

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

Before Commissioners:                    Andrew J. French, Chairperson  
   Dwight D. Keen  
   Annie Kuether

In the matter of the failure of ATP Oilfield ) Docket No.: 25-CONS-3038-CPEN  
Services LLC (Contractor) to comply with )  
K.A.R. 82-3-120 by plugging a well without a ) CONSERVATION DIVISION  
current license. )  
\_\_\_\_\_ ) License No.: N/A

**PENALTY ORDER**

The Commission finds Contractor violated K.A.R. 82-3-120 by plugging a well without a current license, assesses a \$10,000 penalty, and further rules as described below.

**I. JURISDICTION**

1. K.S.A. 74-623 provides the Commission exclusive jurisdiction and authority to regulate oil and gas activities in Kansas. K.S.A. 55-152 provides the Commission with jurisdiction to regulate the construction, operation, and abandonment of any well, and also the protection of the usable water of this state from any actual or potential pollution from any well. The Commission has licensing authority under K.S.A. 55-155.

2. K.S.A. 55-162(a) provides the Commission authority to issue penalty orders for violations of Chapter 55 of the Kansas Statutes Annotated, or of any rule, regulation, or order of the Commission.

3. Under K.S.A. 55-164, a penalty order may include a monetary penalty of up to \$10,000, the penalty must constitute a substantial and actual economic deterrent to the violation, and each day of a continuing violation constitutes a separate violation.

4. K.A.R. 82-3-120 provides that no operator or contractor shall conduct any drilling activities without first obtaining or renewing a current license.

## II. FINDINGS OF FACT

5. On November 8, 2023, Contractor plugged the Clark #21-4 stratigraphic test well (Subject Well), API #15-127-20604, for High Plains Resources LLC (Operator).

6. On or around June 26, 2024, Commission Staff received a Well Plugging Application (CP-1) form and a Well Plugging Record (CP-4) form from Operator to record the plugging of the Subject Well.<sup>1</sup> The forms indicated that Contractor plugged the Subject Well even though it did not have a license from the Kansas Corporation Commission (KCC).

7. Commission records indicate Contractor has never had a KCC license.

## III. CONCLUSIONS OF LAW

8. The Commission has jurisdiction over Contractor and this matter under K.S.A. 74-623, K.S.A. 55-152, K.S.A. 55-155, K.S.A. 55-162, and K.S.A. 55-164.

9. Contractor has violated K.A.R. 82-3-120 by conducting plugging operations without a current license in violation of K.A.R. 82-3-120.

### **THEREFORE, THE COMMISSION ORDERS:**

A. Contractor shall pay a \$10,000 penalty.

B. Contractor may request a hearing on the above issues by submitting a written request, pursuant to K.S.A. 55-164, K.S.A. 77-537, and K.S.A. 77-542, to the Commission at 266 N. Main St., Suite 220, Wichita, Kansas 67202, within 30 days from the date of service of this Order. A request for hearing must comply with K.A.R. 82-1-219.

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<sup>1</sup> Exhibit A.

C. Failure to timely request a hearing will result in a waiver of Contractor's right to a hearing. If no party timely requests a hearing, then this Order shall become final. If Contractor is not in compliance with this Order and the Order is final, then Contractor's license shall be suspended without further notice and shall remain suspended until Contractor complies. The notice and opportunity for a hearing on this Order shall constitute the notice required by K.S.A. 77-512 regarding license suspension. A party may petition for reconsideration of a final order pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).

D. Credit card payments may be made by calling the Conservation Division at 316-337-6200. Checks and money orders shall be payable to the Kansas Corporation Commission. Payments shall be mailed to the Kansas Corporation Commission at 266 N. Main St., Suite 220, Wichita, Kansas 67202. Payments must reference the docket number of this proceeding.

**BY THE COMMISSION, IT IS SO ORDERED.**

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 08/01/2024



\_\_\_\_\_  
Lynn M. Retz  
Executive Director

Mailed Date: 08/01/2024

KAM

KANSAS CORPORATION COMMISSION  
OIL & GAS CONSERVATION DIVISION

Form CP-1  
July 2014

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

WELL PLUGGING APPLICATION

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

OPERATOR: License #: 35965  
Name: HIGH PLAINS RESOURCES LLC  
Address 1: 801 E DOUGLAS AVE  
Address 2: 2ND FLOOR PMB 2688  
City: WICHITA State: KA Zip: 67202 + 5428  
Contact Person: JASON RAYBURN  
Phone: (303) 565-4699

