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BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICANT: MAHALO ENERGY (USA) INC. )  
 )  
 RELIEF SOUGHT: INCREASED DENSITY ) CAUSE CD 200807005-T  
 )  
 LEGAL DESCRIPTION: SECTION 5, TOWNSHIP 9 )  
 NORTH, RANGE 16 EAST, MCINTOSH COUNTY, )  
 OKLAHOMA )

REPLACEMENT FOR FAX FILED ON  
~~OCT 0 1 2008~~  
 FILED / RECEIVED  
 OCT 0 2 2008  
 COURT CLERK'S OFFICE - TULSA  
 CORPORATION COMMISSION  
 OF OKLAHOMA

A P P L I C A T I O N

COMES NOW Applicant and shows the Honorable Commission as follows:

1. Parties: Applicant herein is **Mahalo Energy (USA) Inc**, 5110 S Yale, Ste 101, Tulsa, OK 74135 (918)949-6829. The attorney for the Applicant is Michael D. Stack, 943 East Britton Road, Oklahoma City, Oklahoma 73114, Telephone: (405) 286-1717; Fax (405) 286-2122. The names and addresses of each person or governmental entity, other than the Applicant, currently having the right or claiming to have the right to participate in production from the Hartshorne common source of supply are set forth on Exhibit "A" attached hereto and made a part hereof.

2. Facts:

2.1 Applicant has the present right to drill in Section 5, Township 9 North, Range 16 East, McIntosh County, Oklahoma. Said Section 5 was designated as a 640 acre drilling and spacing unit for production from the Hartshorne common source of supply.

2.2 There are presently two horizontal wells completed in the Hartshorne common source of supply located in Section 5, Township 9 North, Range 16 East, McIntosh County, Oklahoma.

2.3 Since the date of entry of the drilling and spacing units additional or new data has been obtained in connection with the separate common sources of supply sufficient to show a substantial change in conditions or change in knowledge of conditions existing in said unit. It appears that the existing well will not and cannot effectively and efficiently drain all of the primarily recoverable hydrocarbons in such separate common sources of supply underlying such land. Therefore, the Commission should increase the well density for the **Hartshorne** common source of supply as an exception to **Order No. 500727** for the drilling of an additional well in Section 5, Township 9 North, Range 16 East, McIntosh County, Oklahoma.

2.4 Applicant or some other party recommended by Applicant, request the Commission to authorize and permit an additional well in said Section 5 to produce hydrocarbons from the Hartshorne common source of supply, and the Commission should establish a proper allowable for such well and such units.

3. Legal Authority: Title 52, Sections 86.1, 87.1; Title 17, Sections 270 and 271; OCC-OGR Rule 165:10-19-3, OCC Rules of Practice.

4. Relief Sought: Applicant requests the Commission to enter order, to be effective as of the date of the execution thereof or as a date prior thereto, authorizing and permitting an additional well the 640-acre drilling and spacing units formed for the Hartshorne common source of supply in the captioned unit. The Applicant further requests

OKLA CORP COM RECEIPT 09/20/2008  
 Date: 10/02/2008 Time: 14:48  
 Case: 200807005 CD Cashier: GPT  
 Payor: MAHALO ENERGY (USA) INC  
 CHECK # 51511  
 71 OK ASSOCIATION APP \$100.00



**EXHIBIT "A"**

**Mahalo Energy (USA) Inc.**

**Cause CD No. 200807005-T**

Increased Density  
Section 5-9N-16E, McIntosh County

Bureau of Indian Affairs  
Eastern OK Regional Office  
Real Estate Services  
Subsurface Leasing  
Attention: Jeff O'Dell  
P. O. Box 8002  
Muskogee, OK 74402-8002

James Loyd Price and Annetta Price,  
Trustees under the Price Living Trust  
Dated January 11, 1996  
6316 S. Country Club Drive  
Oklahoma City, OK 73159

Bureau of Land Management  
7906 East 33rd Street, Suite 101  
Tulsa, OK 74145

White Oak Royalty Company  
700 Market Street  
St. Louis, MO 63101

Stockbridge Consulting, Inc.  
Attention John Zeiders  
Osage Land Company  
P. O. Box 20772  
Oklahoma City, OK 73156

