

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

		19-CONS-3158-CEXC
In the matter of the application of Berexco)	Docket No. 18-CONS ³¹⁵⁸ CEXC
LLC for an exception to the 10-year)	
time limitation of K.A.R. 82-3-111 for its)	
Horace Fink #5 injection well)	CONSERVATION DIVISION
located in the NE SE of Sec 16,)	
T14S, R14W, 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, 2018.
3. Operator is the owner and operator of the Horace Fink #5 injection well, API #15-167-06882-0001 which is located in the Northeast Quarter of the Southeast Quarter of Section 16, Township 14 South, Range 14 West, Russell County, Kansas. The subject well is located on an active oil and gas lease comprising the following lands: The West Half of the Southwest

Quarter of Section 15 and the East Half of the Southeast Quarter of Section 16, all in Township 14 South, Range 14 West, Russell County, Kansas.

4. Pursuant to K.A.R. 82-3-111, Operator obtained temporary abandonment status for the Horace Fink #5 well on April 1, 2002. The subject well has maintained such status from April 2002 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.

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 October 13, 2018. Operator seeks such an exception.

7. The subject well demonstrated mechanical integrity as evidenced by passage of Commission Staff-witnessed mechanical integrity test on or about October 22, 2018.

8. Operator is keeping the subject well for potential reinjection of water into the Plattsmouth and Lansing Kansas City zones. The Horace Fink Lease and the adjacent Herbert Fink Lease currently share one active injection well and do not have a disposal well. If the current injection well is lost, then we would reactivate the subject well. Cumulative production from the Horace Fink and the Herbert Fink Leases is approximately 1,100,000 barrels of oil. The subject well should not be plugged to prevent economic waste associated with re-drilling for future needs as an injection well. Estimated cost to plug this well is \$20,000. The cost to restore the well to injection capability is estimated to be \$65,000. Current production from the Horace

Fink Lease is around 3 BOPD. Potential estimated reserves by conventional waterflooding on the Horace Fink and Herbert Fink Leases are estimated at 10,000 barrels of oil.

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 and the adjacent Herbert Fink Lease. There are three active producing wells and one temporarily abandoned injection well (the subject well) on the Horace Fink Lease and two active producing wells and one active injection well on the Herbert Fink 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

CERTIFICATE OF SERVICE

I hereby certify on this 23rd day of October, 2018, 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.

Jon Hayward
Name of Signed

EXHIBIT A

Horace Fink #5 Notice Area

Operator – E/2 NW/4, NW/4 NW/4, E/2 SW/4 NW/4 and SW/4 Sec. 15; E/2 SE/4 Sec. 16-14S-14W

Berexco LLC
2020 N. Bramblewood
Wichita, KS 67206

Operator – W/2 SW/4 NW/4 Sec. 15-14S-14W

Craig Oil Company
15 S. Main
Russell, KS 67665

Operator – SE/4 NE/4 Sec. 16-14S-14W

Reddig Enterprises
4325 177th St.
Gorham, KS 67640

Operator – N/2 NE/4 & SW/4 NE/4 Sec. 16-14S-14W

Royal Drilling Inc.
719 Witt Ave.
P. O. Box 342
Russell, KS 67665

Surface owner (SE/4) and unleased mineral owner (W/2 SE/4) Sec. 16-14S-14W

Signa L. Heffel Trust
1070 E. Wichita Ave.
Russell, KS 67665

Unleased mineral owner – S/2 NW/4 Sec. 16-14S-14W

Barbara Nowak
2219 16th St., Apt. D
Great Bend, KS 67530

Unleased mineral owner – SW/4 Sec. 16-14S-14W

Janet F. Coady Living Trust
19650 E. Greenwood Dr.
Aurora, CO 80013-3707

Operator – NE/4 Sec. 21-14S-14W

Elmer L. Karst Oil
P. O. Box 208
Russell, KS 67665

Operator – NW/4 Sec. 22-14S-14W

Fossil Creek Energy, LLC

P. O. Box 915

Russell, KS 67665

BEREXCO LLC

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

RE: BEREXCO LLC. - - Application for an exception to the 10 year time limitation of K.A.R. 82-3-111 for the Horace Fink #5 injection well, located in Russell County, Kansas.

