

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

25-CONS-3122-CEXC

In the matter of the Application of Western Plains Resources, L.L.C. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Odd Williams #3 well located in the SW/4 of Section 12, Township 21, Range 35 West, Kearny County, Kansas. ) Docket No.: (Assigned by Staff)  
) CONSERVATION DIVISION  
) License No.: 35983

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**APPLICATION**

COMES NOW Western Plains Resources, L.L.C. (Applicant) in support of its Application in the captioned matter and states as follows:

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

Applicant's address is 2790 N. Anderson Rd., Garden City, KS 67846-9798.

2. Applicant has been issued by the Kansas Corporation Commission Operator's License 35983, which expires on September 3, 2025.

3. Applicant is the owner and operator of the Odd Williams #3 well, 15-093-20757-00-01 (Subject Well), which is located in the Southeast Quarter of the Southwest Quarter of Section 12, Township 21 South, Range 35 West, Kearny County, Kansas. The Subject Well is located on an active oil and gas lease or unit comprising the following lands:

See attachment Exhibit "A"

4. Pursuant to K.A.R. 82-3-111, the well was shut in, or Applicant obtained temporary abandonment status, for the Subject Well on August 6, 2014. The Subject Well has maintained such status from August 6, 2014, to the present date.

5. On or about June 27, 2024, the Kansas Corporation Commission notified Applicant temporary abandonment status for the Subject Well would be denied from and after August 6, 2024, because the Subject Well had been temporarily abandoned for more than ten (10) years.

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. On or about September 12, 2024, the Subject Well passed a Commission Staff-witnessed mechanical integrity test of the casing between the surface and a point within fifty (50) feet above the uppermost perforation or open hole in the well.

8. Applicant wishes to continue TA status for the Subject Well, because Applicant intends to use the well for the following purpose: Water source well for continued EOR.

9. Applicant submits the following information regarding the well in support of the Application. Please see attached Exhibit "B", "C" and "D".

10. Applicant has included a 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. Western Plains Resources holds leases over all minerals within 1/2 mile of the subject well.

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,


Western Plains Resources L.L.C  
2790 N. Anderson Rd.  
Garden City, KS 67846-9798  
(806) 202-0548



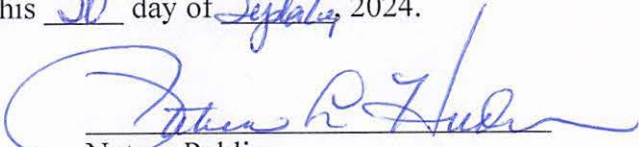
By Kenton L Hupp

STATE OF Kansas            )  
                                          )   **VERIFICATION**  
COUNTY OF Sedgwick       )   ss:

Kenton Hupp, of lawful age, being duly sworn upon his oath deposes and states:  
That he has the authority on behalf of Western Plains Resources, L.L.C. to file this application, that he has read the above and foregoing application 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.

  
\_\_\_\_\_  
[Signature of Submitter]

SUBSCRIBED AND SWORN to before me this 30<sup>th</sup> day of September, 2024.

  
\_\_\_\_\_  
Notary Public

My Appointment Expires:  
4-5-2027



## EXHIBIT "A"

All of Assignor's right, title and interest in and to the following oil and gas leases:

### 1. Crist Lease

That certain Oil and Gas Lease A) dated January 15, 2007, by and between Grace Virginia Crist, Lessor and PetroSantander (USA) Inc., Lessee, recorded in Book 280, Page 542, records of Finney County, Kansas, and B) dated October 25, 2007, by and between Marie Crist-Fulk as Trustee of the Marie Crist-Fulk Trust U/A dated July 20, 1994 Lessor and PetroSantander (USA) Inc., Lessee, recorded in Book 281, Page 616, records of Finney County, Kansas and covering the following described lands:

Township 21 South, Range 34 West, 6<sup>th</sup> P.M.

Section 7: Lots 3 and 4 and the E/2SW/4 (a/d/a the Southwest Quarter (SW $\frac{1}{4}$ )  
Finney County, Kansas

### 2. Kester Lease

That certain Oil and Gas Lease dated July 15, 1986, by and between Ruth Turner, et al Lessors and J. Fred Hambright, Lessee, recorded in Book 67, Page 3, records of Finney County, Kansas, and covering the following described lands:

Township 21 South, Range 34 West, 6<sup>th</sup> P.M.

