

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

| | | |
|---|---|--------------------------------|
| In the matter of the application of Berexco |) | Docket No. 20-CONS- 3193 -CEXC |
| LLC for an exception to the 10-year |) | |
| time limitation of K.A.R. 82-3-111 for its |) | |
| Tom Sellens #16 well located in |) | CONSERVATION DIVISION |
| the SE SW SE of Sec 17, T15S, R13W |) | |
| Russell County, Kansas. |) | |
| _____ |) | 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 Tom Sellens #16-I well, API #15-167-22689-0000 which is located in the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 17, Township 15 South, Range 13 West, Russell County, Kansas. The subject well is located on an active oil and gas lease comprising the following lands: The Southeast Quarter of Section 17, Township 15 South, Range 13 West, Russell County, Kansas.

4. Pursuant to K.A.R. 82-3-111, Operator obtained temporary abandonment status for the Tom Sellens #16-I on July 17, 2009. The subject well has maintained such status from July 2009 to the present date.

5. On or about December 6, 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 temporarily abandoned status was expiring on or about December 6, 2019.

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 3, 2019.

8. Operator is keeping the subject well for use as either a producing well or an injection well in the current waterflood. This lease also has future potential for a CO₂ flood project. Plugging the subject well would result in economic waste associated with the expense of plug and abandonment and later re-entry to restart as a producing well or convert to injection. Estimated cost to plug this well is \$20,000. The cost to restore the well to injection capability is estimated to be \$80,000. Cumulative production on the lease is around 1,000,000 barrels of oil. Current production on the lease is approximately 1 barrels of oil per day. An estimation of 5% of the cumulative production may be gained by a CO₂ flood. The remaining reserves of the lease would be 50,000 barrels of oil.

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 are two active producing wells, five active injection wells, three temporarily abandoned producing wells, and two temporarily abandoned injection wells (including 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, subject to yearly renewal with the appropriate Conservation Division District, but without further need to re-apply for a new exception each of the three (3) years prayed for in this application to the Commission.

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

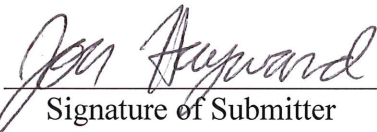
- A. Each operator of each oil and gas lease covering lands within one-half (1/2) mile radius of the subject well; and
- B. Each person who owns any mineral interest of record in and under any lands located within one-half (1/2) mile radius of the subject well (provided that such mineral interest is 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 10th 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

Tom Sellens #16 notice area

Operator – N/2 SW/4 Sec. 16; NW/4 & E/2 Sec. 17-15S-13W

Berexco LLC
2020 N. Bramblewood
Wichita, KS 67206

Surface owner – SE/4 Sec. 17-15S-13W

John K. & Carolyn Phelan
P. O. Box 56
Holyrood, KS 67450-0056

Unleased mineral owner – S/2 SW/4 Sec. 16-15S-13W

Karla L. Berry Trust
18942 Stickney Road
Russell, KS 67665

Operator – N/2 NW/4 Sec. 21-15S-13W

Grady Bolding Corporation
P. O. Box 486
Ellinwood, KS 67526

Operator – SW/4 Sec. 17-15S-13W

Jason Oil Company, L.L.C.
P. O. Box 701
Russell, KS 67665

Operator – N/2 Sec. 20-15S-13W

Curt's Oil Operations, LLC.
P. O. Box 8
Great Bend, KS 67530

Operator – S/2 NW/4 Sec. 21-15S-13W

RJM Company
P. O. Box 256
Claflin, KS 67525

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 Tom Sellens #16 well, located in Russell 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 an exception to the 10 year time limitation of K.A.R. 82-3-111 for the Tom Sellens #16 well located in the SE SW SE of Section 17-15S-13W, Russell County, Kansas.

