

MAR 08 2019

CONSERVATION DIVISION
WICHITA, KS

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

IN THE MATTER OF THE APPLICATION)	
OF NORSTAR PETROLEUM INC.,)	DOCKET NO. 19-CONS- ³²⁹⁰ —-CEXC
FOR AN EXTENSION TO THE PIT CLOSURE)	
TIME REQUIREMENT OF K.A.R. 82-3-602 FOR)	LICENSE NO. 31652
THE SISTERS #1-15 WELL LOCATED)	
IN THE NW/4 OF SECTION 15-T19S-R27W)	CONSERVATION DIVISION
<u>LANE COUNTY, KANSAS</u>)	

APPLICATION

COMES NOW Norstar Petroleum Inc., (“Operator”) in support of its application
in the captioned matter states as follows:

1. Operator is a foreign corporation licensed to do business in the State of Kansas. Applicant’s address is 88 Inverness Cir E, Unit F104, Englewood, Colorado 80112-5514.
2. Operator has been issued license no. 31652 by the Commission, which license expires on March 30, 2019.
3. Operator is the owner and operator of The Sisters #1-15, API #15-101-22597-00-00, which is located in the NW/4 of Section 15-T19S-R27W, Lane County, Kansas.
4. Pursuant to K.A.R. 82-3-601a, Operator constructed temporary reserve and working pits in order to contain the drilling fluids associated with the drilling of The Sisters #1-15 wellbore. The pits were constructed in September 2017.
5. On or about November 2, 2018, the Commission notified Operator that Operator may be in violation for failure to close The Sisters 1-15 drilling pits by the 365 day deadline of September 5, 2018. Operator contacted the Commission and requested an extension to the pit closure deadline. On November 13, 2018, Commission notified Operator that an extension was granted until February 13, 2019. On February 8, 2019, Operator requested a second extension to

the pit closure deadline. On February 8, 2019, the Commission granted a second extension to the Operator to extend the pit closure deadline to March 5, 2019. Commission also notified Operator that any further extension would need to be applied for under a docket number with the Commission and could no longer be granted by the director.

6. K.A.R. 82-3-602(a)-1 sets a 365 day limit to close all pits associated with the drilling of a new wellbore. K.A.R. 82-3-602(a)-2 allows for any extension of the pit closure by written request and approval of the director.

7. Operator requests this application be approved for the following reasons: 1. It is the accepted best practice by industry and landowners alike not to close any pits until they have thoroughly dried out. Closing pits early leads to future dirt issues including collapse and erosion. The Sisters 1-15 drilling pits are still not dry as of the filing of this application. 2. The precipitation and moisture level in western KS has been anomalously high through-out much of 2018 and early 2019, not allowing for The Sisters 1-15 pits to properly dry. 3. It is the preferred practice of the Operator and many other operators to not close pits during the winter. The ground is typically frozen and the dirt holding more moisture during the winter and spring months. Granting an extension to the pit closure deadline through the summer of 2019 would allow the Operator to wait and close the pits during the optimal hot, dry summer months.

8. Operator has contacted both the landowner and tenant of the grounds in question. Both parties are in support of Operators application seeking an extension. Neither the landowner, nor the tenant, wish for the pit to be filled by March 5, 2019, with its current wet conditions. Both parties have signed an affidavit to this effect. Those two affidavits are attached to this application as Exhibit A.

9. Based on the foregoing, Operator 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 270 days in order to allow for the subject pits to be filled during the hot, dry summer months.

10. There is one oil and gas operator of record within a one-half mile radius of the subject lands. Their contact information is as follows:

Raymond Oil Company
PO Box 48788
Wichita, KS 67201-8788

There are four unleased mineral owners covering lands within a one-half mile radius of the subject lands. Their contact information is as follows:

Justin Whipple
97 S Turkey Red Road
Dighton, KS 67839

Herndon Survivors Trust
PO Box 669
Dighton, KS 67839

Edwin Habiger Living Trust
PO Box 156
Dighton, KS 67839

Angela Habiger
1808 E 24th
Hays, KS 67601

There are two surface owners of the subject lands containing The Sisters 1-15 wellbore and pits. Their contact information is as follows:

Nancy Myers
12103 W Meribeau Ct
Wichita, KS 67235

Merilyn Blankenship
13 McCollough Lane
Bella Vista, AR 72715

The attached Exhibit B is a plat showing the pits location and grounds within a one-half mile radius.

