

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

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Susan K. Duffy

In the Matter of the Application of Oil) Docket No. 20-CONS-3074-CEXC
Producers, Inc. of Kansas for an exception)
to the 10-year time limitation of K.A.R.) CONSERVATION DIVISION
82-3-111 for its Covel Trust #2A well)
located in the NE/4 of Section 24, Township) License No. 8061
31 South, Range 32 West, Seward County,)
Kansas.)

ORDER GRANTING APPLICATION

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

I. JURISDICTION

1. The Commission has the exclusive jurisdiction and authority to regulate oil and gas activities in Kansas.¹
2. A well shall not be eligible for TA status if the well has been shut in for 10 years or more without an application for an exception pursuant to K.A.R. 82-3-100 and approval by the Commission.²
3. An exception to the requirements of any regulation in this article may be granted by the Commission, after considering whether the exception will prevent waste, protect correlative rights, and prevent pollution. Each party requesting an exception shall file an application with the conservation division.³

¹ K.S.A. 74-623.

² K.A.R. 82-3-111(b).

³ K.A.R. 82-3-100(b).

II. FINDINGS OF FACT

4. Oil Producers, Inc. of Kansas (Operator) conducts oil and gas activities in Kansas under active license number 8061.
5. On August 29, 2019, Operator filed an application requesting an exception to the 10-year limit on TA status for the Covel Trust #2A well, API #15-175-22144.
6. On November 1, 2019, Operator filed an amended application.
7. Operator has verified that notice was properly served and published, as required under K.A.R. 82-3-135a, at least 15 days before the issuance of this Order.⁴
8. No protest was filed under K.A.R. 82-3-135b.
9. On October 25, 2019, Operator successfully tested the subject well for mechanical integrity.⁵
10. The Commission finds the amended application and the mechanical integrity test sufficient to support the administrative grant of the application.

III. CONCLUSIONS OF LAW

11. The Commission concludes that it has jurisdiction over Operator and this matter.⁶
12. The Commission concludes that Operator's amended application was filed in accordance with the rules and regulations of the Commission and in accordance with Kansas statutes.
13. The Commission concludes that notice was properly served and published.

⁴ The Commission notes that Operator's published notice correctly names the subject well in its title, but identifies the well as the Keller B #1 SWD in the body of the publication. Given the initial, correct name of the subject well, and the correct location as identified in the body of the publication, the Commission finds the publication gave sufficient notice to potentially interested parties that Operator's application was on file with the Commission.

⁵ See Amended Application at ¶ 7.

⁶ K.S.A. 74-623(a).

14. Based on the above facts, the Commission concludes that the amended application should be granted to prevent waste and protect correlative rights, because Operator has demonstrated a potential future use for the well, and there is not a present threat to fresh and usable water.

THEREFORE, THE COMMISSION ORDERS:


A. Operator's amended application for an exception to the 10-year limit on TA status for the subject well is granted for three years, calculated from the date the application was filed. Operator must file an annual TA form for the subject well. The first TA form shall be filed within 30 days.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁷

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner

Date: 11/14/2019



Lynn M. Retz
Executive Director

Date Mailed: 11/14/2019

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⁷ K.S.A. 55-162; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

20-CONS-3074-CEXC

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 11/14/2019.

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/S/ DeeAnn Shupe

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