

JUN 21 2019

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

CONSERVATION DIVISION
WICHITA, KS

Before Commissioners: Dwight D. Keen, Chairman
Shari Feist Albrecht
Susan K. Duffy

IN THE MATTER OF THE APPLICATION OF)
RITCHIE EXPLORATION, INC. FOR AN)
EXTENSION TO THE PIT CLOSURE TIME)
REQUIREMENT OF K.A.R 82-3-602 FOR THE)
HUTTON #2 WELL LOCATED IN THE SW/4)
OF SECTION 6, TOWNSHIP 14 SOUTH ,)
RANGE 31 WEST, GOVE COUNTY, KANSAS)

Docket No. ¹⁹14-CONS-3418-CEXC

License No. 4767

CONSERVATION DIVISION

APPLICATION

COMES NOW, Ritchie Exploration, Inc. ("REI"), in support of its application in the captioned matter alleges and states as follows:

1. REI is a Kansas corporation duly authorized by and in good standing with the Kansas Secretary of State's office to do business in Kansas with the mailing address of P.O. Box 783188, Wichita, KS 67278-3188
2. The Commission has issued REI oil and gas operator's License No. 4767, which is in full force and effect through January 30, 2020.
3. REI is operator of the Hutton #2 well, API #15-063-22316-00-00, a producing well in the SW/4 OF Section 6-T14S-27W, Gove County, Kansas.
4. Pursuant to K.A.R. 82-3-600(a), in October of 2017, REI constructed a reserve and working pits to contain drilling fluids associated with the drilling of the Hutton #2 wellbore.
5. On January 8, 2019, the Commission notified REI that REI may be in violation of K.A.R.82-3-602(a) for failure to close the Hutton #2 drilling pits within 12 months after spudded date. REI contacted the Commission and requested an extension to the deadline. On January 16, 2019, the Commission notified REI the extension had been approved setting the new deadline date to be on April 16, 2019. On May 16, 2019, the commission informed REI that continuance of any time extension is unavailable and that any exception to K.A.R.82-3-602 must be applied for via a formal application.
6. K.A.R. 82-3-620(a)-(1) sets a 365 day limit to close all pits associated with drilling of a new wellbore. K.A.R. 82-3-602(a)-(2) allows for an extension of the pit closure by written request and granted by the director.
7. REI requests this application be approved for the following reasons: a) It is accepted best practice by industry and landowners alike not to close any open earthen pit until they have thoroughly dried out. Closing pits prior to thoroughly drying commonly results in future issues, such as collapse,

erosion, suitable compaction for agricultural machinery and the Hutton #2 pits are not dry as of the date of this application; b) the precipitation levels in western Kansas have been extraordinarily high throughout 2018 and 2019, not allowing the subject pits to dry and to be filled. Granting a three-month extension to the deadline to fill the subject pits will likely allow the pits to dry and be filled during the summer of 2019, when the warm and dry conditions are most conducive to drying.

8. Based on the foregoing, REI requests that the Commission grant an exception to the 365-day deadline and subsequent 180-day extension of K.A.R. 82-3-602, to allow the subject pits to remain open and properly dry before being filled. Operator requests this extension be for 90 days.
9. The names and addresses of the unleased mineral owners of record and operators or lessees of record within one-half (1/2) mile of the Subject Well entitled to receive notice of this Application pursuant to K.A.R. 82-3-135a(b) are shown on the attached Exhibit "A". The attached Exhibit "B" is a plat showing the pits location and lands, mineral owners, mineral lessees, and surface owners within a one-half mile radius.
10. Notice of this Application will be provided to all persons entitled thereto under K.A.R. 82-3-135a(b) and will be published in the *Gove County Advocate* pursuant to K.A.R. 82-3-135a(d) and will therefore be lawful and proper in all respects. The publisher's Affidavit of Publication will be provided to the Commission upon receipt.

