

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

Before Commissioners: Shari Feist Albrecht, Chair
Jay Scott Emler
Pat Apple

In the matter of the application of C12 Kansas) Docket No.: 15-CONS-009-CUNI
Oil, LLC, for an order providing for the)
unitization and unit operation of the Post) CONSERVATION DIVISION
Rock Unit in Russell County, Kansas.)
_____) License No.: 34912

**ORDER DESIGNATING PREHEARING OFFICER, SETTING PREHEARING
CONFERENCE, & GRANTING PETITION TO INTERVENE**

1. On July 3, 2014, C12 Kansas Oil ("Operator") filed an application to unitize certain leasehold interests and operations pursuant to K.S.A. 55-1304(a)(1). Operator has filed affidavits of publication, indicating that notice was published in the Wichita Eagle and the Russell County News on July 9th and July 10th, respectively.
2. The following parties have filed protests: Barbra Sue Holt Simpson; Peter & Patricia Loriaux; Petroleum Property Services, Inc. (represented by Triplett, Woolf & Garretson); Russell Oil, Inc., Elmer L. Karst Oil, Herman Krug Oil Operations, and Barton Exploration, Inc. (represented by Withers, Gough, et al.); Leanna & William David Walters; and Mai Oil Operations (represented by Diana Edmiston).
3. In addition, Berexco, LLC (represented by Thomas Rhoads) has filed a petition to intervene. Berexco states that approval of Operator's application may adversely affect current production from Berexco leases located within ½ mile from Operator's proposed unit boundaries. The Commission finds that Berexco has demonstrated an interest in this proceeding pursuant to K.S.A. 77-521 and K.A.R. 82-1-225.

4. Upon its own motion and pursuant to K.S.A. 77-551(c), the Commission finds that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b). The Commission also finds that an initial prehearing conference should be scheduled in this matter.

THEREFORE, THE COMMISSION ORDERS:

A. Berexco, LLC's petition to intervene is granted. Berexco shall be added to the official service list. Service of pleadings should be delivered to Berexco's counsel of record, as well as to Operator and all protestants.

B. The Prehearing Officer in this proceeding shall be Jonathan R. Myers, Counsel, Kansas Corporation Commission, 266 N. Main, Suite 220, Wichita, Kansas 67202, telephone number 316-337-6200, email address j.myers.kcc.ks.gov.

C. A Prehearing Conference is scheduled for Thursday, August 28, 2014. The Prehearing Conference shall begin at 1:30 p.m. and end by 2:30 p.m., at the Commission's offices, 266 N. Main, Suite 220, Wichita, Kansas 67202. Telephonic attendance may be permitted. The Prehearing Conference will focus on the development of a procedural schedule for this docket.

D. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.

E. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act ("KAPA"). Any party that fails to attend

or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default under the KAPA.

F. Pursuant to K.A.R. 82-3-229(d)(2), corporations must enter an appearance via an attorney. If a corporation fails to enter an appearance via an attorney prior to the Prehearing Conference, it shall be held in default under the KAPA.

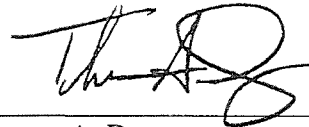
G. The attorney designated to appear on behalf of the agency in this proceeding is John McCannon, telephone number 316-337-6200, email address j.mccannon@kcc.ks.gov.

H. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Com.; Apple, Com.

Dated: AUG 12 2014

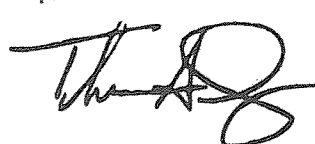


Thomas A. Day
Acting Executive Director

Mailed Date: 8/18/14

JRM

I CERTIFY THE ORIGINAL
COPY IS ON FILE WITH
The State Corporation Commission

AUG 12 2014


CERTIFICATE OF SERVICE

I certify that on 8/18/14, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Stanford J. Smith, Jr.
Martin Pringle Oliver Wallace & Bauer, LLP
100 North Broadway, Suite 500
Wichita, Kansas 67202
Attorney for Applicant (C12 Kansas Oil, LLC)

Timothy E. McKee
Amy Fellows Cline
Triplett Woolf & Garretson, LLC
2959 N. Rock Road, Suite 300
Wichita, Kansas 67226
Attorneys for Petroleum Property Services, Inc.

Steven D. Gough
Joseph A. Schremmer
Withers Gough Pike Pfaff & Peterson, LLC
O.W. Garvey Building
200 W. Douglas, Suite 1010
Wichita, Kansas 67202
*Attorneys for Russell Oil, Inc., Elmer L. Karst Oil,
Herman Krug Oil Operations, and Barton Exploration, Inc.*

Diana Edmiston
Glaves, Irby & Rhoads
1050 Market Centre
155 North Market
Wichita, Kansas 67202
Attorney for Mai Oil Operations, Inc.

Barbra Sue Holt Simpson
872 Fifth Street
Manhattan Beach, California 90266

Peter & Patricia Loriaux
13111 West 84th Street
Lenexa, Kansas 66215

Leanna & William David Walters
348 Terrace Trail West
Lake Quivira, Kansas 66217

Case Morris
KCC District #4
2301 E. 13th Street
Hays, Kansas 67601

Thomas M. Rhoads
Glaves, Irby & Rhoads
1050 Market Centre
155 N. Market
Wichita, Kansas 67202
Attorney for Berexco LLC

And delivered by hand to:

Jim Hemmen, KCC Central Office
John McCannon, Litigation Counsel, KCC Central Office

/s/ Jonathan R. Myers
Jonathan R. Myers
Litigation Counsel (Prehearing Officer & Advisory Counsel in this matter)
Kansas Corporation Commission