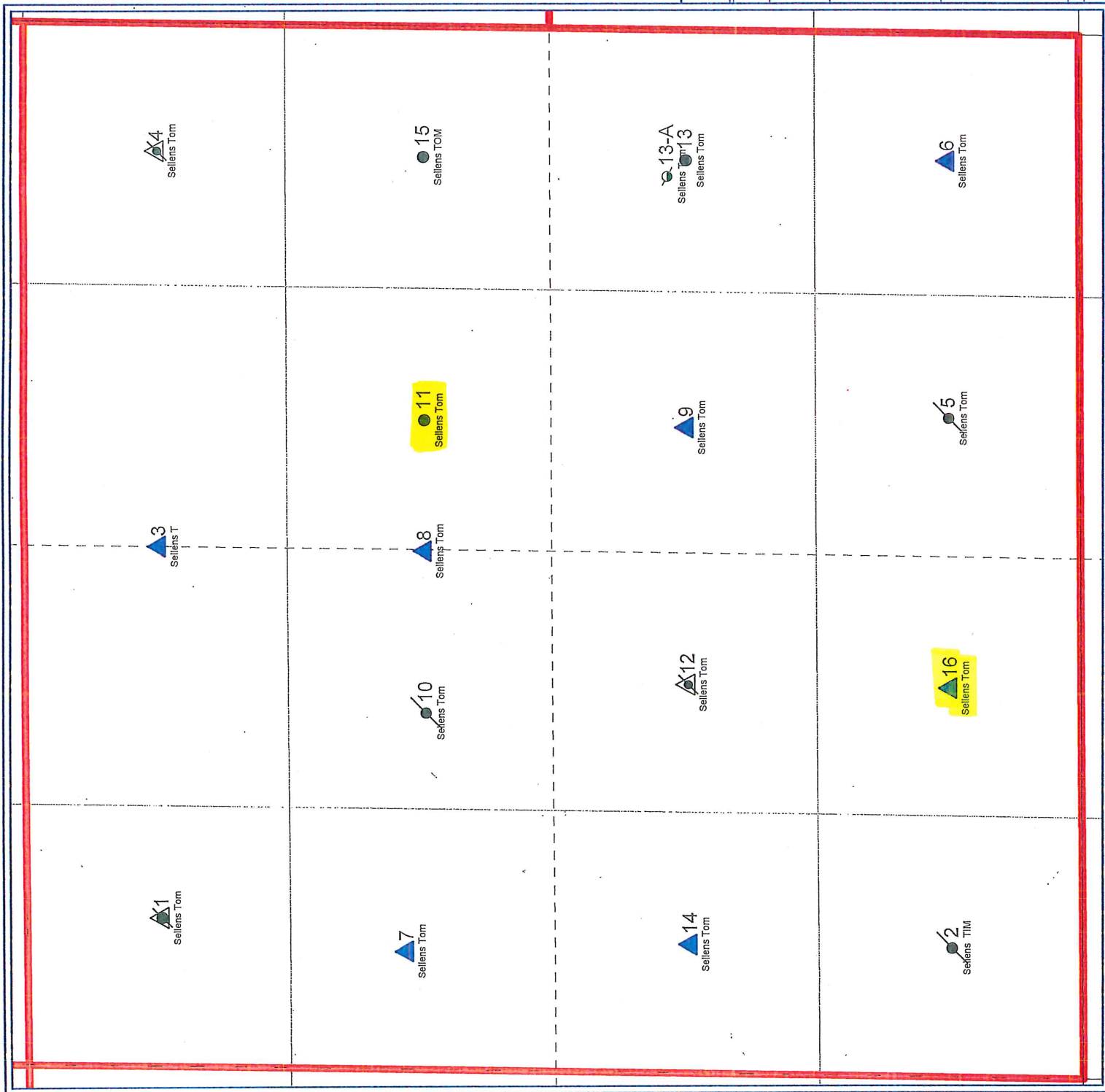
Any persons who object to or protest this application shall be required to file their objections or protest with the Conservation Division of the State Corporation Commission of the State of Kansas within fifteen (15) days from the date of this publication. These protests shall be filed pursuant to Commission 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

Russell Co., KS.

| | | | | | | | |
|--------------------|-----------------------|------------------|--------------------------|-------------------------|---|------------------|-----------------|
| BEREXCO LLC | Russell Co, KS | 15S - 13W | Tom Sellens Lease | POSTED WELL DATA | <p>Well Number </p> <p>Well Name</p> <p>WELL SYMBOLS</p> <p> Oil Well</p> <p> Plugged and Abandoned</p> <p> Injection Well</p> <p> Plugged Injection Well</p> <p> TA - Oil</p> | By: Clint Bleier | October 1, 2015 |
|--------------------|-----------------------|------------------|--------------------------|-------------------------|---|------------------|-----------------|



STATE OF KANSAS
RUSSELL
COUNTY SS.

Affidavit of Publication

Tom Sellens 16 WF

Frank Mercer, being first duly sworn, deposes and says: That he is owner of Russell County News, a bi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in Russell County, Kansas, with a general paid circulation on a weekly basis in Russell County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published one day a week and has been 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 Russell, Kansas, 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 the first publication thereof being made as aforesaid on the 9th day of January, 2020.

with subsequent publications being made on the following dates:

_____, 20____, _____, 20____
_____, 20____, _____, 20____
_____, 20____, _____, 20____

Signed _____
Subscribed and sworn to before me this 15th day
of Jan, 2020

Notary Public's Signature
My commission expires: Aug 3 2020

Publication Fee \$ 56.60
Affidavit, Notary's Fee \$ 4.00
Additional copies @ \$ _____
Total Publication Fee \$ 51.22

Legal Notice

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

Jan. 9

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(Published in
the Russell County News
Thursday, Jan. 09, 2020)

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TO: All Oil & Gas Producers, Unleased Mineral Interest Owners, Landowners, and all



LEGAL PROOF OF PUBLICATION

| Account # | Ad Number | Identification | PO | Amount | Cols | Lines |
|-----------|------------|--------------------------------------|------------------------------------|----------|------|-------|
| 455429 | 0004518365 | BEFORE THE STATE CORPORATION COMMISS | m Sellens #16 Notice of Applicatio | \$219.79 | 1 | 37 |

Attention: Zhanna Pekarsky

BEREXCO LLC
2020 NO. BRAMBLEWOOD
WICHITA, KS 67206

Tom Sellens 16 WF

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

1 Insertions

Beginning issue of: 01/10/2020

Ending issue of: 01/10/2020

STATE OF KANSAS)

.SS

County of Sedgwick)

BEFORE THE STATE CORPORATION
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BEREXCO LLC
2020 N. Bramblewood
Wichita, Kansas 67206
316-265-3311

Tony Berg, of lawful age, being first duly
sworn, deposeth 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 1/10/2020 to 01/10/2020.

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

Tom Berg

(Signature of Principal Clerk)

DATED: 1/10/2020

[Signature]
Notary Public Sedgwick County, Kansas

JENNIFER RAE BAILEY
Notary Public - State of Kansas
My Appt. Expires 6/14/2021