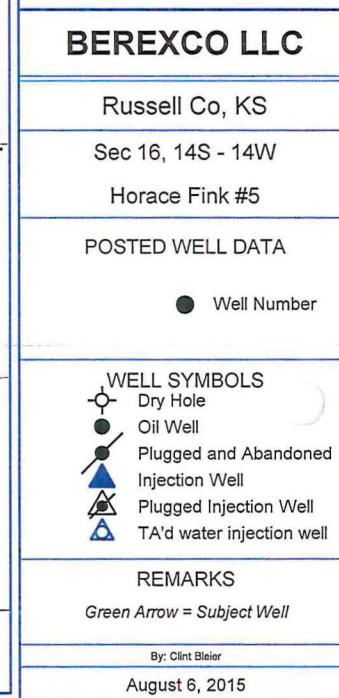
TO: All Oil & Gas Producers, Unleased Mineral Interest Owners, Landowners, and all persons whomever concerned.

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 Horace Fink #5 injection well located in the NE SE of Section 16-14S-14W, 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





Horace Fink #5

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
455429	0003904055	Published in the Wichita Eagle on October 18, 20		\$176.60	1	49

Attention: Zhanna Pekarsky

BEREXCO LLC
2020 NO. BRAMBLEWOOD
WICHITA, KS 67206

In The STATE OF KANSAS
In and for the County of Sedgwick
AFFIDAVIT OF PUBLICATION

1 Insertions

Beginning issue of: 10/18/2018

Ending issue of: 10/18/2018

STATE OF KANSAS)

.SS

County of Sedgwick)

Dale Seiwert, 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 from 10/18/2018 to 10/18/2018.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

(Signature of Principal Clerk)

DATED: 10/18/2018

Notary Public Sedgwick County, Kansas

LEGAL PUBLICATION

Published in the Wichita Eagle
on October 18, 2018 (3904055)

BEREXCO LLC

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

RE: BEREXCO LLC. -- Application for an exception to the 10 year time limitation of K.A.R. 82-3-111 for the Horace Fink #5 Injection well, located in Russell County, Kansas.

TO: All Oil & Gas Producers, Unleased Mineral Interest Owners, Landowners, and all persons whomsoever 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 Horace Fink #5 Injection well located in the NE SE of Section 16-14S-14W, 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

JENNIFER RAE BAILEY
Notary Public - State of Kansas
My Appt. Expires 10/14/2021

Horace Fink #5

STATE OF KANSAS
RUSSELL
COUNTY SS.

Affidavit of Publication

Frank Mercer, being first duly sworn, deposes and says: That he is owner of Russell County News, a bi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in Russell County, Kansas, with a general paid circulation on a weekly basis in Russell County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published one day a week and has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Russell, Kansas, in said county as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive Week the first publication thereof being made as aforesaid on the 18 day of October, 2018,

with subsequent publications being made on the following dates:

_____, 20____, 20____
_____, 20____, 20____
_____, 20____, 20____

Signed: _____

Subscribed and sworn to before me this 18th day of Oct, 2018.

Notary Public's Signature _____
My commission expires: Aug 3 2020

Publication Fee \$ 58.51
Affidavit, Notary's Fee \$ 60
Additional copies @ \$ _____
Total Publication Fee \$ 59.11

(Published in
the Russell County News
Thursday, Oct. 18, 2018)

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

RE: BEREXCO LLC. - -
Application for an exception to
the 10 year time limitation of
K.A.R. 82-3-111 for the Horace
Fink #5 injection 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 Horace Fink #5
injection well located in the NE
SE of Section 16-14S-14W,
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.

All persons interested or con-
cerned shall take notice of the
foregoing and shall
govern themselves accord-
ingly.

BEREXCO LLC
2020 N. Bramblewood
Wichita Kansas 67206

REGIONAL CROSS COUNTRY