

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

In the matter of the application of Berexco)	Docket No. 20-CONS- 3197 -CEXC
LLC for an exception to the 10-year)	
time limitation of K.A.R. 82-3-111 for its)	
Tobias Simpson Unit #6-5 well located in)	CONSERVATION DIVISION
the NE SW SE of Sec 35, T20S, R9W)	
Rice 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, 2020.
3. Operator is the owner and operator of the Tobias Simpson Unit #6-5 well, API #15-159-02716-0000 which is located in the Northeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 35, Township 20 South, Range 9 West, Rice County, Kansas. The subject well is located on an active oil and gas lease comprising the following lands: The West Half of Section 25, the Southeast Quarter of Section 26, the East Half and the Southwest Quarter

of Section 35, and the West Half of Section 36, all in Township 20 South, Range 9 West, and the North Half of Section 2, Township 21 South, Range 9 West, Rice County, Kansas.

4. Pursuant to K.A.R. 82-3-111, Operator obtained temporary abandonment status for the Tobias Simpson Unit #6-5 well on July 2, 2002. The subject well has maintained such status from July 2002, to the present date.

5. On or about December 3, 2018, the Kansas Corporation Commission notified Operator that temporary abandonment status for the subject well would be denied because the subject well had been temporarily abandoned for more than ten (10) years and the 10-year limitation exception was expiring on or about November 29, 2019.

6. 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. 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 December 9, 2019.

8. Operator is keeping the subject well for potential conversion to a Simpson injection well. The subject well should not be plugged to prevent economic waste associated with re-drilling for future needs as an injection well, either for secondary or tertiary recovery. Estimated cost to plug this well is \$20,000. The cost to convert this well to injection capability is estimated to be \$70,000. There is also the possibility the well could be restored to production in the event one of the current producers is lost. Production from the Tobias Simpson Unit is around 1.8 BOPD with potential reserves estimated at 5,000 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. There are five active producing wells, one active injection well, two temporarily abandoned injection well, and one temporarily abandoned oil 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 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 Hayward
2020 N. Bramblewood
Wichita, KS 67206
316-265-3311
Fax #316-681-4766

By: 
Signature of Submitter

State of Kansas

)

)

ss:

County of Rice

)

Jonathan Hayward, of lawful age, being duly sworn upon his oath deposes and states:

That he has the authority on behalf of Operator to file this application, that he has read the above and foregoing application 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.

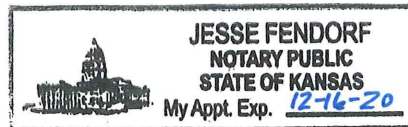
By: Jon Hayward
Signature of Submitter

SUBSCRIBED AND SWORN to before me this 9th day of January, 2020.

Jesse Fendorf
Notary Public

My Appointment Expires:

12-16-2020



CERTIFICATE OF SERVICE

I hereby certify on this 8th day of January, 2020, 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.



Name of Signed

EXHIBIT A

Tobias Simpson #6-5 notice area

Surface owner – SE/4 Sec. 35-20S-9W

Duane Johnson Farm
2150 14th Rd.
Sterling, KS 67579

**Operator – SW/4 & E/2 Sec. 35; W/2 Sec. 36-20S-9W,
N/2 Sec. 2-21S-9W**

Berexco LLC
2020 N. Bramblewood
Wichita, KS 67206

Unleased mineral owner – NW/4 Sec. 35-20S-9W

Guy Todd Oden
1270 Avenue S
Sterling, KS 67579-8846

Unleased mineral owner – NE/4 Sec. 3-21S-9W

Kent & Nancy Shuyler
1070 Avenue S
Alden, KS 67512

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 Tobias Simpson Unit #6-5 well, located in Rice 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 a three year exception to the 10 year temporarily abandoned time limitation of K.A.R. 82-3-111 for the Tobias Simpson Unit #6-5 well located in the NE SW SE of Section 35-20S-9W, Rice 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 No Bramblewood
Wichita, Kansas 67206
316-265-3311

January 7, 2020



AFFIDAVIT OF PUBLICATION

TSU 65

WF

STATE OF KANSAS, RICE COUNTY, ss:

Frank W. Mercer being first duly sworn, deposes and says:
That he is publisher of

THE STERLING KANSAS BULLETIN

A weekly newspaper printed in the State of Kansas, and published in and of general circulation in Rice County, Kansas, with a general paid circulation on a weekly basis in Rice County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly, published at least weekly 50 times a year; has been so 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 Sterling, 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 one time only, being made as aforesaid on the 9th day of January, 2020.

Frank W. Mercer

Publisher

Subscribed and sworn to before me

this 10th day of January, 2020

Koni Hendricks

Notary Public



My commission expires July 5, 2020

BEFORE THE STATE CORPORATION
COMMISSION OF
THE STATE OF KANSAS

NOTICE OF FILING APPLICATION

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BEREXCO LLC
2020 No Bramblewood
Wichita, Kansas 67206
316-265-3311

(Published in the Sterling Kansas Bulletin, Sterling, Rice County, Kansas, on January 9, 2020).

5.75



LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
455429	0004522569	BEFORE THE STATE CORPORATION COMMIS	TSU 6-6 #4 Notice of Application	\$224.79	1	37

Attention: Zhanna Pekarsky

BEREXCO LLC
2020 NO. BRAMBLEWOOD
WICHITA, KS 67206

TSU 6-5 WF

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

1 Insertions

Beginning issue of: 01/10/2020

Ending issue of: 01/10/2020

STATE OF KANSAS)

.SS

County of Sedgwick)

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COMMISSION OF THE STATE OF KANSAS
NOTICE OF FILING APPLICATION
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Kansas.
TO: All Oil & Gas Producers, Unleased
Mineral Interest Owners, Landowners, and
all persons whomsoever concerned.
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that Berexco LLC has filed an application
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K.A.R. 82-3-111 for the Tobias Simpson
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tion Division of the State Corporation
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take notice of the foregoing and shall
govern themselves accordingly.
BEREXCO LLC
2020 No Bramblewood
Wichita, Kansas 67206
316-265-3311

Tony Berg, 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 1/10/2020 to 01/10/2020.

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

(Signature of Principal Clerk)

DATED: 1/10/2020

Notary Public Sedgwick County, Kansas

JENNIFER RAE BAILEY
Notary Public - State of Kansas
My Appt. Expires 6/14/2021