

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

In the matter of the failure of Kiowa Gas Company) Docket No: 21-CONS-3318-CPEN
(Operator) to comply with K.A.R. 82-3-103 and)
K.A.R. 82-3-106 at the DMilleret #2 well in)
Leavenworth County, Kansas.) CONSERVATION DIVISION
)
_____) License No: 33995

**PRE-FILED TESTIMONY OF TODD MOORE,
ON BEHALF OF THE OPERATOR, KIOWA GAS COMPANY.**

1 **Q. Please state your name and business address?**

2 A. Todd Moore. 8150 N Central Expressway Ste. 750, Dallas, Texas 75206-1841.

3 **Q. Could you please briefly describe your educational background and work**
4 **experience?**

5 A. I received a Bachelor of Science in Business from Texas A&M University. I've been
6 involved in the energy business since 1988 and have been a licensed operator since 2008.
7 My company, Kiowa Gas Company, operates an excess of 20 wells in the State of
8 Kansas. I am the sole owner of Kiowa Gas Company.

9 **Q. Were you the operator who requested the DMilleret #2 Well be drilled in**
10 **Leavenworth County, Kansas?**

11 A. Yes.

12 **Q. Did the Kansas Corporation Commission issue a penalty assessment against you in**
13 **the above entitled case for failure to plug the DMilleret #2 Well?**

14 A. Yes.

15 **Q. Can you explain to the Commission why this well has not been plugged?**

16 A. The well was in fact plugged on September 28, 2021; however, the reason this well was
17 not plugged earlier was simply that I could not hire a well servicing company in the
18 Leavenworth area to plug the well on our behalf. I have continually called Taylor

19 Herman of the Kansas Corporation Commission regarding the plugging of this well. My
20 phone records show that I called Mr. Herman on January 26, 2021, January 29, 2021,
21 April 16, 2021, April 20, 2021, April 28, 2021, April 29, 2021, May 14, 2021 and May
22 19, 2021 to explain issues regarding the appointment of a well servicing company to plug
23 this well.

24 We were finally able to employ TDR Construction to plug the DMilleret #2 Well, and the
25 cost of plugging was paid to TDR Construction on July 19, 2021.

26 **Q. If you paid TDR Construction for plugging the well on July 19, 2021, why was the**
27 **well not plugged until September 28, 2021?**

28 A. For months, TDR Construction had advised us that they would be plugging the well “as
29 soon as possible”. Hurricane Services advised my company that they would plug the well
30 if/when they had a rig in the Leavenworth County area. Hat Drilling, another well
31 servicing company, we contacted stated that they would not come to Leavenworth County
32 to plug a well on our behalf unless we employed them to drill an additional well.
33 Service companies in eastern Kansas were hit hard by the 2020 pandemic, and the
34 number of well servicing companies as the Commission well knows have went out of
35 business. Now, that oil and gas prices have begun to rise, these companies are much more
36 interested in drilling wells instead of plugging wells.

37 **Q. Have you been in communication with the TDR Construction since July of 2021**
38 **requesting that they plug the DMilleret #2 Well as soon as possible?**

39 A. Yes, attached to my testimony is an email dated July 19, 2021 from Lesli Baker directed
40 to our company which states in part:

41 We have two plug jobs for the State of Kansas. We started today. We will
42 put you on the schedule.

43 On the same day, I wired the money to their account to pay for the plugging.

44 In an email dated July 21, 2021, Lesli Baker of TDR Construction states in emails to me
45 the following:

46 We have been dealing with a lot of rain, so as of right now, you cannot get
47 the equipment into your well site. The plug jobs for the state have been
48 waiting due to the weather. They are 25 well jobs. We will let you know
49 when you are on the schedule. As you can imagine due to the oil price, we
50 are swamped right now. Between finding help and the weather, it has been
51 very difficult.

52 **Q. Have you contacted other well servicing companies in an effort to get this well**
53 **plugged in the summer of 2021?**

54 A. As noted previously, we contacted Hat Drilling and Hurricane Services, neither of which
55 would put us on their plugging schedule.

56 **Q. Are you requesting that the Commission withdraw its penalty order?**

57 A. Yes, I acknowledge that the well did not get plugged until September 28, 2021; however,
58 I kept in constant contact with Tylor Herman of the Kansas Corporation Commission and
59 advised him as to the issues we were having regarding the employment of a well
60 servicing company to plug the well. I paid for the plugging of the well on July 19, 2021.
61 It is not the fault of Kiowa Gas Company that it took 2.5 months later for TDR
62 Construction to finally plug this well.

63 In addition thereto, prior to July of 2021, I had contacted TDR Construction, Hat Drilling
64 and Hurricane Services in an effort to have this well plugged as soon as we received
65 notification in January of 2021. I expressed our concerns regarding getting this well
66 plugged to Taylor Herman of the Kansas Corporation Commission and advised him
67 through the month of May as to the issues and problems we were having in getting any
68 well servicing companies to Leavenworth County to plug this well.

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

70 **A. Yes.**

CERTIFICATE OF SERVICE

21-CONS-3318-CPEN

I, the undersigned, certify that a true copy of the attached Pre-Filed Testimony has been served to the following by means of first class mail and electronic service on September 30, 2021.

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