

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICANT: MAHALO ENERGY (USA) INC. )  
)  
RELIEF SOUGHT: INCREASED DENSITY ) CAUSE CD 200800102-T  
)  
LEGAL DESCRIPTION: SECTION 33, TOWNSHIP 10 )  
NORTH, RANGE 16 EAST, MCINTOSH COUNTY, )  
OKLAHOMA )

REPLACEMENT FOR FAX FILED ON

~~JAN 07 2008~~  
FILED RECEIVED

JAN 08 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.**, 10820 E 45<sup>th</sup> St., Ste 206, Tulsa, OK 74146 (918) 551-7281. The attorney for the Applicant is Michael D. Stack, 3500 South Boulevard, Ste D-5, Edmond, Oklahoma 73013; Telephone (405) 216-8898, Fax (405) 216-8321. 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 33, Township 10 North, Range 16 East, McIntosh County, Oklahoma. Said Section 33 will be designated as a 640 acre drilling and spacing unit for production from the Hartshorne common source of supply.

2.2 There will be one well completed in the Hartshorne common source of supply located in Section 33, Township 10 North, Range 16 East, McIntosh County, Oklahoma when this cause comes for hearing on its merits.

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. 541588** for the drilling of an additional well in Section 33, Township 10 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 33 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 an order, to be effective as of the date of the execution thereof or as of

MAHALO ENERGY (USA) INC.  
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a date prior thereto, authorizing and permitting an additional well in the 640-acre drilling and spacing units formed for the Hartshorne common source of supply in the captioned unit. The Applicant further request the authorization and permission to allow the additional well to produce hydrocarbons from such common source of supply and to establish a proper allowable for said well.

WHEREFORE, Applicant prays that, after notice and hearing as required by law, the increased well density as requested by Applicant, be permitted.

Respectfully submitted,

MICHAEL D. STACK, P.C.

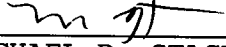
By:   
MICHAEL D. STACK, OBA #8530  
3500 SOUTH BOULEVARD, SUITE "D-5"  
EDMOND, OKLAHOMA 73013  
Bus (405) 216-8898  
Fax (405) 216-8321  
Attorney for Applicant

EXHIBIT "A"

Mahalo Energy (USA) Inc.

Cause CD 200800102-T

**Known Respondents**

- |   |  |
|---|--|
| <p>1. Williams Production Mid-Continent Company<br/>P.O. Box 3102, MD 25-3<br/>Tulsa, OK 74101-3102</p> <p>2. Chesapeake Exploration, LLC<br/>6100 N. Western Ave.<br/>Box 18496<br/>Oklahoma City, OK 73154-0496</p> <p>3. Gene Stipe<br/>P.O. Box 1132<br/>McAlester, OK 74502</p> <p>4. Eddie Harper<br/>P.O. Box 1368<br/>McAlester, OK 74502</p> <p>5. The Upchurch Family Revocable Trust dated August 22, 2002<br/>201 Hollowdale<br/>Suite A<br/>Edmond, OK 73003</p> <p>6. Scott T. Schad<br/>3943 S. Delaware Place<br/>Tulsa, OK 74105</p> <p>7. W.K. Chernicky LLC<br/>345 Kelly Plantation Dr.<br/>Destin, FL 32541-3422</p> <p>8. David J. Chernicky<br/>1307 S. Boulder, Suite 400<br/>Tulsa, OK 74119</p> <p>9. Keith A. Sackett<br/>2120 Eagle Lane<br/>Edmond, OK 73034</p> <p>10. Bureau of Indian Affairs<br/>Eastern OK Regional Office<br/>Real Estate Services<br/>Subsurface Leasing<br/>Attention: Jeff O'Dell<br/>P.O. Box 8002<br/>Muskogee, OK 74402-8002</p> <p>11. Bureau of Land Management<br/>7906 East 33rd Street<br/>Suite 101<br/>Tulsa, OK 74145</p> <p>12. Virginia Asbury nee Sulphur<br/>c/o Ginia Haskew<br/>2443 S. 128th East Avenue<br/>Tulsa, OK 74129</p> <p>13. Sharkey Sulphur and<br/>Charlene Sulphur<br/>HC 63, Box 242<br/>Eufaula, OK 74432</p> | <p>14. Alice Elizabeth Corley<br/>1009 Cherrywood Lane<br/>Yukon, OK 73099</p> <p>15. The City of Eufaula<br/>64 Memorial Rd.<br/>Eufaula, OK 74432</p> <p>16. David Bonewits<br/>6338 Floyd<br/>Overland Park, KS 66202</p> <p>17. Sandy Gunkel<br/>8110 Noland<br/>Leneka, KS 66215</p> <p>18. Ron Bonewits<br/>6923 Rene Ct.<br/>Shawnee, KS 66216</p> <p>19. Karen Lathrop<br/>18208 E. 31st Terrace Dr.<br/>Independence, MO 64057</p> <p>20. Curt Bonewits<br/>6908 W. 52nd Pl. #2A<br/>Mission, KS 66202</p> <p>21. Katherine B. Gaul<br/>22725 74th Ln.<br/>Glendale, AZ 85310</p> <p>22. James Patton Rowsey, Trustee<br/>of the James Patton Rowsey, Jr.<br/>Revocable Living Trust<br/>P.O. Box 386<br/>Muskogee, OK 74402</p> <p>23. Paul E. Rowsey, Jr., Trustee<br/>of the Paul E. Rowsey, Jr.<br/>Revocable Living Trust<br/>P.O. Box 386<br/>Muskogee, OK 74402</p> <p>24. Marty Rowsey Anthis<br/>P.O. Box 386<br/>Muskogee, OK 74402</p> <p>25. Jeffrey C. Rowsey, Trustee<br/>of the William E. Rowsey, Jr.<br/>Revocable Living Trust<br/>P.O. Box 386<br/>Muskogee, OK 74402</p> <p>26. Consul Properties, L.L.C.<br/>2911 NW 122nd, Ste. 205<br/>Oklahoma City, OK 73120</p> <p>27. Reserve Petroleum Company<br/>6801 N. Broadway, Ste. 300<br/>Oklahoma City, OK 73116</p> |
|---|--|

