

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

IN THE MATTER OF THE APPLICATION)	DOCKET NO. 22-CONS- <u>3319</u> -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 GORE D-1 WELL IN THE)	
NORTHWEST QUARTER OF THE)	
SOUTHWEST QUARTER OF SECTION)	LICENSE NO. 32446
4, TOWNSHIP 35 SOUTH, RANGE 41)	
WEST, MORTON COUNTY, KANSAS.)	
_____)	

APPLICATION

COMES NOW, Merit Energy Company ("Merit"), by and through its attorney, Stanford J. Smith, Jr., and in support of its 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, 2022.
3. Merit is the owner and operator of the Gore D-1 well, which is located in the Northwest Quarter of the Southwest Quarter of Section 4, Township 35 South, Range 41 West, Morton County, Kansas, API # 15-129-10263-00-02. The subject well is located on an active oil and gas lease or unit comprising the following lands:

Southwest Quarter of Section 4, Township 35 South, Range
41 West, Morton County, Kansas.

4. The Gore D-1 was originally perforated in the Topeka 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 September 2, 2011.

6. On or about December 16, 2021, 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 convert the well into an injector as part of the Wilburton Morrow Sand Unit waterflood to increase reservoir pressure and drive oil production. The nearest wells impacted will be the WMSU 2001 and the WMSU 1704. No new zones will be attempted. The Morrow reservoir has been losing pressure over time with inadequate injection into the reservoir to maintain reservoir pressure. Merit has an estimated ~12MM reservoir bbls to reinject into the reservoir to properly support oil production from the reservoir. The attached Exhibit A shows Merit's BHP over time with an estimated reservoir voidage based on cumulative production of both oil and water minus what is being injected back into the reservoir. The increasing voidage and resulting decline in BHP also caused Merit's oil production to decline over time with less reservoir support. In order to support the southern part of the WMSU waterflood, the

Gore D-1 (WMSU 2301) will be converted to an injector. This will directly support the WMSU 2001 and the WMSU 1704 producers.

9. A Commission Staff-witnessed mechanical integrity test of the casing between the surface and a point within fifty (50) feet above the uppermost perforations is pending. Merit wishes to postpone the CIT until additional work is completed on the well, which is expected to be done by the second quarter of 2022.

10. There are two (2) wells on the lease which are temporarily abandoned wells. It would cost an estimated Fifty-Five Thousand Dollars (\$55,000.00) to plug these wells. A current production rate for the lease is 0 mcf/d. In order to convert the Gore D-1 well to an injector well, it would cost approximately Two Hundred Ten Thousand Dollars (\$210,000.00) based on current prices. It would cost an estimate of Seven Hundred Fifty Thousand Dollars (\$750,000.00) based on current prices to drill and complete a replacement well.

11. Merit has included a plat map, attached as Exhibit B, 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 Gore D-1 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 C 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 Application and Notice of Pending Application to all persons listed on the attached Exhibit C.

15. Notice of this Application will be published pursuant to K.A.R. 82-3-135a.

16. 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



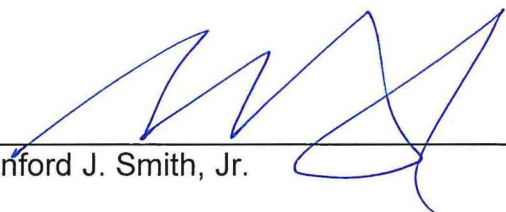
Stanford J. Smith, Jr.
645 East Douglas, Suite 100
Wichita, KS 67202
(316) 265-9311
Attorney for Merit Energy Company

VERIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

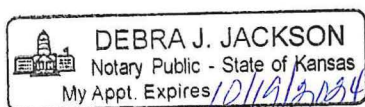
Stanford J. Smith, Jr., of lawful age, being first duly sworn, upon oath states:

That he is the attorney for Merit Energy Company, applicant herein; that he has read the above and foregoing 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 25th day of February, 2022.