WHEREFORE, Ritchie Exploration, Inc. request that this Application be docketed by the Commission and that if no written protest is received by the Commission within thirty (30) days after Notice of the Application is published and has been duly provided to all interested parties, that the Commission issue an order administratively granting REI's request for a ninety (90) day extension. In the event a timely and proper protest is filed with the Commission, REI requests that the Commission set this Application for hearing and, upon such hearing, grant the requested order for ninety (90) day pit closure requirement set forth in K.A.R. 82-3-602.

Respectfully submitted,

By: 

Peter J. Fiorini
RITCHIE EXPLORATION, INC.
P.O. Box 783188
Wichita, KS 67278-3188
Telephone – (316) 691-9500
Facsimile – (316) 691-9550
Email – rei@ritchie-exp.com

AFFIDAVIT

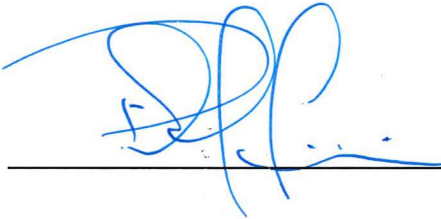
STATE OF KANSAS)
 - SS.
County of Sedgwick)

Peter Fiorini, of lawful age, being first duly sworn, deposeth and saith: That he is Production Manager of Ritchie Exploration, County of Sedgwick, State of Kansas, and that notice was given to all lessee of record or operator within ½ mile radius of the Hutton #2 well located in the County of Gove (see attached plat map). This notice included a letter regarding pit extension application. All notices were mailed on June 18, 2019.

made as aforesaid on the 18th of

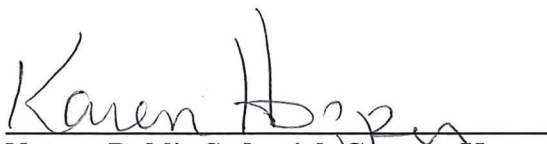
June A.D. 2019

And affiant further says that he has personal knowledge of the statements above set forth and that they are true.



Subscribed and sworn to before me this

18th day of June 2019



Notary Public Sedgwick County, Kansas



EXHIBIT "A"