Lee Douglas Hopkins  
and Ann H. Hopkins  
P. O. Box 83  
Eufaula, OK 74432

Stockbridge Consulting, Inc  
P. O. Box 21872  
Oklahoma City, OK 73156

Evelyn M. McCutchan  
5524 Cypress Court  
Midland, TX 79707

Burlington Resources  
21873 Network Pl  
Chicago, IL 60673-1218

Wold Oil Properties, Inc.  
139 W. 2nd St.  
Suite 200  
Casper, WY 82601

Kepeco Operating Inc.  
4415 N Classen Blvd  
Oklahoma City, OK 60673-1218

James Vernon Owens  
1160 Lincoln Street  
Tulare, CA 93274

F P Schonwald Company  
9434 Cedar Lake Ave  
Oklahoma City, OK 73114

Shirley Montgomery  
P.O. Box 12156  
El Paso, TX 78812

Chatfield Company  
P. O. Box 1903  
Denver, CO 80201-1903

Dannie R. Edwards and  
Susan E. Edwards  
P.O. Box 494  
Eufaula, OK 74432

FFF Inc.  
P. O. Box 8874  
Denver, CO 80201-8874

R.M. Haggard & Co., a partnership  
7061 Carr Street  
Arvada, CO 80004

Fall River Resources Inc.  
P. O. Box 13456  
Denver, CO 80201-3456

R.R. Creason and Betty L. Creason,  
Trustees of the Creason Liv Tr  
Dated August 2, 1995  
4935 Tobosa Road  
Las Cruces, NM 88011

Garrett & Co Resources LLC  
9701 N Broadway Extension  
Oklahoma City, OK 73114

Dawkins Royalty L.L.C.  
P.O. Box 910  
Ellsworth, WI 54011

Frances A. Hannifin  
730 17<sup>th</sup> ST, Ste 325  
Denver, CO 80202

BP America Production Company  
P.O. Box 3092  
Houston, TX 77253

Lilley & Company  
8174 S Holly, Ste 408  
Centennial, CO 80122

W. Harold Burdine  
Doris Ann Burdine  
P.O. Box 348  
Eufaula, OK 74432

McLish Resources LP, LLLP  
633 17<sup>th</sup> Street, Ste 1650  
Denver, CO 80202

Trustees of the  
Okfuskee Baptist Church No. 2  
P. O. Box 1059  
Eufaula, OK 74432

Strata Minerals Inc.  
P. O. Box 21055  
Oklahoma City, OK 73156

The Housing Authority of the  
Creek Nation of Oklahoma  
P.O. Box 297  
Okmulgee, OK 74447

Robert W. Whittingham  
428 Dunmore Street  
Fredericksburg, VA 22401

Donna Ray Range & Robert L. Range  
20 Sable Court  
Sacramento, CA 95825

George W. Sands  
P.O. Box 414  
Athens, OH 45701

Dorothy Biffle  
921 East Valley Drive  
Columbia, TN 38401-3827

Ruth Ellen Sands Mitchell  
2053 Sherrell Drive  
Ft. Collins, CO 80524-1953

Howard H. Sands  
c/o George W. Sands  
P.O. Box 414  
Athens, OH 45701

Fredrick Sulphur  
4817 Nassau Circle,  
Sand Springs, OK 74063

Jeanette Marie Underwood  
4817 Nassau Circle,  
Sand Springs, OK 74063

Cecil Canady  
4817 Nassau Circle,  
Sand Springs, OK 74063

Nora Beatrice Canady  
4817 Nassau Circle,  
Sand Springs, OK 74063

Virginia Asbury nee Sulphur  
(a restricted heir of Andrew Sulphur;  
FB Creek No. 57)  
c/o Ginia Haskew  
2443 S. 128th East Avenue  
Tulsa, OK 74129

Unknown heirs and devisees of  
Jennie Mae Canady nee Sulphur,  
deceased  
5917 W. 8th Street  
Tulsa, OK 74127

Sharkey Sulphur  
(a restricted heir of Andrew Sulphur;  
FB Creek No. 57)  
and Glenda Charlene Sulphur  
HC 63, Box 242  
Eufaula, OK 74432

