

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

IN THE MATTER OF THE APPLICATION	)	DOCKET NO. 20-CONS-3058-CEXC
OF MERIT ENERGY COMPANY, LLC,	)	
FOR AN EXCEPTION TO THE 10-YEAR	)	
TIME LIMITATION OF K.A.R. 82-3-111	)	CONSERVATION DIVISION
FOR ITS ISREAL A-8 WELL IN THE	)	
NORTHEAST QUARTER OF THE	)	
SOUTHEAST QUARTER OF SECTION	)	LICENSE NO. 32446
04, TOWNSHIP 32 SOUTH, RANGE 39	)	
WEST, MORTON COUNTY, KANSAS.	)	
_____	)	

**AMENDED APPLICATION**

COMES NOW, Merit Energy Company ("Merit"), by and through its attorney, Stanford J. Smith, Jr., and in support of its Amended Application in the above captioned matter states as follows:

1. Merit is authorized to do business in the State of Kansas, and has a street address of 13727 Noel Road, Suite 1200, Dallas, Texas, 75240.
2. The Kansas Corporation Commission has issued Merit operator's license 32446, which expires on May 30, 2020.
3. Merit is the owner and operator of the Isreal A-8 well, which is located in the Northeast Quarter of the Southeast Quarter of Section 04, Township 32 South, Range 39 West, Morton County, Kansas, API # 15-129-21031-00-02. The subject well is located on an active oil and gas lease or unit comprising the following lands:

Southeast Quarter of Section 04, Township 32 South, Range  
39 West, Morton County, Kansas.

4. The Isreal A-8 was originally perforated in the Morrow "S" Formation but was not actively produced and was shut-in as inactive.

5. Pursuant to K.A.R. 82-3-111, Merit sought and obtained temporary abandonment status for said well on or about October 10, 2005, and on August 2, 2016.

6. On or about August 13, 2019, the Kansas Corporation Commission notified Merit of the KCC's denial of renewal of temporary abandonment status for the well due to the limitation period of ten (10) years imposed by K.A.R. 82-3-111.

7. 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 regulation through an Application filed with the Commission pursuant to K.A.R. 82-3-100. Applicant seeks such an exception.

8. Merit wishes to continue temporary abandonment status for the subject well because Merit intends to use the well as part of an enhanced oil recovery project. Merit is currently evaluating the enhanced oil recovery project which looks to have potential in the Morrow "S" Formation. Merit is currently evaluating the reserve's impact waterflooding the East Kinsler Reservoir will have. No new zones will be attempted to be produced.

It is expected that the secondary to primary oil recovery ratio will be consistent with nearby Hugoton Morrow floods and that peak oil response would occur approximately 1.5 years after first injection. As stated previously, it is hard to estimate hard numbers regarding the impact secondary recovery will have given that Merit is still in the beginning stages of the reservoir analysis.

9. On August 12, 2019, the subject well passed a Commission Staff-witnessed mechanical integrity test of the casing between the surface and a point within fifty (50) feet above the uppermost perforations.

10. There are four wells on the lease: one active gas well, one salt water disposal well, one temporarily abandoned well; and one plugged and abandoned well. It would cost an estimated \$97,500.00 to plug this well and the remaining wells on the lease. A current production rate for the Isreal 1 is 21 mcf/d; the Isreal A7 is a salt water disposal well; the Isreal A8 is temporarily abandoned; and the Isreal A6 is plugged and abandoned. In order to reactivate the Isreal A-8 well as part of an EOR project, it would cost approximately Ninety-Five Thousand Dollars (\$95,000.00) based on current prices. It would cost an estimate of One Million Dollars (\$1,000,000.00) based on current prices to drill and complete a replacement well.

11. Merit has included a plat map, attached as Exhibit A, showing the locations of all producing, injection, temporarily abandoned, abandoned and plugged wells located on the same lease premises as the subject well.

12. Based on the foregoing, Merit requests the Commission grant an exception to the 10-year limitation, specifically to allow the Isreal A-8 well to remain eligible for temporary abandonment status for three (3) years following the expiration of 10-year limitation. Merit understands that the exception would be valid for three (3) years, but Merit would still need to apply annually to the Conservation Division District Office for approval of an Application for temporary abandonment status.

13. Listed in attached Exhibit B 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 if unleased.

14. That the Applicant has sent by regular mail a copy of this Amended Application and Notice of Pending Amended Application to all persons listed on the attached Exhibit B.

WHEREFORE, Merit 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 Merit's request for an exception to the K.A.R. 82-3-111 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,

MARTIN, PRINGLE, OLIVER, WALLACE  
& BAUER, L.L.P.

