



APPLICATION FOR COMMINGLING OF PRODUCTION (K.A.R. 82-3-123) OR FLUIDS (K.A.R. 82-3-123a) Commingling ID # CO101215

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 - 15-129-10295-00-01
Spot Description: SE SE NW Sec. 25 Twp. 33 S. R. 43 East West
2310 Feet from North / South Line of Section
2310 Feet from East / West Line of Section
County: Morton
Lease Name: MILLER S Well #: 1

1. Name and upper and lower limit of each production interval to be commingled:
Formation: WABAUNSEE (Perfs): 2675-2698
Formation: TOPEKA (Perfs): 2888-3140
Formation: _____ (Perfs): _____
Formation: _____ (Perfs): _____
Formation: _____ (Perfs): _____

2. Estimated amount of fluid production to be commingled from each interval:
Formation: WABAUNSEE BOPD: 0 MCFPD: 34 BWPD: 0
Formation: TOPEKA BOPD: 0 MCFPD: 34 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. 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: 11/8/2012
Approved By: Rick Hestermann Date: 11/08/2012

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.

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

Form ACO-4
Form must be typed
March 2009

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

OPERATOR: License # 5447 API No. 15 - 129-10295-00-01
Name: OXY USA, INC. Spot Description: _____
Address 1: P.O. BOX 2528 SE SE NW Sec. 25 Twp. 33 S. R. 43 East West
Address 2: _____ 2,310 Feet from North / South Line of Section
City: LIBERAL State: KS Zip: 67905 + _____ 2,310 Feet from East / West Line of Section
Contact Person: LAURA BETH HICKERT County: MORTON
Phone: (620) 629-4253 Lease Name: MILLER S Well #: 1

1. Name and upper and lower limit of each production interval to be commingled:
Formation: WABAUNSEE (Perfs): 2675-2698
Formation: TOPEKA (Perfs): 2888-3140
Formation: _____ (Perfs): _____
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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.

Signature: *Laura Beth Hickert*
Printed Name: LAURA BETH HICKERT
Title: REGULATORY

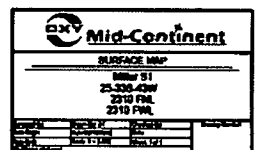
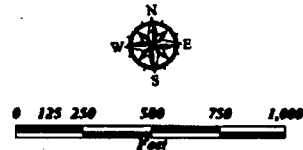
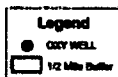
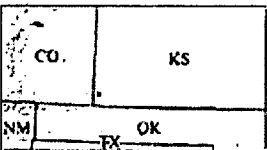
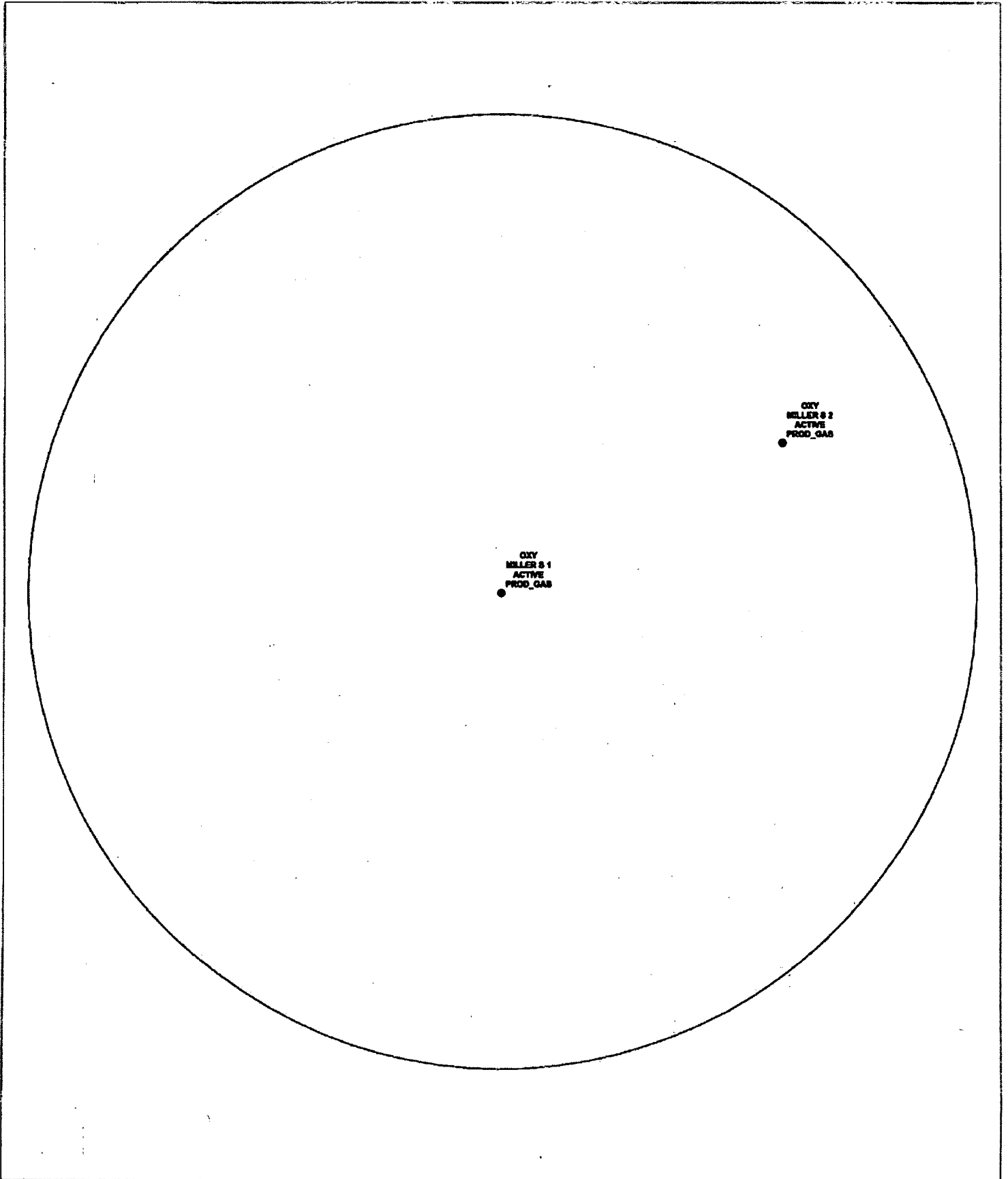
KCC Office Use Only