Arklahoma Land Co.  
P.O. Box 6088  
Van Buren, AR 72956

The FSL Company  
P.O. Box 126  
Eufaula, OK 74432

DCJ Company  
P.O. Box 126  
Eufaula, OK 74432

Marie Davis  
Rt. 4, Box 5650  
Eufaula, OK 74432

Lucille L. Murry  
Rt. 4, Box 5505  
Eufaula, OK 74432

Ella Dean Newton  
Rt. 4, Box 954  
Eufaula, OK 74432

Charles A. Hammett  
307 N. "E" Street  
Eufaula, OK 74432

Hattie Fay Hammett  
c/o Rosie Ann Hammett  
Rt. 4, Box 950  
Eufaula, OK 74432

Unknown heirs and devisees of  
Rose Ann Hammett, deceased  
Rt. 4, Box 950  
Eufaula, OK 74432

Unknown heirs and devisees of  
Rosie Ann Hammett, deceased  
Rt. 4, Box 950  
Eufaula, OK 74432

Franklin Francis  
4205 Oak Brook Drive  
Del City, OK 73115

Franklin Francis  
4912 S. Brookdale  
Oklahoma City, OK 73101

Betty Billey  
P.O. Box 33  
Keota, OK 74941

Cherry Francis Tsoodle  
P.O. Box 111  
Anadarko, OK 73005

Debra Kay Hammett, formerly Deere  
(a/k/a Deborah Kay Hammett)  
306 Indian Avenue  
Eufaula, OK 74432

Muirfield Resources Company  
P.O. Box 3166  
Tulsa, OK 74101-3166

Roy Royalty Inc  
P.O. Box 368  
Boys Town, NE 68010

Glenn O. Young Testamentary Trust  
c/o John Mark Young  
P.O. Box 1364  
Sapulpa, OK 74067

Glenn O. Young Testamentary Trust  
c/o Tom Lawson, Trustee  
P.O. Box 2063  
Sapulpa, OK 74067

Norbert Young  
25 S. Magnolia Ave.  
Orlando, FL 32801

Ulrich Young  
P. O. Box 47  
Prague, OK 74864

George C. & Linda K. Warren  
2524 NW 55th Place  
Oklahoma City, OK 73112-7124

Wood Oil Company  
5400 N. Grand Blvd., Suite 210  
Oklahoma City, OK 73112

Ann H. Hopkins  
aka Charlotte Ann Hopkins  
P. O. Box 83  
Eufaula, OK 74432

Robert G. Fry, Jr.  
906 Cheyenne  
Tulsa, OK 74119

Charles Lee Homan  
1817 S. Avondale St.  
Amarillo, TX 79106

Howard H. Sands  
c/o Ruth Ellen Sands Mitchell  
2053 Sherell Drive  
Fort Collins, CO 80524-1953

Margaret B. Udey  
605 Woodland  
Eufaula, OK 74432

Mary Ola Conrey  
Route 1, Box 145B  
Summerton, AZ 85350

Evelyn Jane Duttry  
2437 Garland  
Muskogee, OK 74401

Marilyn Tattershall  
937 North "B" Street  
Muskogee, OK 74403

Jackie Lee Belcher  
937 North "B" Street  
Muskogee, OK 74403

Jacqueline Brinkley  
c/o Edna Belcher  
209 S. 7th Street  
Eufaula, OK 74432

Edna Belcher  
209 S. 7th Street  
Eufaula, OK 74432

Robbie Charles Belcher  
209 S. 7th Street  
Eufaula, OK 74432

Richard Allen Belcher  
4883 S. Braden., #8-C  
Tulsa, OK 74135

JoAnn Belcher Ward  
1516 N. Irvington Ave.  
Tulsa, OK 74115

Johnnie Sue Belcher  
2936 SW 52nd Street  
Oklahoma City, OK 73119

Jack Belcher  
209 S. 7th  
Eufaula, OK 74432

Benjamin R. Belcher  
1701 SE 16th  
Moore, OK 73160

Unknown heirs and devisees of  
Oscar Lee Belcher, deceased  
2506 N. Rockwell  
Bethany, OK 73008

Thomas Richard Cummings, II  
HC 63, Box 88  
Eufaula, OK 74432

Susie Higgins  
P.O. Box 933  
Eufaula, OK 74432

Pauline Hammons  
P.O. Box 628  
Eufaula, OK 74432

Loyd Allen Cummings  
706 Cherokee Trace  
Grand Prairie, TX 75051

Washington David Cummings, Jr.  
HC 62, Box 115  
Eufaula, OK 74432

Nancy Denise Skaggs  
Route 1, Box 95  
Campbell, MO 63933

Paulette Thompson  
1103 Palmer Lane  
Eufaula, OK 74432

Robert L. Cummings, aka Robert Lee  
Cummings  
Rt. 5, Box 85  
Eufaula, OK 74432

