

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

In the Matter of the Application of	)	
<b>WYNN-CROSBY OPERATING, LTD.</b>	)	Docket No. 18-CONS- <u>3341</u> CEXC
For the Assignment of a Special Allowable	)	
to the Mayberry B-1 Well in Section 12,	)	KCC License No. 34929
Township 33 South, Range 38 West,	)	
Stevens County, Kansas	)	CONSERVATION DIVISION
_____	)	

**APPLICATION**

Wynn-Crosby Operating, Ltd. ("Wynn-Crosby") moves for an order assigning a special gas allowable to Wynn-Crosby's Mayberry B-1 well located in Stevens County, Kansas, retroactive to the date of first production, pursuant to K.AR. § 82-3-133a(f). In support of this Application Wynn-Crosby states as follows:

1. Wynn-Crosby is a Texas limited partnership and is duly authorized to do business within the state of Kansas. Wynn-Crosby's principal business address is 15660 N. Dallas Parkway, Suite 1175, Dallas, TX 75248.

2. Wynn-Crosby is duly licensed by the State Corporation Commission of the State of Kansas (the "Commission") as an oil and gas operator in Kansas and Wynn-Crosby's operator's license (License No. 34929) is in full force and effect.

3. Wynn-Crosby owns and operates a well, known as the Mayberry B-1 well (API No. 15-189-21,622) (the "Mayberry Well"), at the following spot location:

1,500' FSL and 1,320' FEL of Section 12, Township 33 South, Range 38  
West, Stevens County, Kansas;

4. The Mayberry Well is completed in and produces gas from the Morrow formation through perforations from 5,631' to 5,636'.

5. The Mayberry Well is located at a legal location under statewide rules and is not located within the boundaries of a prorated field for production of gas from the Morrow formation. Therefore, the Mayberry Well is subject to the statewide rules and regulations.

6. The allowable for the Mayberry Well is governed by K.A.R. § 82-3-312(a) and the Mayberry Well is entitled to a daily gas allowable equal to the greater of the following two volumes: (a) 250 mcf per day; or (b) fifty percent (50%) of that well's actual open-flow potential as measured by the initial multipoint back pressure test and annual one-point tests specified in K.A.R. § 82-3-304(a) & (b).

7. The Mayberry Well was completed on November 3, 2016, and first sales of gas were on November 8, 2016. The volume of gas produced from the Mayberry Well for the period of time from November 2016 to the present date is shown on Exhibit "A" attached hereto.

8. Based upon wells tests performed by Wynn-Crosby, the minimum allowable and calculated allowable for production from the Mayberry Well is also shown on Exhibit "A" attached hereto.

9. Pursuant to K.A.R. § 82-3-133a(c), production volumes for gas wells shall be balanced on the semiannual basis of April through September and October through March. Any accrued overage during each of those six (6) month periods is to be made up during the following six (6) month period. Any accrued overage that is not made up within the following six (6) month period may be eliminated or reduced, at the discretion of the Commission, through the retroactive assignment of a larger allowable for that well for good cause shown. K.A.R. § 82-3-133a(f).

10. As shown on Exhibit "A" attached hereto, the Mayberry Well has produced gas in excess of its calculated allowable and the overage accrued has not been made up as specified in

K.A.R. § 82-3-133s(c). Retroactively assigning a larger allowable to that well that is equal to the amount of gas produced from that well, as requested by Wynn-Crosby in this Application, will eliminate that overage and avoid shutting in and damaging that well.

11. The Mayberry Well is producing gas from a single well reservoir and, as a result, production of gas from that well in excess of the calculated statewide allowable has not and will not violate correlative rights of any adjoining operators or unleased mineral owners whose wells are not completed in or producing from that reservoir.

12. Moreover, Wynn-Crosby contends that producing the Mayberry Well at a rate that is less than the maximum efficient rate of flow from the Morrow formation or shutting that well in to make up any accrued overage will result damage to that formation and decrease the ultimate recovery of gas and oil from the Mayberry Well which will result in waste.

13. Wynn-Crosby has a market for all of the gas that can be produced from the Mayberry Well and said production will be in accordance with the rules, regulations and orders of the Commission and for the purposes permitted by the laws of the State of Kansas so as not to constitute waste.

14. Wynn-Crosby requests that the Commission assign the Mayberry Well a special allowable equal to that well's productivity. Wynn-Crosby further requests that such special allowable be assigned retroactive to the date of first production from said well.

