

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

IN THE MATTER OF THE APPLICATION) DOCKET NO. 19-CONS-³²⁶⁰-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 HJV ANADARKO D 1 WELL IN)
THE NORTHWEST QUARTER OF THE)
SOUTHEAST QUARTER OF THE) LICENSE NO. 32446
NORTHWEST QUARTER OF SECTION)
28, TOWNSHIP 29 SOUTH, RANGE 35)
WEST, GRANT 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, 2019.
3. Merit is the owner and operator of the HJV Anadarko D 1 well, which is located in the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 28, Township 29 South, Range 35 West, Grant County, Kansas, API # 15-067-21587-00-00. The subject well is located on an active oil and gas lease or unit comprising the following lands:

Northwest Quarter of Section 28, Township 29 South, Range
35 West, Grant County, Kansas.

4. The HJV Anadarko D 1 was originally perforated in the Morrow 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 July 26, 2004.

6. On or about January 2, 2019, 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 use the well to complete other zones when economic at a higher commodity price. Merit is currently evaluating new zones as follows: The Chase Formation at (2525-2531) and (2590-2602). Estimated recovery is 500 MMCF at 80 MCFD. Within the half mile of the HJV Anadarko there are four offset Chase producers that have a cum production of the following: Lighty 3-29 – 1100 MMCF, the Lahey 7-28 – 1400 MMCF, the Lahey 1-28R – 900 MMCF, and the Lahey 1 – 540-MMCF.

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.

10. In order to recomplete the HJV Anadarko D 1 well in the zones indicated above, it would cost approximately Two Hundred Thousand Dollars (\$200,000.00)

based on current prices. It would cost an estimate of Six Hundred Fifty Thousand Dollars (\$650,000.00) based on current prices to drill and complete a replacement well. The estimated IP from the zones to complete is not sufficient to justify the expense at current commodity prices.

11. Merit has included a two (2) inch equals one (1) mile plat map, attached as Exhibit A, 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 HJV Anadarko 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 B 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 B.

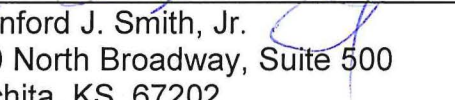
15. Notice of this Application will be published pursuant to K.A.R. 82-3-135a.

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



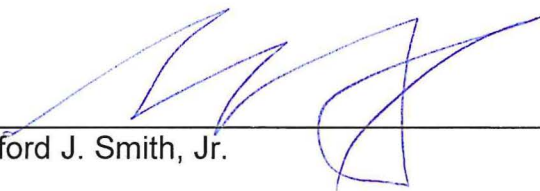
Stanford J. Smith, Jr.
100 North Broadway, Suite 500
Wichita, KS 67202
(316) 265-9311
Attorney for Merit Energy Company

VERIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

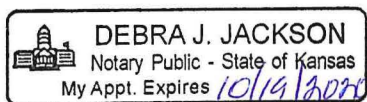
STANFORD J. SMITH, JR., of lawful age, being first duly sworn, upon oath states:

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 3rd day of January, 2019.

