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 comply with K.A.R. 82-3-400 at the Hegwald #d-1 (WSW), Hendricks #PDC 11, Hendricks #PDC 10 and Henrichs #PDC 9 wells in Woodson and Allen Counties, Kansas. Docket No. 15-CONS-197-CPEN

CONSERVATION DIVISION

License No. 6279

PRE-FILED TESTIMONY

OF CHERI BOYER

- 1 Q. What is your name and business address?
- 2 A. Cheri Boyer, 266 North Main Suite 220, Wichita, Kansas 67202.
- 3 Q. By whom are you employed and in what capacity?
- 4 A. I'm employed by the Conservation Division of the Kansas Corporation Commission as a
- 5 Research Analyst within the Underground Injection Control ("UIC") Department.
- 6 Q. How long have you been employed by the KCC?
- 7 A. Over 4 years.
- 8 Q. Have you previously testified before this Commission?
- 9 A. No.
- 10 Q. What does your position with the Conservation Division involve?
- 11 A. I do many things. I review and process Transfer of Operator ("T-1") Forms as they
- 12 pertain to injection wells. I conduct special projects to ensure the accuracy of our
- 13 electronic databases. I conduct periodic reviews of our paper files. I research wells for
- 14 verification of injection authority. I assist with open records requests. I am responsible
- 15 for splitting permits if more than one party becomes responsible for the wells. I am also
- 16 trained to enter permits into our electronic database when they are issued, if the primary
- 17 Staff member is not available. Basically, I assist the geologists in our department and try
- 18 to keep things running as smoothly as possible.
- 19 Q. Are you familiar with this KCC Docket, 15-CONS-197-CPEN?
- A. Yes. Although a different Staff member made the penalty recommendations in this
 docket, I have reviewed the penalty order, the relevant injection permits, and the relevant
 Annual Injection ("U3C") Forms.
- Q. What is your recommendation to the Commission regarding the penalty order in thisdocket?
- 25 A. There are five wells that Operator was penalized for, the Hegwald #d-1 (WSW),
- 26 Hendricks #PDC 5, and Henrichs #PDC 9, Henrichs #PDC 10, and Hendricks #PDC 11.
- 27 The "Hendricks" wells and the "Henrichs" wells are on the same lease.
- 28 I recommend that the Commission rescind the penalty as it concerns the four
- 29 Hendricks/Henrichs wells, but affirm it as it concerns the one Hegwald well.
- 30 Q. Why do you recommend that the Commission rescind the penalty as it concerns the four
- 31 Hendricks/Henrichs wells?

A. Although Staff's penalty recommendation reported that each of the four Hendricks/
Henrichs wells are only allowed to inject 25 barrels of fluid per day, a review of the
permit indicates that except for the Hendricks #PDC 5, the Hendricks/Henrichs wells are
allowed 40 barrels of fluid per day. None of the U3C Forms submitted by Operator
reported the maximum allowed injection pressure or rate (Exhibit A), but upon review of
the file, the allowed rate is 40 barrels of fluid per day.

7 There appears to have been a discrepancy between the actual paper file that Staff 8 keeps, which is the more official file and says 40 barrels of fluid per day, and what was 9 entered into our electronic database, which was 25 barrels of fluid per day. The penalty 10 recommendations were based upon what was in our electronic database, which is usually 11 accurate, but was not accurate here. Based upon a review of the actual paper file, I 12 recommend that the penalty for these four wells should be rescinded.

According to my file review, the Hendricks #PDC 5 is not authorized for injection at all, but I understand that matter may wind up being litigated. Since this penalty was just based upon Operator's U3C Forms, I suggest that the penalty against the Hendricks #PDC 5 in this docket should be rescinded, just like with the other Hendricks/Henrichs wells.

Q. Why do you recommend that the Commission affirm the penalty as it concerns the oneHegwald well?

A. As stated in Staff's recommendation, Operator's injection permit for the Hegwald well
only allows for injection to occur at gravity (Exhibit B). The permit was originally in
Layton Oil's name, but the permit has been transferred to Operator. For 2013, Operator
reported injecting at 150 pounds per square inch (Exhibit C), in violation of the permit.
Q. When Staff receives a completed U3C Form from an operator, does Staff do anything to

ensure the accuracy of what the operator reports?

