

RECEIVED
KANSAS CORPORATION COMMISSION

JUL 11 2016

EDWARD E BIRK

LEGAL SECTION

302 SOUTH 16TH ST, BURLINGTON, KS 66839
620-364-1311

07/07/2016

Kansas Corporation Commission

RE: REQUEST FOR HEARING #16-CONS-4056-CPEN

This request for hearing is being made in regards to the Notice of Penalty Assessment #16-CONS-4056-CPEN. The Penalty Order covers the Annual Injection Report for the Jones #3, API #15031219210000, located in Sec. 6-19S-15E, Coffey County and the Stroud A #2-D, API #15031216960000, located in Sec. 27-22S-16E, Coffey County, Ks. The Jones #3 well maximum injection pressure was reported at 300 psi and maximum allowed is 175 psi. The Stroud A #2-D well maximum injection pressure was reported at 300 psi and maximum allowed is 175 psi. We have discovered a clerical error that occurred resulting in an incorrect report of the injection pressure for both wells. Correction to the reports has been submitted and approved and copies are enclosed for your review. In addition, a report for the Stroud A #2-D well was mistakenly submitted twice and a Penalty Order was issued as well for the duplicate report, so there is a duplicate penalty for the same well. We are requesting an abatement of the Penalty Assessment due to the clerical errors that occurred and that have been corrected and submitted, and the duplicate penalty for the Stroud A #2D well. Please note that the KOLAR reporting system does not offer an option to delete a duplicate report. As this is the first year for the U3C to be required to be filed through the KOLAR system there have been some issues with the system. All efforts are made to submit accurate reports, however, mistakes can be and are made occasionally. As a producer in Eastern Kansas, I operate numerous injection wells and have always strived to comply with Commission regulations. The opportunity to correct an inaccurate report prior to Penalty Notice would be greatly appreciated and a Penalty at this time would cause an undue hardship in this time of low oil prices. Notice of an Unauthorized Injection was not provided prior to the Notice of Penalty Assessment. Such a notice would allow producers to correct clerical errors such as the one that occurred in this instance before incurring expenditures involving legal fees/proceedings that cost both the state and the producer.

Sincerely,

Edward E Birk

Edward E Birk

**ANNUAL REPORT OF PRESSURE MONITORING,
FLUID INJECTION AND ENHANCED RECOVERY**

Complete all blanks - add pages if needed. Copy to be retained for five (5) years after filing date.

OPERATOR: License # 8210
 Name: Birk, Edward E.
 Address 1: 302 S 16TH ST
 Address 2: _____
 City: BURLINGTON State: KS Zip: 66839 + 2329
 Contact Person: Edward Birk
 Phone: (620) 364-1311
 Lease Name: JONES
 Well Number: 3

API No.: 15-031-21921-00-00
 Permit No: E28084.1
 Reporting Year: 2015
 (January 1 to December 31)
 _____ NE _____ NE _____ NW Sec. 6 Twp. 19 S. R. 15 ☒ E ☐ W
 (Q/Q/Q/Q) 4812 feet from ☐ N / ☒ S Line of Section
2970 feet from ☒ E / ☐ W Line of Section
 County: Coffey

I. Injection Fluid:

Type (Pick one): ☐ Fresh Water ☐ Treated Brine ☐ Untreated Brine ☒ Water/Brine
 Source: ☒ Produced Water ☐ Other (Attach list)
 Quality: Total Dissolved Solids: _____ mg/l Specific Gravity: _____ Additives: _____
 (Attach water analysis, if available)

II. Well Data:

Maximum Authorized Injection Pressure: 150 psi Injection Zone: Kansas City
 Maximum Authorized Injection Rate: 40 barrels per day
 Total Number of Enhanced Recovery Injection Wells Covered by this Permit: 1 (Include TA's)

