

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

In the matter of the application of Prairie Gas	)	Docket No. 22-CONS-3098-CMSC
Operating, LLC (Operator) for an Operator's	)	
License Renewal.	)	CONSERVATION DIVISION
	)	
	)	License No. 35442

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**PRE-FILED REBUTTAL TESTIMONY OF**

**ERIC MACLAREN**

**ON BEHALF OF COMMISSION STAFF**

**MARCH 22, 2022**

1 **Q. Are you the same Eric MacLaren who pre-filed direct testimony in this docket?**

2 A. Yes.

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

4 A. The purpose of my rebuttal testimony is to discuss the direct testimony of Mr. Ian Acrey,  
5 given on behalf of Prairie Gas Operating, LLC (Operator) in Docket 22-CONS-3098-CMSC  
6 (Docket 22-3098).

7 **Q. Do you believe Mr. Acrey's testimony demonstrates that Operator is in compliance with**  
8 **all requirements of K.S.A. 55-101 et seq. and amendments thereto, all implementing**  
9 **regulations, and all Commission Orders and enforcement agreements?**

10 A. No.

11 **Q. Does Mr. Acrey's testimony provide an accurate assessment of Operator's wells?**

12 A. No. On page 3, line 8, Mr. Acrey states Operator has had around 189 wells since 2018. Then  
13 on page 4, line 17, Operator states that 27 wells were producing in 2021 at a rate of 4,716 mcf  
14 per well. Additionally, Mr. Acrey states on page 5, line 1 that Operator has plugged three  
15 wells. Lastly, on page 5, line 7, Mr. Acrey states Operator has approved temporary  
16 abandonment (TA) status on 153 wells. Even if Mr. Acrey's numbers were correct, there  
17 would still be three unaccounted for wells.

18 Under the Commission's Risk Based Data Management System (RBDMS), Operator  
19 currently has 23 wells listed as producing. Additionally, Operator reported disposal of  
20 produced water at one well on its Annual Report of Pressure Monitoring, Fluid Injection, and  
21 Enhanced Recovery (U3C) for the 2021 calendar year. Additionally, on the Kansas Online  
22 Automated Reporting System (KOLAR), it appears that Operator has approved TA status for  
23 123 wells, which is 30 fewer than what is listed in Mr. Acrey's testimony. The additional 30

1 wells that remain out of compliance are likely attributed to the wells the Commission found  
2 to be out of compliance in its Final Order in Dockets 20-CONS-3129-CPEN, 20-CONS-3144-  
3 CPEN, 20-CONS-3220-CPEN, and 20-CONS-3199-CPEN on February 17, 2022, the  
4 additional 10 wells described as out of compliance on page 5, line 16 through page 6, line 5  
5 of my testimony, and any of Operator's injection wells that have not been active for over a  
6 year without approved TA status. Mr. Acrey's testimony fails to address the additional 10  
7 wells that I described as out of compliance on pages 5 and 6 of my testimony, and their status  
8 remains unchanged.

9 **Q. On page 10, lines 1-14, Mr. Acrey discusses wells that you believe are out of compliance**  
10 **with K.A.R. 82-3-111. How do you respond?**

11 A. The Final Order issued by the Commission affirmed that the 17 wells still at issue are out of  
12 compliance with the Commission's rules and regulations. To date, Operator has not brought  
13 any of the wells into compliance. Additionally, Mr. Acrey has not provided any  
14 documentation that the five wells that he discusses on page 10, lines 8-14 have any sort of  
15 production over the past year. On March 1, 2022, Operator submitted its U3C for the 2021  
16 calendar year. Operator only indicated one of its wells, the Kuttler A #2D, 15-071-20387,  
17 disposed of produced fluids during the 2021 calendar year. It does not appear that any of the  
18 five wells would have used the Kuttler A #2D well to dispose of their produced fluids, which  
19 seems to indicate they were not producing anything.

