

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

In the matter of the application of Berexco	)	Docket No. 20-CONS- 3198 -CEXC
LLC for an exception to the 10-year	)	
time limitation of K.A.R. 82-3-111 for its	)	
Lottie #2 well located in	)	CONSERVATION DIVISION
the NE SW NE SW of Sec 1, T16S, R30W	)	
Lane County, Kansas.	)	
<hr/>		License No.: 34318

**APPLICATION**

COMES NOW Berexco LLC ("Operator") for its application in the captioned matter states as follows:

1. Operator is a limited liability company authorized to do business in the State of Kansas. Operator's address is 2020 North Bramblewood, Wichita, Kansas 67206.
2. Operator has been issued by the Kansas Corporation Commission Operator's License #34318, which expires on October 30, 2020.
3. Operator is the owner and operator of the Lottie #2 well, API #15-101-20979-0000 which is located in the Northeast Quarter of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, Township 16 South, Range 30 West, Lane County, Kansas. The subject well is located on an active oil and gas lease comprising the following lands: The Southwest Quarter of Section 1, Township 16 South, Range 30 West, Lane County, Kansas.



4. Pursuant to K.A.R. 82-3-111, Operator obtained temporary abandonment status for the Lottie #2 on November 25, 1996. The subject well has maintained such status from November 1996 to the present date.

5. On or about December 10, 2019, the Kansas Corporation Commission notified Operator that temporary abandonment status for the subject well would be denied because the subject well had been temporarily abandoned for more than ten (10) years and the 10-year limitation exception was expiring on or about January 9, 2020.

6. K.A.R. 82-3-111 imposes a 10-year limitation on the amount of time during which wells may be temporarily abandoned, but an exception to the 10-year limitation may be obtained pursuant to said regulations through an application filed with the Commission pursuant to K.A.R. 82-3-100. Operator seeks a second exception.

7. The subject well demonstrated mechanical integrity as evidenced by passage of Commission Staff-witnessed mechanical integrity test on or about December 12, 2019.

8. Operator is keeping the subject well for potential use as a water injection well. Applicant operates an adjacent lease, the Missionary Lease, which produces from the same common source of supply, and Operator plans to unitize these leases in order to initiate a waterflood. The subject well should not be plugged to prevent economic waste associated with re-drilling for future needs as an injection well. Estimated cost to plug this well is \$20,000. The cost to restore the well to injection capability is estimated to be \$100,000. Production from the Lottie Lease is around 0.2 BOPD with cumulative primary recoveries equal to approximately 16,800 barrels of oil. The Missionary Lease is currently producing around 5 BOPD with cumulative primary recoveries of approximately 348,000 barrels of oil. Operator estimates that



potential maximum secondary and tertiary recoveries will be equal to the total primary recoveries of these leases.

9. Operator has included a plat map showing the locations of all producing, injection, saltwater disposal, temporarily abandoned, and plugged wells located on the same leased premises as the subject well. There is one active producing well and the subject well on the lease.

10. Based on the foregoing, Operator requests the Commission grant an exception to the 10-year limitation, specifically to allow the subject well to remain eligible for temporary abandonment status for the three (3) years following the expiration of the 10-year limitation. Operator understands that the exception would be valid for three (3) years, but Operator would still need to apply annually to the Conservation Division District Office for approval of an application for temporary abandonment status.

11. Listed in the attached Exhibit "A" are the names and addresses of the following persons:

- A. Each operator of each oil and gas lease covering lands within one-half (1/2) mile radius of the subject well; and
- B. Each person who owns any mineral interest of record in and under any lands located within one-half (1/2) mile radius of the subject well (provided that such mineral interest is not covered by any oil and gas lease).

12. Notice of this application has been published pursuant to K.A.R. 82-3-135a. In addition, notice of the hearing to be held in this matter will be provided as prescribed by K.A.R. 82-3-135.



WHEREFORE, Applicant prays that this matter be granted administratively without a hearing, or in the alternative be set for hearing, and upon hearing that the Commission grant Applicant's request, for an exception to the K.A.R. 82-3-111 ten (10) year limitation, to allow the subject well to remain temporarily abandoned for three (3) years, subject to annual approval by the Conservation Division District Office of an application for temporary abandonment status.

Respectfully Submitted,

Jonathan Hayward  
2020 N. Bramblewood  
Wichita, KS 67206  
316-265-3311  
Fax #316-681-4766

By:   
Signature of Submitter







## CERTIFICATE OF SERVICE

I hereby certify on this 9<sup>th</sup> day of January, 2020, true and correct copies of the attached Notice of Filing Application were served by depositing copies of the same in the United States Mail, postage prepaid, and properly addressed to each of the unleased mineral owner(s) and operator(s) set forth in Exhibit "A" attached to said Application filed by Operator, and the above and foregoing original Application was uploaded to the Kansas Corporation Commission via E-filing Express to a new docket.

