

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

of a well. K.A.R. 82-3-602(c) provides that each operator of a pit shall file a pit closure form prescribed by the Commission within 30 days after the closure of the pit. Failure to file the pit closure form shall be punishable by a \$100 penalty.

II. FINDINGS OF FACT

4. Operator is licensed to conduct oil and gas activities in Kansas and is responsible for the Lawrence #2 well (Subject Well), API #15-007-24445-00-00, located in Section 25, Township 31 South, Range 12 West, Barber County, Kansas.

5. Commission records indicate that Operator filed an Application for Surface Pit (CDP-1) along with a Notice of Intent to Drill (C-1) for the Subject Well. The CDP-1 indicated that at least one pit would be used while drilling the Subject Well.

6. Commission regulations require pits be closed within 365 calendar days of the spud date. Commission regulations further require a Closure of Surface Pit (CDP-4) form be filed within 30 days after the closure of a pit.

7. Commission records indicate that the Subject Well was spud on October 12, 2022. More than 395 days (365 plus 30) have passed since the Subject Well was spud. Operator requested an extension to close the pit, and Commission Staff provided a written extension until April 2, 2024.¹

8. On June 11, 2024, more than 30 days after the deadline to close the pit in the written extension, Commission Staff sent a Notice of Violation letter to Operator, requiring Operator to file a CDP-4 by June 25, 2024.² The Commission did not receive a complete, accurate CDP-4 by the deadline in the letter.

¹ Exhibit A.

² Exhibit B.

III. CONCLUSIONS OF LAW

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

10. Operator has committed one violation of K.A.R. 82-3-602 because Operator did not submit a complete and accurate CDP-4 for the pit associated with the Subject Well in a timely manner.

THEREFORE, THE COMMISSION ORDERS:

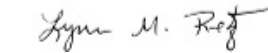
- A. Operator shall pay a \$100 penalty.
- B. Operator shall submit a complete, accurate CDP-4 for the pit associated with the Subject Well.
- C. Operator may request a hearing on the above issues by submitting a written request, pursuant to K.S.A. 55-164, K.S.A. 77-537, and K.S.A. 77-542, to the Commission 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.
- D. 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. 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. 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).
- E. 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 (recused); Kuether, Commissioner

Dated: 07/25/2024



Lynn M. Retz
Executive Director

Mailed Date: 07/25/2024

TSK

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



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

Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

Laura Kelly, Governor

April 5, 2024

White Exploration, Inc.
PO Box 780425
Wichita, KS 67278

**Re: Lawrence 2
Sec. 25-31S-12W
Barber County, Kansas
15-007-24445-00-00
Closure of Haul-Off Pit - Extension of Time Unavailable**

Operator:

A review of your recent correspondence and/or our files indicates that the referenced pit remains open, and that a further extension of time to close the pit is not available to you. The pit is or was required to be closed by **April 2, 2024**.

If you wish to obtain an exception to K.A.R. 82-3-602, you will need to file a formal application and publish notice under K.A.R. 82-3-100. Note that the application may or may not be granted. You may contact our legal department if you have questions about that process.

If the referenced pit is not closed along with a Surface Pit Closure ("CDP-4") Form submitted, or alternatively if a formal application has not been filed by, **April 22, 2024**, staff may make a penalty recommendation to the Commission, which may result in a monetary fine.

You are welcome to contact me with any questions, by either calling the phone number at the top of the page or emailing me at k.haynes@kcc.ks.gov.

