

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

**22-CONS-3102-CEXC**

In the matter of the application of Berexco	)	Docket No. 21-CONS- ____-CEXC
LLC for an exception to the 10-year	)	
time limitation of K.A.R. 82-3-111 for its	)	
Tom Sellens #10 well located in	)	CONSERVATION DIVISION
the W/2 SE NW 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, 2021.
3. Operator is the owner and operator of the Tom Sellens #10 well, API #15-167-22649-0000 which is located in the West Half of the Southeast Quarter of the Northwest 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 #10 well on July 29, 2005. The subject well has maintained such status from July 2005 to the present date.

5. 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 such an exception.

6. Operator filed for and was granted an initial 10-year limitation exception by the Kansas Corporation Commission. Such exception will expire on or about August 23, 2021. Operator seeks a third exception.

7. The subject well demonstrated mechanical integrity as evidenced by passage of Commission Staff-witnessed mechanical integrity test on or about August 2, 2021.

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 CO<sub>2</sub> 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. Cumulative production on the lease is around 1,000,000 barrels of oil. Current production on the lease is approximately 2.2 barrels of oil per day.

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, three active injection wells,

three temporarily abandoned producing wells (including the subject well) and four temporarily abandoned injection wells 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 D. Hayward  
2020 N. Bramblewood  
Wichita, KS 67206  
316-265-3311  
Fax #316-681-4766

By:   
Signature of Submitter

State of Kansas

)

)

ss:

County of Russell

)

Jonathan Hayward, of lawful age, being duly sworn upon his oath deposes and states:

That he has the authority on behalf of Operator to file this application, that he has read the above and foregoing application and is familiar with the contents thereof; and, that the statements made therein are true and correct to the best of his knowledge and belief.

By:

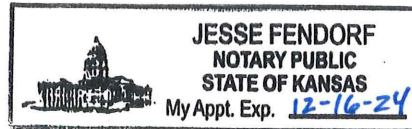
Jonathan Hayward  
Signature of Submitter

SUBSCRIBED AND SWORN to before me this 24<sup>th</sup> day of August, 2021.

Jesse Fendorf  
Notary Public

My Appointment Expires:

12-16-2024



## CERTIFICATE OF SERVICE

I hereby certify on this 24<sup>th</sup> day of August, 2021, 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.

Jan Hayward  
Name of Signed

## **EXHIBIT A**

### **Tom Sellens #10 notice area**

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

Berexco LLC  
2020 N. Bramblewood  
Wichita, KS 67206

#### **Surface owner – SE/4 Sec. 17-15S-13W**

John & 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 – 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 Operation, LLC  
P. O. Box 328  
Hoisington, KS 67544



# **BEREXCO LLC**

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

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RE: BEREXCO LLC. - - Application for an exception to the 10 year time limitation of K.A.R. 82-3-111 for the Tom Sellens #10 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 #10 well located in the W/2 SE NW 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