API No. 15 - 15\*-127-20604-00-00  
If pre 1967, supply original completion date: \_\_\_\_\_  
Spot Description: \_\_\_\_\_  
\_\_\_\_\_-\_\_\_\_-NW-NE Sec. 4 Twp. 14 S. R. 8  East  West  
660 Feet from  North /  South Line of Section  
1,980 Feet from  East /  West Line of Section  
Footages Calculated from Nearest Outside Section Corner:  
 NE  NW  SE  SW  
County: MORRIS  
Lease Name: CLARK Well #: 21-4

Check One:  Oil Well  Gas Well  OG  D&A  Cathodic  Water Supply Well  Other: ST  
 SWD Permit #: \_\_\_\_\_  ENHR Permit #: \_\_\_\_\_  Gas Storage Permit #: \_\_\_\_\_

Conductor Casing Size: 16 Set at: \_\_\_\_\_ Cemented with: \_\_\_\_\_ Sacks  
Surface Casing Size: \_\_\_\_\_ Set at: \_\_\_\_\_ Cemented with: \_\_\_\_\_ Sacks  
Production Casing Size: \_\_\_\_\_ Set at: \_\_\_\_\_ Cemented with: \_\_\_\_\_ Sacks

List (ALL) Perforations and Bridge Plug Sets:

Elevation: 1535 ( G.L. /  K.B.) T.D.: \_\_\_\_\_ PBTD: \_\_\_\_\_ Anhydrite Depth: \_\_\_\_\_  
(Stone Corral Formation)

Condition of Well:  Good  Poor  Junk in Hole  Casing Leak at: \_\_\_\_\_  
(Interval)

Proposed Method of Plugging (attach a separate page if additional space is needed):

The Clark 21-4 well had surface conductor installed, but was not drilled. The surface conductor was cut 5' below surface grade and filled with cement from the base (60' below grade) to surface. A cap was installed at the top of the conductor

Is Well Log attached to this application?  Yes  No Is ACO-1 filed?  Yes  No

If ACO-1 not filed, explain why:

Plugging of this Well will be done in accordance with K.S.A. 55-101 et. seq. and the Rules and Regulations of the State Corporation Commission

Company Representative authorized to supervise plugging operations: Wesley Sellner

Address: 801 E. Douglas Ave, 2nd Floor PMB 2688 City: Wichita State: KS Zip: 67202 + \_\_\_\_\_

Phone: (785) 292-0207

Plugging Contractor License #: \_\_\_\_\_ Name: ATP Oilfield Services LLC

Address 1: 1001 West Main St Address 2: \_\_\_\_\_

City: Lyons State: KS Zip: 67554 + \_\_\_\_\_

Phone: (303) 857-2272

Proposed Date of Plugging (if known): 11/8/2023

Payment of the Plugging Fee (K.A.R. 82-3-118) will be guaranteed by Operator or Agent

Date: 6/26/2024 Authorized Operator / Agent: \_\_\_\_\_  
 (Signature)

KANSAS CORPORATION COMMISSION  
OIL & GAS CONSERVATION DIVISION

Form KSONA-1  
July 2021

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

**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 # 35965  
Name: HIGH PLAINS RESOURCES LLC  
Address 1: 801 E DOUGLAS AVE  
Address 2: 2ND FLOOR PMB 2688  
City: WICHITA State: KS Zip: 67202 + \_\_\_\_\_  
Contact Person: JASON RAYBURN  
Phone: ( 303 ) 565-4699 Fax: ( \_\_\_\_\_ ) \_\_\_\_\_  
Email Address: JASON@HIGHPLAINSRESOURCES.COM

Well Location:  
\_\_\_\_ - \_\_\_\_ - NW - NE Sec. 4 Twp. 14 S. R. 8  East  West  
County: MORRIS  
Lease Name: CLARK Well #: 21-4

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

**Surface Owner Information:**

Name: WILLIAM AND SONYA CLARK  
Address 1: 130 S 1000 ROAD  
Address 2: \_\_\_\_\_  
City: ALTA VISTA State: KS Zip: 66834 + \_\_\_\_\_

*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 (see Chapter 55 of the Kansas Statutes Annotated), 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: 6/26/2024 Signature of Operator or Agent: \_\_\_\_\_ Title: LAND MANAGER

Notice: Fill out COMPLETELY and return to Conservation Division at the address below within 60 days from plugging date.