Section 18: Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ) and Southeast Quarter of the Southwest Quarter (SE/4SW/4)  
Finney County, Kansas

### 3. Vulgamore Trust Lease

That certain Oil and Gas Lease dated August 26, 2005, by and between Judith A. Vulgamore and Larry G. Vulgamore, Trustees under Trust dated March 7, 1996, Lessor and PetroSantander (USA) Inc., Lessee, recorded in Book 211, Page 524, records of Kearny County, Kansas, and covering the following described lands:

Township 21 South, Range 35 West, 6<sup>th</sup> P.M.

Section 11: Southeast Quarter (SE $\frac{1}{4}$ )  
Kearny County, Kansas

### 4. Odd Williams Lease

That certain Oil and Gas Lease dated February 13, 1974, by and between Odd Williams, et al Lessors and Yucca Petroleum Co., Lessee, recorded in Book 47, Page 73, records of Kearny County, Kansas, and covering the following described lands:

Township 21 South, Range 35 West, 6<sup>th</sup> P.M.

Section 12: Southwest Quarter (SW $\frac{1}{4}$ ) and West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$ )  
Kearny County, Kansas

DEPTH LIMITS: FROM THE SURFACE DOWN TO AND INCLUDING THE  
STRATIGRAPHIC EQUIVALENT OF 5,163 FEET SUBSURFACE

**5. Linville Lease**

That certain Oil and Gas Lease dated May 2, 2006, by and between Elizabeth Linville-Ploger, Lessor and PetroSantander (USA) Inc., Lessee, recorded in Book 215, Page 51, records of Kearny County, Kansas, and covering the following described lands:

**Township 21 South, Range 35 West, 6<sup>th</sup> P.M.**

Section 12: East Half of the Southeast Quarter (E½SE¼)

Kearny County, Kansas

OIL/GAS RIGHTS AND DEPTH LIMITS: OIL RIGHTS AS TO ALL DEPTHS AND GAS RIGHTS BELOW THE DEPTH OF 3,200 FEET SUBSURFACE

**6. Scott Lease:**

That certain Oil and Gas Lease dated January 11, 1974, by and between Scott Associates Inc., Lessor and Yucca Petroleum Co., Lessee, recorded in Book 47, Page 65, records of Kearny County, Kansas, and covering the following described lands:

**Township 21 South, Range 35 West, 6<sup>th</sup> P.M.**

Section 13: Northwest Quarter (NW¼)

Kearny County, Kansas

DEPTH LIMITS: FROM THE SURFACE DOWN TO AND INCLUDING THE STRATIGRAPHIC EQUIVALENT OF 5,163 FEET SUBSURFACE

**7. Unruh Lease:**

That certain Oil and Gas Lease dated February 19, 1974, by and between Ervey A. Unruh and Norma J. Unruh, Lessor and Yucca Petroleum Co., Lessee, recorded in Book 47, Page 141, records of Kearny County, Kansas, and covering the following described lands:

**Township 21 South, Range 35 West, 6<sup>th</sup> P.M.**

Section 13: Northeast Quarter (NE¼)

Kearny County, Kansas

DEPTH LIMITS: FROM THE SURFACE DOWN TO AND INCLUDING THE STRATIGRAPHIC EQUIVALENT OF 5,163 FEET SUBSURFACE

**8. Miller Lease**

The following Oil and Gas Leases, including ratifications and/or extensions thereof:

Date	Lessor	Lessee	Book/Page
02/01/2001	William D. Foster Irrevocable Trust	PetroSantander (USA) Inc.	176/171
01/23/2001	Michael Andrew Foster	PetroSantander (USA) Inc.	176/177
11/29/2000	Norman F. Hampton	PetroSantander (USA) Inc.	176/179
12/18/2000	Karin Lynn Glass	PetroSantander (USA) Inc.	176/181
12/20/2000	Susan Althea Hoyer	PetroSantander (USA) Inc.	176/183
02/20/2001	Judith Miller Willis Revocable Trust	PetroSantander (USA) Inc.	176/185
11/20/2001	William David Foster	PetroSantander (USA) Inc.	184/457
09/11/2003	R. H. Hannifin	PetroSantander (USA) Inc.	199/77
10/01/2003	Nuevo Seis Limited Partnership	PetroSantander (USA) Inc.	199/79
10/01/2003	Arjo Properties, Ltd.	PetroSantander (USA) Inc.	199/85
09/24/2003	Mark A. Hannifin	PetroSantander (USA) Inc.	199/87
02/01/2004	Patricia Foster Whitham, et al	PetroSantander (USA) Inc.	200/97

covering the following described lands:

Township 21 South, Range 35 West, 6<sup>th</sup> P.M.

