

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

In the matter of the failure of Novy Oil & Gas,) Docket No.: **23-CONS-3212-CPEN**
Inc. (Operator) to comply with K.A.R. 82-3-111)
at the Beymer #4 and Isern A #2 wells in Barton) CONSERVATION DIVISION
and Kearny Counties, Kansas.)
_____) License No.: 31714

In the matter of the failure of Novy Oil & Gas,) Docket No.: 23-CONS-3331-CPEN
Inc. (Operator) to comply with K.A.R. 82-3-111)
at the Patton B #2 well in Scott County, Kansas.) CONSERVATION DIVISION
_____)
_____) License No.: 31714

PRE-FILED REBUTTAL TESTIMONY

OF

RICHARD WILLIAMS

ON BEHALF OF COMMISSION STAFF

AUGUST 18, 2023

1 **Q. Are you the same Richard Williams who pre-filed direct testimony in this docket on July**
2 **21, 2023?**

3 A. Yes.

4 **Q. What is the purpose of your rebuttal testimony in this matter?**

5 A. The purpose of my testimony is to discuss the assertions contained in the pre-filed testimony
6 of Michael Novy, given on behalf of Novy Oil & Gas, Inc. (Operator) in Docket 23-CONS-
7 3212-CPEN.

8 **Q. On page 3, line 1 of Mr. Novy's testimony, he alleges that KCC Staff directed Operator**
9 **to plug the Isern A #2 well. Is that correct?**

10 A. No, it is not. The Penalty Order issued by the Commission required Operator to plug, return
11 to service, or obtain temporary abandonment (TA) status for the Isern A #2 well. Staff did not
12 direct Operator to plug the well.

13 **Q. Also on page 3, line 1 of Mr. Novy's testimony, he states that Operator is having**
14 **difficulty plugging the Isern A #2 well. What was Operator's original deadline to plug,**
15 **return to service, or obtain TA status for the well?**

16 A. I sent a letter to Operator on December 19, 2022, stating that the Isern A #2 well needed to be
17 plugged, returned to service, or receive TA status by January 18, 2023 (the letter is attached
18 to the Penalty Order in this docket in Exhibit A.)

19 **Q. When did the Commission issue the Penalty Order for the Isern A #2 well?**

20 A. The Commission issued the Penalty Order for the well on March 2, 2023.

21 **Q. On page 3, line 1 of Mr. Novy's testimony, he states that Operator did not begin**
22 **attempting to plug the Isern A #2 well until June 2023. Is that after the deadline in the**
23 **letter you sent and after the Penalty Order issued by the Commission?**

1 A. Yes, it appears that Operator has not been diligent in attempting to bring the Isern A #2 well
2 into compliance with Commission regulations.

3 I would also like to point out that the Isern A #2 well has been shut-in since October 1,
4 2018 (*see* the TA application filed by Operator and attached to my direct testimony as Exhibit
5 RW-1), and Operator filed a Well Plugging Application for the well on March 24, 2023 (the
6 Application is attached to my testimony as ***Exhibit RW-3***). Operator has had a considerable
7 amount of time to get this well plugged.

8 **Q. Has your recommendation regarding this docket changed based upon Mr. Novy's**
9 **testimony?**

10 A. No, it has not. The wells at issue in this docket have been inactive and unplugged without TA
11 status for longer than allowed by Commission regulations, and Operator has not been diligent
12 in trying to bring the wells into compliance.

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

14 A. Yes.

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

Form CP-1

March 2010

This Form must be Typed**Form must be Signed****All blanks must be Filled****WELL PLUGGING APPLICATION**

**Form KSONA-1, Certification of Compliance with the Kansas Surface Owner Notification Act,
MUST be submitted with this form.**

OPERATOR: License #: _____

Name: _____

Address 1: _____

Address 2: _____

City: _____ State: _____ Zip: _____ + _____

Contact Person: _____

Phone: (_____) _____

API No. 15 - _____

If pre 1967, supply original completion date: _____

Spot Description: _____

____ - ____ - ____ Sec. ____ Twp. ____ S. R. ____ ☐ East ☐ West____ Feet from ☐ North / ☐ South Line of Section____ Feet from ☐ East / ☐ West Line of Section

Footages Calculated from Nearest Outside Section Corner:

☐ NE ☐ NW ☐ SE ☐ SW

County: _____

Lease Name: _____ Well #: _____

Check One: ☐ Oil Well ☐ Gas Well ☐ OG ☐ D&A ☐ Cathodic ☐ Water Supply Well ☐ Other: _____☐ SWD Permit #: _____ ☐ ENHR Permit #: _____ ☐ Gas Storage Permit #: _____