  
Name of Signed



## EXHIBIT A

### **Lottie #2 notice area**

#### **Operator – W/2 Sec. 1, NE/4 Sec. 2-16S-30W**

#### **Leasehold owner – SE/4 Sec. 2, NW/4 Sec. 12-16S-30W**

Berexco LLC  
2020 N. Bramblewood  
Wichita, KS 67202

#### **Unleased mineral owners – NE/4 Sec. 1-16S-30W**

Robert W. Rush  
78 Southfork Rd.  
Cody, WY 82414-9478

Doroty A. Bjorklund  
5965 W. 23<sup>rd</sup> St.  
Greeley, CO 80634

#### **Operator – SE/4 Sec. 1-16S-30W**

Wilton Petroleum, Inc.  
P. O. Box 391  
Canton, KS 67428

#### **Unleased mineral owner – NE/4 Sec. 11-16S-30W**

Forest Valley Trust  
c/o Kenneth York, Co-Trustee  
272 N. Dodge Road  
Healy, KS 67850

#### **Unleased mineral owners – NW/4 Sec. 12-16S-30W**

Forest Valley Trust  
AS ABOVE

M&M Trust  
c/o F. Michael York, Co-Trustee  
217 Cheyenne Road  
Healy, KS 67850

Curtis L. & Mary F. York  
64 W. Road 230  
Healy, KS 67850



Henry Forest York Trust  
c/o Curtis L. York  
64 W. Road 230  
Healy, KS 67850

Dwight A. York  
P. O. Box 218  
Healy, KS 67850

Dorothy A. York Trust  
Dwight A. York, Co-Trustee  
P. O. Box 218  
Healy, KS 67850

**Unleased mineral owner - NE/4 Sec. 12-16S-30W**

D&E Roemer Farms, L.L.C.  
262 N. Dodge Road  
Healy, KS 67850



# **BEREXCO LLC**

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

---

RE: BEREXCO LLC. - - Application for an exception to the 10 year time limitation of K.A.R. 82-3-111 for the Lottie #2 well, located in Lane County, Kansas.

TO: All Oil & Gas Producers, Unleased Mineral Interest Owners, Landowners, and all persons whomever concerned.

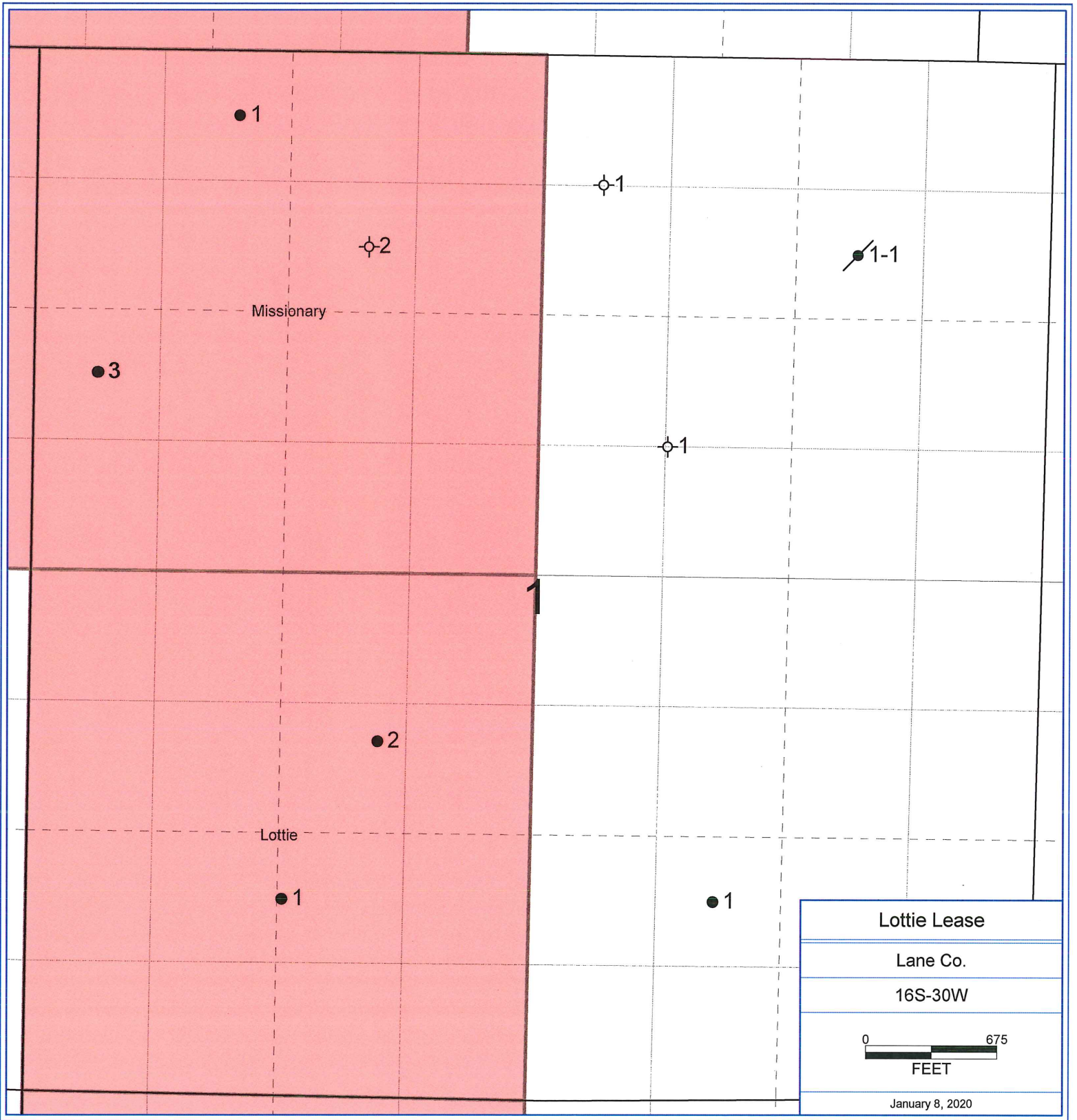
You, and each of you, are hereby notified that Berexco LLC has filed an application for a three year exception to the 10 year temporarily abandoned time limitation of K.A.R. 82-3-111 for the Lottie #2 well located in the NE SW of Section 1-16S-30W, Lane County, Kansas.

