

SEP 24 2014

CONSERVATION DIVISION  
WICHITA, KS

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

Before Commissioners: Shari Feist Albrecht, Chair  
Jay Scott Emler  
Pat Apple

In the matter of the failure of Patrick )  
Development Corporation ("Operator") to ) Docket No. 15-CONS-197-CPEN  
comply with K.A.R. 82-3-400 at the )  
Hegwald #d-1 (WSW), Hendricks #PDC ) CONSERVATION DIVISION  
11, Hendricks #PDC 10 and Henrichs )  
#PDC 9 wells in Woodson and Allen )  
Counties, Kansas ) License No.: 6279

**REQUEST FOR HEARING**

Patrick Development Corporation, described as the "Operator" in the Penalty Order issued in this docket, requests a hearing that will lead to a clarification of certain matters related to the wells identified in the caption of this matter.

1. This Penalty Order was issued with respect to the injection of volumes of water that exceed the volumes provided for in the Commission's Order. All of the wells in question have been approved by this Commission as disposal or injection wells. In all cases, the volumes of water that allegedly exceeded the permitted volumes are small amounts.

2. The information provided by the Operator in its U3-C reports for calendar year 2013 contained errors which lead to the volumes of water that allegedly were disposed or injected into these wells and upon which the Penalty Order is based. Due to health issues that were a significant problem for Mr. Patrick in 2013, the incorrect U3-C reports were the result of excusable neglect, and the volumes that were permitted for the subject wells were likely not exceeded during 2013.

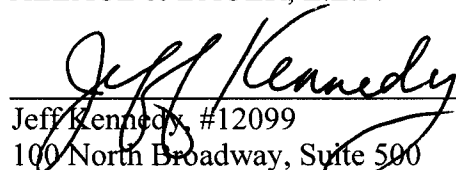
3. This Penalty Order is issued at a time when the Commission staff has been at odds with the Operator regarding the inventory of wells that this Operator is responsible for. An

observer new to this matter, which is the situation of the undersigned, questions whether this Penalty Order is intended to coerce the Operator into accepting what may be erroneous assertions of the Commission staff regarding the proper inventory of wells attributable to this Operator.

WHEREFORE, Patrick Development Corporation requests a hearing in this matter, requests that the penalty be rescinded, and for such additional and further relief as the Commission may find appropriate under the circumstances.

Respectfully submitted,  
MARTIN, PRINGLE, OLIVER,  
WALLACE & BAUER, L.L.P.

By: \_\_\_\_\_

  
Jeff Kennedy, #12099

100 North Broadway, Suite 500

Wichita, KS 67202

Telephone: (316) 265-9311

Facsimile: (316) 265-2955

[jkennedy@martinpringle.com](mailto:jkennedy@martinpringle.com)


*Attorneys for Patrick Development  
Corporation*

**VERIFICATION**

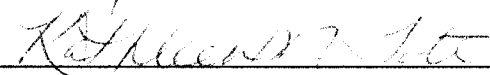
STATE OF KANSAS            )  
  ) ss.  
COUNTY OF SEDGWICK    )

Jeff Kennedy of lawful age and being first duly sworn, on oath, deposes and states:

That Jeff Kennedy, counsel for Patrick Development Corporation, has read the above and foregoing Request for Hearing and that the statements and averments contained therein are true and correct to the best of his knowledge and belief.

  
\_\_\_\_\_  
Jeff Kennedy

SUBSCRIBED and SWORN TO before me this 24<sup>th</sup> day of September, 2014.

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

My appointment expires:



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 24<sup>th</sup> day of September, 2014, a true and correct copy of the above and foregoing Request for Hearing was hand delivered to:

Jonathan R. Myers  
Litigation Counsel  
Kansas Corporation Commission  
266 N. Main St., Ste. 220  
Wichita, KS 67202-1513  
Phone: 316-337-6200  
Fax: 316-337-6211

  
\_\_\_\_\_  
Jeff Kennedy, #12099