

BEFORE THE OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)	
BEREN CORPORATION FOR AN ORDER)	
ESTABLISHING AN ENHANCED RECOVERY)	Cause No.
UNIT, AUTHORIZING ASSOCIATED)	
ENHANCED RECOVERY OPERATIONS,)	Docket No.
AND REQUESTING AN AQUIFER)	
EXEMPTION IN CERTAIN DESCRIBED)	
LANDS IN WELD COUNTY, COLORADO)	

APPLICATION

COMES NOW, Beren Corporation ("Applicant") by and through its counsel, Beatty & Wozniak, P.C. and submits its application for establishing the Moyer Unit in Weld County, Colorado and as grounds therefor states as follows:

1) Applicant is requesting that this Commission approve the formation of the Moyer Unit, an enhanced recovery unit and enhanced recovery operation on the following land:

Township 12 North, Range 56 West

Section 28: SW $\frac{1}{4}$

Section 29: W $\frac{1}{2}$, SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 30: E $\frac{1}{2}$

Section 32: All

Section 33: NW $\frac{1}{4}$

Weld County, Colorado

2) Attached as Exhibit A-1-1 is a map showing the proposed Moyer Unit including the current well status. Attached as Exhibit A-1-2 is a map showing the proposed Moyer Unit including the proposed well status.

3) Attached as Exhibit A-2-1 is a map showing the lease and mineral ownership within the unit boundaries. Attached as Exhibit A-2-2 is a list of the lease and mineral ownership within the unit boundaries.

4) Attached as Exhibit A-3 is a surface ownership map showing the proposed unit boundary and the surface ownership thereon.

5) Attached as Exhibit B is a list of all working interest, mineral interest and surface interest owners located within one-half ($\frac{1}{2}$) mile of the unit boundaries.

6) Attached as Exhibit C is a description of the proposed operations for which authorization is required.

7) Attached as Exhibit D is a copy of the Moyer Unit Agreement. Attached as Exhibit E is

a copy of the Moyer Unit Operating Agreement.

8) The injection of fluids for enhanced recovery is proposed into the subsurface portion of the Unit Area described as the stratigraphic equivalent of the Dakota D and J formations, as the same is encountered between 6250 feet and 6452 feet, inclusive, below the surface (KB) in the Moyer A-3 well located in the SE/4 NE/4 of Section 29, Township 12 North, Range 56 West, Weld County, Colorado.

- a) Exhibit G attached describes the following formations
 - i) Those from which wells are producing in the Unit Area or have produced;
 - ii) Those from which wells in the Unit Area will receive any fluids to be injected; and
 - iii) Those in the Unit Area which are capable of limiting the movement of any fluids to be injected.
- b) Exhibit H attached describes the depths of all known underground sources of drinking water which may be affected by the proposed unit operations.
- c) Exhibit F is a list of the proposed injection wells. Because these are existing wells, the logs for these wells are within the Commission's record.
- d) Attached as Exhibits I-1-a through I-8-b are schematic diagrams of the proposed injection wells describing the casing of the well and showing surface and subsurface construction and a description of the cement job already in place or proposed. Each of the injection wells is properly labeled therein.
- e) Attached as Exhibit J is a statement of the type of fluid to be injected, the source of the fluid, the estimated amount to be injected and the anticipated injection pressure, chemical analysis of the fluid to be injected, the available data on the compatibility of the fluid with the receiving formation and known or calculated fracture gradient.
- f) No stimulation program is presently anticipated.
- g) Attached as Exhibit K is an Affidavit of Notice Served by Beren Corporation, Operator, with an address of P. O. Box 20380, Wichita, Kansas 67208, listing the names and last known addresses of all persons notified by applicant of the proposed injection of fluids for enhanced recovery operations.

9) Unitization of the subsurface portion of the Unit Area described as the stratigraphic equivalent of the Dakota D and J formations, as the same is encountered between 6250 feet and 6452 feet, inclusive, below the surface (KB) in the Moyer A-3 well is reasonably necessary to increase the ultimate recovery of oil and associated hydrocarbons.

10) The value of the estimated additional recovery of oil and associated hydrocarbons exceeds the estimated additional costs incident to conducting unit operations.

11) Applicant has signatures of one-hundred percent (100%) of the working interest owners in all the unit lands upon which the enhanced recovery operations will take place. Applicant also has agreements with the more than eighty percent (80%) of the royalty interests for the Unit Area.

12) The proposed plan for unit operations for the Moyer Unit is necessary for the effective, efficient and economical development of the Unit Area and will result in the protection of correlative rights and the prevention of waste.

13) Pursuant to Commission Rule 324B, Applicant requests the underground formation subject to this application be designated an exempt aquifer as it does not now serve as a source of drinking water and is a hydrocarbon producing formation.

WHEREFORE, Applicant requests that this matter be set for hearing at the August 18 and 19 2009 hearing, that notice hereof be given as required by law and, that upon evidenced introduced at the hearing, the Commission enter an order:

1. Approving the Moyer Unit and unitized operations as proposed;
2. Providing for the pooling of all interests within said formation within the Unit Area under the terms of such Agreement;
3. Issuing an aquifer exemption for the formation into which Applicant proposes injecting water for the purposes of enhanced recovery of hydrocarbons; and
4. Providing for such further findings and orders as the Commission may deem proper and advisable.

Respectfully submitted this ____ day of June, 2009.

BEREN CORPORATION

By: _____
Andrew A. Bremner
Beatty & Wozniak, P.C.
Attorneys for Applicant
216 16th Street, Suite 1100
Denver, Colorado 80202
(303) 407-4499

Applicant's Address:

P.O. Box 20380
Wichita, KS 67208

VERIFICATION

STATE OF KANSAS)
) ss
COUNTY OF SEDGWICK)

Charles B. Spradlin, Jr., Vice President of Beren Corporation, upon oath deposes and says that he/she has read the foregoing Application and that the statements contained therein are true to the best of his/her knowledge, information and belief.

BEREN CORPORATION

By:_____

Subscribed and sworn to before me this 29th day of June, 2009, by Charles B. Spradlin, Jr., Vice President of Beren Corporation.

Witness my hand and official seal.

My commission expires:_____

Notary Public

[SEAL]