

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

In the matter of the failure of Viva International, ) Docket No. 20-CONS-3182-CPEN  
Inc. (“Operator”) to comply with K.A.R. 82-3- )  
603 at the Wright Lease in Linn County, ) CONSERVATION DIVISION  
Kansas. )  
\_\_\_\_\_ ) License No. 5556

In the matter of the failure of Viva International, ) Docket No. 20-CONS-3255-CPEN  
Inc. (“Operator”) to comply with K.S.A. 55-164 )  
and K.A.R. 82-3-120 at the Campbell, Carlson, ) CONSERVATION DIVISION  
and Gillian Simpson Leases in Wilson and )  
Sedgwick County, Kansas. ) License No. 5556  
\_\_\_\_\_ )

**PRE-FILED DIRECT TESTIMONY**

**OF**

**DALLAS LOGAN**

**ON BEHALF OF COMMISSION STAFF**

**JULY 27, 2020**

1   **Q. What is your name and business address?**

2   A. Dallas Logan, 137 E. 21<sup>st</sup> Street, Chanute KS 66720

3   **Q. By whom are you employed and in what capacity?**

4   A. I am employed by the Conservation Division of the Kansas Corporation Commission (KCC  
5       or Commission), District #3 Office, as an Environmental Compliance and Regulatory  
6       Specialist (ECRS).

7   **Q. Would you please briefly describe your educational background and work experience?**

8   A. In 2002, I graduated from Southeast High School in Cherokee, Kansas. In 2004, I graduated  
9       from Allen County Community College with Associate Degree in Animal Science. Next, I  
10       attended West Texas A & M University for one year. Afterwards, I was employed by  
11       PostRock Operating Inc. from 2010 to 2016, and RiverRock Operating Inc. from 2016 to  
12       2018. During my employment with PostRock and RiverRock I monitored and maintained  
13       coalbed methane gas wells, gas transportation lines, saltwater disposal wells, and disposal  
14       lines. I also conducted Mechanical Integrity Tests (MITs) on disposal wells for initial disposal  
15       permits and five year tests. Since June 25, 2018, I have been employed by the Kansas  
16       Corporation Commission in the Conservation Division out of the District #3 Office in  
17       Chanute.

18   **Q. Have you previously testified before this Commission?**

19   A. No.

20   **Q. What duties does your position with the Conservation Division involve?**

21   A. As an ECRS, I am responsible for the witnessing and monitoring of oil and gas related  
22       activities in Neosho, Wilson, and the East Half of Montgomery County, Kansas. My job  
23       involves inspections, documentation, investigation, and consultation with lease operators,

landowners, and Commission Staff on compliance issues related to oil and gas production in Kansas. I witness and monitor the drilling and completion of oil, gas, injection, and disposal wells. I also investigate spills and complaints, inspect surface pits, witness MITs, and witness the plugging and completion of wells. In addition, I conduct GPS surveys on new and abandoned wells to verify the exact location and the status of wells. I work with District Staff and Central Office Staff when required to complete various projects and requests.

**Q. What is the purpose of your testimony in this matter?**

A. The purpose of my testimony is to discuss the evidence supporting the Commission's finding in regard to the violation issued against Viva International, Inc. (Operator) in Docket No. 20-CONS-3255-CPEN (the 20-3255 Docket). This docket was consolidated with Docket No. 20-CONS-3182-CPEN on June 4, 2020, but my testimony is limited to the penalties involving this docket, the 20-3255 Docket.

**Q. Are you familiar with the details of the 20-3255 Docket?**

A. Yes, Operator was penalized for failing to cease operations upon the June 19, 2019, suspension of their operator's license. Operator's license was suspended for violating the Commission's Penalty Order in Docket 19-CONS-3369-CPEN.

**Q. How did the violation and penalty at issue come to your attention?**

A. On December 19, 2019, I was traveling to Operator's Campbell Lease to witness two MITs that Operator had failed to conduct on injection wells and had been penalized for in Docket 19-CONS-3369-CPEN. The failure to conduct the MITs resulted in the suspension of Operator's license at that time.

While driving to the lease I saw that Operator had a well in production on the Campbell Lease, the Campbell #2. I visited with the pumper for Operator, Mr. Ikehorn, once I reached

1 the lease. He stated that he was performing electric work on the Campbell Lease. I reminded  
2 him that Operator's license was suspended, and that they could not be producing from any  
3 wells. At this time Mr. Ikehorn contacted the President of Operator, Mr. Bukaty, via cell  
4 phone. I had the opportunity to remind Mr. Bukaty that Operator's license was suspended and  
5 all of Operator's leases should be shut-in and no wells producing.