11. Notice of this application and any required hearing will be published pursuant to K.A.R. 82-3-135a and K.A.R. 82-3-135.

WHEREFORE, Operator 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 Operator's request, for a 270 day extension to the pit closure requirement set forth in K.A.R. 82-3-602.

Respectfully submitted,

By: _____



Brady Pfeiffer
Engineering Manager

Norstar Petroleum Inc.
88 Inverness Cir E, Unit F104
Englewood, CO 80112

CERTIFICATE OF SERVICE

I hereby certify on this 5th day of March, 2019, true and correct copies of the above and foregoing Application were served by depositing copies of the same in the United States Mail, postage prepaid, and properly addressed to the following persons:

Raymond Oil Company
PO Box 48788
Wichita, KS 67201-8788

Justin Whipple
97 S Turkey Red Road
Dighton, KS 67839

Herndon Survivors Trust
PO Box 669
Dighton, KS 67839

Edwin Habiger Living Trust
PO Box 156
Dighton, KS 67839

Angela Habiger
1808 E 24th
Hays, KS 67601

Nancy Myers
12103 W Meribeu Ct
Wichita, KS 67235

Merilyn Blankenship
13 McCollough Lane
Bella Vista, AR 72715

and the original and seven (7) copies were mailed to the Kansas Corporation Commission.



Brady Pfeiffer
Engineering Manager

Norstar Petroleum Inc.
88 Inverness Cir E, Unit F104
Englewood, CO 80112

Exhibit A

AFFIDAVIT FOR EXTENSION OF PIT CLOSURE THE SISTERS #1-15 WELL, LANE CO., KANSAS

Affiant, on oath swears, that the following statements are true:

My name is **Nancy G. Myers**. I reside at 12103 West Meribeu Court, Wichita, KS 67235. I am one of the owners of the minerals and the surface under the following described lands, located in **Lane County, Kansas** (the "Lands"):

Township 19 South, Range 27 West Section 15: NW/4; N/2NE/4

The Lands were subject to an Oil and Gas Lease, dated May 22, 2015, granted to Paramount Land, Inc., as Lessee, recorded in Book 153 at Page 47 of the Records of Lane County, Kansas, (the "Lease"), which Lease was subsequently assigned to and extended by **Norstar Petroleum Inc.** ("NPI"). The Lease has since expired under its own terms.

During the primary term of the Lease, NPI, as operator, drilled **The Sisters #1-15 well**, located in the SE/4NE/4SW/4NW/4 of the Lands, API #15-101-22597-00-00, (the "Well"), on September 5, 2017. The Well was plugged and abandoned on September 16, 2017. Affiant is aware that the Kansas Corporation Commission ("KCC") imposes certain requirements on Kansas operators, subsequent to the plugging of a well. Those requirements, Affiant understands, include, amongst others, the timely closure of all surface pits used during the drilling of a well within 365 days (with a 180-day extension option).

Affiant has been informed that the deadline imposed by the KCC to NPI to close the surface pit is **March 5, 2019**. However, due to the abnormal amount of moisture in 2018, and during the first quarter of 2019, NPI has determined that the surface pit remains too wet to properly close. Affiant is personally aware that NPI, as Lessee and, as operator, has complied with the terms and provisions of the Lease and has conducted its drilling operations upon the Lands in a prudent and workmanlike manner, with the interests of all parties in mind.

NPI desires, and Affiant, along with its tenant, Gary L. Brenner, 116 E. Road 110, Beeler, KS 67518, ("Tenant"), agree, in their best judgments, that it is best to delay the pit closure until the pit is thoroughly dry. Affiant understands that premature closure of the pit could require additional expenditures and could potentially have a negative impact on the farming and/or grazing operations conducted over the improperly closed pit.

Therefore, Affiant and Tenant hereby request that the KCC grant NPI an extension for the closure of the pit for an **additional 270 days from March 5, 2019**. This extension request is made to ensure that the pit will be properly closed to avoid any future expenses, damage or recession on the Lands.