**Operator, Lessee or Unleased Mineral Owner
within a ½ mile radius of Ritchie Exploration, Inc.'s**

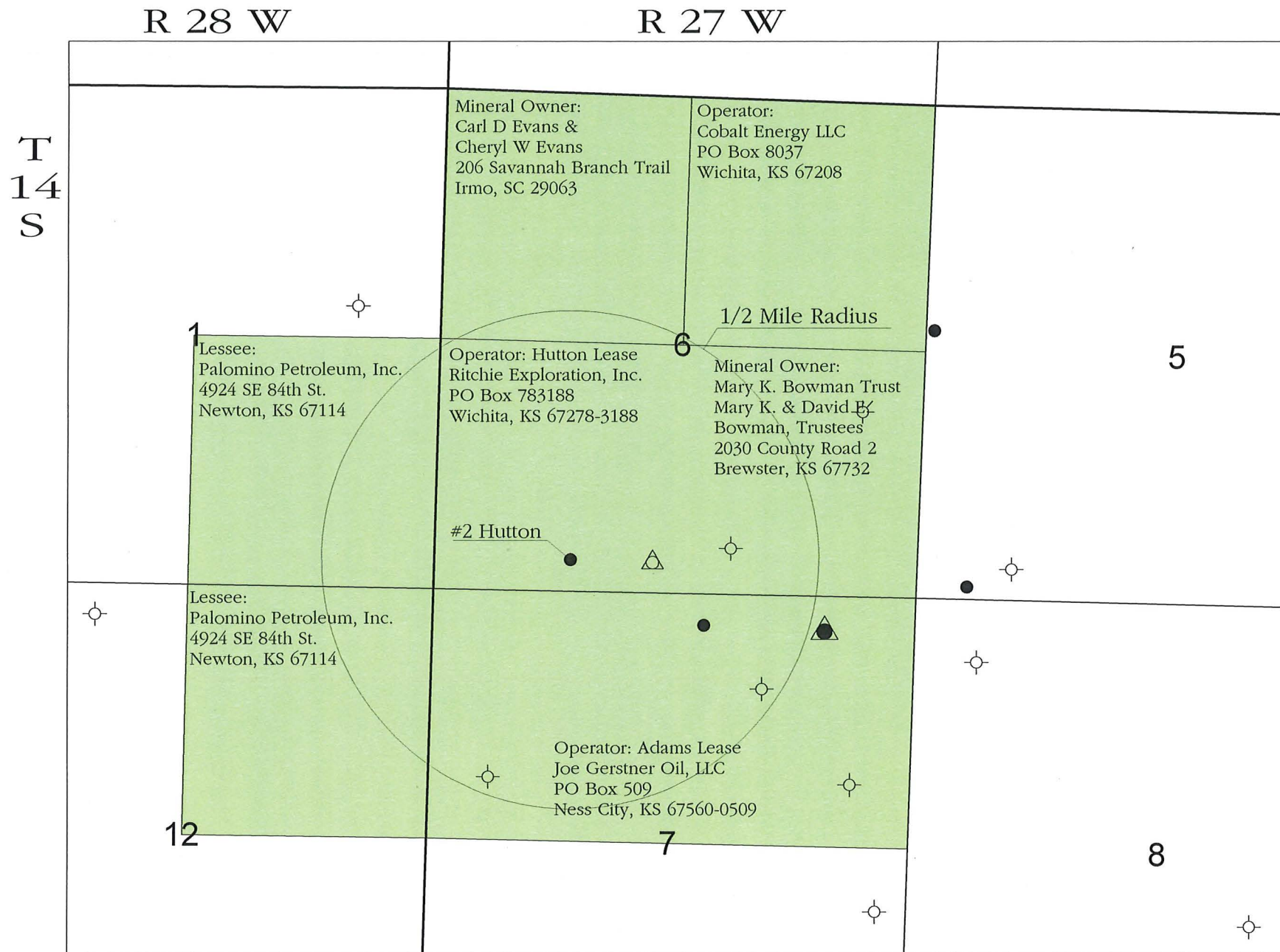
**#2 Hutton
335' FSL & 1,450' FWL
Section 6-14S-27W
Gove Co., KS**

Township 14 South, Range 27 West


Sec. 6:	S/2	Ritchie Exploration, Inc. P.O. Box 783188 Wichita, KS 67278-3188	Operator: #1 Hutton, #2 Hutton
		Mary K. Bowman Trust Dated 7-30-08 Mary K. & David E. Bowman, Trustees 2030 County Road 2 Brewster, KS 67732	Mineral and Surface Owner
	NE/4	Cobalt Energy LLC PO Box 8037 Wichita, KS 67208	Operator: JE Unit 'A' #1-5
	NW/4	Carl D. Evans & Cheryl W. Evans 206 Savannah Branch Trail Irmo, SC 29063	Mineral Owners
Sec. 7:	N/2	Joe Gerstner Oil, LLC PO Box 509 Ness City, KS 67560-0509	Operator: Adams 1-7, Adams 2-7

Township 14 South, Range 28 West

Sec. 1:	SE/4	Palomino Petroleum, Inc. 4924 SE 84th St. Newton, KS 67114	Lessee
Sec. 12:	NE/4	Palomino Petroleum, Inc. 4924 SE 84th St. Newton, KS 67114	Lessee



Received
KANSAS CORPORATION COMMISSION
JUN 21 2019
CONSERVATION DIVISION
WICHITA, KS



ITCHIE
EXPLORATION, INC.
Wichita, Kansas

Exhibit B

#2 Hutton

All known Oil, Gas and Imput Wells
Lease Names and Operators or Unleased Mineral Rights
Owners of All Lands within 1/2 Mile Radius

Gove County, Kansas		
Scale: 1 : 18,000		Date: June 17, 2019