

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

Form T-1
July 2014

Form must be Typed
Form must be Signed
All blanks must be Filled

**REQUEST FOR CHANGE OF OPERATOR
TRANSFER OF INJECTION OR SURFACE PIT PERMIT**

Form KSONA-1, Certification of Compliance with the Kansas Surface Owner Notification Act,
MUST be submitted with this form.

Check Applicable Boxes:

- Oil Lease: No. of Oil Wells _____ **
- Gas Lease: No. of Gas Wells _____ **
- Gas Gathering System: _____
- Saltwater Disposal Well - Permit No.: _____
Spot Location: _____ feet from N / S Line
_____ feet from E / W Line
- Enhanced Recovery Project Permit No.: _____
Entire Project: Yes No
Number of Injection Wells _____ **

Field Name: _____

**** Side Two Must Be Completed.**

Effective Date of Transfer: _____

KS Dept of Revenue Lease No.: _____

Lease Name: _____

_____ Sec. _____ Twp. _____ R. _____ E W

Legal Description of Lease: _____

County: _____

Production Zone(s): _____

Injection Zone(s): _____

Surface Pit Permit No.: _____
(API No. if Drill Pit, WO or Haul)

_____ feet from N / S Line of Section

_____ feet from E / W Line of Section

Type of Pit: Emergency Burn Settling Haul-Off Workover Drilling

Past Operator's License No. _____

Contact Person: _____

Past Operator's Name & Address: _____

Phone: _____

Title: _____

Signature: _____

New Operator's License No. _____

Contact Person: _____

New Operator's Name & Address: _____

Phone: _____

Title: _____

Signature: _____

Oil / Gas Purchaser: _____

Date: _____

Acknowledgment of Transfer: The above request for transfer of injection authorization, surface pit permit # _____ has been noted, approved and duly recorded in the records of the Kansas Corporation Commission. This acknowledgment of transfer pertains to Kansas Corporation Commission records only and does not convey any ownership interest in the above injection well(s) or pit permit.

_____ is acknowledged as
the new operator and may continue to inject fluids as authorized by
Permit No.: _____ . Recommended action: _____

Date: _____
Authorized Signature

_____ is acknowledged as
the new operator of the above named lease containing the surface pit
permitted by No.: _____ .

Date: _____
Authorized Signature

DISTRICT _____ EPR _____ PRODUCTION _____ UIC _____

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**CERTIFICATION OF COMPLIANCE WITH THE
KANSAS SURFACE OWNER NOTIFICATION ACT**

This form must be submitted with all Forms C-1 (Notice of Intent to Drill); CB-1 (Cathodic Protection Borehole Intent); T-1 (Request for Change of Operator Transfer of Injection or Surface Pit Permit); and CP-1 (Well Plugging Application). Any such form submitted without an accompanying Form KSONA-1 will be returned.

Select the corresponding form being filed: C-1 (Intent) CB-1 (Cathodic Protection Borehole Intent) T-1 (Transfer) CP-1 (Plugging Application)

OPERATOR: License # _____

Name: _____

Address 1: _____

Address 2: _____

City: _____ State: _____ Zip: _____ + _____

Contact Person: _____

Phone: (_____) _____ Fax: (_____) _____

Email Address: _____

Well Location:

____ - ____ - ____ - ____ Sec. ____ Twp. ____ S. R. ____ East West

County: _____

Lease Name: _____ Well #: _____

If filing a Form T-1 for multiple wells on a lease, enter the legal description of the lease below:

Surface Owner Information:

Name: _____

Address 1: _____

Address 2: _____

City: _____ State: _____ Zip: _____ + _____

When filing a Form T-1 involving multiple surface owners, attach an additional sheet listing all of the information to the left for each surface owner. Surface owner information can be found in the records of the register of deeds for the county, and in the real estate property tax records of the county treasurer.

If this form is being submitted with a Form C-1 (Intent) or CB-1 (Cathodic Protection Borehole Intent), you must supply the surface owners and the KCC with a plat showing the predicted locations of lease roads, tank batteries, pipelines, and electrical lines. The locations shown on the plat are preliminary non-binding estimates. The locations may be entered on the Form C-1 plat, Form CB-1 plat, or a separate plat may be submitted.

Select one of the following:

- I certify that, pursuant to the Kansas Surface Owner Notice Act (House Bill 2032), I have provided the following to the surface owner(s) of the land upon which the subject well is or will be located: 1) a copy of the Form C-1, Form CB-1, Form T-1, or Form CP-1 that I am filing in connection with this form; 2) if the form being filed is a Form C-1 or Form CB-1, the plat(s) required by this form; and 3) my operator name, address, phone number, fax, and email address.
- I have not provided this information to the surface owner(s). I acknowledge that, because I have not provided this information, the KCC will be required to send this information to the surface owner(s). To mitigate the additional cost of the KCC performing this task, I acknowledge that I must provide the name and address of the surface owner by filling out the top section of this form and that I am being charged a \$30.00 handling fee, payable to the KCC, which is enclosed with this form.