III.	Month:	Total Fluid Injected BBL	Maximum Fluid Pressure	Total Gas Injected MCF	Maximum Gas Pressure	# Days of Injection
	January	<u>465</u>	<u>150</u>	<u>0</u>		<u>31</u>
	February	<u>450</u>	<u>150</u>	<u>0</u>		<u>28</u>
	March	<u>465</u>	<u>150</u>	<u>0</u>		<u>31</u>
	April	<u>450</u>	<u>150</u>	<u>0</u>		<u>30</u>
	May	<u>465</u>	<u>150</u>	<u>0</u>		<u>31</u>
	June	<u>450</u>	<u>150</u>	<u>0</u>		<u>30</u>
	July	<u>465</u>	<u>150</u>	<u>0</u>		<u>31</u>
	August	<u>465</u>	<u>150</u>	<u>0</u>		<u>31</u>
	September	<u>450</u>	<u>150</u>	<u>0</u>		<u>30</u>
	October	<u>465</u>	<u>150</u>	<u>0</u>		<u>31</u>
	November	<u>450</u>	<u>150</u>	<u>0</u>		<u>30</u>
	December	<u>465</u>	<u>150</u>	<u>0</u>		<u>31</u>
	TOTAL	<u>5505</u>		<u>0</u>		

Submitted Electronically

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FLUID INJECTION AND ENHANCED RECOVERY**

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OPERATOR: License # 8210
 Name: Birk, Edward E.
 Address 1: 302 S 16TH ST
 Address 2: _____
 City: BURLINGTON State: KS Zip: 66839 + 2329
 Contact Person: Edward Birk
 Phone: (620) 364-1311
 Lease Name: STROUD A
 Well Number: 2-D

API No.: 15-031-21696-00-00
 Permit No: D26135.0
 Reporting Year: 2015
 (January 1 to December 31)
 SW SE SW NW Sec. 27 Twp. 22 S. R. 16 ☒ E ☐ W
 (Q/Q/Q/Q)
2863 feet from ☐ N / ☒ S Line of Section
4586 feet from ☒ E / ☐ W Line of Section
 County: Coffey

I. Injection Fluid:

Type (Pick one): ☐ Fresh Water ☐ Treated Brine ☐ Untreated Brine ☒ Water/Brine
 Source: ☒ Produced Water ☐ Other (Attach list)
 Quality: Total Dissolved Solids: _____ mg/l Specific Gravity: _____ Additives: _____
 (Attach water analysis, if available)

II. Well Data:

Maximum Authorized Injection Pressure: 175 psi Injection Zone: KANSAS CITY
 Maximum Authorized Injection Rate: 200 barrels per day
 Total Number of Enhanced Recovery Injection Wells Covered by this Permit: 1 (Include TA's)

III.	Month:	Total Fluid Injected BBL	Maximum Fluid Pressure	Total Gas Injected MCF	Maximum Gas Pressure	# Days of Injection
	January	<u>90</u>	<u>150</u>	<u>0</u>		<u>31</u>
	February	<u>85</u>	<u>150</u>	<u>0</u>		<u>28</u>
	March	<u>95</u>	<u>150</u>	<u>0</u>		<u>31</u>
	April	<u>90</u>	<u>150</u>	<u>0</u>		<u>30</u>
	May	<u>95</u>	<u>150</u>	<u>0</u>		<u>31</u>
	June	<u>90</u>	<u>150</u>	<u>0</u>		<u>30</u>
	July	<u>95</u>	<u>150</u>	<u>0</u>		<u>31</u>
	August	<u>120</u>	<u>150</u>	<u>0</u>		<u>31</u>
	September	<u>90</u>	<u>150</u>	<u>0</u>		<u>30</u>
	October	<u>95</u>	<u>150</u>	<u>0</u>		<u>31</u>
	November	<u>90</u>	<u>150</u>	<u>0</u>		<u>30</u>
	December	<u>95</u>	<u>150</u>	<u>0</u>		<u>31</u>
	TOTAL	<u>1130</u>		<u>0</u>		