1 **Q. On page 11, lines 3-11, Mr. Acrey states that Operator did not intend to produce gas and**  
2 **that any gas production could have resulted from a faulty valve or production chart**  
3 **error. How do you respond?**

4 A. I believe that it is an operator's responsibility to make sure that its equipment is properly  
5 functioning to ensure that it is able to shut-in its wells when directed by the Commission.  
6 Regardless of Operator's intentions, the fact of the matter is that Operator was reportedly  
7 selling gas and receiving payment for the gas sold while its license was suspended.  
8 Additionally, Operator claims that the amount of gas produced was a minimal amount. That  
9 seems contradictory to Operator's earlier testimony on page 4, lines 16-17 where it claims its  
10 efforts started paying off in 2021 when its 27 wells produced an average of 4,716 mcf of gas  
11 per well. Comparatively, Operator's Hatcher Cattle #1 has sold 4,003 mcf of gas through  
12 November 2021, which is similar to the average production and not a minimal amount.  
13 Attached as *Exhibit EM-8* is the updated amount of production reported by the Kansas  
14 Geological Survey (KGS).<sup>1</sup>

15 **Q. On page 11, lines 12-15, Mr. Acrey states that Operator did not receive an NOV for the**  
16 **Coakes #1 well. How do you respond?**

17 A. Well, the address on the letter matches Operator's current address, 114 E. 5<sup>th</sup> St., Suite 100,  
18 P.O. Box 2170, Tulsa, OK 74101. So, I would assume it was sent to the correct address.  
19 Additionally, a prudent operator should have enough working knowledge of its wells and  
20 leases to know when a compliance issue such as a mechanical integrity test (MIT) is due,  
21 instead of relying on an NOV letter from Staff to take action regarding a well. I also believe

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<sup>1</sup> Exhibits EM-1 through EM-7 are included with my direct testimony.

1       that the operator management module on Operator's KOLAR account would indicate that the  
2       Coakes #1 well is out of compliance.

3       **Q. To your knowledge, has Operator contacted Staff regarding conducting an MIT at the**  
4       **Coakes #1?**

5       A. No, even if Operator was correct, Operator would have had knowledge of the violation when  
6       I filed my direct testimony in this matter on February 8, 2022. At this point, I have not received  
7       any notice that Operator has scheduled or performed an MIT at the Coakes #1 well.

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

9       A. Yes.

**Lease:** HATCHER CATTLE 1

**Operator:** Prairie Gas Operating, LLC

**Location:** C NW NE T22S, R42W, Sec. 22

**Cumulative Production:** 1312540 mcf (from 1979 to 2021)

**KS Dept. of Revenue Lease Code:** 209582

**KS Dept. of Revenue Lease Name:** HATCHER CATT #1

[View T1 PDF \(from KCC\)](#)

**Field:** [Bradshaw Gas Area](#)

**County:** Hamilton

**Producing Zone:** Chase Group

**Well Data (may be an incomplete list):**

[T22S R42W, Sec. 22, NW NE](#)

**Lease:** Hatcher Cattle 1

**Operator:** Wayman W. Buchanan

**Current Operator:** Prairie Gas Operating, LLC

**API Number:** 15-075-20259

Data are received monthly from the Kansas Department of Revenue.

## Annual Gas Production, (mcf)

Year	Production	Wells
<a href="#">Production Plots</a>		
1979	37,026	1
1980	114,716	1
1981	99,703	1
1982	58,527	1
1983	14,449	1
1984	22,513	1
1985	29,572	1
1986	24,503	1
1987	46,352	1
1988	37,209	1
1989	23,712	1
1990	32,383	1
1991	22,097	1
1992	63,663	1
1993	37,550	1

## Recent Monthly Gas Production, (mcf)

(Complete production available in file saved  
using blue button at top of page.)

Year	Month	Production	Wells	Reporter or Purchaser/ Reporting Customer
2014	1	1312	1	<a href="#">Oneok Field Services LLC</a> (100%)
2014	2	1084	1	<a href="#">Oneok Field Services LLC</a> (100%)
2014	3	1286	1	<a href="#">Oneok Field Services LLC</a> (100%)
2014	4	1090	1	<a href="#">Oneok Field Services LLC</a> (100%)
2014	5	1263	1	<a href="#">Oneok Field Services LLC</a> (100%)
2014	6	1124	1	<a href="#">Oneok Field Services LLC</a> (100%)
2014	7	1118	1	<a href="#">Oneok Field Services LLC</a> (100%)
2014	8	1246	1	<a href="#">Oneok Field Services LLC</a> (100%)
2014	9	1145	1	<a href="#">Oneok Field Services LLC</a> (100%)

