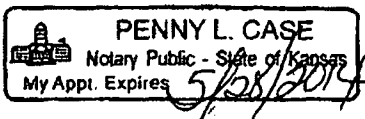
subsequent publications being made on the following dates:

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

16th day of April, 2012



Penny L. Case
Notary Public Sedgwick County, Kansas

Printer's Fee : \$108.40

LEGAL PUBLICATION
PUBLISHED IN THE WICHITA EAGLE
APRIL 14, 2012
BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS
NOTICE OF FILING APPLICATION
RE: OXY USA, Inc.'s Application for Order to Commence Webbeusee and Topoka sources of supply in Section 11, Township 33S, Range 43W in Morton County, Kansas.
TO: All Oil and Gas Producers, Lessees, Miners, Mineral Interest Owners, Landowners, and Leaseholders.
When you receive this notice, you should immediately advise OXY USA, Inc. (the Applicant) to commence the production from the Webbeusee and Topoka sources of supply in the NE 1/4 of Sec. 11, Twp. 33S, R. 43W in Morton 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. Protests must state specific reasons why the grant of the application may cause or result in the violation of the rights or depletion of the natural resources of the State of Kansas. If no protests are received, this application may be granted through a summary proceeding. If protests are received, this matter will be set for hearing on 5/28/2012 at 10:00 AM in the State Corporation Commission.
If you have any questions, please contact the Applicant at 1-800-392-3333.

Proof of Publication

Legal Notice

First Published in the Elkhart Tri-State News, Elkhart, Kansas, on Thursday, April 19, 2012.)

BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS NOTICE OF FILING APPLICATION

RE: OXY USA Inc. Application for order to commingle Wabaunsee and Topeka sources of supply in Smith P-1 well, located in Sec. 11 Twp 33S R. 43W, Morton County, Kansas.

TO: All Oil and Gas Producers, Unleased Minerals Interest Owners, Landowners, and all persons who have or may be concerned.

You and each of you are hereby notified that OXY USA Inc. has filed an application to commingle the production from the Wabaunsee and Topeka sources of supply in the Smith P-1 well located in the NE 1/4 of Sec. 11 Twp 33S R. 43W in Morton 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

Notice of Filing
Application
Smith P-1

Oxy USA Inc
Liberal
Publication Fee \$ 57.40

Karen L. Brady

Being first duly sworn, deposes and says: that she is the Publisher of the ELKHART TRI-STATE NEWS, a weekly newspaper published in the State of Kansas, with a general paid circulation on a weekly basis in Morton County, Kansas, and that said newspaper is not a trade, religious or fraternal publication. Said newspaper is a weekly, published at least 50 times a year; and has been so published continuously and uninterruptedly 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 Elkhart 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, publications thereof being made as aforesaid on the following dates:

<u>April 19</u> 20 <u>12</u>	20
_____ 20	20
_____ 20	20
_____ 20	20

Karen Brady

Subscribed and Sworn to before me this

19 day of April, 2012

Daren B. Coen



Approved _____ 20 _____

Clerk or Judge

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

June 4, 2012

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

RE: Approved Commingling CO051205
Smith P 1, Sec.11-T33S-R43W, Morton County
API No. 15-129-10327-00-02

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 May 18, 2012, 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	
Wabaunsee	0	119	17	2622-2832
Topeka	0	21	3	2850-3184
Total Estimated Current Production	0	140	20	

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

Commingling ID number CO051205 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