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KANSAS CORPORATION COMMISSION

JUL 11 2016

BIRK PETROLEUM

LEGAL SECTION

874 12<sup>TH</sup> RD SW, BURLINGTON, KS 66839  
620-364-1311

07/07/2016

RE: REQUEST FOR HEARING #16-CONS-4055-CPEN

*This request for hearing is being made in regards to the Notice of Penalty Assessment #16-CONS-4055-CPEN. The Penalty Order covers the Annual Injection Report for the Watts #SWD; API #15207275160000, located in Sec. 26-23S-14E, Woodson County, Ks. The maximum injection pressure was reported at 150 psi and maximum allowed is 100 psi. We have discovered a clerical error that occurred resulting in an incorrect report of the injection pressure. A correction to the report has been submitted and approved and a copy is enclosed for your review. We are requesting an abatement of the Penalty Assessment since the clerical error that occurred has been corrected and submitted. As this is the first year for the U3C to be required to be filed through the KOLAR system there have been some issues with the system in reporting the U3C's. We've worked with the KOLAR administrators on a couple of occasions to solve a couple of those issues. All efforts are made to submit accurate reports, however, mistakes can be and are made on occasion. As a producer in Eastern Kansas I have always strived to comply with Commission regulations. The opportunity to correct an inaccurate report due to a clerical error prior to Notice of Penalty would be greatly appreciated. Notice of an Unauthorized Injection was not provided prior to the Notice of Penalty Assessment. Such a notice would allow producers to correct clerical errors such as the one that occurred in this instance before incurring expenditures involving legal fees/proceedings that cost both the state and the producer. A penalty at this time would cause undue hardship in this time of low oil prices.*

Sincerely,



Brian Birk  
Birk Petroleum

**ANNUAL REPORT OF PRESSURE MONITORING,  
FLUID INJECTION AND ENHANCED RECOVERY**

Complete all blanks - add pages if needed. Copy to be retained for five (5) years after filing date.

OPERATOR: License # 31280  
 Name: Birk, Brian L. dba Birk Petroleum  
 Address 1: 874 12TH RD SW  
 Address 2: \_\_\_\_\_  
 City: BURLINGTON State: KS Zip: 66839 + 9255  
 Contact Person: BRIAN BIRK  
 Phone: (620) 364-1311  
 Lease Name: Watts  
 Well Number: SWD

API No.: 15-207-27516-00-00  
 Permit No: D30515.0  
 Reporting Year: 2015  
 (January 1 to December 31)  
 SW - NW - SW - SW Sec. 26 Twp. 23 S. R. 14  E  W  
 (a/a/a/a)  
852 feet from  N /  S Line of Section  
63 feet from  E /  W Line of Section  
 County: Woodson

**I. Injection Fluid:**

Type (Pick one):  Fresh Water  Treated Brine  Untreated Brine  Water/Brine  
 Source:  Produced Water  Other (Attach list)  
 Quality: Total Dissolved Solids: \_\_\_\_\_ mg/l Specific Gravity: \_\_\_\_\_ Additives: \_\_\_\_\_  
 (Attach water analysis, if available)

**II. Well Data:**

Maximum Authorized Injection Pressure: 100 psi Injection Zone: KANSAS CITY  
 Maximum Authorized Injection Rate: 300 barrels per day  
 Total Number of Enhanced Recovery Injection Wells Covered by this Permit: 1 (Include TA's)

III.	Month:	Total Fluid Injected BBL	Maximum Fluid Pressure	Total Gas Injected MCF	Maximum Gas Pressure	# Days of Injection
	January	<u>15</u>	<u>75</u>	<u>0</u>		<u>31</u>
	February	<u>10</u>	<u>75</u>	<u>0</u>		<u>28</u>
	March	<u>15</u>	<u>75</u>	<u>0</u>		<u>31</u>
	April	<u>15</u>	<u>75</u>	<u>0</u>		<u>30</u>
	May	<u>20</u>	<u>75</u>	<u>0</u>		<u>31</u>
	June	<u>15</u>	<u>75</u>	<u>0</u>		<u>30</u>
	July	<u>15</u>	<u>75</u>	<u>0</u>		<u>31</u>
	August	<u>15</u>	<u>75</u>	<u>0</u>		<u>31</u>
	September	<u>20</u>	<u>75</u>	<u>0</u>		<u>30</u>
	October	<u>15</u>	<u>75</u>	<u>0</u>		<u>31</u>
	November	<u>15</u>	<u>75</u>	<u>0</u>		<u>30</u>
	December	<u>15</u>	<u>75</u>	<u>0</u>		<u>31</u>
	<b>TOTAL</b>	<u>185</u>		<u>0</u>		

Submitted Electronically