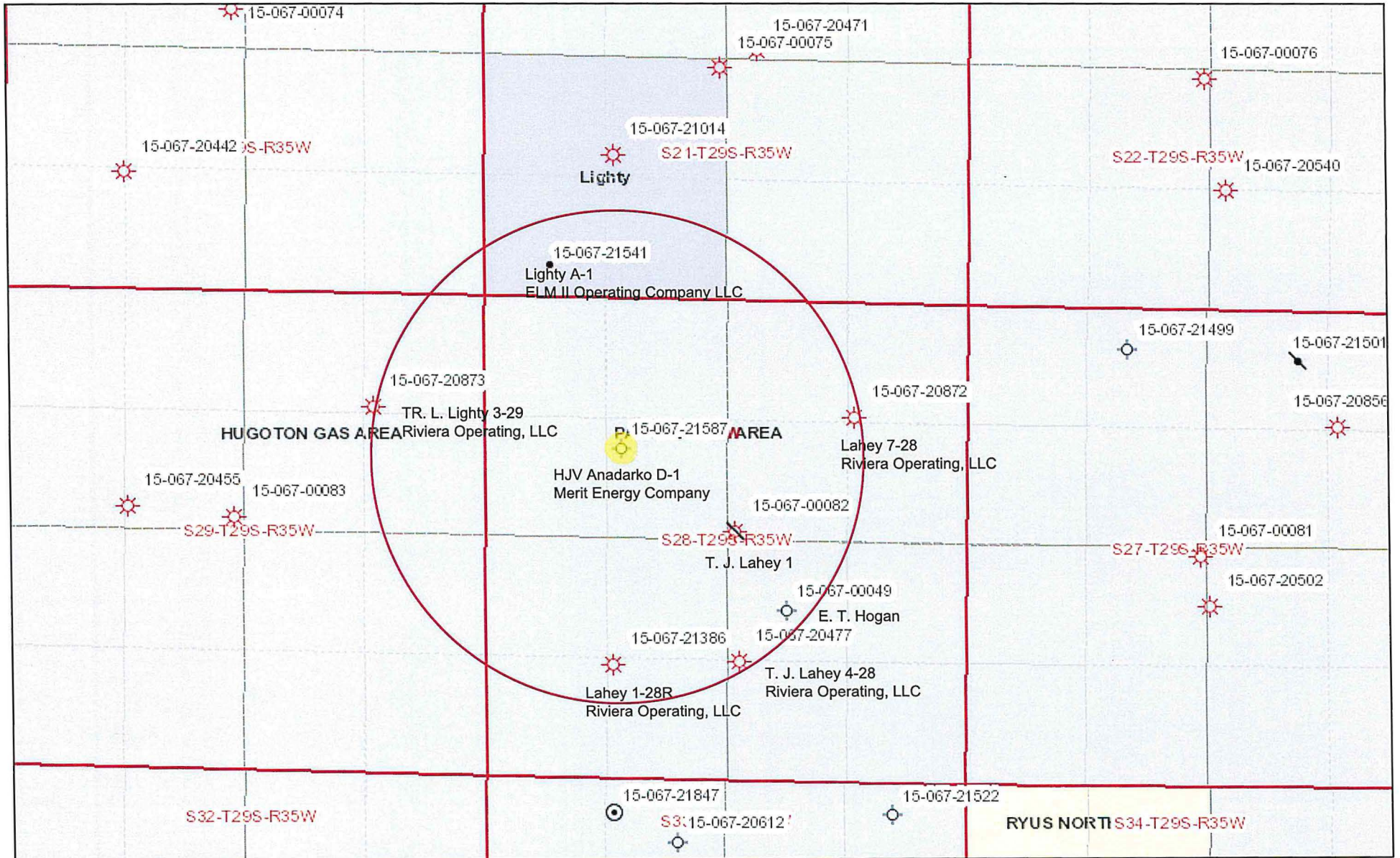




Notary Public

My Appointment Expires:
10/19/2020

HJV Anadarko D-1



January 30, 19

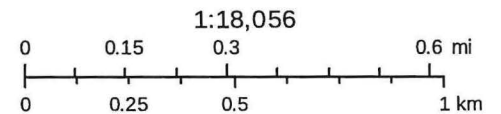


EXHIBIT A

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

EXHIBIT B

Riviera Operating, LLC
600 Travis Street
Houston, TX 77002

Pioneer Natural Resources
5205 North O'Connor Boulevard, #200
Irving, TX 75039

Elm III Operating Company LLC
1249 East 33rd
Edmond, OK 73013

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OF MERIT ENERGY COMPANY, LLC,)
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NORTHWEST QUARTER OF SECTION)
28, TOWNSHIP 29 SOUTH, RANGE 35)
WEST, GRANT 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 HJV Anadarko D 1 well, located in the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 28, Township 29 South, Range 35 West, Grant County, Kansas, API # 15-067-21587-00-00.

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