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.

BEREXCO LLC  
2020 N. Bramblewood  
Wichita, Kansas 67206  
316-265-3311









## LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
455429	0004524879	BEFORE THE STATE CORPORATION COMMISSION	Lottie #2 Notice of Application	\$224.79	1	37

**Attention:** Zhanna Pekarsky

BEREXCO LLC  
2020 NO. BRAMBLEWOOD  
WICHITA, KS 67206

*Lottie 2 WF*

BEFORE THE STATE CORPORATION  
COMMISSION OF THE STATE OF KANSAS  
NOTICE OF FILING APPLICATION  
RE: BEREXCO LLC. -- Application for an  
exception to the 10 year time limitation of  
K.A.R. 82-3-111 for the Lottie #2 well,  
located in Lane County, Kansas.  
TO: All Oil & Gas Producers, Unleased  
Mineral Interest Owners, Landowners, and  
all persons whomsoever concerned.  
You, and each of you, are hereby notified  
that Berexco LLC has filed an application  
for a three year exception to the 10 year  
temporarily abandoned time limitation of  
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2020 N. Bramblewood  
Wichita, Kansas 67206  
316-265-3311

In The STATE OF KANSAS  
In and for the County of Sedgwick  
AFFIDAVIT OF PUBLICATION

1 Insertions  
Beginning issue of: 01/12/2020  
Ending issue of: 01/12/2020

STATE OF KANSAS)  
.SS  
County of Sedgwick)

Tony Berg, 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 from 1/12/2020 to 01/12/2020.

I certify (or declare) under the penalty of  
perjury that the foregoing is true and correct.

*Tony Berg*  
\_\_\_\_\_  
(Signature of Principal Clerk)

DATED: 1/13/2020

*Jennifer Rae Bailey*  
\_\_\_\_\_  
Notary Public Sedgwick County, Kansas

JENNIFER RAE BAILEY  
Notary Public - State of Kansas  
My Appt. Expires 6/1/2021



Lottie 2 of  
**Proof of Publication**

State of Kansas,  
County of Lane, ss:

Emily George

of lawful age, being duly sworn upon oath states that he/she is the editor of **THE DIGHTON HERALD**.

THAT said newspaper has been published at least weekly 50 times a year and has been so published for at least five years prior to the first publication of the attached notice.

THAT said newspaper was entered as second class matter at the post office of its publication;

THAT said newspaper has a general paid circulation on a daily, weekly, monthly, or yearly basis in LANE County, Kansas and is NOT a trade, religious or fraternal publication and has been printed and published in LANE County, Kansas.

THE ATTACHED was published on the following dates in a regular issue of said newspaper:

1st Publication was made on the 15 day of Jan, 20 20  
2nd Publication was made on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_  
3rd Publication was made on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_  
4th Publication was made on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_  
5th Publication was made on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_  
6th Publication was made on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

Publication fee \$ 46.80  
Affidavit, Notary's Fees \$ \_\_\_\_\_  
Additional Copies \_\_\_\_\_ @ \_\_\_\_\_ \$ \_\_\_\_\_  
Total Publication Fee \$ 46.80

Emily George  
(Signed)

Witness my hand this 15 day of January, 20 20

SUBSCRIBED and SWORN to before me this 15

day of January, 20 20.

Kelli M. James  
(Notary Public)

My commission expires 10/21/20



**Legal**  
**(First placed in the**  
**Dighton Herald on**  
**January 15, 2020.)**

**BEREXCO LLC**  
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**STATE CORPORATION**

**COMMISSION OF**  
**THE STATE OF KANSAS**  
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a c c o r d i n g l y .  
**BEREXCO LLC**  
2020 N. Bramblewood  
Wichita, Kansas 67206  
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