KANSAS CORPORATION COMMISSION  
OIL & GAS CONSERVATION DIVISION  
**WELL PLUGGING RECORD**  
K.A.R. 82-3-117

Form CP-4  
July 2014  
Type or Print on this Form  
Form must be Signed  
All blanks must be Filled

OPERATOR: License #: 35965  
Name: HIGH PLAINS RESOURCES LLC  
Address 1: 801 E DOUGLAS AVE  
Address 2: 2ND FLOOR PMB 2688  
City: WICHITA State: KS Zip: 67202 + \_\_\_\_\_  
Contact Person: JASON RAYBURN  
Phone: (303) 565-4699  
Type of Well: (Check one)  Oil Well  Gas Well  OG  D&A  Cathodic  
 Water Supply Well  Other: STRATIGRAPHIC TEST  SWD Permit #: \_\_\_\_\_  
 ENHR Permit #: \_\_\_\_\_  Gas Storage Permit #: \_\_\_\_\_  
Is ACO-1 filed?  Yes  No If not, is well log attached?  Yes  No  
Producing Formation(s): List All (if needed attach another sheet)  
NONE Depth to Top: \_\_\_\_\_ Bottom: \_\_\_\_\_ T.D. \_\_\_\_\_  
\_\_\_\_\_ Depth to Top: \_\_\_\_\_ Bottom: \_\_\_\_\_ T.D. \_\_\_\_\_  
\_\_\_\_\_ Depth to Top: \_\_\_\_\_ Bottom: \_\_\_\_\_ T.D. \_\_\_\_\_

API No. 15 - 15-127-20604-00-00  
Spot Description: \_\_\_\_\_  
\_\_\_\_\_-\_\_\_\_-NW NE Sec. 4 Twp. 14 S. R. 8  East  West  
690 Feet from  North /  South Line of Section  
1,980 Feet from  East /  West Line of Section  
Footages Calculated from Nearest Outside Section Corner:  
 NE  NW  SE  SW  
County: MORRIS  
Lease Name: CLARK Well #: 21-4  
Date Well Completed: \_\_\_\_\_  
The plugging proposal was approved on: \_\_\_\_\_ (Date)  
by: \_\_\_\_\_ (KCC District Agent's Name)  
Plugging Commenced: 11/8/2023  
Plugging Completed: 11/8/2023

Show depth and thickness of all water, oil and gas formations.

Oil, Gas or Water Records		Casing Record (Surface, Conductor & Production)			
Formation	Content	Casing	Size	Setting Depth	Pulled Out
		CONDUCTOR	16	60	

Describe in detail the manner in which the well is plugged, indicating where the mud fluid was placed and the method or methods used in introducing it into the hole. If cement or other plugs were used, state the character of same depth placed from (bottom), to (top) for each plug set.

THE CLARK 21-4 WELL HAD SURFACE CONDUCTOR INSTALLED BUT WAS NOT DRILLED. THE SURFACE CONDUCTOR WAS CUT 5' BELOW SURFACE GRADE AND FILLED WITH CEMENT FROM THE BASE (60' BELOW GRADE) TO SURFACE. A CAP WAS INSTALLED AT THE TOP OF THE CONDUCTOR.

Plugging Contractor License #: \_\_\_\_\_ Name: ATP OIL FIELD SERVICES  
Address 1: 1001 WEST MAIN AVE Address 2: \_\_\_\_\_  
City: LYONS State: KS Zip: 67554 + \_\_\_\_\_  
Phone: (303) 587-2272  
Name of Party Responsible for Plugging Fees: HIGH PLAINS RESOURCES  
State of COLORADO County, DENVER, ss.  
JASON RAYBURN  Employee of Operator or  Operator on above-described well,  
(Print Name)

being first duly sworn on oath, says: That I have knowledge of the facts statements, and matters herein contained, and the log of the above-described well is as filed, and the same are true and correct, so help me God.

Signature: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

25-CONS-3038-CPEN

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 08/01/2024.

KELCEY MARSH, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
CENTRAL OFFICE  
266 N. MAIN ST, STE 220  
WICHITA, KS 67202-1513  
kelcey.marsh@ks.gov

CELENA PETERSON, PRODUCTION DEPARTMENT  
KANSAS CORPORATION COMMISSION  
266 N. Main St., Ste. 220  
WICHITA, KS 67202-1513  
celena.peterson@ks.gov

TONYA PLATT  
ATP OILFIELD SERVICES LLC  
1247 FACTORY DR  
FORT LUPTON, CO 80621-2810

ATTN: REGISTERED AGENT  
ATP OILFIELD SERVICES LLC  
1001 W MAIN  
LYONS, KS 67554-2425

/S/ KCC Docket Room  
KCC Docket Room