

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Mark Sievers, Chairman
Ward Loyd
Thomas E. Wright

In the Matter of a Show Cause Order on the)	Docket No.: 12-CONS-197-CBPO
Commissions own Motion issued to the several)	73,069-C(C-10,773)
Operators to Show Cause why the Commission)	
should not dissolve the Basic Proration Order)	CONSERVATION DIVISION
for the Schaben Mississippi Oil Pool, Ness)	
County Kansas.)	

ORDER TO DISSOLVE SHABEN MISSISSIPPI OIL
POOL BASIC PRORATION ORDER

Now, the above-captioned matter comes on before the State Corporation Commission of the State of Kansas ("KCC" or "Commission"). The Commission, being fully advised in the premises and after giving due consideration to the Statutes of Kansas, the regulations of this Commission, and its records and files, makes the following findings and conclusions:

1. By Order dated February 2, 1964, the Commission established a Basic Proration Order ("BPO") for the Mississippi formation located in the following acreage:

S/2 of Section 19, Township 19 South, Range 21 West, Ness County, Kansas
All of Section 29-31, Township 19 South, Range 21 West, Ness County, Kansas
N/2 and SW/4 of Section 32, Township 19 South, Range 21 West, Ness County, Kansas
S/2 of Section 24, Township 19 South, Range 22 West, Ness County, Kansas
All of Section 25, Township 19 South, Range 22 West, Ness County, Kansas
All of Section 36, Township 19 South, Range 22 West, Ness County, Kansas
All of Section 5-8, Township 20 South, Range 21 West, Ness County, Kansas
All of Section 1, Township 20 South, Range 22 West, Ness County, Kansas
NE/4 and E/2 of SE/4 of Section 12, Township 20 South, Range 22 West, Ness County, Kansas

2. The Mississippi reservoir, which has been prorated under the provisions of the Schaben Mississippi Oil Pool BPO, is near depletion. The wells remaining in the field all produce at low rates.

3. Due to depletion of this reservoir and/or the low production rates of the wells, in the field, the above-referenced field was identified by Commission Staff as a candidate to have the BPO covering the field dissolved.

4. On April 19, 2012, a hearing was held for the purpose of allowing all interested parties to show cause why the Schaben Mississippi Oil Pool BPO should not be dissolved.

5. Notice was timely and properly filed and published in the Kansas Register, the Wichita Eagle and the official county newspaper of the county in which the subject lands are located. John McCannon, Litigation Counsel, appeared on behalf of the Commission Staff and the public generally. There were no other appearances.

6. In view of the foregoing, the Commission finds that the Schaben Mississippi Oil Pool BPO should be dissolved.

7. The Commission further finds that the acreage previously controlled by the BPO should be returned to the full jurisdiction of the Kansas Corporation Commission under its General Rules and Regulations.

8. The Commission further finds that well-spacing, well-testing requirements, and production constraints for wells governed by the BPO should be as set out in the General Rules and Regulations of the Kansas Corporation Commission.

IT IS, THEREFORE, BY THE COMMISSION ORDERED: That the Schaben Mississippi Oil Pool Basic Proration Order be, and the same is hereby, dissolved.

IT IS FURTHER ORDER BY TE COMMISSION: That the acreage previously controlled by the BPO be, and is hereby, returned to the full jurisdiction of the Kansas Corporation Commission under its General Rules and Regulations.

IT IS FURTHER BY THE COMMISSION ORDERED: That well-spacing, well-testing requirements, and production constraints for wells in the prorated area be, and the same are hereby, covered under the General Rules and Regulations of the Kansas Corporation Commission.

Any party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 77-529(a). Such petition shall be filed within fifteen (15) days after service of this Order and must state the specific grounds upon which relief is requested. This petition for reconsideration shall be filed with the Executive Director of the Conservation Division, Finney State Office Building, 130 S. Market, Room 2078, Wichita, Kansas 67202-3802.

The Commission retains jurisdiction of the subject matter and the parties for the purpose of entering such further Order or Orders as from time-to-time it may deem proper.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn.; Loyd, Com.; Wright, Com.

Date: MAY 01 2012


Patrice Petersen-Klein
Executive Director

Date Mailed: 05-01-2012

JM

I CERTIFY THE ORIGINAL
COPY IS ON FILE WITH
The State Corporation Commission

MAY 01 2012



CERTIFICATE OF SERVICE

I hereby certify that on 05-01-2012, I caused a true and correct copy of the foregoing "Order to Dissolve Schaben Mississippi Oil Pool Basic Proration Order" to be served by placing the same in the United States mail, postage prepaid, to the following parties:

John Niernberger
Ritchie Exploration, Inc.
8100 E. 22nd St. N., Ste 700
Wichita, KS 67278

Cecil O'Brate
Mid-Continent Resources, Inc.
P.O. Box 399
Garden City, KS 67846-0399

Evan Mayhew
BEREXCO, L.L.C.
2020 N. Bramblewood St.
Wichita, KS 67206-1094

Charles B. Wilson
Central Crude Corporation
2020 N. Bramblewood St.
Wichita, KS 67206-1094

Jason Mitchell
Falcon Exploration, Inc.
125 N. Market St., Ste 1252
Wichita, KS 67202

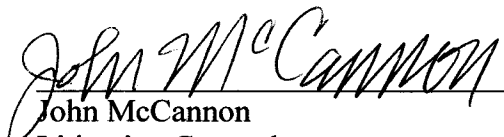
Brett Nowak
National Cooperative Refinery Association
2000 S. Main St.
McPherson, KS 67460

Jack Gurley
Pickrell Drilling Company, Inc.
100 S. Main St., Ste 505
Wichita, KS 67202-3738

Cecil O'Brate
American Warrior, Inc.
P.O. Box 399
Garden City, KS 67846-0399

And delivered by hand to:

Jim Hemmen, KCC Central Office
Steve Durrant, KCC District #1


John McCannon
Litigation Counsel
Kansas Corporation Commission