

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

In the matter of the failure of Barracuda)	Docket No.: 25-CONS-3360-CPEN
Operating Company (Operator) to comply with)	
K.A.R. 82-3-120 and K.A.R. 82-3-133 by)	CONSERVATION DIVISION
operating under a suspended license.)	
_____)	License No.: 33593

**PRE-FILED DIRECT TESTIMONY
OF
CASE MORRIS
ON BEHALF OF COMMISSION STAFF
AUGUST 22, 2025**

1 **Q. What is your name and business address?**

2 A. Case Morris, 2301 E 13th Street, Hays, Kansas 67601.

3 **Q. By whom are you employed and in what capacity?**

4 A. I am employed by the Conservation Division of the Kansas Corporation Commission (KCC
5 or Commission), District #4 Office, as the District #4 Professional Geologist Supervisor.

6 **Q. Would you please briefly describe your background and work experience.**

7 A. I received a Bachelor of Science Degree in Geology from Fort Hays State University (FHSU)
8 in 1986 and a Master of Science Degree in Geology from FHSU in 1989. Prior to working for
9 the KCC, I was an independent oil producer. I have been employed by the KCC for the past
10 thirty-five years. I was employed for eleven of those years as an environmental geologist, and
11 ten as a Petroleum Industry Regulatory Technician. In April 2008, I became the District #4
12 Supervisor.

13 **Q. What are your duties with the Conservation Division?**

14 A. As the District Supervisor, I supervise daily activities within the District, as well as the District
15 Office. I also ensure that District Staff are using every resource available to enforce the rules
16 and regulations of the Commission on a daily basis by the most efficient methods possible.
17 Additionally, I talk to industry representatives and the general public on a regular basis to
18 answer questions pertaining to the rules and regulations.

19 **Q. Have you previously testified before this Commission?**

20 A. Yes.

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

22 A. The purpose of my testimony is to discuss the evidence supporting the Commission's findings
23 in regard to the Shut-In Order issued against Barracuda Operating Company (Operator) in

Docket 25-CONS-3360-CPEN (Docket 25-3360). Specifically, my testimony concerns the heightened penalty assessed in this docket.

Q. Can you please describe Operator's compliance history with the KCC.

A. Operator first received a license on May 2, 2005. As *Exhibit CM-1* shows, in the last twenty years, the Commission has issued eighteen penalty or shut-in orders against Operator. In those orders, the Commission found that Operator committed twenty-three violations of Commission regulations. Additionally, as *Exhibit CM-2* shows, Operator's license has been suspended sixteen times.

Q. You mentioned a shut-in order. Has the Commission issued a previous shut-in order against operator?

A. Yes, on January 28, 2025, the Commission issued a Shut-In Order against Operator in Docket 25-CONS-3246-CPEN. The Commission found that Operator continued to actively operate three wells while its license was suspended. The Commission assessed a \$10,000 penalty against Operator in that docket.

I would also note that in the Shut-In Order issued on January 28, Staff found Operator actively operating the Chapman A #2, Horchem #1-A, and Horchem #2-A wells under a suspended license. In the present docket, Staff found Operator actively operating the Chapman A #2, Horchem #2-A, and Robertson #1-24 wells under a suspended license. Operator was actively operating two of the same wells in both Shut-In Orders.

Q. Has the Commission assessed a heightened penalty against Operator in the past?

A. Yes, in Docket 25-CONS-3050-CPEN (25-3050), the Commission assessed a heightened penalty against Operator.

1 **Q. Why did the Commission assess a heightened penalty in that docket?**

2 A. Docket 25-3050 concerned two spills at the Chapman A lease in Gove County, Kansas. The
3 Commission found that Operator appeared to have purposefully caused the spills at the lease,
4 and assessed a heightened penalty of \$10,000 (resulting in a total penalty of \$10,500).

5 **Q. Returning to the present docket, the license suspension letter Staff sent to Operator on**
6 **March 11, 2025, stated that if Staff discovered Operator performing oil and gas**
7 **operations on a suspended license, Staff would recommend a \$10,000 penalty. Do you**
8 **believe a heightened penalty is appropriate in this docket?**

9 A. Yes, I do. Given Operator's history of non-compliance with Commission orders and
10 regulations, and given that the Commission issued another Shut-In Order against Operator
11 earlier this year, I believe a heightened penalty is appropriate.

12 **Q. Please summarize your recommendations.**

13 A. The \$25,000 penalty in this docket should be affirmed. Operator was clearly performing oil
14 and gas operations on a suspended license. Additionally, Operator has a history of ignoring
15 Commission orders and of continuing to perform oil and gas operations under a suspended
16 license; consequently, a heightened penalty is appropriate.

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

18 A. Yes.

Barracuda Operating Company Violations Since May 2, 2005

Docket	Date Issued	Type of Violation	Number of Violations	Penalty Amount
12-227	3/7/2012	Failure to timely clean up spill and notify District Office.	2	\$1,250
14-408	1/8/2014	Failure to perform successful mechanical integrity test (MIT).	1	\$1,000
15-765	3/19/2015	Failure to perform successful MIT.	1	\$1,000
16-150	8/6/2015	Failure to perform successful MIT.	1	\$1,000
16-3849	2/25/2016	Temporary abandonment (TA) violation.	2	\$200
21-3119	12/17/2020	Failure to perform successful MIT.	1	\$1,000
21-3152	1/28/2021	TA violation.	1	\$100
24-3061	9/7/2023	Failure to submit well plugging record (CP-4).	1	\$100
24-3096	10/12/2023	TA violation.	2	\$200
25-3027	7/30/2024	Failure to perform successful MIT.	1	\$1,000
25-3037	8/1/2024	Failure to post identification sign.	1	\$100
25-3050	9/19/2024	Failure to timely clean up spill and notify District Office.	2	\$10,500
25-3156	10/31/2024	Failure to timely remove fluids from a pit or diked area and notify District Office.	2	\$500
25-3169	11/19/2024	Failure to post identification sign.	1	\$100
25-3223	1/14/2025	Failure to perform successful MIT.	1	\$1,000
25-3242	1/28/2025	TA violation.	1	\$100

25-3246	3/6/2025	Unlawful production under a suspended license.	1	\$10,000
25-3276	3/4/2025	Failure to remit well plugging costs.	1	\$100
Total			23	\$29,250

Barracuda Operating Company License Suspensions

Docket	Date License Suspended
14-408	1/18/2014
16-3849	4/1/2016
16-4047	7/18/2016
21-3119	3/5/2021
21-3152	3/12/2021
24-3061	10/24/2023
25-3027	9/5/2024
25-3037	9/5/2024
25-3050	10/17/2024
25-3156	12/5/2024
25-3169	12/30/2024
25-3050	3/11/2025
25-3223	3/11/2025
25-3242	3/11/2025
25-3276	4/9/2025
25-3246	7/7/2025

CERTIFICATE OF SERVICE

25-CONS-3360-CPEN

I, the undersigned, certify that a true and correct copy of the attached Testimony has been served to the following by means of electronic service on August 22, 2025.

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