

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

Before Commissioners: Dwight D. Keen, Chairman
 Shari Feist Albrecht
 Jay Scott Emler

In the matter of the Application of American)	Docket No. 19-CONS-3282-CEXC
Warrior, Inc. for an exception to the 10-year time)	
limitation of K.A.R. 82-3-111 for its Kerstetter)	CONSERVATION DIVISION
4-33 Twin well located in the NW/4 of Section 33,)	
Township 32 South, Range 19 West,)	License No. 4058
Comanche County, Kansas)	
_____)	

APPLICATION FOR EXCEPTION

COMES NOW American Warrior, Inc. (“Applicant”) in support of its Application in the captioned matter and states as follows:

1. Applicant is a corporation authorized to do business in the State of Kansas.

Applicant’s address is P.O. Box 399, Garden City, KS 67846.

2. Applicant has been issued by the Kansas Corporation Commission Operator’s License 4058, which expires on November 30, 2019.

3. Applicant is the owner and operator of the Kerstetter 4-33 Twin, 15-033-21418 (“the subject well”), which is located in the Northwest Quarter of Section 33, Township 32 South, Range 19 West, Comanche County, Kansas. The subject well is located on an active oil and gas lease or unit comprising the following lands:

North Half of Section 33, Township 32 South, Range 19 West, Comanche County, Kansas, containing 320 acres, more or less (“leased premises”). The subject well is also included in a gas unit that covers North Half of Section 33, Northwest Quarter of 31 and Southwest

Quarter of 30, Township 32 South, Range 19 West, Comanche County, Kansas, containing 640 acres more or less (“gas unit”)

4. Pursuant to K.A.R. 82-3-111, the well was shut-in on November 24, 2004. The subject well maintained such status from November 24, 2004 to present.

5. On January 24 2019, the Kansas Corporation Commission notified Applicant that temporary abandonment status would expire unless an application for an exception was filed.

6. K.A.R. 82-3-111 imposes a 10-year limitation on the amount of time during which wells may be temporarily abandoned, but an exception to the 10-year limitation may be obtained pursuant to said regulation through an Application filed with the Commission pursuant to K.A.R. 82-3-100. Applicant seeks such an exception.

7. A Mechanical Integrity Test witnessed by a KCC staff member was completed and passed January 24, 2019.

8. Applicant wishes to obtain TA status for the subject well, because Applicant intends to use the well for the following purpose:

Salt water disposal.

9. Applicant submits the following information regarding the well in support of the Application.

- a) Lease contains the subject well, the Kerstetter 1-33 (gas producing), Kerstetter 2-33 (gas producing), Kerstetter 3-33 (gas producing), and Kerstetter 4-33 (plugged and abandoned). All gas producing wells on lease premises and the Nielson 1-33, Gillet 2-34 and Gillet 3-34 (located on adjoining leases) currently dispose salt water into the Kerstetter 2-33, which is used as both a producing well and a salt water disposal well.

- b) The plugging cost for the subject well would be approximately \$35,000.
- c) The subject well has been under temporary abandonment status. Applicant has a producing well and a salt water disposal well in the immediate vicinity. The salt water disposal well Kerstetter 2-33 has recently exhibited signs it is nearing the end of its useful life as a disposal well. Denial of the application could result in the need for a new salt water disposal well to be drilled or a waste of the resources due to premature cessation of production.
- d) The subject well will need to be drilled out for open hole completion and have coated tubing and packer installed to convert well to SWD well.
- e) Estimated cost of converting subject well to SWD well: \$50,000.

10. Applicant has included a plat map showing the locations of all producing, injection, temporarily abandoned, abandoned, and plugged wells located on the same leased premises as the subject well.

11. Based on the foregoing, Applicant requests the Commission grant an exception to the 10-year limitation, specifically to allow the subject well to remain eligible for temporary abandonment status for three (3) years following the expiration of the 10-year limitation. Applicant understands that the exception would be valid for three (3) years, but Applicant would still need to apply annually to the Conservation Division District Office for approval of an application for temporary abandonment status.