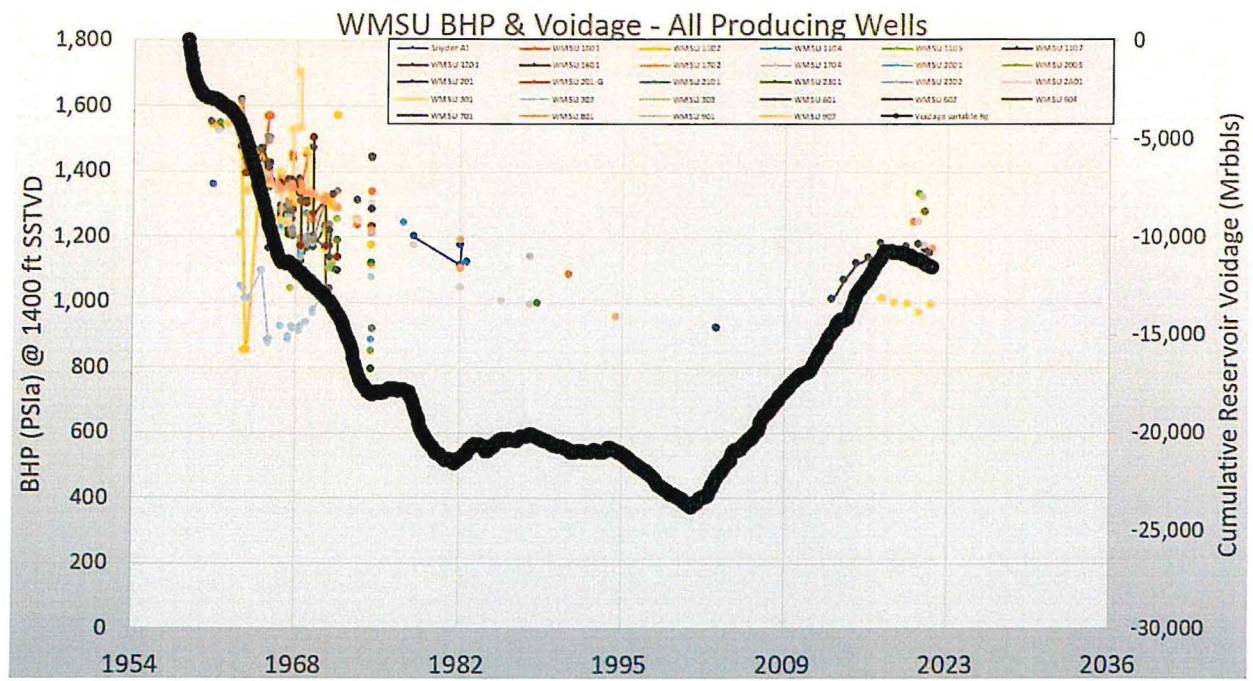


Notary Public

My Appointment Expires:

10/19/2024

EXHIBIT A



[illegible]

Coal Bed Methane	Enhanced Oil Recovery, Plugged-Abandoned	Injection, Plugged-Abandoned	Oil and Gas, Plugged-Abandoned	Other, Plugged-Abandoned
Coal Bed Methane, Plugged-Abandoned	Gas	Intent	Oil	Salt Water Disposal
Dry and Abandoned	Gas, Plugged-Abandoned	Location	Oil, Plugged-Abandoned	Salt Water Disposal, Plugged-Abandoned
Enhanced Oil Recovery	Injection	Oil and Gas	Other	

<https://maps.kgs.ku.edu/oilgas>

EXHIBIT B

EXHIBIT C

None

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SOUTHWEST QUARTER OF SECTION)	LICENSE NO. 32446
4, TOWNSHIP 35 SOUTH, RANGE 41)	
WEST, MORTON COUNTY, KANSAS.)	
_____)	

NOTICE OF PENDING 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 Application for an exception to the ten-year time limitation of K.A.R. 82-3-111 for the Gore D-1 well, located in the Northwest Quarter of the Southwest Quarter of Section 4, Township 35 South, Range 41 West, Morton County, Kansas, API # 15-129-10263-00-02.

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