JOHN C. CHAPPELL

ATTORNEY AT LAW

932 Massachusetts St.

P.O. Box 602 Lawrence, K\$ 66044-0602 CHAPPELL LAW OFFICE

PAGE 02/14

2017.06.15 11:48:30 Kansas Corporation Commission /S/ Lynn Retz

Tel: (785) 841-2110 Fax: (785) 841-0483

jchappell@jchap.com RECEIVED KANSAS CORPORATION COMMISSION

JUN 1 4 2017

CONSERVATION DIVISION WICHITA, KS

Mr. Joshua D. Wright Litigation Counsel Kansas Corporation Commission Conservation Division 266 N. Main Street, Suite 220 Wichita, Kansas 67202-1513

FAX: 316-337-6211 and US Mail

Re: <u>REQUEST FOR HEARING</u> Tailwater, Inc. License # 32461

Dear Mr. Wright:

17-CONS-3685-CMSC

Pursuant to your letter dated June 2, 2017, Tailwater, Inc., hereby requests a hearing pursuant to K.S.A. 77-537 and K.S.A. 77-542 concerning the denial of renewal of Tailwater's operator license. The basis of the denial is that Tailwater appears to be associated with entities that are not in compliance: with Commission statutes, regulations, and orders; specifically, Westside Energy, LC, License #31235, which is not in good standing with the Commission.

Tuesday, June 13, 2017

Information on file with the Secretary of State's office for Westside Energy, LC shows that I was its resident agent, it was formed 12/17/1991, and that it forfeited its articles 07/15/1994. Information on file with KCC shows that Westside had an operator license that expired 12/30/1993. Your letter says, "Staff believes you are associated with Westside Energy, L.C., License #31235, which is not in good standing with the Commission." I'm not aware of any statute, regulation or order that would support denial of Tailwater's license by reason of such a belief. I'm pretty certain that Westside has not been cited for any operating violations since its license expired in 1993, since it has not operated any leases since before then. I don't think a company is required to be in good standing with KCC unless it wants an operator license. Westside has not applied for one since the one that expired in 1993. Westside was in good standing when it let its operator license expire on 12/30/1993. Is it being alleged that Westside nevertheless continued to operate after its license expired? Unless that's the case, I don't understand what it has to do with Tailwater's license, whoever the principals may be.

Mr. Martin informed me that he obtained information from your office by phone to the effect that KCC found some abandoned wells on the Flinsbaugh lease in Miami County, Kansas which are not shown as plugged and records indicate the last operator was Westside Energy. I tried to call you several days ago and left a voice message, hoping to get some clarification, including why you believe Mr. Martin was associated with Westside, but I have not heard back from you yet. If this is based on abandoned Flinsbaugh wells, then I am enclosing documentation that the Flinsbaugh lease was released and all the wells and equipment were assigned to, and expressly assumed by, the landowner, James Riekerson (apparently later spelled Rickerson) in 1998. He thereafter paid property taxes on the working interest and wells (attachments for 2000-2001). Mr. Rickerson subsequently leased the premises to himself (d/b/a Rickerson Oil), and

thereafter assigned it to Randy R. Kitchen and Misty M. Kitchen. The Kitchens established Poverty Knob Production, LLC as operator. The transfer of operating responsibilities to Poverty Knob was, as shown by the enclosed Form T-1, approved by KCC on September 9, 2014. I don't know who the principals of Poverty Knob are but, according to Sec. of State records, Randy Kitchen is the resident agent. It's in good standing and looks to me to be "the current or last operator of the lease" and responsible for any abandoned wells per K.S.A. 55-179(b).

Primary responsibility for all wells located on the Flinsbaugh lease is upon the current operator, Poverty Knob, who has been approved by the KCC, even if the well inventory attached to the T-1 doesn't list the particular wells that may have come to KCC's attention. According to our investigation, Poverty Knob operated all the wells on the lease, including wells which are not listed on the T-1's well list attachment. I've enclosed a map.

Next in line for responsibility, before reaching Westside, would be the landowner who expressly assumed responsibility in 1998. This might be before your time but, back then, written agreements by a landowner who expressly assumed responsibility for wells were accepted by the KCC to place primary responsibility for plugging on the landowner, pursuant to K.S.A. 55-179(e). Additionally, back then, when leases were assigned, a change of operator form was not even required unless the assignment included "permitted" wells, such as injection, supply and disposal wells.