1994	21,162	1
1995	36,843	1
1996	61,083	1
1997	47,951	1
1998	38,766	1
1999	40,246	1
2000	32,869	1
2001	29,782	1
2002	29,273	1
2003	29,469	1
2004	27,496	1
2005	27,061	1
2006	24,847	1
2007	19,638	1
2008	20,559	1
2009	20,002	1
2010	17,936	1
2011	17,171	1
2012	15,193	1
2013	14,597	1
2014	13,940	1
2015	16,102	1
2016	9,662	1
2017	12,098	1
2018	8,011	1
2019	9,849	1
2020	2,956	1
2021	4,003	1

Reported through 11-2021.

Note: bbls is barrels; mcf is 1000 cubic feet.

2014	10	1040	1	<a href="#">Oneok Field Services LLC (100%)</a>
2014	11	1078	1	<a href="#">Oneok Field Services LLC (100%)</a>
2014	12	1154	1	<a href="#">Oneok Field Services LLC (100%)</a>
2015	1	1284	1	<a href="#">Oneok Field Services LLC (100%)</a>
2015	2	1105	1	<a href="#">Oneok Field Services LLC (100%)</a>
2015	3	1056	1	<a href="#">Oneok Field Services LLC (100%)</a>
2015	4	1115	1	<a href="#">Oneok Field Services LLC (100%)</a>
2015	5	1123	1	<a href="#">Oneok Field Services LLC (100%)</a>
2015	6	1074	1	<a href="#">Oneok Field Services LLC (100%)</a>
2015	7	1048	1	<a href="#">Oneok Field Services LLC (100%)</a>
2015	8	1773	1	<a href="#">Oneok Field Services LLC (100%)</a>
2015	9	2011	1	<a href="#">Oneok Field Services LLC (100%)</a>
2015	10	2016	1	<a href="#">Oneok Field Services LLC (100%)</a>
2015	11	1387	1	<a href="#">Oneok Field Services LLC (100%)</a>
2015	12	1110	1	<a href="#">Oneok Field Services LLC (100%)</a>
2016	1	908	1	<a href="#">Oneok Field Services LLC (100%)</a>
2016	2	824	1	<a href="#">Oneok Field Services LLC (100%)</a>
2016	3	981	1	<a href="#">Oneok Field Services LLC (100%)</a>
2016	4	178	1	<a href="#">Oneok Field Services LLC (100%)</a>
2016	7	1346	1	<a href="#">Oneok Field Services LLC (100%)</a>
2016	8	1259	1	<a href="#">Oneok Field Services LLC (100%)</a>
2016	9	990	1	<a href="#">Oneok Field Services LLC (100%)</a>
2016	10	1092	1	<a href="#">Oneok Field Services LLC (100%)</a>

2016	11	951	1	<a href="#">Oneok Field Services LLC (100%)</a>
2016	12	1133	1	<a href="#">Oneok Field Services LLC (100%)</a>
2017	1	1044	1	<a href="#">Oneok Field Services LLC (100%)</a>
2017	2	746	1	<a href="#">Oneok Field Services LLC (100%)</a>
2017	3	1025	1	<a href="#">Oneok Field Services LLC (100%)</a>
2017	4	1156	1	<a href="#">Oneok Field Services LLC (100%)</a>
2017	5	694	1	<a href="#">Oneok Field Services LLC (100%)</a>
2017	6	1099	1	<a href="#">Oneok Field Services LLC (100%)</a>
2017	7	1024	1	<a href="#">Oneok Field Services LLC (100%)</a>
2017	8	1130	1	<a href="#">Oneok Field Services LLC (100%)</a>
2017	9	974	1	<a href="#">Oneok Field Services LLC (100%)</a>
2017	10	1152	1	<a href="#">Oneok Field Services LLC (100%)</a>
2017	11	1017	1	<a href="#">Oneok Field Services LLC (100%)</a>
2017	12	1037	1	<a href="#">Oneok Field Services LLC (100%)</a>
2018	1	713	1	<a href="#">Oneok Field Services LLC (100%)</a>
2018	2	896	1	<a href="#">Oneok Field Services LLC (100%)</a>
2018	3	1055	1	<a href="#">Oneok Field Services LLC (100%)</a>
2018	4	865	1	<a href="#">Oneok Field Services LLC (100%)</a>
2018	5	746	1	<a href="#">Oneok Field Services LLC (100%)</a>
2018	6	585	1	<a href="#">Oneok Field Services LLC (100%)</a>
2018	7	526	1	<a href="#">Oneok Field Services LLC (100%)</a>
2018	8	317	1	<a href="#">Oneok Field Services LLC (100%)</a>
2018	9	879	1	<a href="#">Oneok Field Services LLC (100%)</a>