Submitted Electronically

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

1276523

Form U3C
June 2015

Form must be Typed
Form must be completed
on a per well basis

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FLUID INJECTION AND ENHANCED RECOVERY**

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Name: Birk, Edward E.
Address 1: 302 S 16TH ST
Address 2: _____
City: BURLINGTON State: KS Zip: 66839 + 2329
Contact Person: Edward Birk
Phone: (620) 364-1311
Lease Name: STROUD A
Well Number: 2-D

API No.: 15-031-21696-00-00
Permit No.: D26135.0
Reporting Year: 2015
(January 1 to December 31)
SW SE SW NW Sec. 27 Twp. 22 S. R. 16 ☒ E ☐ W
(a/a/a/a)
2863 feet from ☐ N / ☒ S Line of Section
4586 feet from ☒ E / ☐ W Line of Section
County: Coffey

I. Injection Fluid:

Type (Pick one): ☐ Fresh Water ☐ Treated Brine ☐ Untreated Brine ☒ Water/Brine
Source: ☒ Produced Water ☐ Other (Attach list)
Quality: Total Dissolved Solids: _____ mg/l Specific Gravity: _____ Additives: _____
(Attach water analysis, if available)

II. Well Data:

Maximum Authorized Injection Pressure: 175 psi Injection Zone: KANSAS CITY
Maximum Authorized Injection Rate: 200 barrels per day
Total Number of Enhanced Recovery Injection Wells Covered by this Permit: 1 (Include TA's)

III.	Month:	Total Fluid Injected BBL	Maximum Fluid Pressure	Total Gas Injected MCF	Maximum Gas Pressure	# Days of Injection
	January	<u>90</u>	<u>300</u>	<u>0</u>		<u>31</u>
	February	<u>85</u>	<u>300</u>	<u>0</u>		<u>28</u>
	March	<u>95</u>	<u>300</u>	<u>0</u>		<u>31</u>
	April	<u>90</u>	<u>300</u>	<u>0</u>		<u>30</u>
	May	<u>95</u>	<u>300</u>	<u>0</u>		<u>31</u>
	June	<u>90</u>	<u>300</u>	<u>0</u>		<u>30</u>
	July	<u>95</u>	<u>300</u>	<u>0</u>		<u>31</u>
	August	<u>120</u>	<u>300</u>	<u>0</u>		<u>31</u>
	September	<u>90</u>	<u>300</u>	<u>0</u>		<u>30</u>
	October	<u>95</u>	<u>300</u>	<u>0</u>		<u>31</u>
	November	<u>90</u>	<u>300</u>	<u>0</u>		<u>30</u>
	December	<u>95</u>	<u>300</u>	<u>0</u>		<u>31</u>
	TOTAL	<u>1130</u>		<u>0</u>		

Submitted Electronically

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Name: Birk, Edward E.
Address 1: 302 S 16TH ST
Address 2: _____
City: BURLINGTON State: KS Zip: 66839 + 2329
Contact Person: Edward Birk
Phone: (620) 364-1311
Lease Name: STROUD A
Well Number: 2-D

API No.: 15-031-21696-00-00
Permit No.: D26135.0
Reporting Year: 2015
(January 1 to December 31)
SW SE SW NW Sec. 27 Twp. 22 S. R. 16 ☒ E ☐ W
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II. Well Data:

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Maximum Authorized Injection Rate: 200 barrels per day
Total Number of Enhanced Recovery Injection Wells Covered by this Permit: 1 *(Include TA's)*

III.	Month:	Total Fluid Injected BBL	Maximum Fluid Pressure	Total Gas Injected MCF	Maximum Gas Pressure	# Days of Injection
	January	90	300	0		31
	February	85	300	0		28
	March	95	300	0		31
	April	90	300	0		30
	May	95	300	0		31
	June	90	300	0		30
	July	95	300	0		31
	August	120	300	0		31
	September	90	300	0		30
	October	95	300	0		31
	November	90	300	0		30
	December	95	300	0		31
	TOTAL	1130		0		

Submitted Electronically