It appears to me there are at least two entities responsible for any abandoned Flinsbaugh wells pursuant to K.S.A. 55-179(b) before one might even consider Westside Energy. In fact, I don't think one even reaches Westside Energy under the definition of responsible parties under K.S.A. 55-179(b). It's not the current or last operator, it doesn't appear to have operated a waterflood or other pressure maintenance program on the lease, nor the original operator who plugged or abandoned such well(s). I respectfully suggest that it takes quite a stretch of logic or reason to reach Westside as a responsible party, much less use it as grounds to deny Tailwater's license based on a belief that Mr. Martin was associated with Westside. It also occurs to me that these circumstances have pertained for several years during which Tailwater's license renewal was routinely approved. As I was looking things up in preparation for this letter, I noticed that none of the public records identify any of the principals of Westside Energy, LC. I find myself wondering why this has even come up at this point in time.

I hope I've provided you with sufficient information and facts to reconsider the denial of Tailwater's license and authorize approval without necessity of going through formal proceedings. I would certainly welcome your call if you want to share any information about which I'm ignorant. I was involved as counsel for Westside when it was created; it had a pretty short life. I was also acting as counsel in preparing the enclosed assignment of wells. As I recall, the lease had been shut in for an extended period of time. We all did our best to comply with what was required by the KCC at that time. As I mentioned above, back then the KCC did not require a change of operator form for assignment of a lease with only production wells. If we'd have sent in a change of operator form without listing any wells with a docket number, it would have been simply sent back or trashed. The necessity for KCC approval went to wells that had docket numbers by virtue of an order approving an application for injection, disposal or water supply. The present requirement of a T-1 covering all wells was put in force some years after the landowner took over the Flinsbaugh wells. Making a rule retroactive in order to reach Westside is inequitable, especially when there is a current KCC approved operator. Please give me a call after you've reviewed this request and enclosures.

