

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

In the Matter of the Application of Briscoe)	Docket No. 25-CONS-3367-CEXC
Petroleum, LLC for an exception to the)	
requirements of K.A.R. 82-3-401(d) for its)	CONSERVATION DIVISION
Olson Heirs #1 well located in the SW/4 of)	
Section 21, Township 34 South, Range 12)	License No. 35714
<u>West Barber County, Kansas.</u>)	

APPLICATION FOR EXCEPTION

Briscoe Petroleum, LLC (“Applicant”) files this Application for Exception (“Application”) with the State Corporation Commission of the State of Kansas (“Commission”) requesting an order granting an exception to the requirements of K.A.R. 82-3-401(d) for its Olson Heirs #1 well so that it may be permitted for saltwater disposal. In support of its Application, Applicant states and alleges as follows:

1. Applicant is a Wyoming limited liability company whose mailing address is P. O. Box 6690, Sheridan, Wyoming, 82801, and who is in good standing with the Kansas Secretary of State to do business in Kansas.
2. The Commission has issued Applicant oil and gas operator’s license # 35714, which license is in full force and effect through October 30, 2025.
3. Applicant is the operator of the Olson Heirs #1 well (“Subject Well”), API No. 15-007-24490-0001, located approximately 200’ FSL and 330’ FWL in Section 21-T34S-R12W, Barber County, Kansas.
4. On or about March 7, 2025, Applicant submitted a Form U-1 Application for Injection Well (“UIC App”) seeking to convert the Subject Well into a saltwater disposal well at an authorized maximum injection rate of 2,500 BWPD, and an authorized maximum injection pressure of 1,500 psig. Applicant proposed to inject produced saltwater through the Subject Well

into the Mississippian formation between the depths of 4,738' and 4,856' as measured from a Kelly Bushing elevation of 1,479' above Mean Sea Level. Staff assigned the UIC App saltwater disposal permit number D-34,595.

5. On or about April 15, 2025, Staff notified Applicant that the UIC App would be denied on the basis that: (a) the Subject Well is located within one-half mile from the Olson #1 gas well ("Offset Well") located approximately 943' FSL and 1,646' FEL of Section 20-T34S-R12W, and (b) the Offset Well produces gas from the Mississippian formation, which is the proposed zone of injection for the Subject Well. Staff further advised that in order for the UIC App to be approved, Applicant would need an exception from the requirements of K.A.R. 82-3-401(d). This Application seeks such an exception.

6. K.A.R. 82-3-401(d) provides that:

"If the application is for disposal into a producing zone within a ½-mile radius of the applicant's well, the disposal zone shall be below the oil-water contact or 50 feet below the base of the producing zone. For the purposes of this subsection, 'disposal zone' means the stratigraphic interval that contains few or no commercially productive hydrocarbons and that is saltwater bearing, and 'producing zone' means the stratigraphic interval that contains, or appears to contain, a common accumulation of commercially productive hydrocarbons."

K.A.R. 82-3-100(b) grants the Commission the authority to grant an exception to the requirements of any regulation after considering whether the exception will prevent waste, protect correlative rights, and prevent pollution.

7. Applicant requests an exception from the requirement of K.A.R. 82-3-401(d) restricting disposal into a producing zone within a ½-mile radius of the Subject Well. Attached as Exhibit A is a plat depicting the location of the Subject Well, the Offset Well, and wells drilled and completed or plugged within ½-mile of the Subject Well.

8. Permitting the Subject Well for saltwater disposal into the Mississippian formation is necessary to prevent waste and to prevent pollution. Applicant operates several producing wells within the vicinity of the Subject Well that Applicant believes can be worked over to produce currently untapped oil reserves. Applicant anticipates that significant saltwater will be produced in connection with such workover operations. In order for the workovers to be economic, the wells must have access to a saltwater disposal well. Moreover, transporting saltwater to a nearby disposal well is less likely to cause pollution than trucking saltwater to a far off disposal well.