Gerald C. Braun  
1705 Shumard Oak Drive  
Irving, TX 75063

Estate of Rose Braun  
c/o Betty Ann Bahm  
1122 N.W. 34th  
Oklahoma City, OK 73118

Beverly J. Alexander, Trustee  
of the Beverly J. Alexander  
Trust dated 1/30/87  
3140 E. 91st Place  
Tulsa, OK 74137-3647

Elizabeth Fried Estate  
c/o George Fried, Executor  
of the estate  
4437 N.W. 13th  
Oklahoma City, OK 73107

George Fried  
4437 NW 13th St.  
Oklahoma City, OK 73107

John Fried  
Box 1521  
Ruidoso, NM 88355

David Fried  
2020 S. Columbus Blvd., #407  
Tucson, AZ 85711

Arlene Fried  
5505 N. Mueller  
Bethany, OK 73008

Jane E. Fried  
2509 Roscomare Rd.  
Los Angeles, CA 90077

Charlene Thorne  
3520 N.W. 43rd  
Oklahoma City, OK 73112

Victor M. Salcedo and  
Joy D. Salcedo  
P.O. Box 494  
Eufaula, OK 74432

George F. James and  
Lorraine B. James  
1264 Armstrong Street  
Manteca, CA 95336

Lyndon George James  
1136 Lincoln St.  
Santa Clara, CA 95050

Hazel Fugate  
200 West New York, Apt. 1  
Las Vegas, NV 89102

Beatrice Robbins now Verberg  
200 West New York, Apt. 1  
Las Vegas, NV 89102

Beacher C. Wood  
HC 60, Box 1155  
Checotah, OK 74426

Virgil W. Duke and Berta L. Duke  
10813 Quail Circle  
Oklahoma City, OK 73120

Franklin D. Belcher  
aka Franklin B. Belcher  
1410 E. 41st Street, Apt. 15  
Tulsa, OK 74105

T. S. Dudley Land Company, Inc.  
3035 NW 63rd St.  
Oklahoma City, OK 73116

Betty Robbins Johnson, AIF for  
Beatrice Robbins Verberg  
3086 Oakview Lane  
Chino Hills, CA 91709

Betty Ann Baum  
1122 NW 34th St.  
Oklahoma City, OK 73118

Williams Production  
Mid-Continent Company  
P. O. Box 3102, MD 25-3  
Tulsa, OK 74101

Paul LaVerne Troxel  
c/o Dorothy Biffle  
921 East Valley Drive  
Columbia, TN 38401-3827

Francis Sarcander  
c/o Dorothy Biffle  
921 East Valley Drive  
Columbia, TN 38401-3827

B. L. Enterprises, Inc.  
1122 NW 34th St.  
Oklahoma City, OK 73118

Marlene Arterberry  
c/o Jennie Canady  
5917 West 8th Street  
Tulsa, OK 74127

Kenneth L. Smith & K. H. Smith  
Trustees for M. C. Homan  
418 South Main Street  
Eufaula, OK 74432

Scott T. Schad  
3943 S. Delaware Place  
Tulsa, OK 74105

W. K. Chernicky LLC  
4396 Old Bayou Trail  
Destin, FL 32541

David J. Chernicky  
1307 S. Boulder, Suite 400  
Tulsa, OK 74119

Keith A. Sackett  
2120 Eagle Lane  
Edmond, OK 73034

Chesapeake Exploration Limited Partnership  
P.O. Box 18496  
Oklahoma City, OK 73154

Unknown heirs and devisees of  
Tom James, deceased  
c/o Lyndon James  
1136 Lincoln St.  
Santa Clara, CA 95050

Unknown heirs and devisees of  
O. C. James, deceased  
c/o Hazel Fugate  
200 W. New York, Apt. 1  
Las Vegas, NV 89102

Michael K. Green  
7810 Lynn Anne Drive  
San Antonio, TX 78240

Morris A. Miceli  
2500 S. Broadway, Suite 150  
Edmond, OK 73013

West Bay Exploration Company  
13685 S. West Bay Shore, Suite 200  
Traverse City, MI 49684