Denied Approved

15-Day Periods Ends: _____

Approved By: _____ Date: _____

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.



AFFIDAVIT OF NOTICE SERVED

RE: Application for: OXY USA Inc.

Well Name: Miller S-1 Legal Location: SE SE NW S-25 T-33S R-43W

The undersigned hereby certifies that he/she is a duly authorized agent for the applicant, and that on the 24th day of October, 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.

<u>Name</u>	<u>Address (attach additional sheets if necessary.)</u>
Miller Mineral & Land Management (Surface Owner) Oxy USA, Inc.	P.O. Box 1330, Woodward, OK 73801 P.O. Box 2528, Liberal, KS 67905

Signed this 24th day of October, 2012.



Laura Beth Hickert
 Laura Beth Hickert
 Applicant or Duly Authorized Agent

Subscribed and sworn to before me this 24th day of October, 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.

Proof of Publication

Notice of Hearing Application
Miller S-1

Legal Notice

(First Published in The Elkhart Tri-State News, Elkhart, Kansas, on Thursday, July 26th, 2012.)

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

RE: OXY USA, Inc. Application for order to commingle Topeka and Wabaunsee sources of supply in Miller S-1 well located in Sec 25 Twp 33S R 43W Morton 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 commingle the production from the Topeka and Wabaunsee sources of supply in the Miller S-1 well located in the NW/4 of Sec 25 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

By Lisa A. Brady
 Publication Fee \$ 44.80

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>July 26</u> 20 <u>12</u>	20
20	20
20	20
20	20

Karen L. Brady

Subscribed and Sworn to before me this

26 day of July, 2012

Daren R. Coen



Approved _____ 20 _____

Clerk or Judge

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 26th of

July 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.

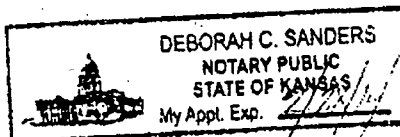
Mark Fletchall

Subscribed and sworn to before me this

26th day of July, 2012

Deborah C. Sanders
Notary Public Sedgwick County, Kansas

Printer's Fee : \$108.40



LEGAL PUBLICATION
PUBLISHED IN THE WICHITA EAGLE
JULY 26, 2012 (819988) A
BEFORE THE STATE CORPORATION
COMMISSION OF THE STATE OF KANSAS
NOTICE OF FILING APPLICATION
RE: OXY USA, Inc. Application for order
to commingle Topeka and Wabaunsee
sources of supply in Miller S-1 well,
located in Sec. 25 Twp. 33S R. 43W, Morton
County, Kansas.
TO: All Oil and Gas Producers, Unleased
Minerals Interest Owners, Landowners,
and all persons whosever concerned.
You, and each of you, are hereby notified
that OXY USA, Inc. has filed an application to
commingle the production from the Topeka
and Wabaunsee sources of supply in the Miller
S-1 well, located in the NW/4 of Sec. 25 Twp. 33S
R. 43W in Morton County, Kansas.
Any persons who object to or protest this
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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 and concerned shall
take notice of the foregoing and shall govern
themselves accordingly.
OXY USA Inc.
P.O. Box 2578
Liberal, KS 67905
(620) 429-4200

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
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

Sam Brownback, Governor

November 8, 2012

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

RE: Approved Commingling CO101215
Miller S 1, Sec.25-T33S-R43W, Morton County
API No. 15-129-10295-00-01

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 24, 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	0.0	34.0	0.0	2675-2698
Topeka	0.0	34.0	0.0	2888-3140
Total Estimated Current Production	0.0	68.0	0.0	

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 CO101215 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