Section 13: Southeast Quarter (SE¼), Kearny County, Kansas

9. Carr Lease (as part of the Odd Williams #2 gas well unit):

That certain Oil and Gas Lease dated February 25, 1974, by and between Myron J. Carr, et ux, Lessor and Yucca Petroleum Co., Lessee, recorded in Book 47, Page 235, records of Kearny County, Kansas, and covering the following described lands, limited to rights from the surface down to 3,200 subsurface, specifically excluding depths below 3,200 feet:

Township 21 South, Range 35 West, 6<sup>th</sup> P.M.

Section 11: North Half (N½)

Kearny County, Kansas

10. Linville gas rights Lease (as part of the Odd Williams #2 gas well unit):

That certain Gas Lease dated February 17, 1974, by and between Thomas W. Linville, et ux, Lessor and W. R. Gray, Lessee, recorded in Book 53, Page 635, records of Kearny County, Kansas, and covering the following described lands, limited to gas rights only from the surface down to 3,200 subsurface, specifically excluding gas rights as to depths below 3,200 feet:

Township 21 South, Range 35 West, 6<sup>th</sup> P.M.

Section 12: East Half of the Southeast Quarter (E½SE¼)

Kearny County, Kansas

11. Surface Lease for Central Tank Battery:

That certain Surface Lease Agreement dated July 17, 2007, by and between the Norma J. Unruh Trust, Lessor and PetroSantander (USA) Inc., Lessee, recorded in Book 222, Page 236, records of Kearny County, Kansas, providing for the right to use and occupy the surface of the following described lands:

Township 21 South, Range 35 West, 6<sup>th</sup> P.M.

Section 13: that portion of the Northeast Quarter of the Northeast Quarter (NE¼NE¼) as described in the above-referenced Surface Lease Agreement, containing 2.5 acres, more or less, in Kearny County, Kansas

All of the above shall be construed to include any and all interests of Assignor herein in the above described lands and leases, specifically including working interests and overriding royalty interests or any other kind of interest, including, but not limited to the following properties:

- A) the Christabelle (Morrow) Unit, the Unit Agreement for which appears of record Book 279, Page 944, records of Finney County and in Book 221, Page 506, records of Kearny County, and the Christabelle (Morrow) Unit Operating Agreement, recorded in Book 279, Page 945, records of Finney County and Book 221, Page 550, records of Kearny County; and
- B) The Odd Williams #2 gas well, located in the SW/4 of Section 12, T21S-R35W, including any interest in the consolidated gas operating unit described in Declaration of Gas Unitization, dated February 13, 1974 and recorded in Book 54, Page 585 of the records of Kearny County, Kansas.

STATE OF KANSAS }  
KEARNY COUNTY } ss

This instrument was filed for record on the  
9<sup>th</sup> day of September A.D. 2022 at  
11:31 o'clock A.M., and duly recorded in  
Book 311 of record, at Page 462

Melissa Gervitzen  
REGISTER OF DEEDS

By \_\_\_\_\_ Deputy  
Rec. Fee \$ 140.<sup>00</sup>



## EXHIBIT "B"

RE: Odd Williams #3 WSW

To: The State Corporation Commission of the State of Kansas

Western Plains Resources, L.L.C. (Western Plains) is seeking an exception to the 10-year time limitation for a TA well status on its Odd Williams #3 WSW. The Odd Williams #3 is part of the Christabelle Unit. Please see Exhibit "C" for a map of the unit as of the acquisition by Western Plains. Exhibit "D" shows the current KCC well inventory and the corresponding status of each well on the unit. Estimated cost to plug the subject well is \$28,000. It is assumed that the cost to plug the remaining wells on the lease would be approximately the same, totaling \$756,000. Current production of the unit is approximately 42 bbl. per day. Estimated reserves in place are 57,650 bbls as calculated using decline curve analysis utilizing PHDWIN. As of the application of this exemption, the Odd Williams #3 has a composite bridge plug in place isolating lower previously utilized zones. Utilization as a water source well will require perforating of an acceptable water bearing formation and installing artificial lift to bring water to the surface/tanks and ultimately injected into an authorized injection well. Estimated cost to complete the stated project is \$80,000.

Western Plains Resources L.L.C.

