

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

Before Commissioners: Dwight D. Keen, Chair
 Susan K. Duffy
 Andrew J. French

In the matter of the failure of Patrick) Docket No.: 23-CONS-3030-CPEN
Development Corporation (Operator) to)
comply with K.A.R. 82-3-111 at the Bodley) CONSERVATION DIVISION
#Pringle 7 and Johnson #7 wells in Woodson)
County, Kansas.) License No.: 6279

PENALTY ORDER

The Commission finds Operator has violated K.A.R. 82-3-111 regarding the captioned wells, assesses a \$200 penalty, directs Operator to come into compliance, and further rules as more fully 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 and K.S.A. 55-164 provide 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. 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.

3. K.A.R. 82-3-111 provides that within 90 days after operations cease on any well, the operator of that well shall plug the well, return the well to service, or file an application with

the Conservation Division requesting temporary abandonment (TA) status. If not plugged or returned to service, the operator must obtain TA approval; TA status may be denied by the Conservation Division if necessary to prevent pollution. A well shut-in for 10 years or more cannot be granted TA status without the operator filing an application for an exception pursuant to K.A.R. 82-3-100 and approval from the Commission. K.A.R. 82-3-111(e) provides a TA exemption for certain wells fully equipped and capable of production.

II. FINDINGS OF FACT

4. Operator is licensed to conduct oil and gas activities in Kansas and is responsible for the following wells (Subject Wells) in Woodson County, Kansas:

- a. Bodley #Pringle 7, API #15-207-24627-00-00, located in Section 17, Township 26 South, Range 17 East; and
- b. Johnson #7, API #15-207-24473-00-00, located in Section 31, Township 26 South, Range 17 East.

5. On May 26, 2022, Commission records indicated the Subject Wells had been inactive and unplugged for longer than the 90 days allowed by K.A.R. 82-3-111, that the wells were not exempt pursuant to K.A.R. 82-3-111(e), and that the wells were not approved for TA status. Thus, Commission Staff sent letters to Operator, requiring Operator to bring the Subject Wells into compliance with K.A.R. 82-3-111 by June 25, 2022.¹

6. On July 28, 2022, Commission Staff inspected the Subject Wells, because the deadline in the letters had passed and the violations had not been resolved, verifying that the wells continued to be inactive and unplugged.²

¹ Exhibit A.

² Exhibit B.

III. CONCLUSIONS OF LAW

7. The Commission has jurisdiction over Operator and this matter under K.S.A. 74-623 and K.S.A. 55-152.

8. Operator has committed two violations of K.A.R. 82-3-111 because the Subject Wells have been inactive in excess of the time allowed by regulation without being plugged, returned to service, or approved for TA status.³

THEREFORE, THE COMMISSION ORDERS:

- A. Operator shall pay a \$200 penalty.
- B. Operator shall plug the Subject Wells, or return the wells to service, or obtain TA status for the wells if eligible.
- C. Commission Staff may require Staff-witnessed static fluid level measurements before a Subject Well is returned to service. A Subject Well may not be returned to service if (1) any measurement has shown fluid in the wellbore at or above the appropriate minimum surface casing requirement described in Table I of the Commission's August 1, 1991, Order in Docket 34,780, (2) any measurement has shown fluid in the wellbore at or above any salt formation or other corrosive formation, or (3) in the opinion of Staff, variation in measurements indicates the possibility of a casing leak. Provided, however, a Subject Well may be returned to service upon (a) passing a casing integrity test after issuance of this Penalty Order to the satisfaction of Staff, or (b) Staff providing written, well-specific authorization after issuance of this Penalty Order.
- D. Operator 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.

³ K.S.A. 55-164; K.A.R. 82-3-111(b).

E. Failure to timely request a hearing will result in a waiver of Operator's right to a hearing. If no party timely requests a hearing, then this Order shall become final.

F. If Operator is not in compliance with this Order and the Order is final, then Operator's license shall be suspended without further notice and shall remain suspended until Operator complies. If a Subject Well has been inactive for more than 10 years and Operator applies for an exception to the 10-year limit on TA status for the Subject Well prior to this Order becoming final, and Operator would be in compliance with this Order if the application were approved, then suspension shall not be enforced unless: (1) the application is denied, and (2) 30 days have elapsed since the denial. The notice and opportunity for a hearing on this Order shall constitute the notice required by K.S.A. 77-512 regarding license suspension.

G. 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).⁴

H. 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.

Keen, Chair; Duffy, Commissioner; French, Commissioner

Dated: 08/09/2022



Lynn M. Retz
Executive Director

Mailed Date: 08/09/2022

TSK

⁴ See K.S.A. 55-162; K.S.A. 55-164; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).

May 26, 2022

kerry patrick
Patrick Development Corporation
3408 W 93RD ST
LEAWOOD, KS 66206-2005

Re: Temporary Abandonment
API 15-207-24627-00-00
BODLEY PRINGLE 7
NW/4 Sec.17-26S-17E
Woodson County, Kansas

Dear kerry patrick:

Your application for Temporary Abandonment (TA) for the above-listed well is denied for the following reasons(s):

Need current Fluid level

Pursuant to K.A.R. 82-3-111, the well must be plugged, or returned to service, or obtain temporary abandonment status by 06/25/2022.

This deadline does NOT override any compliance deadline given to you in any Commission Order.

You may contact me if you have any questions.

