

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

18-CONS-3131-CEXC

In the matter of the application of Berexco)	Docket No. 14-CONS--- CEXC
LLC for an exception to the 10-year)	
time limitation of K.A.R. 82-3-111 for its)	
Phinney #13 well located in)	CONSERVATION DIVISION
the NE NE of Sec 30, T14S, R13W)	
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, 2017.
3. Operator is the operator of the Phinney #13 well, API #15-167-05690-0000 which is located in the Northeast Quarter of the Northeast Quarter of Section 30, Township 14 South, Range 13 West, Russell County, Kansas. The subject well is located on an active oil and gas lease comprising the following lands:

The Northeast Quarter of Section 30, Township 14 South, Range 13 West, Russell County, Kansas.

4. Pursuant to K.A.R. 82-3-111, Operator obtained temporary abandonment status for the Phinney #13 effective August 29, 1995. The subject well has maintained such status from August 1995 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 expired on or about September 16th, 2017. Operator seeks a third exception.

7. The subject well demonstrated mechanical integrity as evidenced by passage of Commission Staff-witnessed mechanical integrity test on or about August 17, 2017.

8. Operator is keeping the subject well for possible future conversion to an injection well or a saltwater disposal well. The subject well should not be plugged to prevent economic waste associated with re-drilling for future needs as an injection or disposal well. Estimated cost to plug this well is \$20,000. The cost to convert the well to injection or disposal capability is estimated to be \$40,000. Production from the Phinney Lease is around 3.4 BOPD with potential reserves estimated at 14,300 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. There are two active producing wells, one active salt water disposal well, and one temporarily abandoned producing well (the subject well) on the 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 current limitation. Operator understands that the exception would be valid for three (3) years, but Operator would still need to apply annually to the Conservation Division District Office for approval of an application for temporary abandonment status.

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: Jon Hayward
Signature of Submitter

CERTIFICATE OF SERVICE

I hereby certify on this 6th day of September, 2017, 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 Haywood
Name of Signed

EXHIBIT A

Phinney #13 notice area

Operator – S/2 Sec. 19; E/2 NW/4, NE/4 Sec. 30-14S-13W

Berexco LLC
2020 N. Bramblewood
Wichita, KS 67206

Surface owner – NE/4 Sec. 30-14S-13W (Phinney #13 wellsite)

R & M Ehrlich Family Trust
512 W. 12th Street
Russell, KS 67665

Operator – SW/4 Sec. 20-14S-13W

Opdycke Lease Partners
P. O. 311
Russell, KS 67665

Operator – NW/4 Sec. 29-14S-13W

Prospect Oil & Gas Company
112 W. 7th St.
Russell, KS 67665

Operator – SW/4 Sec. 29-14S-13W

Murfin Drilling Company
250 N. Water, Suite 300
Wichita, KS 67202

Operator – SE/4 Sec. 30-14S-13W

C12: Kansas Oil, LLC
1900 Wazee St., Suite 200
Denver, CO 80202

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 Phinney #13 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 Phinney #13 well located in the NE NE of Section 30-14S-13W, 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