28. Clear Energy, Ltd.  
1111 Fannin, Ste. 1550  
Houston, TX 77022
29. OCC Development Corporation  
Route 2, Box 7  
Eufaula, OK 74432
30. Rex G. Bridges  
c/o Randy Bridges  
223 N. Main  
Eufaula, OK 74432
31. Levi E. Bridges  
c/o Randy Bridges  
223 N. Main  
Eufaula, OK 74432
32. Dixie J. Brennick, a/k/a Dixie  
Jean Brennick  
14818 Midland Road  
Poway, CA 92064
33. Mickey Sue Bridges, now Rauch  
2080 Bear Valley Parkway  
Escondido, CA 92027
34. Stephanie Lee Bridges, now  
Reneau  
694 Mountain View Dr.  
El Canjou, CA 92021
35. Randal M. Bridges  
223 N. Main  
Eufaula, OK 74432
36. Mary Jo Bridges Taylor  
9401 N.E. 12th  
Midwest City, OK 73130
37. Thomas E. Lutrel and  
Linda F. Lutrel, JT's  
2469 Upland Drive  
Concord, CA 92450
38. DCJ Company  
P.O. Box 128  
Eufaula, OK 74432
39. FSL Company  
P.O. Box 128  
Eufaula, OK 74432
40. Robert Louis Hansboro  
8002 S. 15th  
Phoenix, AZ 85041
41. Body Hansboro, III  
1421 Southwest Bldg.  
Amarillo, TX 76013
42. Robert Boyd Entrop  
P.O. Box 1876  
Roswell, NM 88201
43. Susan Louise Entrop  
P.O. Box 1876  
Roswell, NM 88202
44. MAP2004-OK, an Oklahoma  
General Partnership c/o Mineral  
Acquisition Partners  
101 N. Robinson Ave.  
Ste. 1000  
Oklahoma City, OK 73102
45. Cobra Petroleum Company  
P.O. Box 136355  
Ft. Worth, TX 76136
46. Southwest Petroleum Company  
P.O. Box 702377  
Dallas, TX 75370-2377
47. Awareness For You Ministry  
HC 63, Box 18  
Eufaula, OK 74432
48. Lake Eufaula Christian Church  
P.O. Box 186  
Eufaula, OK 74432
49. Chester H. Best and  
Melva J. Best, H&W  
P.O. Box 1056  
Eufaula, OK 74432
50. Lillian S. Hale  
517 Border Street  
Eufaula, OK 74432
51. Glen Robert Neal  
and Kathy Neal, H&W  
HC 63 Box 15-A  
Eufaula, OK 74432
52. Gary D. Rhodes and  
Patricia S. Rhodes, H&W  
P.O. Box 451  
Eufaula, OK 74432
53. Ruth Huffman  
5808 S. Deleware  
Tulsa, OK 74105
54. Kay Waltman  
51 S. Stonegate Rd.  
Lakeforest, IL 60045
55. Nathaniel E. Hampton and  
Patricia L. Hampton, JT's  
HC 63, Box 53  
Eufaula, OK 74432
56. Ross Neal and Wanda Neal,  
H&W  
502 Selmon Rd.  
Eufaula, OK 74432
57. Annette K. Hollingsworth  
4970 Rene  
Shawnee, KS 66216
58. Karen W. Ford  
127 Roselawn  
Holton, KS 66436