Sincerely, 2

John C. Chappell

JCC Enc. CHAPPELL LAW OFFICE

| RECEIVED 06/02/2017 15:34<br>02/2017 15:30 4058100012   | 785-841-0483 CHAPPELL LAW OFFICE<br>MARTIN OIL PROPERTIS PAGE 04/04  |
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|   | 081814_Flinsbaush.edf  |
| KANSAS CORPOR<br>OIL & GAS CON  | RATION COMMISSION<br>SERVATION DIVISION<br>Barra must be Typed   |
| TRANSFER OF INJECTIO  | ANGE OF OPERATOR All blocks must be Filled   |
| Form KSONA-1, Certification of Compliance   | with the Kanase Surface Owner Notification Act,<br>nitlad with this form,  |
| V Oil Leace: No. of Oil Wells 9   | Effective Date of Transfer: 08/\$8/2014  |
| Gas Lease: No. of Gas Wells **  | KS Dept of Revenue Lesse No.: 124983   |
| Ges Gethering System:   | Lease Name: Finsbaugh  |
| .   Sabuater Disposal Well - Permit No.:  |  |
| Spot Location: feet from N / S. Line  | structure 500. d Twp. 14s A. 22E [VE] ]W   |
| test from ["] E / [] W Line   | Legal Description of Lease: attached   |
| Entine Project: Yes No  | Riberved<br>Miami Kansas corporation comulssion  |
| Entre Project L_Yes No<br>Number of Injection Wells   | orte i a Adil  |
| Field Name: Paola-Rantoul   | Production Zone(s): Squirre SEP 1 0 2014   |
| ** Side Two Rust Be Completed.  | injection Zone(s):   |
|   | Haul-Off   |
| Past Operator's License No. <u>8281- Deceased death cartificate attached</u> Past Operator's Neme & Address; Robert Kitchen 37370 John Brown Hwy Osawatomie,KS 66064  | Contact Person:death certificate attached  |
| Past Operators Neme & Address, Robert Kitchen   | Contact Person:death cartificate attached  |
| Past Operator's Name & Address; Robert Kitchen<br>37370 John Brown Hwy Osawatomie,KS 66064<br>File:   | Contact Person:death cartificate attached<br>Phone:<br>Date:<br>Stgnature:ASSIGNMENT Attached<br>DAC Dia File.   |
| Past Operator's Name & Address; Robert Kitchen<br>37370 John Brown Hwy Osawatomie, KS 66064<br>Nite:  | Contact Person: death certificate attached<br>Phona:<br>Date:<br>Stignature: Assignment Attached<br>Drc Du File.<br>Contact Person: Misty/ Randy Kitchen   |
| Past Operator's Neme & Address; Robert Kitchen<br>37370 John Brown Hwy Osawatomie,KS 65054  | Contact Person:  |
| Past Operator's Neme & Address: Robert Kitchen<br>37370 John Brown Hwy Osawatomie, KS 66064<br>Filte:<br>New Operator's License No. 35117<br>New Operator's Name & Address: Poverty Knob Production, LLC  | Contact Person: death certificate attached<br>Phona:<br>Date:<br>Stignature: Assignment Attached<br>Drc Du File.<br>Contact Person: Misty/ Randy Kitchen   |
| Past Operator's Neme & Address: Robert Kitchen<br>37370 John Brown Hwy Osawatomie,KS 66064<br>File:<br>New Operator's License No. 35117<br>New Operator's Neme & Address: Poverty Knob Production,LLC<br>39395 W 251st St Osewatomie,KS 66084   | Contact Person:<br>Date:<br>Date:<br>Signature:<br>Contact Person:<br>Phone: 913-755-3763<br>Oil / Ges Purchaser: Plains Marketing<br>Date:<br>Signature:<br>Signature:<br>Signature:<br>Date:<br>Signature:<br>Signature:<br>Signature:<br>Contact Person:<br>Date:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature:<br>Signature: |
| Past Operator's Neme & Address: Robert Kitchen<br>37370 John Brown Hwy Osawatomie,KS 66064<br>File:<br>New Operator's License No. 35117<br>New Operator's Neme & Address: Poventy Knob Production,LLC<br>39395 W 351st St Osewatomie,KS 68084<br>File: Owners, Managing Partners<br>Acknowledgment of Transfer: The above request for transfer of injection   | Contact Person:  |
| Past Operator's Neme & Address: Robert Kitchen<br>37370 John Brown Hwy Osawatomie,KS 66064<br>File:<br>New Operator's License No. 35117<br>New Operator's Neme & Address: Poventy Knob Production,LLC<br>39395 W 351st St Osewatomie,KS 68084<br>File: Owners, Managing Partners<br>Acknowledgment of Transfer: The above request for transfer of injection   | Contact Person:       desth cartificate attached         Phone:  |
| Past Operator's Neme & Address; Robert Kitchen<br>37370 John Brown HWy Osawatomie,KS 66064<br>File:<br>New Operator's License No. 35117<br>New Operator's License No. 35117<br>New Operator's Name & Address: Poverty Knob Production,LLC<br>39395 W 3 Sist St Oceawatomie,KS 68084<br>File: Owners, Managing Partners<br>File: Owners, Managing Partners<br>Acknowledgment of Transfer: The above request for transfer of injection<br>toted, approved and duly recorded in the records of the Kensas Corporation  | Contact Person:       desth cartificate attached         Phone:  |
| Past Operator's Neme & Address; Robert Kitchen<br>37370 John Brown HWy Osawatomie,KS 66064<br>File:<br>New Operator's License No. 35117<br>New Operator's License No. 35117<br>New Operator's Name & Address: Poverty Knob Production,LLC<br>39395 W 3 Sist St Oceawatomie,KS 68084<br>File: Owners, Managing Partners<br>File: Owners, Managing Partners<br>Acknowledgment of Transfer: The above request for transfer of injection<br>toted, approved and duly recorded in the records of the Kensas Corporation  | Contact Person:       desth cartificate attached         Phone:  |
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| Past Operator's Neme & Address; Robert Kitchen<br>37370 John Brown Hwy Osawatomie,KS 66064<br>File:<br>New Operator's License No. 35117<br>New Operator's License No. 35117<br>New Operator's Name & Address: Poverty Knob Production,LLC<br>28385 W 3 51st St Oceanatomie,KS 68084<br>File: Owners, Managing Partners<br>Actionomic gement of Transfer: The above request for transfer of injection<br>totad, approved and duly recorded in the records of the Kansas Corporation<br>Commission records only and does not convey any ownership interest in the<br>is advrowledged as                               | Contact Person:       desth certificate attached         Phone:  |
| Past Operator's Neme & Address: Robert Kitchen<br>37370 John Brown Hwy Osawatomie,KS 66064<br>File:<br>New Operator's License No. 35117<br>New Operator's Name & Address: Poverty Knob Production,LLC<br>39395 W 251st St Osewatomie,KS 66084<br>File: Owners, Managing Partners<br>Acknowledgment of Thansfer: The above request for transfer of injection<br>totad, approved and duly recorded in the records of the Kansas Corporation<br>Commission records only and does not convey any ownership interest in the<br>is acknowledged as<br>the new operator and mey continue to inject fluide as authorized by | Contact Person:  |
| Past Operator's Neme & Address: Robert Kitchen<br>37370 John Brown Hwy Osawatomie,KS 66064<br>File:<br>New Operator's License No. 35117<br>New Operator's Name & Address: Poverty Knob Production,LLC<br>39395 W 251st St Osewatomie,KS 66084<br>File: Owners, Managing Partners<br>Acknowledgment of Thansfer: The above request for transfer of injection<br>totad, approved and duly recorded in the records of the Kansas Corporation<br>Commission records only and does not convey any ownership interest in the<br>is acknowledged as<br>the new operator and mey continue to inject fluide as authorized by | Contact Person:       desth cartificate attached         Phone:  |