9. Permitting the Subject Well for saltwater disposal into the Mississippian formation will not violate the correlative rights of the owners of the Offset Well or any other person, nor cause waste. The Subject Well has proven not productive of commercial quantities of hydrocarbons from the Mississippian formation, which formation is significantly down-dip from the productive Mississippian formation found in the Offset Well. As such, injecting saltwater into the Mississippian formation as proposed in the UIC App is unlikely to have any material effect on the gas produced from the Offset Well. Additionally, according to the online records of the Kansas Geological Survey, nearly 14 million mcf of natural gas has been produced from the Offset Well, vacating the Mississippian reservoir, which can now be utilized for the disposal of produced water through the Subject Well.

10. Other than the exception sought herein, the UIC App satisfies all of the Commission's requirements to approve the Subject Well for saltwater disposal. Applicant has reviewed the technical merits of the UIC App with Staff, and Staff has indicated it would support the UIC App if the exception requested by this Application is granted by the Commission.

11. Exhibit B contains a list of each operator and unleased mineral owner within a ½-mile radius of the Subject Well, and the landowner of the land on which the Subject Well is situated (collectively, "Offsets").

12. Pursuant to K.A.R. 82-3-135a(c), notice of this Application will be provided to all Offsets, and will be published in the *Gyp Hill Premiere*, the official newspaper of Barber County, Kansas, in accordance with K.A.R. 82-3-135a(d). Notice will therefore be lawful and proper in all respects. The publisher's affidavit will be provided to the Commission upon receipt. A copy of the Notice of Application will be filed in this docket.

WHEREFORE, Applicant requests that the Commission accept and docket this Application and, if no interested party files a timely and proper protest, enter an order administratively granting the exception from the Commission's rules and regulations sought by this Application without incurring the time and expense of an evidentiary hearing. In the event a valid protest is timely filed, Applicant requests that the Commission set this Application for hearing and, upon such hearing, grant the exception requested, and to afford such other and further relief as the Commission deems just and proper.

Respectfully submitted,

MORRIS LAING LAW FIRM

By: 

Jonathan A. Schlatter, #24848

300 N. Mead, Suite 200

Wichita, KS 67202-2745

Telephone: 316-262-2671

Facsimile: 316-262-6226

jschlatter@morrislaing.com

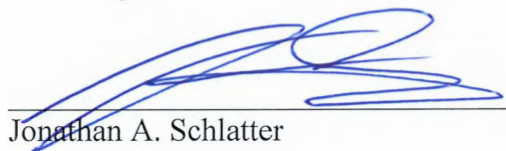
Attorneys for Briscoe Petroleum, LLC

VERIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

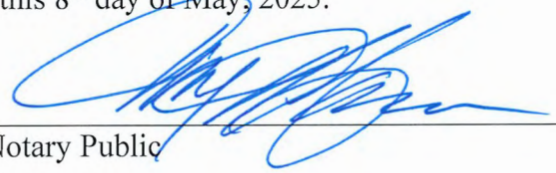
Jonathan A. Schlatter, being of lawful age and first duly sworn upon his oath, deposes and says:

That he is the attorney for Briscoe Petroleum, LLC; he has read the above and foregoing Application for Exception 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.



Jonathan A. Schlatter

SIGNED AND SWORN to before me this 8th day of May, 2025.