2018	10	64	1	<a href="#">Oneok Field Services LLC</a> (100%)
2018	12	1365	1	<a href="#">Oneok Field Services LLC</a> (100%)
2019	1	1132	1	<a href="#">Oneok Field Services LLC</a> (100%)
2019	2	976	1	<a href="#">Oneok Field Services LLC</a> (100%)
2019	3	1133	1	<a href="#">Oneok Field Services LLC</a> (100%)
2019	4	986	1	<a href="#">Oneok Field Services LLC</a> (100%)
2019	5	874	1	<a href="#">Oneok Field Services LLC</a> (100%)
2019	6	932	1	<a href="#">Oneok Field Services LLC</a> (100%)
2019	7	942	1	<a href="#">Oneok Field Services LLC</a> (100%)
2019	8	913	1	<a href="#">Oneok Field Services LLC</a> (100%)
2019	9	585	1	<a href="#">Oneok Field Services LLC</a> (100%)
2019	10	538	1	<a href="#">Oneok Field Services LLC</a> (100%)
2019	11	484	1	<a href="#">Oneok Field Services LLC</a> (100%)
2019	12	354	1	<a href="#">Oneok Field Services LLC</a> (100%)
2020	7	55	1	<a href="#">Oneok Field Services LLC</a> (100%)
2020	8	469	1	<a href="#">Oneok Field Services LLC</a> (100%)
2020	9	904	1	<a href="#">Oneok Field Services LLC</a> (100%)
2020	10	590	1	<a href="#">Oneok Field Services LLC</a> (100%)
2020	11	481	1	<a href="#">Oneok Field Services LLC</a> (100%)
2020	12	457	1	<a href="#">Oneok Field Services LLC</a> (100%)
2021	1	429	1	<a href="#">Oneok Field Services LLC</a> (100%)
2021	2	339	1	<a href="#">Oneok Field Services LLC</a> (100%)
2021	3	410	1	<a href="#">Oneok Field Services LLC</a> (100%)

2021	4	388	1	<a href="#">Oneok Field Services LLC</a> (100%)
2021	5	385	1	<a href="#">Oneok Field Services LLC</a> (100%)
2021	6	352	1	<a href="#">Oneok Field Services LLC</a> (100%)
2021	7	350	1	<a href="#">Oneok Field Services LLC</a> (100%)
2021	8	345	1	<a href="#">Oneok Field Services LLC</a> (100%)
2021	9	331	1	<a href="#">Oneok Field Services LLC</a> (100%)
2021	10	343	1	<a href="#">Oneok Field Services LLC</a> (100%)
2021	11	331	1	<a href="#">Oneok Field Services LLC</a> (100%)

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Pre-1987 cumulative data and monthly volume data is provided under license agreement to the KGS by IHS Energy. As such, it may be reviewed and used for public service and research purposes. It may not be downloaded or used for purposes of re-packaging, reselling or dissemination to third parties.

Kansas Geological Survey

Comments to [webadmin@kgs.ku.edu](mailto:webadmin@kgs.ku.edu)

URL=<http://www.kgs.ku.edu/Magellan/Field/lease.html>

Programs Updated May 27, 2014

Data from Kansas Dept. of Revenue files monthly.

## **CERTIFICATE OF SERVICE**

22-CONS-3098-CMSC

I, the undersigned, certify that a true and correct copy of the attached Prefiled Rebuttal Testimony of Eric MacLaren has been served to the following by means of electronic service on March 22, 2022.

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