A. We take the operator at its word. Under K.A.R. 82-3-409, each operator is required to

27 keep current, accurate records of the fluid injected into each well for at least five years,

- 28 which each operator is required to report on the U3C Form. Since the Commission does
- 29 not require operators to meter or gauge water that is being injected, there is really no way
- 30 for Staff to know whether an operator is being truthful. If the operator has filed a false

3

- 1 U3C Form, presumably they have violated K.A.R. 82-3-409 because they have not kept
- 2 current, accurate records. We rely on operators to file truthful information.
- 3 Q. Does this conclude your testimony as of this date, December 1, 2014?
- 4 A. Yes.

Form USC August 2013 Form must be Typical form must be completed on a ner well bands

ANNUAL REPORT OF PRESSURE MONITORING, FLUID INJECTION AND ENHANCED RECOVERY

Complete all blanks - add pages if maded. Copy to be relained for five (8) years after filing date.

Nam		#6279		Permit Number: (E	24224	
NEW	Patrick De	evelopment Co	orporation	API No.:	01-26,656	
	3408 V	V. 93rd Street		API No.:	2012	
1010 00000	1		^م ۇرىيىتى بەر بەر بەر بىرىكى بىرىيىت تەرىپىلىرىكى تەرىپى 1900	Reporting Period: .		2
Address 2 Leawood KS 66206			January 1, 20		·	
City:	Chy: Stater Zar+					<u>6 s r 18</u> XE W
Cont	CITCA PAROLOGY.				feat from [N / X S Line of Section
Phor	913	383-2814			615 Just from	E / W Line of Section
	Henri	ch		Least Description o		
title/1	Number: PDC	#5		W 1/2,	NW 1/4, 23-26S-18	E
				County: Aller		
			an a			
H run	w operates, Bot previo					
Lin	jostien Fluid:					
	Type:	Prost Water	Dested Brine	Untreated Brine	Water/Brine	KCC WICHIT
	Source:	Produced Water	Other (Allach List)			
	Quality: Tota	l Dissolved Solida:		scille Gravity: /	Additives:	APR 0 8 2014
	(Attach water analysis	, il available)				
	lali Dula: Type Comptellan:	This & out	or, aaster eeltina duniin		is (tubing, but no packer);	
	Madwan Authorizor	d Injection Pressure:	tion Wells Covered by Thi	pel Inject	on Zone:	
	Madwan Authorizor	d Injection Processor. d Injection Rule: encod Recovery Injec	silon Wells Covered by This	pel Injact mela per day a Permit: (Inch	on Zone:	
	Maximum Authorized Total Number of Enh	d Injection Processor d Injection Rubor encod Recovery Injec- Total Volum	silon Wells Covered by Thi	pel Inject	nde 7A15) Maximum Injacilion Pressure	Average Pressure Tubing/Costag Annulus
	Madwan Authorizor	d Injection Processor d Injection Rate: tenced Recovery Injec- Total Value BBL 580	silon Wells Covered by This	pel Inject mela per day a Permit:(incl 4 Days of injection 	nde 77 to) Maximum Injection Pressurs 300	Averäge Pressure
	Madmum Authorizad Total Number of Enh Mandh	d Injection Pressure: d Injection Pater encoded Recovery Inject Testal Values BBL 580 580	silon Wells Covered by Thi	pel Injact mala per day a Permit:(incl 4 Days of Injection 20 ,	Ion Zone: Interaction Injection Pressure 300 	Averäge Pressure
	Madmum Authorized Total Number of Enh Mandh January	d Injection Processor d Injection Pastor canced Recovery Injec- Total Volum BBL 580 580 880	silon Wells Covered by Thi	pel Injact mela per day a Permit:(incl 4 Days of Injection 25	Ion Zone: Inter 70 to) Maximum injection Pressure 300 300 300	Averäge Pressure
	Madmum Authorized Total Number of Enh Month January February	d Injection Processor d Injection Pastor concert Recovery Inject Total Volum BBL 580 580 880 880 880	silon Wells Covered by Thi	pel Inject rels per day a Permit: (Indi # Days of Injection (25) 	Maximum Injaction Pressure 300 300 300 300 300	Averäge Pressure
	Maximum Authorize: Total Number of Enh Alexaitr Jenuary February March	d Injection Processor d Injection Patter encode Recovery Inject Total Velant BBL 580 580 580 880 880 880 880	silon Wells Covered by Thi	pei Inject mela per day # Dayse of Injection # Dayse of Injection <u>15</u> <u>20</u> <u>25</u> <u>30</u> <u>30</u>	In Zone: In Zone: In Zone: In Zone: Presence 300 300 300 300 300 300 300	Averäge Pressure
	Madwum Authorized Total Number of Enh Month Jenuary February March April	d Injection Processor d Injection Pastor encode Recovery Inject BBL 580 580 880 880 880 880 880 880	silon Wells Covered by Thi	pel Inject rels per day # Days of Injection <u>15</u> <u>20</u> <u>25</u> <u>30</u> <u>30</u> <u>30</u>	In Zone: ade 77(b) Maximum injection Pressure 300 300 300 300 300 300 300 30	Averäge Pressure
	Maximum Authorized Total Number of Enh Alterativ January February March April May	d Injection Processor d Injection Pastor encode Recovery Inject BBL 580 580 880 880 880 880 880 880 880 880	silon Wells Covered by Thi	pei Inject rele per day # Days of Injection # Days of Injection 15 20 25 30 30 30 30 30 30 30 30 30 30 30 30 30	In Zone:	Averäge Pressure
	Maximum Authorized Total Number of Enh January February March April May June June July August	d Injection Processor d Injection Patter manaded Recovery Inject BBL 580 580 580 880 880 880 880 880 880 880	silon Wells Covered by Thi	pei Injecti mete per day # Days of Injection 4 Days of Injection 15 20 25 30 30 30 30 30 30 30 3	In Zone: Intertinues Injection Pressure 300 300 300 300 300 300 300 30	Averäge Pressure
	Maximum Authorized Total Number of Enh January February March April May June June July August September	d Injection Processor d Injection Patter encod Recovery Inject BBL 580 580 880 880 880 880 880 880 880 880	silon Wells Covered by Thi	pel injection rete per day a Permit:(Inde	In Zone:	Averäge Pressure
	Maximum Authorized Total Number of Enh January February March April May June July August September October	d Injection Processor d Injection Patter manaded Recovery Inject BBL 580 580 580 880 880 880 880 880 880 880	silon Wells Covered by Thi	pei Injecti mete per day # Days of Injection 4 Days of Injection 15 20 25 30 30 30 30 30 30 30 3	In Zone: Intertinues Injection Pressure 300 300 300 300 300 300 300 30	Averäge Pressure
	Maximum Authorized Total Number of Enh January February March April May June June July August September	d Injection Processor d Injection Patter encod Recovery Inject BBL 580 580 880 880 880 880 880 880 880 880	silon Wells Covered by Thi	pel injection relia per day a Permit:(Inde	an Zone: ate 78 b) Massimum Injection Pressure 300 300 300 300 300 300 300 30	Averäge Pressure