AFFIANT:

Nancy G. Myers

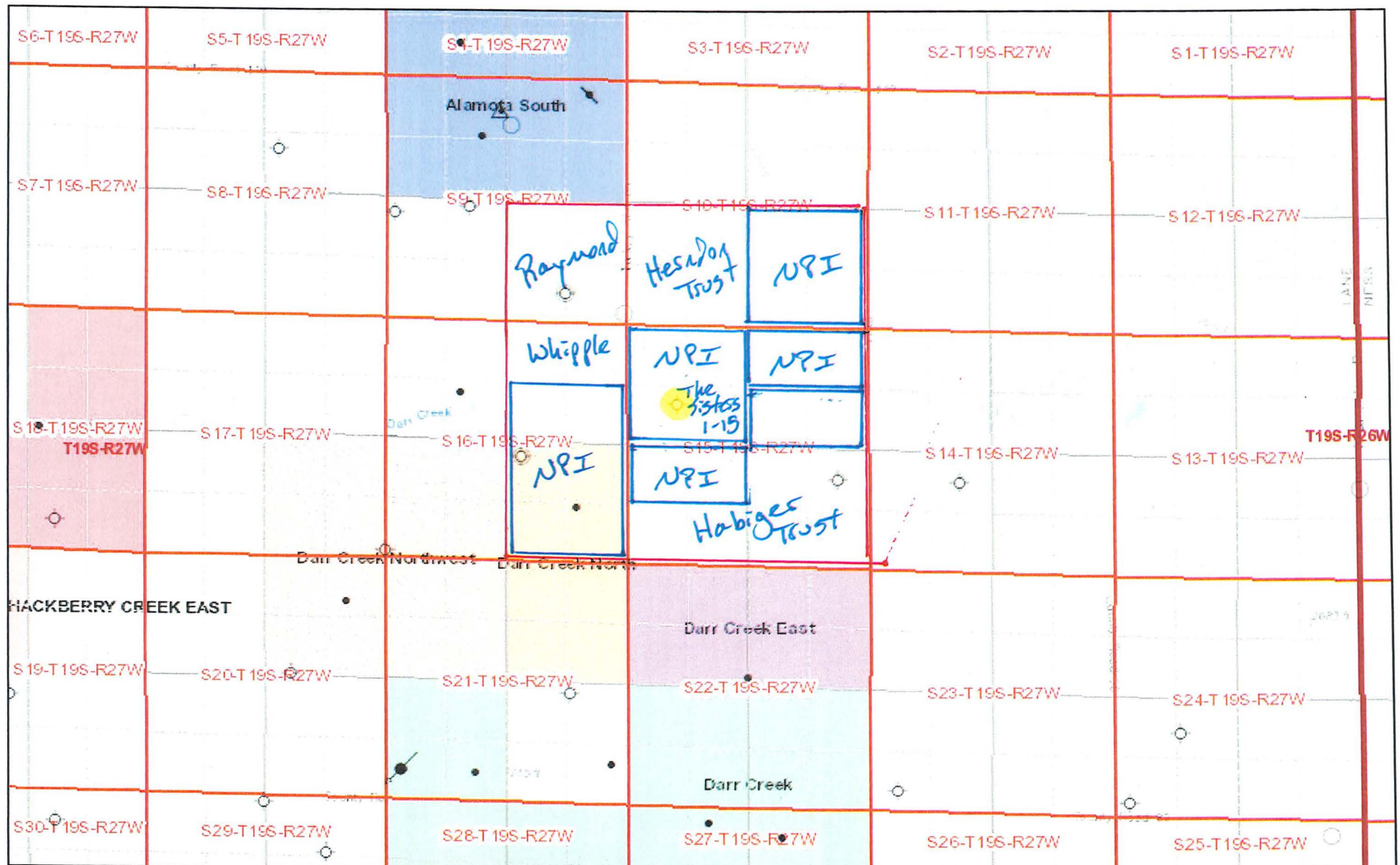
Date: _____, 2019

TENANT:

Gary L. Brenner

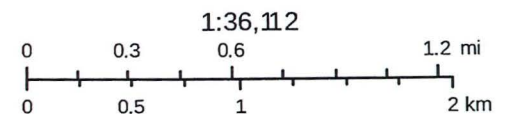
Date: 2-26-, 2019

Exhibit B - Lessee and MIO in 1/2 Mile Radius



February 27, 19

*NPI → Norstar Petroleum Inc.
leased acreage*



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri