

Conservation Division  
266 N. Main St., Ste. 220  
Wichita, KS 67202-1513



2017-11-28 15:20:54  
Kansas Corporation Commission  
/s/ Lynn M. Retz

Phone: 316-337-6200  
Fax: 316-337-6211  
<http://kcc.ks.gov/>

Pat Apple, Chairman  
Shari Feist Albrecht, Commissioner  
Jay Scott Emler, Commissioner

Sam Brownback, Governor

**NOTICE OF PENALTY ASSESSMENT**  
**18-CONS-3236-CPEN**

November 28, 2017

Mike Davignon  
Blake Exploration, LLC  
PO Box 150  
Bogue, KS 67625

This is a notice of a penalty assessment for violation(s) of Kansas Oil and Gas Conservation Statutes, Rules, and Regulations. For a full description of the penalty and process please refer to the Penalty Order that is attached to this notice.

**IF YOU ACCEPT THE PENALTY:**

You have been assessed a \$500 penalty. You have 30 days from the service date of this Penalty Order to pay the fine amount. Check or money order must be made payable to the Kansas Corporation Commission and mailed to the Conservation Division of the Kansas Corporation Commission at 266 N. Main St., Suite 220, Wichita, Kansas 67202. The payment must include a reference to the docket number of this proceeding. Payment by credit card may be made by calling the Conservation Division at 316-337-6200.

**IF YOU CONTEST THE PENALTY:**

You have the right to request a hearing. A written request for hearing must be made within 30 days after service of the Penalty Order setting forth the specific grounds upon which relief is sought. Respondent must submit the request to the Commission, at 266 N. Main St., Suite 220, Wichita, Kansas 67202. The Commission shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act within 30 days after receipt of such request. K.S.A. 55-164; K.S.A. 77-542; K.A.R. 82-1-215.

**IF YOU FAIL TO ACT:**

Failure to pay the fine amount, or in the alternative, provide a written request for a hearing, within thirty (30) days of service of the Penalty Order, will result in the attached Penalty Order becoming a Final Order and may result in additional sanctions, including additional monetary penalties, the suspension of your oil and gas operating license, and the shutting-in of all operations until compliance is obtained. K.S.A. 55-164; K.S.A. 77-537.

Respectfully,

Jonathan R. Myers  
Litigation Counsel  
316-337-6200

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

Before Commissioners:                      Pat Apple, Chairman  
   Shari Feist Albrecht  
   Jay Scott Emler

In the matter of the failure of Blake	)	Docket No.: 18-CONS-3236-CPEN
Exploration, LLC ("Operator") to comply	)	
with K.A.R. 82-3-107 and K.A.R. 82-3-130 at	)	CONSERVATION DIVISION
the WU #1 in Logan County, Kansas.	)	
_____	)	License No.: 33306

**PENALTY ORDER**

The above captioned matter comes before the State Corporation Commission of the State of Kansas. Having examined the files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

**I. JURISDICTION**

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

2.        K.S.A. 55-162 and K.S.A. 55-164 provide the Commission with authority to issue a Penalty Order regarding a violation of Chapter 55 of the Kansas Statutes Annotated, or of any rule, regulation, or order of the Commission. A Penalty Order may include a monetary penalty of up to \$10,000, and each day of a continuing violation constitutes a separate violation.

3.        K.A.R. 82-3-107 and K.A.R. 82-3-130 require that an operator submit a well completion report and all associated documentation. The forms and documents are required to be

submitted within 120 days of the spud date of each well, and the failure to submit the forms and documents is punishable by a \$500 penalty.

## **II. FINDINGS OF FACT**

4. Operator conducts oil and gas activities in Kansas under license number 33306.
5. Operator is responsible for the care and control of the WU #1 (“the subject well”), API #15-109-21500-00-00, located in Section 7, Township 13 South, Range 33 West, Logan County, Kansas.
6. Operator submitted a Notice of Intent to Drill (“C-1”) for the subject well and reported to District Staff that the well had been spudded.
7. Operator did not submit a well completion report and associated documents within 120 days of the reported spud date.
8. Production Staff sent a Notice of Violation letter to Operator, requiring Operator to bring the subject well into compliance with K.A.R. 82-3-107 and K.A.R. 82-3-130 by a deadline.
9. Production Staff did not receive a complete, accurate well completion report, with the associated documents, by the deadline in the letter.
10. Production Staff collected evidence and submitted it to the Legal Department with a recommendation that the Commission issue this Order. The recommendation sheet submitted by Production Staff is attached to this Order as Exhibit A, incorporated into this Order, and shall serve as the concise and explicit statement of facts required by K.S.A. 77-526.

## **III. CONCLUSIONS OF LAW**

11. The Commission concludes that it has jurisdiction over the Operator and this matter under K.S.A. 55-152 and K.S.A. 74-623.

12. The above findings of fact are sufficient evidence to support the conclusion that Operator committed one violation of K.A.R. 82-3-107 and K.A.R. 82-3-130 because Operator did not submit a complete, accurate well completion report, with the associated documents, within 120 days of the spud date.

**THEREFORE, THE COMMISSION ORDERS:**

- A. Operator shall pay a \$500 penalty.
- B. Operator shall submit a complete, accurate well completion report and associated documents.
- C. If no party requests a hearing, and Operator is not in compliance with this Order within 30 days, then Operator's license shall be suspended without further notice. The notice and opportunity for a hearing on this order shall constitute the notice required by K.S.A. 77-512 regarding license suspension. The Commission may impose further sanctions, including additional monetary penalties and any other remedies available to the Commission by law, without further notice.
- D. Checks and money orders shall be payable to the Kansas Corporation Commission. For credit card payments, include the type of card (Visa, MasterCard, Discover, or American Express), account number, and expiration date. Payments shall be mailed to the Kansas Corporation Commission at 266 N. Main St., Suite 220, Wichita, Kansas 67202. The payment must include a reference to the docket number of this proceeding.
- E. Any party 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, setting forth the specific grounds upon which relief is sought, to the Commission at 266 N. Main St., Suite 220, Wichita, Kansas 67202, within 30 days from the date of service of this Order. Hearings will be scheduled

only upon written request. Failure to timely request a hearing will result in a waiver of Operator's right to a hearing.

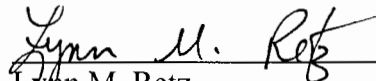
F. If a party requests a hearing, a corporation or similar entity shall not be permitted to enter an appearance except by its attorney. Attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record.

G. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

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

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: NOV 28 2017

  
Lynn M. Retz  
Secretary to the Commission


Mailed Date: November 28, 2017

JRM

## **PENALTY ORDER RECOMMENDATION**

**\*\*\*ROUTINE WELL COMPLETION REPORT VIOLATION\*\*\***

*Note: this sheet will be attached to the Order that is mailed to the operator.*

<b>Date of Recommendation:</b>	November 21, 2017
<b>District/Department:</b>	Production Department
<b>Person Recommending Penalty:</b>	Karen Ritter
<b>Operator Name:</b>	Blake Exploration, LLC
<b>Operator License Number:</b>	33306
<b>Well/Lease Name &amp; Well Number:</b>	WU 1
<b>Well/Lease Location, and County:</b>	SWNENENW, 7-13S-33W, LOGAN County.
<b>Well API Number:</b>	15-109-21500-00-00
<b>UIC Docket Number:</b>	N/A
<b>Regulation Number:</b>	82-3-107 and 82-3-130
<b>Description of Violation:</b>	Failure to submit ACO-1 and associated documents.
<b>Spud Date:</b>	6/5/2017
<b>Date NOV letter sent and deadline.</b>	11/2/17 with a deadline of 11/16/17.
<b>Requested Monetary Penalty:</b>	\$500
<b>Requested Operator Activity:</b>	File well completion report and associated documents.
<b>Supervisor Initials</b>	

**CERTIFICATE OF SERVICE**

I certify that on 11/28/17, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Mike Davignon  
Blake Exploration, LLC  
PO Box 150  
Bogue, KS 67625

and delivered by e-mail to:

Rene Stucky  
KCC Central Office

/s/ Paula J. Murray  
Paula J. Murray  
Legal Assistant  
Kansas Corporation Commission