By



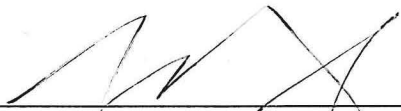
Stanford J. Smith, Jr.  
100 North Broadway, Suite 500  
Wichita, KS 67202  
(316) 265-9311  
*Attorney for Merit Energy Company*

## VERIFICATION

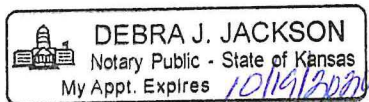
STATE OF KANSAS       )  
                                  ) ss:  
COUNTY OF SEDGWICK )

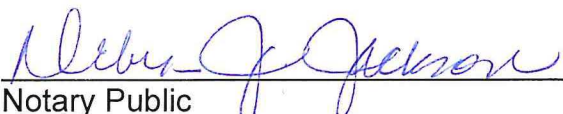
Stanford J. Smith, Jr., of lawful age, being first duly sworn, upon oath states:

That he is the attorney for Merit Energy Company, applicant herein; that he has read the above and foregoing Amended Application of Merit Energy Company 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.

  
\_\_\_\_\_  
Stanford J. Smith, Jr.

SUBSCRIBED AND SWORN to before me this 7th day of August, 2019.



  
\_\_\_\_\_  
Notary Public

My Appointment Expires:  
10/19/2020



101°34'0"W

101°33'30"W

101°33'0"W

33

T31S  
R39W

34

37°18'0"N

37°18'0"N

DUNIGAN 'A' 3  
MERIT ENERGY CO LLC  
TD: 6000  
Elev: 3242THOMAS  
SULLIVAN  
ISRAEL A 6  
MERIT ENERGY CO LLC  
TD: 6000  
Elev: 3248MLP GILLESPIE A 3  
MERIT ENERGY CO LLC  
TD: 6170  
Elev: 3238CLOSE 4-3  
Riviera Operating LLC  
TD: 3022  
Elev: 3246

ISRAEL-A 2

MERIT ENERGY CO LLC  
TD: 2887  
Elev: 3242GILLESPIE 'A' 1  
MERIT ENERGY CO LLC  
TD: 6270  
Elev: 3237

37°17'30"N

37°17'30"N

ISRAEL 'B' 7  
MERIT ENERGY CO LLC  
TD: 6000  
Elev: 3235T32S  
R39WMerit Energy  
TD: 6000  
Elev: 3243MLP GILLESPIE A 4  
MERIT ENERGY CO LLC  
TD: 6000  
Elev: 3236W M  
ISRAELMorton  
Co.W M  
ISRAEL

Kansas

ISRAEL 'B' 6  
MERIT ENERGY CO LLC  
TD: 6000  
Elev: 3244Stevens  
Co.Close 2-4  
Riviera Operating LLC  
TD: 2800  
ELV: 3231

37°17'0"N

37°17'0"N

09

10

Copyright©

101°34'0"W

101°33'30"W

101°33'0"W

- OIL
- ⊗ ABD-GW
- ⊗ AB-LOC
- GAS; 2GAS
- ⊗ ABD-OW
- MERIT LEASEHOLD
- ⊗ D&A
- ⊗ D&AW
- WTRSUP
- 1/2 MILE BUFFER

0 500 1,000 Feet



**EXHIBIT 1**  
MERIT ENERGY COMPANY  
ISRAEL A-8  
with  
1/2 MILE BUFFER  
Map by: Katherine McClurkany  
Morton Co, Kansas  
Date: JUNE 27, 2019  
Scale: 1:12,000  
Projection: State Plane Kansas South NAD 27



## **EXHIBIT B**

Riviera Operating LLC  
JP Morgan Chase Tower  
600 Travis, Suite 1700  
Houston, TX 77002

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

IN THE MATTER OF THE APPLICATION	)	DOCKET NO. 19-CONS-3058-CEXC
OF MERIT ENERGY COMPANY, LLC,	)	
FOR AN EXCEPTION TO THE 10-YEAR	)	
TIME LIMITATION OF K.A.R. 82-3-111	)	CONSERVATION DIVISION
FOR ITS ISREAL A-8 WELL IN THE	)	
NORTHEAST QUARTER OF THE	)	
SOUTHEAST QUARTER OF SECTION	)	LICENSE NO. 32446
04, TOWNSHIP 32 SOUTH, RANGE 39	)	
WEST, MORTON COUNTY, KANSAS.	)	

**NOTICE OF PENDING AMENDED APPLICATION**

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

TO: ALL OIL AND GAS PRODUCERS, UNLEASED MINERAL INTEREST OWNERS, LANDOWNERS, AND ALL PERSONS WHOMSOEVER CONCERNED:

YOU, and each of you, are hereby notified that Merit Energy Company has filed an Amended Application for an exception to the ten-year time limitation of K.A.R. 82-3-111 for the Isreal A-8 well, located in the Northeast Quarter of the Southeast Quarter of Section 04, Township 32 South, Range 39 West, Morton County, Kansas, API # 15-129-21031-00-02.

YOU are further notified that unless written protest is received by the State Corporation Commission within fifteen (15) days after publication of this Notice, the Application in this matter will be granted by administrative approval after said 15 day period. Any such protest should be mailed to the State Corporation Commission of the State of Kansas, Conservation Division, 266 North Main, Suite 220, Wichita, Kansas, 67202, and to the Applicant at the address shown.

All parties in any wise interested or concerned shall take notice of the foregoing and govern themselves accordingly.

Merit Energy Company.  
By: Katherine McClurkan  
Regulatory Analyst  
13727 Noel Road, Suite 1200  
Dallas, Texas 75240  
(972) 628-1660