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EXHIBIT C

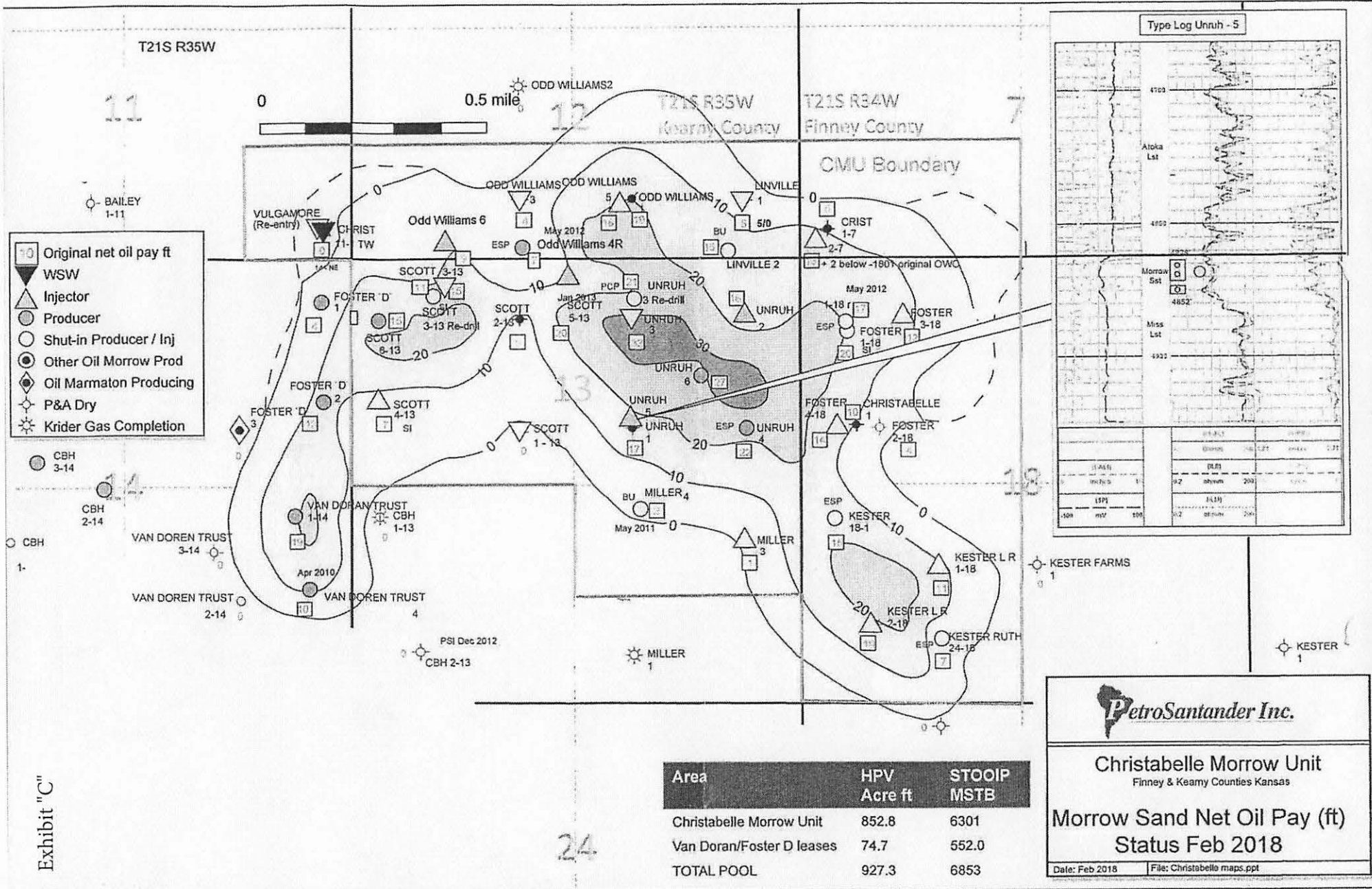


Exhibit "C"

24



**Christabelle Morrow Unit**  
 Finney & Kearny Counties Kansas  
**Morrow Sand Net Oil Pay (ft)**  
**Status Feb 2018**  
 Date: Feb 2018 File: Christabelle maps.ppt