Notary Public

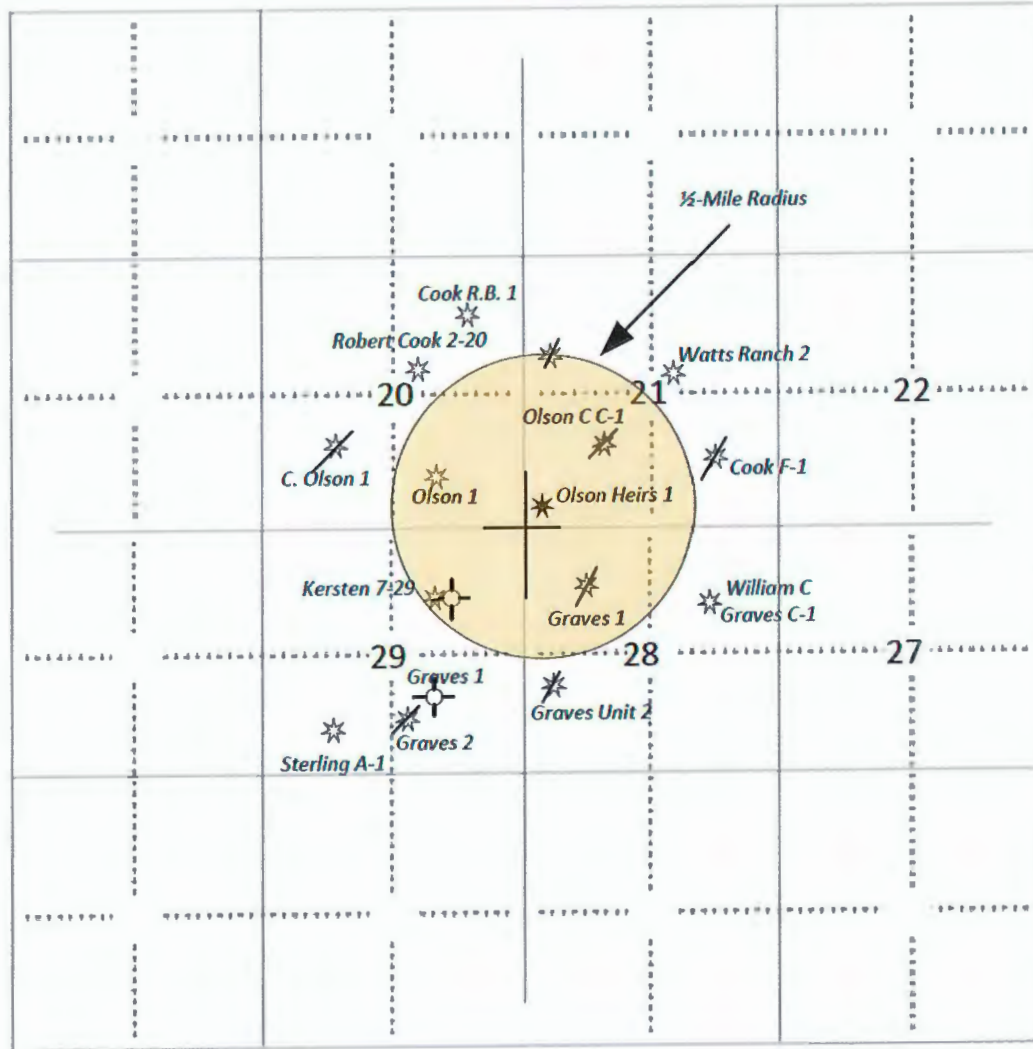
My Appointment expires: 11/05/2028




EXHIBIT A Plat


R12W


T34S



applicant well 

D & A well 

plugged producer 

producing well 

other injection well 

water supply well 

plugged injection well 

temporary abandoned well 

gas well 

oil & gas well 

EXHIBIT B
"Offsets"

Name	Address
Atlas Operating LLC	2424 Ridge Road, Rockwall, TX 75087
Chieftain Oil Company, Inc.	P.O. Box 124, Kiowa, KS 67070
Apollo Energies, Inc.	10378 N. 281 HWY, Pratt, KS 67124
Robert Bruce Keesecker Trust	1226 Hillview Dr., Sarasota, FL 34239
Patricia Andrews	P.O. Box 7052, Eureka, CA 95502
Tracy Renee Graham	951 Emma Ave., #74, Coeur d'Alene, ID 83814
Danielle Lee Jones	259 Remi Road, Sagle, ID 83860
Cook Ranch Trust, dated Sept. 12, 2017	3408 SW Hargis, Hardtner, KS 67057
Colette Baier	601 N Waverly St., Apt F4, Ponca City, OK 74601
Julia Bays	522 Flynn St, Alva, OK 73717
Bonnie Bower	418 N Imo Road, Enid, OK 73703
Gretchen Buzzzi Rev. Trust	100 Creekwood Ct., Southlake, TX 76092
Chisholm Royalty Partners	P.O. Box 25313, Dallas, TX 75225
Vicki E. Crowder	726 Galaxy Dr., Manhattan, KS 66502
Connie Jo Esquibell	5711 100th St, NE, Unit 88, Marysville, WA 98270
George L. Graves	306 Creek, Hardtner, KS 67057
Jack Graves	7414 SW Stateline Road, Hardtner, KS 67057
Gary & Jolena Graves Rev Trust	41 Rr 1, Gate, OK 73844
Joseph Bird Hall	9340 Parkside Dr., Prairie Village, KS 66207
Brian C. Huffaker	16100 Promontory Road, Edmond, OK 73013
Donald L. Jehle Trust	302 Blake St., Salida, CO 81201
Jehle Energy Group P %Gary Schneider	100 Creekwood Ct., Southlake, TX 76092
Jehle Energy Group Helen % Gary Schneider	100 Creekwood Ct., Southlake, TX 76092
Linda L. Joseph Trust date 8/15/08	P.O. Box 3448, Trust Dept- Enid, OK 73702
Jeff Riley Joseph	23735 County Road 420, Alva, OK 73717
Leroy Cattle Co, Inc.	19821 SE Bluestem Road, Kiowa, KS 67070
Yvette Papon	7414 SW Stateline Road, Hardtner, KS 67057
Reggie Gaylord Weil Trust	2114 Stillman Dr., Manhattan, KS 66502
Renee D. Weil	1914 W 5th St., Coffeyville, KS 67337

