

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

Before Commissioners:           Mark Sievers, Chairman  
  Thomas E. Wright

In the matter of the application of Berexco ) Docket No. 12-CONS-247-CEXC  
LLC for an exception to the 10-year time )  
limitation of K.A.R. 82-3-111 for its Dennis ) CONSERVATION DIVISION  
#5-2 well located in the NW NE SW of )  
Section 2, Township 29 South, Range 33 )  
West, Haskell County, Kansas ) License No. 34318

**ORDER GRANTING APPLICATION**

COMES NOW, the State Corporation Commission of the State of Kansas ("Commission" or "KCC") on the application of Berexco LLC ("Berexco" or "operator"), for an Order approving the extension of temporary abandonment ("TA") status for the above-captioned well. The Commission, being fully advised in the premises and giving due consideration to the record herein, makes the following findings and conclusions:

1. Berexco is a limited liability company authorized to do business in Kansas. KCC records indicate the operator is currently licensed to conduct oil and gas activities in Kansas pursuant to K.S.A. 55-155.

2. On April 3, 2012, the application in this docket was filed pursuant to the rules and regulations of the State Corporation Commission and the Kansas Statutes, thus fulfilling all regulatory and statutory requirements.

3. Notice was proper in every respect and was published at least fifteen (15) days prior to the hearing for this application in *The Wichita Eagle* newspaper and *The Haskell County Monitor-Chief* newspaper, providing notice that a hearing would be held to determine the matter in this docket; there were no protests.

4. According to K.A.R. 82-3-111, wells shall not be eligible for TA status if the well has been shut-in for ten (10) or more years without an application for an exception pursuant to K.A.R. 82-3-100 and approval by the Commission.

5. On May 31, 2012, a Committee made up of Commission Staff ("Staff") reviewed Berexco's application. Staff requested more information from Berexco and Berexco promptly responded. Staff recommends the applicant has provided sufficient information to warrant an exception to the 10-year TA status limitation of K.A.R. 82-3-111.

6. Based on the foregoing, the Commission finds that an exception to the 10-year TA status restrictions under K.A.R. 82-3-111 should be granted for the above-captioned well.

7. The application should be granted in accordance with the above findings for three (3) years without the need to file further applications for exceptions, but still subject to the yearly filing requirements according to the provisions of K.A.R. 82-3-111.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED:** That the application of Berexco LLC, for an exception to the 10-year limitation for temporary abandonment ("TA") status for the above-captioned well is granted for three (3) years without filing further applications for extensions in accordance with the provisions of K.A.R. 82-3-111. The Commission further orders that Berexco must continue to file a yearly TA application for the above-captioned well pursuant to the provisions of K.A.R. 82-3-111.

Any party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 77-529(a). Such petition shall be filed within fifteen (15) days after service of this Order and must state the specific grounds upon which relief is requested. This petition for reconsideration shall be filed with the Executive Director of the

Conservation Division, Finney State Office Building, 130 S. Market, Room 2078, Wichita, Kansas 67202-3802.

The Commission retains jurisdiction of the subject matter and the parties for the purpose of entering such further Order or Orders as from time-to-time it may deem proper.

**BY THE COMMISSION IT IS SO ORDERED.**  
Sievers, Chmn.; Wright, Com.

Date: JUL 11 2012

  
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Patrice Petersen-Klein  
Executive Director

Date Mailed: 07-11-2012

RAH

I CERTIFY THE ORIGINAL  
COPY IS ON FILE WITH  
The State Corporation Commission

JUL 11 2012

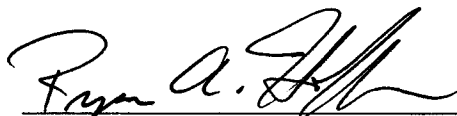


**CERTIFICATE OF SERVICE**

I hereby certify that on 07-11-2012, I caused a true and correct copy of the foregoing "Order Granting Application" to be served by placing the same in the United States mail, postage prepaid, to the following parties:

Evan Mayhew  
Berexco LLC  
2020 N. Bramblewood  
Wichita, Kansas 67206-1094

Richard Lacey  
KCC District #1 Office  
210 E. Frontview, Suite A  
Dodge City, Kansas 67801



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