12. Listed in the attached Exhibit "A" are the names and addresses of the following persons:

- A. Each operator of each oil and gas lease covering lands within one-half

B. Each person who owns any mineral interest of record in and under any lands located within one-half (1/2) mile radius of subject well (provided that such mineral interest is not covered by any oil and gas lease).

13. Notice of this Application will be published pursuant to K.A.R. 82-3-135a. In addition, notice of the hearing to be held in this matter will be provided as prescribed by K.A.R. 82-3-135.

WHEREFORE, Applicant prays that this matter be granted administratively without a hearing, or in the alternative be set for hearing, and upon hearing that the Commission grant Applicant's request, for an exception to the K.A.R. 82-3-111 ten (10) year limitation, to allow the subject well to remain temporarily abandoned for three (3) years, subject to annual approval by the Conservation Division District Office of an application for temporary abandonment status.

Respectfully Submitted,

AMERICAN WARRIOR, INC.

By: 

Jacob B. Price #20386

In-House Counsel

P.O. Box 399

Garden City, KS 67846

Phone: (620) 275-2963

Fax: (620) 275-5067

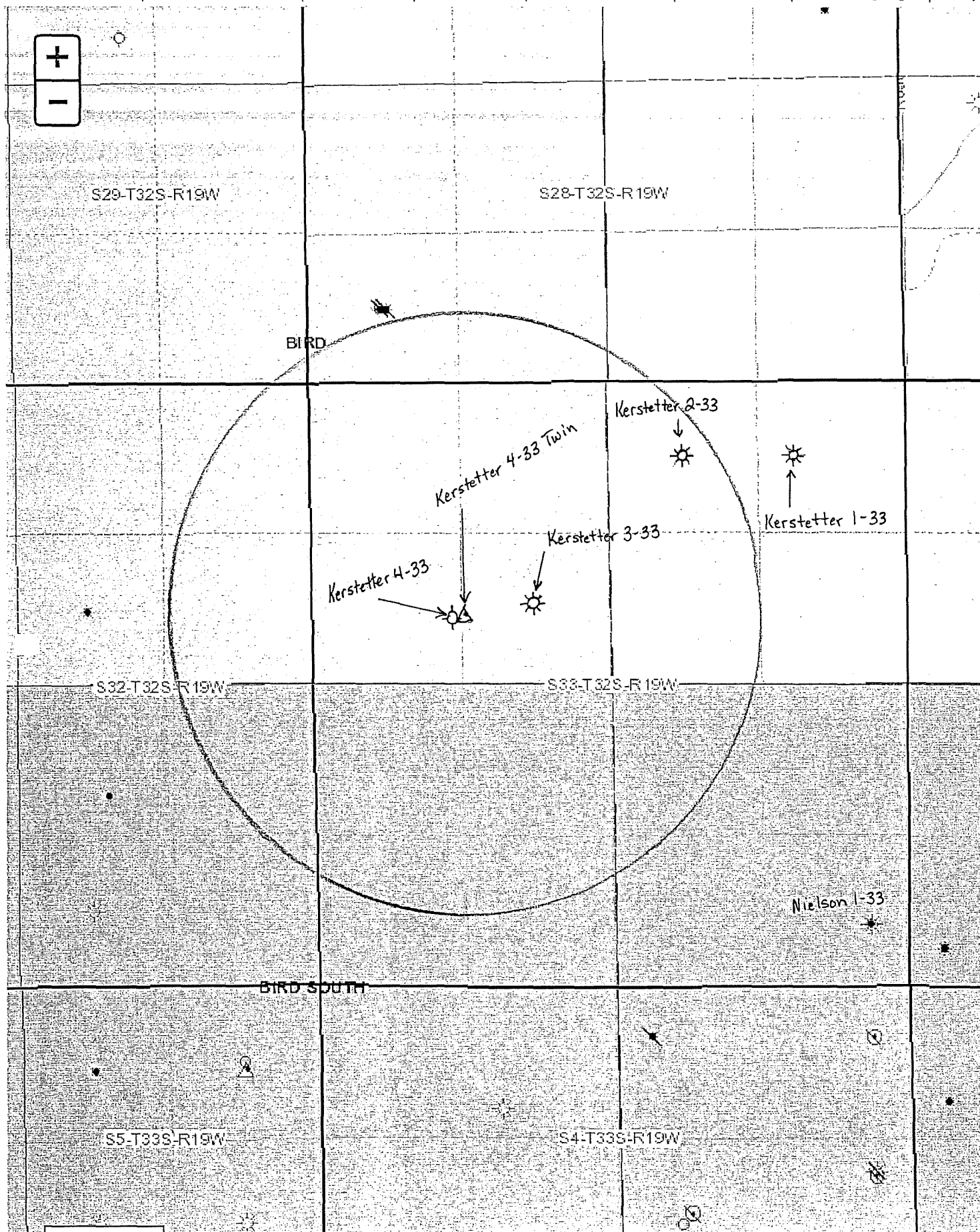


EXHIBIT A

Names of operators of wells within one-half (1/2) mile of the subject well:

American Warrior, Inc.

P.O. Box 399

Garden City, KS 67846

SandRidge Exploration and Production, LLC

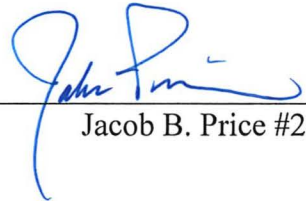
123 Robert S. Kerr Ave.

Oklahoma City, Oklahoma 73102-6406

No unleased mineral interest owners in the subject area.

CERTIFICATE OF SERVICE

I hereby certify on this February 22th, 2019 true and correct copies of the above and foregoing Application and the Notice of Application were served by depositing copies of the same in the United States Mail, postage prepaid, and properly addressed to the landowner/s set forth in Exhibit A of said Application filed by Applicant, and the original and seven (7) copies were delivered to the Kansas Corporation Commission.



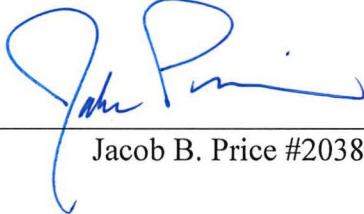
Jacob B. Price #20386

VERIFICATION