Sincerely,
Ryan Tromsness ECRS
KCC DISTRICT 3

May 26, 2022

kerry patrick
Patrick Development Corporation
3408 W 93RD ST
LEAWOOD, KS 66206-2005

Re: Temporary Abandonment
API 15-207-24473-00-00
JOHNSON 7
NE/4 Sec.31-26S-17E
Woodson County, Kansas

Dear kerry patrick:

Your application for Temporary Abandonment (TA) for the above-listed well is denied for the following reasons(s):

Need current Fluid level

Pursuant to K.A.R. 82-3-111, the well must be plugged, or returned to service, or obtain temporary abandonment status by 06/25/2022.

This deadline does NOT override any compliance deadline given to you in any Commission Order.

You may contact me if you have any questions.

Sincerely,
Ryan Tromsness ECRS
KCC DISTRICT 3

KCC OIL/GAS REGULATORY OFFICES

Inspection Date: 07/28/2022 District: 3 Incident Number: 8030

☒ New Situation ☒ Lease Inspection
☒ Response to Request ☐ Complaint
☐ Follow-up ☒ Field Report

Operator License No: 6279 API: 15-207-24627 Q3: Q2: Q1:
Operator Name: Patrick Development Corp. SEC 17 TWP 26 RGE 17 RGEDIR: E
Address: 3408 W 93rd Street FSL: 3955
City: Leawood FEL: 5079
State: KS Zip Code: 66206 Lease: Bodley Pringle Well No.: 7
Phone contact: 913-737-8368 County: WO

Reason for Investigation:

Request from Ryan Duling, District #3 Compliance Officer, to check status on the Bodley Pringle #7.

Problem:

Denied CP-111, well is out of compliance.

Persons contacted:

District #3 Staff.

Findings:

Research of the Bodley Pringle #7 API # 15-207-24627 located in 17-26-17E in Woodson county found Patrick Development Corp to be the operator.

I performed a well inspection on 7/28/2022. The well was constructed with 2.87" casing. There is no surface controls on this well. I took one (1) photo of this well.

Actions / Recommendations

Follow-up Required ☐

Deadline Date:

I will forward this report to the District #3 compliance officer for review. I recommend field report should be forwarded to legal staff and penalty recommendations be submitted.

Photo's Taken: 1

☒ RBDMS ☒ KGS ☐ KOLAR Report Prepared By: Ryan Tromsness

☐ District Files ☐ Courthouse Position: ECRS

KCC DISTRICT III OFFICE FIELD REPORT PHOTO ID FORM



Operator: Patrick Development Corp.	KLN: 6279
Lease: Bodley Pringle	Legal: 17-26-17E
County: WO	PIC ID#: #1
Subject: Well #7	PIC Orientation: East facing
FSL: 3955	Latitude: 37.78739
FEL: 5079	Longitude: -095.579446
API#: 15-207-24627	
Date: 07/28/2022	Time: 10:09 AM
Staff: Ryan Tromsness	

Additional Information: Picture was taken to show well has no surface control and is out of compliance.

KCC OIL/GAS REGULATORY OFFICES

Inspection Date: 07/28/2022 District: 3 Incident Number: 8029

☐ New Situation ☒ Lease Inspection
☒ Response to Request ☐ Complaint
☐ Follow-up ☒ Field Report

Operator License No: 6279 API: 15-207-24473 Q3: Q2: Q1:
Operator Name: Patrick Development Corp. SEC 31 TWP 26 RGE 17 RGEDIR: E
Address: 3408 W 93rd Street FSL: 4988
City: Leawood FEL: 883
State: KS Zip Code: 66206 Lease: Johnson Well No.: 7
Phone contact: 913-375-8368 County: WO

Reason for Investigation:

Request from Ryan Duling, District #3 Compliance Officer, to check status on the Johnson #7.

Problem:

Denied CP-111, well is out of compliance.

Persons contacted:

District #3 Staff

Findings:

Research of the Johnson #7 API # 15-207-24473 located in 31-26-17E in Woodson county found Patrick Development Corp to be the operator.

I performed a well inspection on 7/28/2022. The well was constructed with 2.875" casing and has 1" production. There is no surface controls on this well. I took one (1) photo of this well and the photo is attached to this report.

Actions / Recommendations

Follow-up Required ☐

Deadline Date:

I will forward this report to the District #3 compliance officer for review. I recommend field report should be forwarded to legal staff and penalty recommendations be submitted.

Photo's Taken: 1

☒ RBDMS ☒ KGS ☐ KOLAR Report Prepared By: Ryan Tromsness

☒ District Files ☐ Courthouse Position: ECRS

KCC DISTRICT III OFFICE FIELD REPORT PHOTO ID FORM



Operator: Patrick Development Corp.	KLN: 6279
Lease: Johnson	Legal: 31-26-17E
County: WO	PIC ID#: 1
Subject: Well #7	PIC Orientation: East facing
FSL: 4988 FSL	Latitude: 37.746510
FEL: 883 FEL	Longitude: -095582990
API#: 15-207-24473	
Date: 07/28/2022	Time: 9:39 AM
Staff: Ryan Tromsness	

Additional Information: Picture was taken to show well has no surface controls.

CERTIFICATE OF SERVICE

23-CONS-3030-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 08/09/2022.

RYAN DULING
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 3
137 E. 21ST STREET
CHANUTE, KS 66720
r.duling@kcc.ks.gov

TRISTAN KIMBRELL, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
CENTRAL OFFICE
266 N. MAIN ST, STE 220
WICHITA, KS 67202-1513
t.kimbrell@kcc.ks.gov

KERRY PATRICK
PATRICK DEVELOPMENT CORPORATION
3408 W 93RD RD
LEAWOOD, KS 66206
patrickdev@sbcglobal.net

TROY RUSSELL
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 3
137 E. 21ST STREET
CHANUTE, KS 66720
t.russell@kcc.ks.gov

/S/ DeeAnn Shupe

DeeAnn Shupe