If choosing the second option, submit payment of the \$30.00 handling fee with this form. If the fee is not received with this form, the KSONA-1 form and the associated Form C-1, Form CB-1, Form T-1, or Form CP-1 will be returned.

I hereby certify that the statements made herein are true and correct to the best of my knowledge and belief.

Date: _____ Signature of Operator or Agent: _____ Title: _____

Assignee hereby accepts the assignment of the Assets and hereby assumes, and agrees to defend, indemnify and hold harmless Assignor from and against, any and all Claims (as defined below) attributable to or resulting from the ownership or operation of the Assets, whether arising before or after the date of this Assignment. For purposes hereof, "Claims" means any and all demands, losses, liabilities, damages, obligations, expenses, fines, penalties, costs, claims, causes of action and judgments for: (a) breaches of contract; (b) loss or damage to property, injury to or death of persons (including illness and disease), and other tortious injury; (c) violations of applicable laws, rules, regulations, orders or any other legal right or duty actionable at law or equity; and (d) attorneys' fees, court costs, and other costs resulting from the investigation or defense of any Claim described in the preceding clauses (a) through (c).

Nothing in this Assignment shall provide any benefit to any third party or entitle any third party to any claim, cause of action, remedy or right of any kind, it being the intent of the parties hereto that this Assignment shall otherwise not be construed as a third party beneficiary contract.

This Assignment shall be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted assigns.

This Assignment, other documents delivered pursuant hereto and the legal relations between the parties hereto shall be governed and construed in accordance with the laws of the State of Kansas, without giving effect to principles of conflicts of laws that would result in the application of the laws of another jurisdiction.

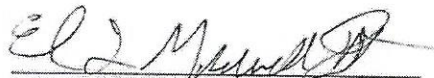
IN WITNESS WHEREOF, this Assignment is executed by the parties on the date of their respective acknowledgments below and shall be effective November 1, 2019.

ASSIGNOR:


Wanda Smith

ASSIGNEE:

ELM III, LLC


Edward L. Markwell, III, President

ACKNOWLEDGMENTS

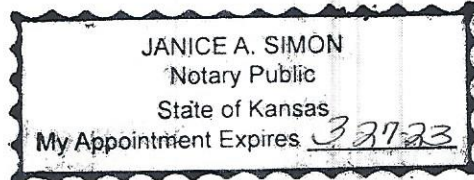
STATE OF KANSAS
COUNTY OF HAMILTON

§
§

The foregoing instrument was acknowledged before me this 12th day of December, 2019, by Wanda Smith.

WITNESS my hand and official seal.

Janice A. Simon
Notary Public, State of Kansas
Printed Name: Janice A. Simon
My Commission Expires: 3-27-23



STATE OF OKLAHOMA
COUNTY OF OKLAHOMA

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§

The foregoing instrument was acknowledged before me this 9th day of December, 2019, by Edward L. Markwell, III, as President of ELM III, LLC, on behalf of said limited liability company.

WITNESS my hand and official seal.

Christie Hall
Notary Public, State of Oklahoma
Printed Name: Christie
My Commission Expires: 11/19/2022

Exhibit "A"
**To that certain Assignment and Bill of Sale from Wanda Smith, Seller to
ELM III, LLC, Buyer, Effective November 1, 2019
located in Hamilton County, Kansas**

1. Lessor: Jeanette Glover, et vir
Lessee: Phillips Petroleum Company
Date: May 15, 1972
Book: 20 Page: 240
Legal Description: NE $\frac{1}{4}$ Section 23-T24S-R41W, Hamilton County, Kansas

2. Lessor: Eugene T. Overton, et ux
Lessee: Phillips Petroleum Company
Date: April 13, 1972
Book: 20 Page: 228
Legal Description: SW $\frac{1}{4}$ & W $\frac{1}{2}$ SE $\frac{1}{4}$ & E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 23-T24S-R41W, Hamilton County, Kansas

3. Lessor: Thomas P. Overton, et ux
Lessee: Phillips Petroleum Company
Date: April 13, 1972
Book: 20 Page: 188
Legal Description: NE $\frac{1}{4}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$ & S $\frac{1}{2}$ Section 26-T24S-R41W, Hamilton County, Kansas