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|                | ,                                     |   |                                |                                       |                                      |
|----------------|---------------------------------------|---|--------------------------------|---------------------------------------|--------------------------------------|
|                | ,                                     |   | Side Two                       |                                       |                                      |
|                | 1                                     | Must Be                                   | Filed For All Wells            |                                       |                                      |
| KDOR Lease     | No: 124983                            |   |                                |                                       |                                      |
| * Lease Marne: | Flinsbaugh                            |   |                                | 22.<br>w1/4,6-185-21e                 |                                      |
| Well No.       | API No.<br>(YR DRLD/PRE '67)          | Footage from (<br>(i.e. FSL = Feet from ) | Section Line<br>am South Line) | Type of Well<br>(Oil/Gas/INJ/WSW)     | Well Status<br>(PROD/TA'D/Abandoned) |
| 39-            | 15-121-02537-00-00                    | 1296 SUFNL                                | 3096 Circle                    | Oil                                   | prod                                 |
| 42             | 15-121-02538-00-00                    | 365 FSLAFNL                               | 3056 EDTFWL                    | oil                                   | prod                                 |
| 29             | 15-121-02539-00-00/                   | 135 FELFIL                                | 4144 FEDRM                     | oil                                   | prod                                 |
| 28             | 15-121-02540-00-00                    | 396 FOLFNL                                | 4157 @FWL                      | oil                                   | prod                                 |
| 3A             | 15-121-27200-00-00                    | 980 FSYFNL                                | 4110 FEITWL                    | oil                                   | prod                                 |
| 1-W            | 15-121-27220-00-0                     | 330 FELFNL                                | 3997 (FE) FML                  | oil                                   | bood                                 |
| 16A            | 15-121-27250-00-00                    | 1124 PUTEN                                | 4362 @PWL                      |                                       | prod                                 |
| 35             | JE 404 90500 00 00                    | 970 FOFNL                                 | 3399 EFFWL                     | oil                                   | prod                                 |
| 33             | 15-121-02541-00-00-/                  | 122 FSIJFNL                               | 3884 @FWL                      | oil                                   | prod                                 |
|                |                                       | FSL/FNL                                   | Fel/FWL                        | Adappan                               |                                      |
| ×              |                                       | FSLIFNL                                   | . FEL/FWL                      |                                       |                                      |
|                | · · · · · · · · · · · · · · · · · · · | FSL/FNL                                   | FEL/FWL                        |                                       |                                      |
|                |                                       | FSL/FNL                                   | FEL/FWL                        |                                       |                                      |
|                |                                       | FSL/FNL                                   | FEL/PWL                        |                                       | <u> </u>                             |
|                |                                       | FSL/FNL                                   | FEL/FWL                        |                                       |                                      |
| ·              |                                       | FSL/FNL                                   | FEL/FWL                        |                                       |                                      |
|                |                                       | FSL/FNL                                   |                                |                                       |                                      |
|                |                                       | FSL/FNL                                   | FEL/FWL                        |                                       |                                      |
|                |                                       | FSL/FNL                                   | FEL/FWL                        |                                       |                                      |
|                |                                       | FSL/FNL                                   | FEL/FWL                        |                                       |                                      |
|                |                                       | FSL/PNL                                   | FEL/FWL                        | · · · · · · · · · · · · · · · · · · · | KANSAS CORPORATION COMMISSION        |
|                |                                       | FSL/FNL                                   | FEL/FWL                        |                                       | SEP 1 0 2014                         |
|                |                                       |   | FEUFWL                         |                                       | -CONSERVATION BIVISION               |
|                | may be ettached if necessary          | FSL/FNL                                   | FEL/FWL                        |                                       |                                      |