Sincerely,

Kathy Haynes
Conservation Division
Kansas Corporation Commission

**KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION
APPLICATION FOR SURFACE PIT**

Form CDP-1
May 2010
Form must be Typed

Submit in Duplicate

Operator Name: _____		License Number: _____	
Operator Address: _____			
Contact Person: _____		Phone Number: _____	
Lease Name & Well No.: _____		Pit Location (QQQQ): _____-_____-_____-_____ Sec. _____ Twp. _____ R. _____ <input type="checkbox"/> East <input type="checkbox"/> West _____ Feet from <input type="checkbox"/> North / <input type="checkbox"/> South Line of Section _____ Feet from <input type="checkbox"/> East / <input type="checkbox"/> West Line of Section _____ County	
Type of Pit: <input type="checkbox"/> Emergency Pit <input type="checkbox"/> Burn Pit <input type="checkbox"/> Settling Pit <input type="checkbox"/> Drilling Pit <input type="checkbox"/> Workover Pit <input type="checkbox"/> Haul-Off Pit <i>(If WP Supply API No. or Year Drilled)</i>	Pit is: <input type="checkbox"/> Proposed <input type="checkbox"/> Existing If Existing, date constructed: _____ Pit capacity: _____ (bbls)		
Is the pit located in a Sensitive Ground Water Area? <input type="checkbox"/> Yes <input type="checkbox"/> No		Chloride concentration: _____ mg/l <i>(For Emergency Pits and Settling Pits only)</i>	
Is the bottom below ground level? <input type="checkbox"/> Yes <input type="checkbox"/> No	Artificial Liner? <input type="checkbox"/> Yes <input type="checkbox"/> No	How is the pit lined if a plastic liner is not used?	
Pit dimensions (all but working pits): _____ Length (feet) _____ Width (feet) <input type="checkbox"/> N/A: Steel Pits Depth from ground level to deepest point: _____ (feet) <input type="checkbox"/> No Pit			
If the pit is lined give a brief description of the liner material, thickness and installation procedure.		Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring.	
Distance to nearest water well within one-mile of pit: _____ feet Depth of water well _____ feet		Depth to shallowest fresh water _____ feet. Source of information: <input type="checkbox"/> measured <input type="checkbox"/> well owner <input type="checkbox"/> electric log <input type="checkbox"/> KDWR	
Emergency, Settling and Burn Pits ONLY: Producing Formation: _____ Number of producing wells on lease: _____ Barrels of fluid produced daily: _____ Does the slope from the tank battery allow all spilled fluids to flow into the pit? <input type="checkbox"/> Yes <input type="checkbox"/> No		Drilling, Workover and Haul-Off Pits ONLY: Type of material utilized in drilling/workover: _____ Number of working pits to be utilized: _____ Abandonment procedure: _____ _____ Drill pits must be closed within 365 days of spud date.	
Submitted Electronically			

KCC OFFICE USE ONLY

☐ Liner ☐ Steel Pit ☐ RFAC ☐ RFAS

Date Received: _____ Permit Number: _____ Permit Date: _____ Lease Inspection: ☐ Yes ☐ No

Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

Laura Kelly, Governor

June 11, 2024

Kenneth S. White
White Exploration, Inc.
PO Box 780425
Wichita, KS 67278-0425

License No. 33856

NOTICE OF VIOLATION

Re: Surface Pit Closure Form(s) - ("CDP-4")

Operator:

Commission records indicate that for the well(s) on the attached list, you filed an Application for Surface Pit (CDP-1) form for each well along with your Intent to Drill.

If any **haul-off pits** remain open, they must be closed.

Since no CDP-4 is on file for the well(s), you are in violation of K.A.R. 82-3-602(c).

We have not received the necessary Surface Pit Closure Form(s).

Commission records indicate that the well(s) were spudded more than 13 months ago.

Under K.A.R. 82-3-602, haul-off pits must be closed within 12 months after the spud date of the well.

Further, an operator must submit a CDP-4 within 1 month after closing a pit.

**Failure to submit a complete, accurate CDP-4
for the pit(s) associated with the well(s) on the attached list by
JUNE 25, 2024
shall be punishable by a \$100 per-well administrative penalty.**

The information requested above must be submitted on KOLAR. If a CDP-4 is returned to you as incomplete, you do not have additional time - the deadline above governs.

Please contact me at (316) 337-6200 if you have any questions.

Sincerely,

KATHY HAYNES
Environmental Protection and Remediation Department

June 11, 2024

List of Wells: Missing CDP-4

API Well #	Lease Name / Well #	Well Location	County
15-007-24445-00-00	LAWRENCE 2	25-31S-12W SESE	BARBER

CERTIFICATE OF SERVICE

25-CONS-3018-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 07/25/2024.

KATHLEEN HAYNES
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
kathleen.haynes@ks.gov

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

KRAIG STOLL, EP&R SUPERVISOR
KANSAS CORPORATION COMMISSION
CENTRAL OFFICE
266 N. MAIN ST, STE 220
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kraig.stoll@ks.gov

KENNETH S. WHITE
WHITE EXPLORATION, INC.
PO BOX 780425
WICHITA, KS 67278
kswhite@white-exploration.com

/S/ KCC Docket Room
KCC Docket Room