# EXHIBIT "D"

Well Inventory According to the KCC  
 Western Plains Resources LLC  
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Lease Name	Well No.	API Number	Year Drilled	Year Assured	Depth	County	Sec	Twp	Rge	Dir	Q4	Q3	Q2	Q1	Feet N-S	N-S	Feet E-W	E-W	Well Type	Well Status	Oil Lease	Gas Lease	Latitude	Longitude	Datum
CRIST	2-7	15-055-22	2009			5000 Finney		7	21	34 W		SW	SW	SW	329 S		4646 E		EOR	AI			38.23625	-101.102	NAD27
CRIST	1-11 TWIF	15-093-21	2011			5020 Kearny		11	21	35 W		SE	SE	SE	411 S		352 E		WSW	PR					
FOSTER	1-18	15-055-20	1989			4930 Finney		18	21	34 W		SE	NW	NW	4445 S		4470 E		OIL	IN	129418				
FOSTER	1-18R	15-055-22	2023			5000 Finney		18	21	34 W	NW	SE	NW	NW	4534 S		4451 E		OIL	PR	129418				
FOSTER	3-18	15-055-21034-0001				4980 Finney		18	21	34 W	NW	SW	NE	NW	4627 S		3580 E		EOR	AI			38.2336	-101.098	NAD27
FOSTER	4-18	15-055-21975-0001				4960 Finney		18	21	34 W		SE	SW	NW	3173 S		4584 E		EOR	IN					
KESTER	18-1	15-055-21	1993			4970 Finney		18	21	34 W		NW	NW	SW	2239 S		401 W		OIL	PR		132075			
KESTER	24-18	15-055-21	2003			4950 Finney		18	21	34 W		NW	SE	SW	950 S		1650 W		OIL	PR		135837			
L. R. KESTE	1-18	15-055-21205-0001				4925 Finney		18	21	34 W	NE	SW	NE	SW	1697 S		3344 E		EOR	AI			38.22551	-101.097	NAD27
L. R. KESTE	2-18	15-055-21256-0002				4900 Finney		18	21	34 W		NE	SW	SW	985 S		4171 E		EOR	IN			38.22362	-101.1	NAD27
LINVILLE		1 15-093-20	2007			4212 Kearny		12	21	35 W			SE	SE	660 S		660 E		WSW	IN					
LINVILLE		2 15-093-21	2007			4996 Kearny		12	21	35 W		SW	SE	SE	95 S		850 E		OIL	PR	138564				
MILLER	3 WIW	15-093-20698-0002				4950 Kearny		13	21	35 W			NE	SE	2013 S		613 E		EOR	AI			38.22639	-101.105	NAD27
MILLER	4-13	15-093-21	2011			4977 Kearny		13	21	35 W	NW	NE	NW	SE	2380 S		1900 E		OIL	PR		113769			
ODD WILL		3 15-093-20757-0001				4214 Kearny		12	21	35 W			SE	SW	660 S		1980 W		WSW	IN					
ODD WILL	4R	15-093-21	2012			5010 Kearny		12	21	35 W	S2	S2	SE	SW	130 S		3239 E		OIL	PR		138564			
ODD WILL		5 15-093-21825-0002				4990 Kearny		12	21	35 W	NE	SW	SW	SE	606 S		2063 E		EOR	AI					
ODD WILL		6 15-093-21	2013			5000 Kearny		12	21	35 W	SE	SE	SW	SW	156 S		4104 E		EOR	AI					
SCOTT	3-13	15-093-21	2010			5000 Kearny		13	21	35 W		NE	NW	NW	335 N		1068 W		WSW	IN					
SCOTT	4-13	15-093-21	2015			5000 Kearny		13	21	35 W		NW	SW	NW	3610 S		4903 E		EOR	IN					
SCOTT	5-13	15-093-21	2012			5016 Kearny		13	21	35 W	SE	NE	NE	NW	4653 S		2867 E		EOR	AI			37.23361	-101.113	NAD83
SCOTT	6-13	15-093-21	2014			5012 Kearny		13	21	35 W		W2	NW	NW	4639 S		4872 E		OIL	PR		132980			
UNRUH	2-A	15-093-20535-0004				4950 Kearny		13	21	35 W			NE	NE	4620 S		603 E		EOR	AI					
UNRUH		3 15-093-20	2009			4238 Kearny		13	21	35 W			NW	NE	660 N		1982 E		WSW	IN					
UNRUH	3R	15-093-21817-0000				5002 Kearny		13	21	35 W		N2	NW	NE	4822 S		1906 E		OIL	PR		133122			
UNRUH		4 15-093-20	1979			4953 Kearny		13	21	35 W			SE	NE	3393 S		612 E		OIL	PR		133122			
UNRUH		5 15-093-20612-0001				4950 Kearny		13	21	35 W		N2	SW	NE	3457 S		1988 E		EOR	AI			38.23033	-101.11	NAD27
UNRUH		6 15-093-21	2014			4966 Kearny		13	21	35 W			NE	NE	3959 S		1126 E		OIL	PR		133122			