" When transferring a unit which consists of more than one lease please file a separate side two for each lease. If a lease covers more than one section please indicate which section section section.

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CHAPPELL LAW OFFICE

RECEIVED 06/02/2017 15:34 785-841-0483 05/02/2017 16:30 4058100012

CHAPPELL LAW OFFICE. MARTIN OIL PROPERTIS PAGE 01/04

## KANSAS CORPORATION COMMISSION OIL & GAS CONSERVATION DIVISION **CERTIFICATION OF COMPLIANCE WITH THE KANSAS SURFACE OWNER NOTIFICATION ACT**

FORM KSONA-1 July 2014 Form Must Be Typed Form must be Signed All blanks must be Filled

This form must be submitted with all Forms C-1 (Notice of Intent to Drill); CB-1 (Cathodic Protection Borehole Intent); T-1 (Request for Change of Operator Transfer of Injection or Surface Pit Fermil); and CP-1 (Weil Plugging Application). Any such form submitted without an accompanying Form KSONA-1 will be returned,

Select the corresponding form being filed: C-1 (name CB-1 (Cathods Protection Borshole Intent) [1] 7-1 (Transfel)

| OPERATOR: License # 35117         Name: Poverty Knob Production, LLC         Address 1: 39395 W 351st St         Address 2:         City: Osawatomie         State: KS         Zip: 66084         +         Contact Person: Misty/Randy Kitchen         Phone: ( 913 ) 755-3763         Fax: () Same         Email Address: | Well Location:         same         Sec. 6         Twp. 18         County: Miami         Lease Name: Flinsbaugh         Well 4:         If filing a Form T-1 for multiple wells on a lease, enter the legal description of the lease below:         legal attached   |
|---|--|
| Surface Owner Information:<br>Name: Randy and Misty Kitchen<br>Address 1: 39395 W 351st St<br>Address 2:<br>City: Osawatomie State: KS zip: 66064 +   | When filing a Form T-1 involving multiple surface owners, attach an additional<br>sheet listing all of the information to the left for each surface owner. Surface<br>owner information can be found in the records of the register of deads for the<br>county, and in the real estate property tax records of the county treasurer. |

if this form is being submitted with a Farm C-1 (Intent) or CB-1 (Cathodic Protection Borehole Intent), you must supply the surface owners and the KCC with a plat showing the predicted locations of lease roads, tank batteries, pipelines, and electrical lines. The locations shown on the plat are preliminary non-binding estimates. The locations may be entered on the Form C-1 plat, Form CB-1 plat, or a separate plat may be submitted.

Select one of the fallowing:

- 15, I centify that, pursuant to the Kansas Surface Owner Notice Act (House Bill 2032), I have provided the following to the surface owner(s) of the land upon which the subject well is or will be located; 1) a copy of the Form C-1, Form CB-1, Form T-1, or Form CP-1 that I am filing in connection with this form; 2) if the form bising filed is a Form C-1 or Form CB-1, the plat(s) required by this form; and 3) my operator name, address, phone number, fax, and email address.
- T I have not provided this information to the surface owner(s). I acknowledge that, because I have not provided this information; the KCC will be required to send this information to the surface owner(s). To miligate the additional cost of the KCC performing this task. I acknowledge that 1 must provide the name and address of the surface owner by Illing out the top section of this form and that I am being charged a \$30.00 handling fee, payable to the KCC, which is enclosed with this form.

If choosing the second option, submit payment of the \$30.00 handling fee with this form. If the fee is not received with this form, the KSONA-1 form and the associated Form C-1, Form CB-1, Form T-1, or Form CP-1 will be returned

I hereby certify that the statements made herein are true and correct to the best of my knowledge and belief.

| 8     | 1/28/14 | Signature of Operator of Againt, Mit M. Kiteluit            |      | anaging partner      |
|-------|---------|---|------|----------------------|
| Date: | T       | <br>Signature of Operator of Againt: MISAM . Kitzlin -      | KANS | Received             |
|       |         | · ·   |      | SEP 1 0 2014         |
|       |         | KOP Concerning Division ACC Million St. Die 590 Witchite MS |      | ONSERVATION DIVISION |

KCC - Conservation Division. 266 N Main St. Ste 220. Wichiba KS 87202-1513

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| 06/02/2017 | RECEIVED 06/02/2017 15:34 785-841-0483 CHAPPELL LAW OFFICE<br>16:30 4058100012 MARTIN OIL PROPERTIS PAGE 02/04   |
|------------|--|
|            | STATE-OF KANSAS, MIAMI COUNTY SS.<br>I certify that this is a true and correct copy<br>of the original as the same remains of record<br>In pry office.<br>Deputy<br>Dated: AUME 20,2002<br>8.  |
|            | Verse 23-(Ale-Crurrureur)-Durblus Intering & Stationerr Co., Teles, Okla.  |
|            | RNUW ALL MAN BY THESE FRESENTS:<br>Thet the undersigned, JERGE L Rickerson and Norms M Rickerson<br>dbw. Bickerson Oil   |
|            | hrichnifter ertied Ansignor (whether are or iness), for suid in consideration of One Datas<br>(11.89) seecipi of which is hereby schootsledged, does hereby sell, suiges, itsusfer'suid set over unto<br>Randy R Kitchen and Marty M Kitchen<br>39395, cil. 35'1 5t  |
|            | DSAWA-formic, E, Ole OG4<br>All Horking  |
|            | IN <u>JARES L Rickerson and Norse M Rickerson dbs Rickerson 011</u> , kate,<br>In <u>Institution 1453</u> , page 4-5, in so far a said Lass cover the following decided had in<br><u>Hani</u> Coonty, fate at a solution of township is, Range 22, excepting the<br>former right of the Missouri Pucife Bailroad, excepting there from that that the<br>that part of the Southwest quarter of and section 6 laying North of the Former   |
|            | Missouri Pacific Reilroad right of Way.<br>Received<br>RANSAS CORPORATION COMMESSION   |
|            | SEP 10 2014<br>CONSERVATION DIMISION<br>WICHITA, KS  |
|            | regenter with the right lackdent therete and the personal preparty thereas, opposionent thereas, or used or absoluced in connection<br>therewith.<br>And for the usua consideration the Anignor correlation with the Anigners, it or his helts, increases or resigner That the Anigner<br>is the furth owner of and has good this to the interest store stalgued in and to add lease, eattle, rights and property, free and clear<br>from all faces, encombrances or educate claims; that and here is a rolled and usabilities lease on the lands shore described, and all controls<br>and resulted the there under have been paid and all contitions necessary to here the pane in the lands shore described, and all results |
|            | inst the Autonor will waterat and braver delevel the same spatial all persons whomsers, lawlally claiming or so claim the same.<br>SXECUTED, This  |
|            | WITVEUES: Sauce (Seal)   |
|            | FTATE OF Kanon ]= (Interior declaration for and in the second second)  |
|            |  |



### ASSIGNMENT OF WELLS AND EQUIPMENT

This agreement is made this \_\_\_\_\_ day of \_\_\_\_\_\_, 1998 between James Riekerson, a/k/a Jim Riekerson, referred to as Lesson and Christian L. Martin, d/b/a Martin Oil Properties, referred to as Lessee.

Whereas, Lessee has previously operated oil and gas wells and other wells associated with oil and gas production, located upon the following oil and gas lease:

Flinsbaugh Lease: Oil and gas lease dated June 4, 1986, from George W. Flinsbaugh and Elaine Flinsbaugh, husband and wife, and Ross Emery Brewer, a single man, lessors, to Robert W. Howell, lessee, recorded June 10, 1986 at Book 317, Page 62; as amended by instrument dated October 25, 1990, recorded October 30, 1990 at Book 345, Page 446; insofar as said lease covers the following land in Miami County, Kansas:

The Southwest Quarter (SW/4) of Section Six (6), Township Eighteen (18) South, Range Twenty-two (22) East of the 6th P.M.

which cil and gas lease has previously been released by Lessee; and

Whereas, Lessor desires to acquire from Lessee all right, title and interest in and to the wells, casing, lines, and equipment located thereon;

Now, therefore, in consideration of the mutual promises and agreements each made to the other, Lessor and Lessee agree as follows:

Lessee does hereby release, relinquish, surrender and quitclaim to the Lessor, their heirs, successors and assigns, as their interest may appear, any and all right, title and interest whatsoever owned by the Lessee, including any reversionary or contingent rights or interests in and to the lands described hereinabove by virtue of said oil and gas lease and/or any assignment(s) thereof, and does hereby sell, assign, transfer and convey to Lessor all the wells, casing, lines, and equipment located thereon, all of which are hereby sold, assigned, conveyed and transferred to Lessor in "as is" condition. Lessee makes no representations or warranties whatsoever, express or implied, concerning same, including merchantability, fitness for a particular purpose, or any any other purpose.

Lessor accepts all of said wells, casing, lines and equipment in their present condition and location, and forever releases and discharges the Lessee from any duty or liability for the maintenance or plugging of said wells or further restoration of said premises, Lessor hereby expressly assuming all responsibility for such maintenance, plugging and restoration and agreeing to forever indemnify and hold Lesses harmless from any claim, cause of action, penalty or liability therefor.

by:

Christian L. Martin, Owner

nes Riekerson

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PAGE 02/02

SITABOPERTIS

4028100015

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|     |   | WLEDGMENTS                                   |
|-----|---|--|
| ST. | ATE OF Konson                                   | NTY OF Franklin, ss:                         |
| (   | This instrument was acknowledged b              | ofore me on <u>July 16</u> , 19 <u>98</u> by |
| Jar | mes Riekerson.                                  | 1 200  |
|     |   | · Just hartin                                |
|     | HOTANY PUBLIC - State of Konas<br>TERRY CHARTER | Notary Public                                |
|     | Example in April Exp. Science 24                | Appointment Expires:                         |
|     | and the   |  |
| ST  | ATE OF OKlehoma, cou                            | NTY OF OKlahoma, ss:                         |
|     | This instrument was acknowledged b              |  |
| Ch  | ristian L. Martin, d/b/a Martin Oil Properti    | es.  |
|     |   | Chart Plumbing                               |
|     |   | Notaci Public                                |