Conductor Casing Size: _____ Set at: _____ Cemented with: _____ Sacks

Surface Casing Size: _____ Set at: _____ Cemented with: _____ Sacks

Production Casing Size: _____ Set at: _____ Cemented with: _____ Sacks

List (ALL) Perforations and Bridge Plug Sets:

Elevation: _____ (☐ G.L. / ☐ K.B.) T.D.: _____ PBTD: _____ Anhydrite Depth: _____
(Stone Corral Formation)Condition of Well: ☐ Good ☐ Poor ☐ Junk in Hole ☐ Casing Leak at: _____
(Interval)

Proposed Method of Plugging (attach a separate page if additional space is needed):

Is Well Log attached to this application? ☐ Yes ☐ No Is ACO-1 filed? ☐ Yes ☐ No

If ACO-1 not filed, explain why:

Plugging of this Well will be done in accordance with K.S.A. 55-101 et. seq. and the Rules and Regulations of the State Corporation Commission

Company Representative authorized to supervise plugging operations: _____

Address: _____ City: _____ State: _____ Zip: _____ + _____

Phone: (_____) _____

Plugging Contractor License #: _____ Name: _____

Address 1: _____ Address 2: _____

City: _____ State: _____ Zip: _____ + _____

Phone: (_____) _____

Proposed Date of Plugging (if known): _____

Payment of the Plugging Fee (K.A.R. 82-3-118) will be guaranteed by Operator or Agent

Submitted Electronically

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

Form KSONA-1

July 2021

Form Must Be Typed

Form must be Signed

All blanks must be Filled

CERTIFICATION OF COMPLIANCE WITH THE KANSAS SURFACE OWNER NOTIFICATION ACT

This form must be submitted with all Forms C-1 (Notice of Intent to Drill); CB-1 (Cathodic Protection Borehole Intent); T-1 (Request for Change of Operator Transfer of Injection or Surface Pit Permit); and CP-1 (Well Plugging Application). Any such form submitted without an accompanying Form KSONA-1 will be returned.

Select the corresponding form being filed: ☐ **C-1** (Intent) ☐ **CB-1** (Cathodic Protection Borehole Intent) ☐ **T-1** (Transfer) ☐ **CP-1** (Plugging Application)

OPERATOR: License # _____

Name: _____

Address 1: _____

Address 2: _____

City: _____ State: _____ Zip: _____ + _____

Contact Person: _____

Phone: (_____) _____ Fax: (_____) _____

Email Address: _____

Well Location:

____ - ____ - ____ Sec. ____ Twp. ____ S. R. ____ ☐ East ☐ West

County: _____

Lease Name: _____ Well #: _____

If filing a Form T-1 for multiple wells on a lease, enter the legal description of the lease below:

Surface Owner Information:

Name: _____

Address 1: _____

Address 2: _____

City: _____ State: _____ Zip: _____ + _____

When filing a Form T-1 involving multiple surface owners, attach an additional sheet listing all of the information to the left for each surface owner. Surface owner information can be found in the records of the register of deeds for the county, and in the real estate property tax records of the county treasurer.

If this form is being submitted with a Form C-1 (Intent) or CB-1 (Cathodic Protection Borehole Intent), you must supply the surface owners and the KCC with a plat showing the predicted locations of lease roads, tank batteries, pipelines, and electrical lines. The locations shown on the plat are preliminary non-binding estimates. The locations may be entered on the Form C-1 plat, Form CB-1 plat, or a separate plat may be submitted.

Select one of the following:

- ☐ I certify that, pursuant to the Kansas Surface Owner Notice Act (see Chapter 55 of the Kansas Statutes Annotated), I have provided the following to the surface owner(s) of the land upon which the subject well is or will be located: 1) a copy of the Form C-1, Form CB-1, Form T-1, or Form CP-1 that I am filing in connection with this form; 2) if the form being filed is a Form C-1 or Form CB-1, the plat(s) required by this form; and 3) my operator name, address, phone number, fax, and email address.
- ☐ I have not provided this information to the surface owner(s). I acknowledge that, because I have not provided this information, the KCC will be required to send this information to the surface owner(s). To mitigate the additional cost of the KCC performing this task, I acknowledge that I must provide the name and address of the surface owner by filling out the top section of this form and that I am being charged a \$30.00 handling fee, payable to the KCC, which is enclosed with this form.

If choosing the second option, submit payment of the \$30.00 handling fee with this form. If the fee is not received with this form, the KSONA-1 form and the associated Form C-1, Form CB-1, Form T-1, or Form CP-1 will be returned.

I Submitted Electronically

I

CERTIFICATE OF SERVICE

23-CONS-3212-CPEN, 23-CONS-3331-CPEN

I, the undersigned, certify that a true and correct copy of the attached Prefiled Rebuttal Testimony of Richard Williams has been served to the following by means of electronic service on August 18, 2023.

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/s/ Paula J. Murray

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