6 I was with Midwest Surveys who was the contract company hired to perform the two MITs  
7 when Mr. Ikehorn left the Campbell Lease. However, Mr. Ikehorn did not shut down the  
8 Campbell #2 before he left the lease. I also found the Carlson #99-4 well to be in production  
9 roughly three hours after our conversation ended and Mr. Ikehorn left the lease. I emailed the  
10 District #3 Compliance Officer, John Almond, shortly after my conversation with the pumper,  
11 Mr. Ikehorn, outlining what had been discussed. That email is attached, as *Exhibit DL-1*.

12 **Q. How far is the Carlson #99-4 located from the Campbell lease?**

13 A. The Carlson #99-4 is located approximately one mile north of the Campbell Lease where I  
14 visited with the pumper.

15 **Q. Was the pumper on the Carlson Lease when you observed the Carlson #99-4 producing?**

16 A. No, I did not see him at the Carlson Lease. As I previously stated, both the Campbell #2 and  
17 the Carlson #99-4 were producing about three hours after the pumper, Mr. Ikehorn, left the  
18 Campbell Lease. The pumper, Mr. Ikehorn, left the Campbell Lease directly after I had told  
19 him and Mr. Bukaty that Operator's license was suspended and that all the wells should have  
20 been shut in at the time of the suspension.

21 **Q. Please summarize your recommendations.**

22 A. The Penalty Order should be affirmed. The assessment of the \$50,000.00 penalty for operating  
23 on a suspended license is a reasonable economic deterrent and should be upheld. Operator's

1 license was suspended on June 19, 2019, for failure to comply with a Commission Order in  
2 Docket No. 19-CONS-3369-CPEN. The facts support the Commission's assessment of the  
3 \$50,000 penalty as Operator has had their license suspended fourteen times with over one  
4 hundred violations since 2008.

5 **Q. Does this conclude your testimony?**

6 A. Yes.

**From:** [John Almond](#)  
**To:** [Dallas Logan](#)  
**Subject:** RE: Viva International  
**Date:** Friday, December 20, 2019 7:12:00 AM

---

Dallas,  
Thank you, I will notify Wichita. We will most likely need the pictures. Thank you.

-----Original Message-----

From: Dallas Logan <d.logan@kcc.ks.gov>  
Sent: Thursday, December 19, 2019 10:10 AM  
To: John Almond <j.almond@kcc.ks.gov>  
Subject: Viva International

John I have pictures and GPS of a Viva International well that is producing. It also looks like they are working on the electric on this lease. I told the pumper the license is suspended and it is a fine if they are producing. He told me they have been selling oil and have leases pumping. I did not tell him I had pictures of one producing. Know you are busy but wanted advise on how to move toward.

Dallas

Sent from my iPhone

## **CERTIFICATE OF SERVICE**

20-CONS-3182-CPEN and 20-CONS-3255-CPEN

I, the undersigned, certify that a true copy of the attached Prefiled Testimony of Dallas Logan has been served to the following by means of electronic service on July 27, 2020.

JOHN ALMOND  
KANSAS CORPORATION COMMISSION  
DISTRICT OFFICE NO. 3  
137 E. 21ST STREET  
CHANUTE, KS 66720  
Fax: 785-271-3354  
j.almond@kcc.ks.gov

STEVEN D. GOUGH, COUNSEL  
WITHERS, GOUGH, PIKE & PETERSON, LLC  
O.W. GARVEY BUILDING  
200 W DOUGLAS, SUITE 1010  
WICHITA, KS 67202  
Fax: 316-303-1018  
sgough@withersgough.com

KELCEY MARSH, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
CENTRAL OFFICE  
266 N. MAIN ST, STE 220  
WICHITA, KS 67202-1513  
Fax: 785-271-3354  
k.marsh@kcc.ks.gov

RICHARD HESTERMANN  
KANSAS CORPORATION COMMISSION  
266 N. Main St., Ste. 220  
WICHITA, KS 67202-1513  
Fax: 785-271-3354  
r.hestermann@kcc.ks.gov

JONATHAN R. MYERS, ASSISTANT GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
266 N. Main St., Ste. 220  
WICHITA, KS 67202-1513  
Fax: 316-337-6211  
j.myers@kcc.ks.gov

DANIEL FOX, Compliance Officer, KCC District 2  
KANSAS CORPORATION COMMISSION  
DISTRICT OFFICE NO. 2  
3450 N. ROCK RD BLDG 600 STE 601  
WICHITA, KS 67226  
d.fox@kcc.ks.gov

/S/ Paula J. Murray  
\_\_\_\_\_  
Paula J. Murray