Notary Public Appointment Expires:



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האשריבני ניאש טרייניב האשריבני ניאש טרייניב WARTIN OIL PROPERTIS

4028100013 אברבזאבה מפימלי למדי זד: 22 06/04/2011 15:30

| Wiami County Treasurer's Office<br>Jennie Fyock, Treasurer201 S. Pearl, Suite 103<br>Paola, Kansas 66071<br>913.294.2353 / Fax 913.294.9540<br>www.miamicountyks.orgRICKERSON, JAMES L<br>NORMA MAY RICKERSON<br>13 TIMBER LAKE RD<br>LANE, KS 66042-9350 |                                  | Jennie Fyock, Treasurer         201 S. Pearl, Suite 103         Paola, Kansas 66071         913.294.2353 / Fax 913.294.9540         www.miamicountyks.org         Rickerson, JAMES L         NORMA MAY RICKERSON         13 TIMBER LAKE RD |                       | 2014108-001<br>RICK0018<br>2000<br>Oil<br>0040365<br>2001/02/05<br>2001/02/05 |
|---|----------------------------------|--|-----------------------|---|
|   |                                  |  |                       |   |
| ORIGINAL Taxes Due  | \$17.98                          | \$17.98  |                       | \$35.96   |
| Paid This Receipt   | \$17.98                          | \$17.98  | \$2.52                | \$38.48   |
| Amount Due  | \$.00                            | \$.00  |                       | \$.00   |
| Tax Unit.181 OSAWATOMIE NEKL<br>Operator.RICKERSON, JAMES L<br>LegalPT SW4 6-18-22<br>Sec. 6 Twn.18 Rng.22  | Lease #. 11<br>NameR<br>Ye Loe . | WORKING I<br>AME-NOT AVAILABL<br>BO269<br>ICKERSON (FLINSE<br>386  | .E                    |   |
|   |                                  |  |                       |   |
|   |                                  |  | RE-PRINT 2017/06/02 1 | 5-56-34   |

| Miami County Treasurer's Office<br>Jennie Fyock, Treasurer<br>201 S. Pearl, Suite 103<br>Paola, Kansas 66071             |   |   | Page # 1<br>PAID TAX RECEIPT |                     |  |
|--|---|---|------------------------------|---------------------|--|
| Paola, Kansas 66071<br>913.294.2353 / Fax 913.294.9540   |   | Receipt #   | 11879-005                    |                     |  |
| www.miamicountyks.org  |   |   | Taxpayer ID                  | RICK0018            |  |
|  |   |   | Tax Year                     | 2001                |  |
| RICKERSON, JAMES L   |   |   | Property Type                | Oil                 |  |
|  |   |   | Tax Statement #              | 0030413             |  |
|  |   |   | Entry/Posting Date           | 2002/05/13          |  |
| NORMA MAY RICKER<br>13 TIMBER LAKE RD  |   |   | Penalty Date                 | 2002/05/13          |  |
| LANE, KS 66042-9350  |   |   | Warrant#                     | 790                 |  |
|  |   |   |                              |                     |  |
| ORIGINAL Taxes Due   | \$16.42   | \$16.42   |                              | \$32.8              |  |
| Paid This Receipt  | \$16.42   | \$16.42   | \$5.32                       | \$38.1              |  |
|  |   | ¢ 00  |                              |                     |  |
| Tax Unit.181 OSAWATOM≀E NEKL   | S.00<br>PROPERTY DESCRIP                                    | TION - OIL  |                              | S.(<br>YOUR PAYMENT |  |
| Amount Due<br>Tax Unit.181 OSAWATOMIE NEKL<br>Operator.RICKERSON, JAMES L<br>LegalPT SW4 6-18-22<br>Sec. 6 Twn.18 Rng.22 |   | TION - OIL<br>WORKING<br>NOT AVAILABL                       | NTERES) <sup>,</sup><br>E    |                     |  |
| Tax Unit.181 OSAWATOMIE NEKL<br>Operator.RICKERSON, JAMES L<br>LegalPT SW4 6-18-22                                       | PROPERTY DESCRIP<br>Purchaser NAME<br>Lease # 18026<br>Name | TION - OIL<br>WORKING<br>NGT AVAILABL<br>9<br>RSON (YELINSE | NTERES) <sup>,</sup><br>E    |                     |  |

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Production By Month For Flinsbaugh