Print and Mail to: XCC - Conservation Division, 138 S. Mariast - Room 2076, Wichits, Kanasa 67202

Form USC August 2013 Form must be Typed form must be completed on a ner will bende

ANNUAL REPORT OF PRESSURE MONITORING, FLUID INJECTION AND ENHANCED RECOVERY

Complete all plants - sold pages if needed. Copy to be retained for five (0) years after filling data.

Address 1:Address 2:	KS Kerry Patrick	66206	API No.: API No.: Period: .	2013 13 to December 31, 20 1 	3 6 s. p. 18 [3]E [] W] N / [3]S Line of Section
Phone: ()	383-2814			A 12 A	X E / W Line at Section
· PDC			Legal Description of W 1/2.	NW 1/4, 23-26S-18	BE
Well Number:			County: Alle	ومحاطرين والمحجون والمحافظ والمريس المحاج ومعادرتك المحجور والمحافظ	
H new apontion, list provid	uu operater:				
L Injection Pluid:					KCC WICHITA
] Freeh Weter] Produced Weter	Theated Brine Other (Allach List)	Untreated Brine	Water/Brine	APR 0 8 2014
Quality: Rola	il Olassivad Salida:	mgA Speci	ille Gravity:	Adailthea:	RECEIVED
Madinum Authoriza	d Injection Processo: d Injection Rate:	barrel	poi inject	as (Bubling, but no pactuar); [ion Zone: ude 79(12)] Tubingtooo
HN.	Robal Velum) Mjestod	# Days of Injection	Meximum Injection	Avarage Pressure
Allavelle January February Masch April May June June July August September October November December	BBL 580 580 580 880 880 880 880 880 880 880 880 880 580 580 580 9660 9660		$ \begin{array}{r} 15 \\ 20 \\ 25 \\ 30 \\ 30 \\ 30 \\ 30 \\ 30 \\ 30 \\ 25 \\ 25 \\ 25 \\ 25 \\ 22 \\ 20 \\ 20 \\ 20 \\ $	300 300	

Print and Mail to: KCC - Conservation Division, 139 S. Mariat - Room 2078, Wichita, Kansas 67202

Form USC Jugan 2013 Form must be Typed form must be completed on a ner will beets

ANNUAL REPORT OF PRESSURE MONITORING, FLUID INJECTION AND ENHANCED RECOVERY

Complete all biants - add pages if meeted. Copy to be retained for five (0) years after filling date.

	#6279		a (0) - <u>24224</u>	
	velopment Corporation	Pormit Municer; (it API No.:	9(0) 101-26 864	
	V. 93rd Street			
Address 1:	an the part of the first state of the second s	Reporting Period:		3
Address 2	KS 66206		to December 31, 20	
City:	erry Patrick			26 <u>s r. 18</u> Xe
Contract Photon:	383-2814		feet from [N / 🕅 S Line of Section
Phone: ()			4900 lost from [² € / □ ₩ Line at Section
Lesse Marrier Henrie	ch	Legal Description	d Lesse of Unit NW 1/4, 23-265-18	
Well Number: PDC #	¥10	W 1/2	NW 1/4, 23-26S-18	E
		County: Aller	1	
tf now apareliar, list provia	us operator:			
L Injaction Pluid: Type:	Freeh Water	rine 🔲 Untreated Brine	Water/Brine	KCC WICHITA
	Produced Weter Other (Alls			
			Additives:	<u>APR 0 8 2014</u>
(Alloch water analysis	, il available)			RECEIVED
Musimum Authorized	s Injection Pressure:	dapitr: foot; [] Pactoria pel injec barrels per day ed by This Pernsit: (Inc	sion Zone:	Tildzingiose
10.	Total Volume injected	# Days of Injection	Maximum injection	Average Pressure
Lionth	BBL MCF	15	300	Tubing/Casing Annulus
January	<u>_580</u> 580		300	and the set of the second s
February	880	25	300	فيتحقق برجن برو الويالية ويعنى بيروانية
March April	880	30	300	
Mary	880	30	300	
June	880	30	300	
July	880		300	
August	880		300 	
September	880	25	300	and the second s
October	880 880	<u></u>	300	
November	580	- 20	300	and the second sec
December	~~~			
	9660			

Print and Mall to: XCC - Conservation Division, 130 S. Market - Room 2078, Wichits, Kansas 67202

Form USC August 2013 Form must be Typed form must be completed on a per well basis

ANNUAL REPORT OF PRESSURE MONITORING, FLUID INJECTION AND ENHANCED RECOVERY

Complete all Islantia - add pages if needed. Copy to be retained for live (8) years after filling data.

Address 1:	#6279 evelopment Co W. 93rd Street KS Kerry Patrick	66206	Permit Number: (E API No.: <u>15-</u> 0 Peperting Period: . January 1, 20 	2013 13 to December 31, 29 Bec. 23	13 26 s. p. 18 [X]E [] W [] N / [X] S. Line of Section
			Legal Description o W 1/2, N County:	4900 Next Norm of Lenses or Unit IW 1/4, 23-26S-18E	X E / W Line of Socilon
Source:	Proch Water Proch Water Produced Water		Untreated Brine	Water/Brine	KCC WICHITA APR 0 8 2014
(Attach water analysis II. Wall Data: Type Comptellars:	🗋 Tubing & padu		feet; Peckerle		
Medinum Authoriza			mals par day	lion Zone:	
III. Alloreth January February Mareh April May June June July August September October November Occober	Total Volum 88L 580 580 880 9660	e injostati MCF	15 20 25 30 30 30 30 25 20 25 30 30 25 25 20	Institution injection Pressure 300	Averago Pressere Tubing/Casing Annulus