59. John A. Warner  
8523 Thackery St.  
Apt. 8210  
Dallas, TX 75225
60. Richard Kline  
2809 W. 127th Street  
Leawood, KS 66209
61. Mary Warner Kline  
3138 Westover Road  
Topeka, KS 66604
62. Gail O. Warner Living Trust  
c/o John Erickson Warner  
1612 Prairie Cove  
Houston, TX 77077
63. Sue Elyse Beck  
5124 Greystone Lane  
Houston, TX 77069
64. Agnes Katherine Owens  
2210 Canterbury Dr.  
Mansfield, TX 76063
65. Larissa LaPach  
and Cliff LaPach, H&W  
HWJT's as Co-Personal  
HC 63, Box 17  
Eufaula, OK 74432
66. Larissa LaPach, a/k/a  
Laress LaPach and Cliff LaPach,  
Co-Personal Representatives of the  
Estate of Lester G. McClure  
HC 63, Box 17  
Eufaula, OK 74432
67. William J. Smith, II  
1401 Big Ridge Road  
Healdsburg, CA 95448
68. Serena Neel Sutton  
3203 W. 83rd Terr.  
Leawood, KS 66206
69. Cliff C. Jones, Jr.  
8101 Mission Rd., Apt. 136  
Shawnee Mission, KS 66208
70. Marjory Smith Faeth Brier  
10012 Vanderbilt Circle #10  
Rockville, MD 20850
71. William Faeth  
4908 Brookside Blvd.  
Kansas City, MO 64112
72. Chris Smith  
6119 Walker's Park North  
Sugarland, TX 77479
73. Van Patten Smith  
3216 NE 62nd St.  
Portland, OR 97213
74. Doug Smith  
4242 Bordeaux Ave.  
Dallas, TX 75205
75. Phyllis Sebree Murry  
c/o Sharon Murray Mueller  
805 W. 60th Terr.  
Kansas City, MO 64113
76. Alice Sebree Crooks, a/k/a  
Alice Sebree Platt  
6435 Sagamore Road  
Mission Hills, KS 66208
77. Frank Payne Sebree  
5011 Summitt  
Kansas City, MO 64112
78. James A. Neel, Attorney-in-Fact  
for Mary Neel  
32 Van Wyck St.  
Croton on Hudson, NY 10520
79. Amy Neel  
26483 Dutcher Creek Rd.  
Cloverdale, CA 95425
80. James A. Neel  
32 Van Wyck St.  
Croton on Hudson, NY 10520
81. Wendy Neel Ellsworth  
26483 Dutcher Creek Rd.  
Cloverdale, CA 95425
82. Sophie Neel Kountz  
P.O. Box 650096  
Potomac Falls, VA 20165
83. Mary Neel Gilbert  
P.O. Box 263  
New Vinyard, MN 04956
84. Odie Newman  
and Tina Marie Jacobs, JT's  
HC 63, Box 17J  
Eufaula, OK 74432
85. Glenn E. Pittman and  
Eva M. Pittman, H&W  
400 N. "E" Street  
Eufaula, OK 74432
86. Pat Satterfield and  
Sherrye Satterfield, H&W  
HC 63, Box 16  
Eufaula, OK 74432
87. Mark H. Beaver and  
Tonya Beaver, H&W  
HC 63, Box 16-A  
Eufaula, OK 74432
- Address Unknown  
Respondents**
88. Louis Beaver  
Address Unknown

- |   |   |
|---|---|
| <p>89. Byah Beaver<br/>Address Unknown</p> <p>90. M.M. Pfeifer (R.W. Pfeifer,<br/>husband) formerly M.M. Tilly<br/>Address Unknown</p> <p>91. Romona Nester<br/>Address Unknown</p> <p>92. Nancy Brataas<br/>Address Unknown</p> <p>93. Donna Bryan<br/>Address Unknown</p> <p>94. Unknown heirs and devisees of<br/>Willie Holland, deceased</p> <p>95. Unknown heirs and devisees of<br/>Elizabeth M. Bachman, deceased</p> <p>96. Unknown heirs and devisees of<br/>Frances Bachman Smith,<br/>deceased</p> <p>97. Unknown heirs and devisees of<br/>Beatrice Bachman Davis</p> <p>98. Unknown heirs and devisees of<br/>Alice Smith Myers, deceased</p> <p>99. Unknown heirs and devisees of<br/>Edward Smith, deceased</p> | <p>108. Unknown heirs and devisees of<br/>Marion Smith, deceased</p> <p>109. Unknown heirs and devisees of<br/>Sam E. Neal, deceased</p> <p>110. Unknown heirs and devisees of<br/>Harry McWilliams Smith,<br/>deceased</p> <p>111. Unknown heirs and devisees of<br/>Marjory Smith Faeth, deceased</p> |
|---|---|

**Curative Known  
Respondents**

100. Joan Osborn Childs  
43 Valley View Road  
Norwalk, CT 06851

**Curative Address  
Unknown Respondents**

101. Unkkown heirs and devisees of  
Ansel L. Corley, deceased
102. Unknown heirs and devisees of  
William R. Bonewits, deceased
103. Unknown heirs and devisees of  
Gaylord Warner, deceased
104. Unknown heirs and devisees of  
Lettie B. Warner, deceased
105. Unknown heirs and devisees of  
Richard Gaylord Warner,  
deceased
106. Unknown heirs and devisees of  
Richard G. Warner, Jr., deceased
107. Unknown heirs and devisees of  
Flora Lozier Warner, deceased