# **Instantly Access Production Data**

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between June 1986 and August 2013

(https://www.dnllingedge.com/register?utm\_source-drillingedge.com&utm\_medium=banner&utm\_campaign=production&utm\_content=lease&utm\_term=kansasmiami-county-leases-filmsbaugh-1001138204)

#### Wells Associated With Flinsbaugh Production Based on January 2017 Data

| API#           | Well Name      | Status    | Spud Date  | Completion Date |
|----------------|----------------|-----------|------------|-----------------|
| # 15-121-27220 | FLINSBAUGH 1-W | Producing | 000-00-00  | 0000-00-00      |
| # 15-121-27200 | FLINSBAUGH 3-A | Producing | 1991-09-05 | 1991-09-10      |
| # 15-121-02576 | FLINSBAUGH 35  | Producing | 0000-00-00 | 000-00-00       |
| # 15-121-02537 | FLINSBAUGH 39  | Producing | 0000-00-00 | 0000-00-00      |
| # 15-121-02538 | FLINSBAUGH 42  | Producing | 0000-00-00 | 0000-00-00      |
| # 15-121-27250 | FUNSBAUGH 6-A  | Producing | 1991-11-12 | 1991-12-03      |

#### Leases Near Flinsbaugh

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Benus Lease (http://www.drillingedge.com/kansas/miamicounty/leases/benus/1001127802)

(http://www.drillingedge.com/kansas/miamicounty/leases/ebrewer/1001133029)

Howell-George Lease (http://www.drillingedge.com/kansas/miamicounty/leases/howell-george/1001161665)

Mason-Mann Lease (http://www.drillingedge.com/kansas/miamicounty/leases/mason-mann/1001134052)

Pioneer Oil #3 Lease (http://www.drillingedge.com/kansas/mlamlcounty/leases/pioneer-oil-3/1001138282)

Brewer Lease (http://www.drillingedge.com/kansas/miamicounty/leases/brewer/1001126149)

Fee Lease (http://www.drillingedge.com/kansas/miamicounty/leases/fee/1001106692)

Howell-Gorges Lease (http://www.drillingedge.com/kansas/miami-county/leases/howell-gorges/1001129399)

O'Brian & Bened Lease (http://www.drillingedge.com/kansas/miamicounty/leases/o-brian-bened/1001127829)

Roseberry Lease (http://www.drillingedge.com/kansas/miamicounty/leases/roseberry/1001161176)

Operators in the Area

Brewer North Lease (http://www.drillingedge.com/kansas/miamicounty/leases/brewer-north/1001161746)

Frank Ritch Lease (http://www.drillingedge.com/kansas/miamicounty/leases/frank-ritch/1001130699)

Howell-Gorges 'B' Lease (http://www.drillingedge.com/kansas/miamicounty/leases/howell-gorges-b/1001135711)

O'Brien Clark Lease (http://www.drillingedge.com/kansas/miamicounty/leases/o-brien-clark/1001106756)

Roseberry-Peck Lease (http://www.drillingedge.com/kansas/miamicounty/leases/roseberry-peck/1001131032)

#### Altavista Energy, Inc. Brewer, Ross E. C. F. Oil, A General Partnership (http://www.drillingedge.com/kansas/operators/altavist#http://www.drillingedge.com/kansas/operators/brew er(http://www.drillingedge.com/kansas/operators/cenergy-inc/a8129420) ross-e/b5227006) f-oil-a-general-partnership/c1220395) Conti Oil Corpor High Water Oil C Howell Oil Compa (http://www.drillingedge.com/kansas/operators/conti- (http://www.drillingedge.com/kansas/operators/hlgh-(http://www.drillingedge.com/kansas/operators/howelloil-corpor/c4038270) water-oil-c/h3478834) oil-compa/h8226761) Landowner Petro Drilling Moore, Don A. (http://www.drillingedge.com/kansas/operators/lando w(http://www.drillingedge.com/kansas/operators/moore-(http://www.drillingedge.com/kansas/operators/petrodon-a/m5579218) drilling-i/p6504051) Pioneer Oil Co. Prado Petroleum Prothe, Dale E. Or Linda L., A General Partnership (http://www.drillingedge.com/kansas/operators/pione et/http://www.drillingedge.com/kansas/operators/prado- (http://www.drillingedge.com/kansas/operators/prothe

petroleum/p2028597)

**Red Point Oil** Thunderbolt Construction Corp (http://www.drillingedge.com/kansas/operators/red-(http://www.drillingedge.com/kansas/operators/thundefbath://www.drillingedge.com/kansas/operators/town-construction-corp/t4193411) oil-company/t1986181) point-oil/r6381696)

oil-co/p9468856)

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