Print and Mall to: XCC - Concervation Division, 139 S. Mariast - Room 2078, Wichits, Kansas 67202

BEFORE THE STATE CORPORATION COMMISSION

OF THE STATE OF KANSAS

Before Commissioners:

G. T. Van Bebber, Chairman Vernon A. Stroberg R. C. Loux

In the matter of the application of)	DOCKET NO. 105,725-C
LAYTON OIL COMPANY for an order per-)	(C-17,992)
mitting the disposal of salt water into)	
their Well No. WSW described in para-)	
graph "C" which is on their HEGWALD)	
LEASE, covering Lots 1, 2 & 6 and East)	
10 acres of Lot 3 in Section 30, Town-)	
ship 26 South, Range 17 East)	CONSERVATION DIVISION
)	-
in the .)	PERMITTING:
)	
PERRY-HALLIGAN FIELD)	
)	
in)	
)	
WOODSON COUNTY, KANSAS)	DISPOSAL OF SALT WATER

ORDER

Now on this 19th day of September, 1975, the above-entitled matter comes before the Commission for further consideration and disposition. The Commission, having examined the application and recommendations thereon, and being advised of field conditions, finds:

THE COMMISSION FINDS: (A) That the production map shows the proposed well to be located in the Perry-Halligan Field;

(B) That salt water is desired to be introduced into the Mississippi & Arbuckle formations, which contain water as defined in Rule 82-2-400 "B", with open hole from a depth of approximately 1233 feet to a bottom depth of approximately 2064 feet;

(C) That disposal is desired to be made into Well No. WSW, located 2040 feet from the West line and 80 feet from the North line of the NW/4 of Section 30, Township 26 South, Range 17 East, Woodson County, Kansas;

(D) That salt water is desired to be introduced into a salt water formation not known to be productive or expected to produce in this field;

(E) That a complete log of the disposal well has been filed with the application;

(F) That complete casing information as required under Rule 82-2-401 is as follows: 10 mg OA OVO

SIZE	LENGTH	SEAT DEPTH	CONDITION	CEMENTED OR MUDDED	EST. FT. ENCASED IN CEMENT	CEMENT USED
10''	12 '	12'	в	Cemented	12'	5
7"	1233'	1233'	в	Cemented	1233'	520

(G) That salt water desired to be introduced will be produced from the following described wells and leases:

LEASE OWNER	LEASE NAME	LEASE DESCRIPTION	WELL NOS.
Layton Oil Company	Heg wald	Lots 1, 2 & 6 and East 10 acres of Lot 3 in Sec. 30-265-17E	1
Layton Oil Company	Hempen	E/2 S/2 SW/4 Sec. 19-26S-17E	1

Continued ---

DISPOSAL OF SALT WATER

LAYTON OIL COMPANY (C-17,992)

LEASE OWNER	LEASE NAME	LEASE DESCRIPTION	WELL NOS.
Layton Oil Company	Johnson	NE/4 Sec. 31-265-17E	1
Layton Oil Company	Bodley	All of Sec. 17-265-17E	1
Layton Oil Company	Earl Gray	E/2 SE/4 Sec. 18; E/2 Sec. 19; Lot 5, being part of NE/4 Sec. 30; Lot 10, being part of NW/4 Sec. 29 all in 26S-17E	1

and from any well or wells on or that may be drilled on the above-described leases, estimated at 100 barrels per day minimum to 300 barrels per day maximum, to be introduced at gravity pressure at the well head;

(H) That there are no other operators of drilling or producing wells within one-half mile of the proposed disposal well;

IT IS, THEREFORE, BY THE COMMISSION ORDERED: That Layton Oil Company be, and it is hereby permitted to dispose of salt water produced from the wells on the leases described in paragraph (G) into the Mississippi & Arbuckle formations into Well No. WSW, described in paragraph (C), with open hole from a depth of approximately 1233 feet to a bottom depth of approximately 2064 feet, which said formations contain water as defined in Rule 82-2-400 "B"; said water estimated at 100 barrels per day minimum to 300 barrels per day maximum, to be introduced at gravity pressure at the well head; as provided for in the Rules and Regulations of the Commission.