15. Notice of the filing of this Application will be given to all unleased mineral owners and operators (other than Wynn-Crosby) of record of lands within a ½-mile radius of the acreage attributed to the Mayberry Well as required by the rules and regulations of the Commission. The names and addresses of those persons and entities are as follows:

NE/4 of Section 12-33S-38W:

Linn Operating, LLC  
600 Travis, Ste. 1400  
Houston, TX 77002

NW/4 of Section 12-33S-38W:

Merit Energy Company, LLC  
13727 Noel Rd., Ste. 1200  
Dallas, TX 75240

NW/4 of Section 13-33S-38W:

Merit Energy Company, LLC

NE/4 of Section 13-33S-38W

Merit Energy Company, LLC

NW/4 of Section 18-33S-37W:

Merit Energy Company, LLC

SW/4 of Section 7-33S-37W:

Wynn-Crosby Operating, Ltd.  
15660 Dallas Pkwy, Ste. 1175  
Dallas, TX 75248

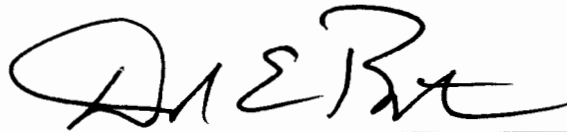
NW/4 of Section 7-33S-37W:

Merit Energy Company, LLC

16. Notice of the filing of this Application will be published as required by the rules and regulations of the Commission in both the Hugoton Hermes in Stevens County, Kansas, and in the Wichita Eagle newspaper.

17. If no valid protests are timely filed in response to the instant Application Wynn-Crosby requests that the Commission grant this Application administratively or, if a hearing is required, to waive the requirement that a hearing be held upon the merits of this Application and grant said Application administratively.

WHEREFORE Wynn-Crosby requests that the Commission issue an Order granting Wynn-Crosby the relief requested in this Application, and such other and further relief as the Commission deems just and proper.

A handwritten signature in black ink, appearing to read 'D E Bengtson', written over a horizontal line.

David E. Bengtson (#12184)  
STINSON LEONARD STREET LLP  
1625 N. Waterfront Parkway, Suite 300  
Wichita, Kansas 67206-6620  
(316) 265-8800  
(316) 265-1349 FAX

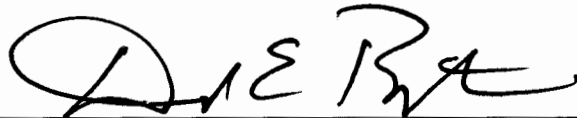
*Attorneys for Wynn-Crosby Operating, Ltd*

**VERIFICATION**

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF SEDGWICK    )

David E. Bengtson, of lawful age, being first duly sworn upon his oath, deposes and states:

That he is the attorney for the Applicant named in the foregoing Application and is duly authorized to make this verification; that he has read the foregoing Application and knows the contents thereof and that the facts set forth therein are true and correct to the best of his information and belief.



David E. Bengtson

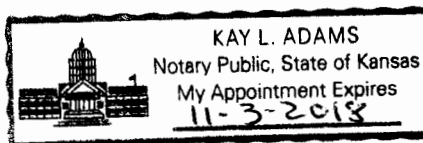
SUBSCRIBED AND SWORN to before me this 6<sup>th</sup> day of March, 2018.



Notary Public

My Appointment Expires:

11/3/2018

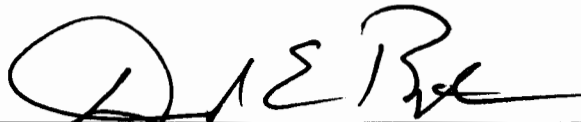


**AFFIDAVIT OF MAILING**


STATE OF KANSAS            )  
  ) ss:  
COUNTY OF SEDGWICK    )

David E. Bengtson, of lawful age, being first duly sworn upon his oath, deposes and states:

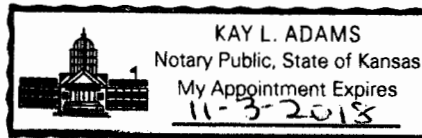
That on March 6, 2018, true and correct copies of the Notice of Application and of the Application were mailed to all interested parties as set out in the Application, by depositing the same in the United State mail, postage prepaid.

  
\_\_\_\_\_  
David E. Bengtson

SUBSCRIBED AND SWORN to before me this 6<sup>th</sup> day of March, 2018.

  
\_\_\_\_\_  
Notary Public

My Appointment Expires:  
11/3/2018



**Wynn-Crosby Operating, Ltd. (License 34929)**  
**Mayberry B-1 (API 15-189-21622)**  
**Section 33, T33S, R38W, Stevens County, Kansas**

**Monthly Production vs. Allowable**

Calculated AOF:                   **2,480 MCFD**  
Calculated Statewide Allowable:                   **1,240 MCFD**

Month	Reported to KCC (MCFM)	Average Daily Production	Allowable (MCFM)	Over Produced (MCF)
November-16	32,037	1,456	27,280	4,757
December-16	64,311	2,075	38,440	25,871
January-17	64,638	2,085	38,440	26,198
February-17	56,770	2,028	34,720	22,050
March-17	57,907	1,868	38,440	19,467
April-17	53,943	1,798	37,200	16,743
May-17	54,634	1,762	38,440	16,194
June-17	50,627	1,688	37,200	13,427
July-17	50,746	1,637	38,440	12,306
August-17	48,945	1,579	38,440	10,505
September-17	44,405	1,480	37,200	7,205
October-17	44,728	1,443	38,440	6,288
November-17	42,739	1,425	37,200	5,539
December-17	43,193	1,393	38,440	4,753
January-18	41,393	1,335	38,440	2,953
<b>Totals</b>	<b>751,016</b>		<b>556,760</b>	<b>194,256</b>

Estimated  
Volume