4. Lessor: Agnis Oliver and Glenn Oliver, husband
Lessee: Phillips Petroleum Company
Date: April 18, 1972
Book: 20 Page: 206
Legal Description: NE $\frac{1}{4}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$ & S $\frac{1}{2}$ Section 26-T24S-R41W, Hamilton County, Kansas

5. Lessor: Jeanette Glover and E.C. Glover, husband
Lessee: Phillips Petroleum Company
Date: April 18, 1972
Book: 20 Page: 239
Legal Description: NE $\frac{1}{4}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$ & S $\frac{1}{2}$ Section 26-T24S-R41W, Hamilton County, Kansas

6. Lessor: Chloe Underwood and Fred Underwood, husband
Lessee: Phillips Petroleum Company
Date: April 18, 1972
Book: 20 Page: 235
Legal Description: NE $\frac{1}{4}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$ & S $\frac{1}{2}$ Section 26-T24S-R41W, Hamilton County, Kansas

7. Lessor: Fern Patton Royer, a single woman
Lessee: Phillips Petroleum Company
Date: April 17, 1972
Book: 20 Page: 195
Legal Description: NE $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26-T24S-R41W, Hamilton County, Kansas
8. Lessor: Ralph D. Monger and Esther Monger, H&W
Lessee: J. Fred Hambright
Date: May 24, 1976
Book: 25 Page: 13
Legal Description: Section 35-T24S-R41W, Hamilton County, Kansas
9. Lessor: U.S. Department of the Interior
Lessee: E. Lyle Johnson
Date: June 22, 1965
Book: 18 Page: 83
Legal Description: Lots 5, 6, 7, & 8 Section 10-T24S-R41W, Hamilton County, Kansas
10. Lessor: Tommy Overton, et al
Lessee: N. Adams
Date: June 19, 1956
Book: 12 Page: 215
Legal Description: Lots 5, 6, 7, & 8 Section 10-T24S-R41W, Hamilton County, Kansas
11. Lessor: Arthur E. Carter
Lessee: N. Adams
Date: June 19, 1956
Book: 12 Page: 187
Legal Description: N $\frac{1}{2}$ N $\frac{1}{2}$ Section 10-T24S-R41W, Hamilton County, Kansas
12. Lessor: Murlin Carter
Lessee: N. Adams
Date: June 19, 1956
Book: 12 Page: 181
Legal Description: Lots 1,2,3,4 &9 Section 10-T24S-R41W, Hamilton County, Kansas
13. Lessor: E.W. McNeill
Lessee: N. Adams
Date: June 19, 1956
Book: 12 Page: 183
Legal Description: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10-T24S-R41W, Hamilton County, Kansas

14. Lessor: State of Kansas
 Lessee: Hamilton Bros. LTD
 Date: February 8, 1960
 Book: 14 Page: 161
 Legal Description: Arkansas River Bed in T24S-R41W, Hamilton County, Kansas
15. Lessor: Tommy Overton, et al
 Lessee: N. Adams
 Date: June 19, 1956
 Book: 12 Page: 217
 Legal Description: Lots 5, 6, 7 & S½ SW¼ Section 11-T24S-R41W, Hamilton County, Kansas
16. Lessor: U.S. Department of the Interior
 Lessee: The Superior Oil Company
 Date: April 1, 1960
 Book: 14 Page: 186
 Legal Description: Lots 5, 6, 7 & S½ SW¼ and accretions in Section 11-T24S-R41W, Hamilton County, Kansas
17. Lessor: George N. Starkey, et ux
 Lessee: N. Adams
 Date: June 26, 1956
 Book: 12 Page: 342
 Legal Description: Lots 2, 3, 4 & S½ NE¼ and accretions and riparian rights in Section 11-T24S-R41W, Hamilton County, Kansas
18. Lessor: Charles H. Brogan and Letha Brogan
 Lessee: Kenneth R. Swenson
 Date: January 12, 1960
 Book: 14 Page: 153
 Legal Description: Lot 1 & N½ N½ Section 11-T24S-R41W, Hamilton County, Kansas
- Glover Unit NE ¼ Section 23-T24S-R41W, API # 15-075-20163
- Overton Unit C NE¼ Section 26-T24S-R41W, API # 15-075-20169
- Carter 1041 SE¼ NE¼ NE¼ NW¼ Section 10-T24S-R41W, API # 15-075-30030-0001
- 1141 Starkey SE¼ NW¼ Section 11-T24S-R41W, API # 15-075-30031-0001
- Monger SWD Section 35-T24S-R41W, API # 15-075-20275
- Newton SWD SW¼ SW¼ & NE¼ NE¼ Section 32-T24S-R41W, API # 15-075-20562-0001