IT IS FURTHER BY THE COMMISSION ORDERED: That if the recipient of the disposal authority herein assigns, sells or transfers his interest in the lease or leases described in this order, the disposal authority herein shall become null and void as of the date of assignment, sale or transfer.

THE COMMISSION HEREBY RETAINS JURISDICTION OF THE SUBJECT MATTER hereof and the parties hereto for the purpose of issuing from time to time such further orders, amendments, rules and regulations as may be necessary in connection with the aboveentitled matter if not specifically provided for in the Rules and Regulations of the Commission applying to the Disposal of Salt Water.

BY THE COMMISSION IT IS SO ORDERED:

Van Bebber, Chmn.; Stroberg, Com. and Loux, Com.

THELAN M. ANUTSON,	SECRETARI
DATE MAILED	9-22-75
ATTE	ST:

an an and he

TOTTOTO

A TRUE COPY Hope In Krateon

SECILETARY, STATE CORPORATION COMMILSION, STATE of KANSAS

APPROVAL RECOMMENDED:

BROCK

Exhibit B Page 2 of 2

UCC

ANNUAL REPORT OF PRESSURE MONITORING, FLUID INJECTION AND ENHANCED RECOVERY

Complete all Islanks - add pages if model #6279	L Copy to be retained for five (4) years after filling data.
Patrick Development Corporation	Permit Number: (II) (D) -
	API No.: 15-207-02,483-0001
3408 W. 93rd Street	Properting Period: 2013
Address 2	January 1, 20 13 to December \$1, 20 13
leawood KS 66206	Sec. 30 Two 26 s. R. 17 ME W
Kerry Patrick	
Context Person: 913 383-2814	Not how T = / T W Line at Section
Phone: () Hegwald	
Loose Rene:	Logid Description of Lense or Units
Well Number: SWD #1	Woodson
	County:
H new operator, list previous operator:	
I. Injustion Pluid:	
Type: 🔲 Freeh Water 🔲 Nexted Brine	Untreated Brine Water/Brine KCC WICHITA
Source: Produced Water Other (Allach List)	KCC WICHINA
Quality: Total Dissolved Solids:	Additioner Additioner APR 0 8 2014
(Attach water analysis, if available)	APK 00 201
	RECEIVED
II. Well Data:	
Type Completion: Tubing & packer, packer setting depth	fest; C Packerises (tubing, but no packer); C Tubingtose
Maximum Authorized Injection Pressure:	
Meximum Authorized Injection Ruter	
Total Number of Enhanced Recovery Injection Wells Covered by This P	termit: (Include 70 ts)
III. Tatal Valumo Injaciani	# Days of Injection Maximum Injection Average Pressure
Allando BBL MCF 320	Pressure Tubing/Cooling Annulus
January <u>320</u>	<u>15</u> <u>150</u> <u>150</u>
February 0	
March	
0	0 0

5 150 120 December 3660 TOTAL Print and Mail to: KCC - Concervation Division, 139 S. Market - Room 2078, Wichita, Kansas 67202

30

30

15 10

10

150

150

150

150

150

920

920

420

320

320

July

August

October

November

September

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 comply with K.A.R. 82-3-400 at the Hegwald #d-1 (WSW), Hendricks #PDC 11, Hendricks #PDC 10 and Henrichs #PDC 9 wells in Woodson and Allen Counties, Kansas. Docket No. 15-CONS-197-CPEN

CONSERVATION DIVISION

License No. 6279

CERTIFICATE OF SERVICE

I, Paula Murray, certify that on ______, 2014, I did cause a true and correct copy of the Pre-Filed Testimony of Cheri Boyer to be served by United States mail, first class, postage prepaid to the following:

Jeff Kennedy Martin, Pringle et al. 100 N. Broadway, Suite 500 Wichita, Kansas 67202 *Attorney for Patrick Development Corporation*

Paula Murray

Legal Assistant Kansas Corporation Commission