Marlene Arterberry and  
Rachie Arterberry  
816 S. Trenton Ave.  
Tulsa, OK 74120

Southwest Petroleum Company  
P. O. Box 702388  
Dallas, TX 75370-2377

Petro Partners Limited  
P. O. Box 600134  
Dallas, TX 75360-0134

S & C. Properties  
P. O. Box 601295  
Dallas, TX 75360-1295

Gregory Alan James Revocable Trust  
P. O. Box 60776  
Oklahoma City, OK 73146

Jeffrey Warren James Revocable Trust  
P. O. Box 13544  
Oklahoma City, OK 73113

Louis V. Lepak  
3729 NW 64th Street  
Oklahoma, City, OK 73116-1913

Charlotte Crudup  
901 NW 25th Street  
Oklahoma City, OK 73106

Ella Dean Newton  
Route 4, Box 954  
Eufuala, OK 74432

Daniel Francis  
491 S. Brookdale  
Oklahoma City, OK 73101

Leonard Fried  
48303 20th Street West  
Lancaster, CA 93534

Jeffrey B. Grimes  
3713 Narcissus Ave.  
Broken Arrow, OK 74101

Jeffrey Grimes, Trustee of the  
Grimes-Sanchez-Obregon Sub-Tr  
UT Harry E. Brotton  
UDT dated September 20. 1990  
3713 Narcissus Ave.  
Broken Arrow, OK 74101

Tony Obregon  
9911 W. Pico Blvd, Suite 818  
Los Angeles, CA 90035

Kenneth I. Persion  
9911 W. Pico Blvd, Suite 818  
Los Angeles, CA 90035

Estefana Sanchez  
9911 W. Pico Blvd, Suite 818  
Los Angeles, CA 90035

Janice Kay Hodgson  
285 SW Salix Tr  
Beaverton, OR 97006-3522

Lloyd H. Grigsby  
6932 S Knoxville  
Tulsa, OK 74136

Norma Sue Strayhorn  
Address Unknown

Kenneth B. Swartwood  
Address Unknown

Gladys Cato  
Address Unknown

Eunice Cato  
Address Unknown

Fred Cato  
Address Unknown

Lois Cato  
Address Unknown

S. V. Homan  
Address Unknown

Margaret Homan  
Address Unknown

Reba Homan  
Address Unknown

Mary C. Smith  
Address Unknown

J. B. Homan  
Address Unknown

M. C. Homan  
Address Unknown

Neta E. Kersey  
Address Unknown

Jewell Homan  
Address Unknown

John H. Curtis and Kathy I. Curtis  
Address Unknown

Ronald L Gray and Wanda S. Gray  
Address Unknown

Carrie Swartwood  
Address Unknown  
Eufaula, OK 74432 (1950)

Estate of Irene Gibson Hall  
Address Unknown

A. J. Gill  
Address Unknown  
Okmulgee, OK (1936)

Unknown Heirs and Devisees of Bertie E.  
Smith (Deceased)

Unknown Heirs and Devisees of Ernest G.  
Ray (Deceased)

Unknown Heirs and Devisees of Hattie Fay  
Hammett (Deceased)

Unknown Unrestricted Heirs and Devisees of  
Martha Belcher Cummings (Deceased)

Unknown Heirs and Devisees of Elizabeth  
Fried (Deceased)

Unknown Heirs and Devisees of Neta E.  
Kersey (Deceased)

Unknown Heirs and Devisees of A. J. Gill  
(Deceased)

Unknown Unrestricted Heirs and Devisees of  
Sallie Hill Belcher (Deceased)

Unknown Heirs and Devisees of James C.  
Hammett (Deceased)

Unknown Heirs and Devisees of Irene  
Gibson Hall (Deceased)

Unknown Heirs and Devisees of Rose Braun  
(Deceased)

Unknown Heirs and Devisees of Winifred G.  
Ray (Deceased)

Unknown Heirs and Devisees of J. V.  
Homan (Deceased)

Unknown Heirs and Devisees of  
George F. and Lorraine B. James (Possibly  
Deceased)

Unknown Heirs and Devisees of Jack R.  
Belcher (Deceased)

Unknown Heirs and Devisees of Lawrence  
Belcher (Deceased)

Unknown Heirs and Devisees of Oscar Lee  
Belcher (Deceased)

END