STATE OF KANSAS)
)
COUNTY OF FINNEY) ss:

JACOB B. PRICE, of lawful age, being first duly sworn, upon oath states:

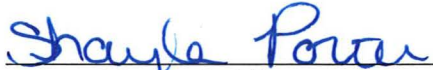
That he is the attorney for American Warrior, Inc., applicant herein; that has read the above and foregoing Application of American Warrior, Inc., and is familiar with the contents thereof; and that the statements made therein are true and correct to the best of his knowledge and belief.



Jacob B. Price #20386

SUBSCRIBED and sworn to before me this 22th day of February 2019.





Notary Public

My appointment expires:

10-20-2021

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

NOTICE OF FILING APPLICATION

RE: AMERICAN WARRIOR, INC. – Application for an exception to the 10 year time limitation of K.A.R. 82-3-11 from the Kerstetter 4-33 Twin located in Comanche County, Kansas.

TO: All Oil and Gas Producers, Unleased Mineral Interest Owners, Landowners, and all persons whosoever concerned.

You, and each of you, are hereby notified that American Warrior, Inc. has filed for an exception to the 10 year time limitation of K.A.R. 82-3-11 for the Kerstetter 4-33 Twin well located in NW/4 of Section 33-32S-19W, Comanche County, Kansas.

Any persons who object to or protest this application shall be required to file their objections or protests with the Conservation Division of the State Corporation Commission of the State of Kansas within fifteen (15) days from the date of the publication. These protests shall be filed pursuant to Commission regulations and must state specific reasons why the grant of the application may cause waste, violate correlative rights or pollute the natural resources of the state of Kansas. If no protests are received, this application may be granted through a summary proceeding. If valid protest are received, this matter will be set for hearing.

All persons interested or concerned shall take notice of the foregoing and shall govern themselves accordingly.

American Warrior, Inc.
P.O. Box 399
Garden City, Kansas 67846
620/ 275-9231

Received
KANSAS CORPORATION COMMISSION

FEB 26 2019

CONSERVATION DIVISION
WICHITA, KS