

## AFFIDAVIT

STATE OF KANSAS     \  
                                 - SS.  
County of Sedgwick     /

Mark Fletchall, of lawful age, being first duly sworn, depose 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 for   1   issues, that the first publication of said notice was

made as aforesaid on the 14th of

June A.D. 2013, with

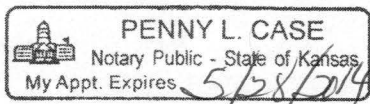
subsequent publications being made on the following dates:

And affiant further says that he has personal knowledge of the statements above set forth and that they are true.

*Mark Fletchall*

Subscribed and sworn to before me this

14th day of June, 2013



*Penny L Case*  
Notary Public Sedgwick County, Kansas

Printer's Fee : \$154.00

**LEGAL PUBLICATION**  
PUBLISHED IN THE WICHITA EAGLE  
JUNE 14, 2013 (3250901)  
**BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS**  
In the Matter of the Application of )  
McELVAIN ENERGY, INC. for an )  
Order Permitting the Drilling of a Well to be )  
Drilled Horizontally in the Pawnee )  
Formation, pursuant to K.A.R. 82-3-103a, )  
Upon Certain Lands in Trego County, KS )  
Docket No. 13-CONS-\_\_\_\_-CHOR  
KCC License No. 9810  
CONSERVATION DIVISION  
**NOTICE OF PENDING APPLICATION**  
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 McELVAIN ENERGY, INC. has filed an Application before the State Corporation Commission to permit the drilling of a well, known as the Schlegel 9 #3H well, having a deviation in the well bore exceeding 7 degrees in the Pawnee formation upon certain lands in Trego County, Kansas, at the following surface location:  
NE/4 NW/4 of Section 9, Township 11 South, Range 22 West, Trego County, Kansas.  
The intended bottom hole location of the Schlegel 9 #3H well at the end of the horizontal portion of said well will be at:  
SE/4 SW/4 of Section 9, Township 11 South, Range 22 West, Trego County, Kansas.  
Any persons who object or protest to such Application shall be required to file their objections or protests with the State Corporation Commission of the State of Kansas within fifteen (15) days from the date of this publication. If any protests are timely filed, a hearing will be held on Thursday, August 15, 2013, at 10:00 a.m. at the Kansas Corporation Commission, State Office Building, 130 S. Market, Room 2078, Wichita, KS 67202.  
All parties in any way interested or concerned shall take notice of the foregoing and govern themselves accordingly.  
McELVAIN ENERGY, INC.  
1050 17th Street, Suite 2500  
Denver, CO 80265-2080  
David E. Bengtson  
STINSON MORRISON HECKER LLP  
1625 N. Waterfront Parkway, Suite 300  
Wichita, Kansas 67206-6620  
(316) 265-8800  
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Attorneys for McElvain Energy, Inc.

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KANSAS CORPORATION COMMISSION

**JUL 10 2013**

**LEGAL SECTION**