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

In the Matter of the Application of Briscoe)	Docket No. 25-CONS-3367-CEXC
Petroleum, LLC for an exception to the)	
requirements of K.A.R. 82-3-401(d) for its)	CONSERVATION DIVISION
Olson Heirs #1 well located in the SW/4 of)	
Section 21, Township 34 South, Range 12)	License No. 35714
<u>West Barber County, Kansas.</u>)	

NOTICE OF APPLICATION

TO ALL: OIL AND GAS OPERATORS, PRODUCERS AND LESSEES, OIL AND GAS LESSORS AND ROYALTY OWNERS, UNLEASED AND OFFSETTING MINERAL INTEREST OWNERS, LANDOWNERS, AND ALL PERSONS CONCERNED:

You are hereby notified that Briscoe Petroleum, LLC ("Applicant"), has filed with the Kansas Corporation Commission an application requesting an exception to the requirements of K.A.R. 82-3-401(d) for its Olson Heirs #1 well located 200' from the South line and 330' from the West line of Section 21-T34S-R12W, Barber County, Kansas, so that said well may be permitted for saltwater disposal into the Mississippian formation within ½-mile of other wells producing hydrocarbons from the Mississippian formation.

The application is pending with the Commission. Any persons who object or protest to such application shall be required to file their objections or protests in writing with the Commission within 30 days from the date of this publication. If a written protest is not timely filed, the application may be determined administratively by the Commission and may thereby be granted without hearing or further notice to any interested party. All objections and protests shall clearly state the reasons why granting the application will violate correlative rights, cause waste or pollution. Objections or protests shall be mailed to the Kansas Corporation Commission, Conservation Division, 266 N. Main St., Ste. 220, Wichita, KS 67202, with a copy to applicant's attorneys listed below. All parties in any way interested or concerned shall take notice of the foregoing and govern themselves accordingly.

Jonathan A. Schlatter, #24848
MORRIS LAING LAW FIRM
300 N. Mead, Suite 200
Wichita, KS 67202-2745
Office (316) 262-2671
Attorneys for Briscoe Petroleum, LLC

CERTIFICATE OF SERVICE

I certify that on this 8th day of May, 2025, I caused the original of the foregoing Application for Exception and the Notice of Application to be electronically filed with the Conservation Division of the State Corporation Commission of the State of Kansas, and caused true and correct copies of the same to be deposited in the United States Mail, postage prepaid, and properly addressed to the individuals identified on Exhibit B of the Application, and caused courtesy copies to be transmitted by email to the individuals identified below:

Todd Bryant, UIC Director, Production Supervisor
Conservation Division
266 N. Main Street, Ste 220
Wichita, KS 67202-1513
Todd.Bryant@ks.gov

Bob Bayer, UIC Department
Conservation Division
266 N. Main Street, Ste 220
Wichita, KS 67202-1513
Bob.Bayer@ks.gov



Jonathan A. Schlatter