

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

CLERKS INITIALS

BK ER

CPS _____

WEDNESDAY
THURSDAY
FRIDAY

PROTESTED DOCKET
PROTEST NUMBER

#2

FILED
JUL 12 2021

PRE-HEARING CONFERENCE AGREEMENT

DATE OF CONFERENCE: **July 9, 2021**

COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA

APPLICANT(S):

Perdure Petroleum LLC

CAUSE TYPE & NUMBER(S):

PD 202100024; PD 202100025;

PD 202100026; PD 202100027;

PD 202100028; PD 202100029;

PD 202100030; PD 202100031;

PD 202100032; PD 202100050;

PD 202100051; PD 202100052;

PD 202100053; PD 202100054;

PD 202100055; PD 202100056;

PD 202100057; PD 202100058;

PD 202100059; PD 202100060;

PD 202100061; PD 202100062;

PD 202100063; PD 202100064;

PD 202100065; PD 202100066;

PD 202100067

SPACING _____ LOCATION EXCEPTION _____ INCREASED DENSITY _____ POOLING _____ OTHER X
ENHANCED RECOVERY INJECTION WELL

LEGAL DESCRIPTION:

SECTIONS TOWNSHIP 1N RANGE 20 ECM COUNTY BEAVER

21, 22, 26-

29 & 31-35

APPEARANCE(S):

Richard J. Gore, Attorney for Applicant, Perdure Petroleum, LLC

John A. Mackechnie, Attorney for Protestants: Williams Fulton Creek Farms, Inc.; Mr. G. Don and Mrs. Sharon Williams; Anita Cowan Revocable Trust; Chad and Christy Wertz; John R. and L. Gail Creason; James G. and Cynthia Trentham; Albert E. Littau; and The Estate of Lorene M. Littau

Susan Dennehy Conrad, Deputy General Counsel for O&G Conserv. Div., Attorney for Oklahoma Corporation Commission

Pro Se: Esther Partsch

I. ESTIMATED TRIAL TIME AND HEARING DATE: 3 days/August 18-20, 2021

II. STIPULATIONS:

A. These cases are to be consolidated for hearing before Administrative Law Judge David D. Leavitt.

B.

C.

D.

III. ISSUES (Be Specific):

A. The availability of, desirability of, preference for, and practical and customary use of produced salt water and/or CO2 (or a combination thereof) for injection into crude oil-bearing formations subject to secondary recovery units created by the O.C.C. pursuant to Title 52 Oklahoma Statutes Oil and Gas Sec. 287.1---especially when compared to the use of fresh water in times of scarcity of fresh water;

B. The waste of declining levels of fresh water traditionally devoted primarily to agriculture and non-industrial purposes should the operators of secondary recovery units and other non-agricultural industrial users of water be allowed to take and use large volumes of fresh water from the Ogallala Aquifer in secondary recovery units such as the Camrick Unit operated by the applicant;

C. The unreasonable and excessive use of the surface estates subject to the existence of and operations of the Camrick Unit should this application be approved by the O.C.C.;

D. The harmful effect on the surface estates, residences, and agriculture in general should this application be approved by the O.C.C.;

E. The lack of support for this application amongst the owners and users of the surface estates and the land in general in the area of the Camrick Unit;

F. Harm to the correlative rights of parties owning oil and gas rights, and parties owning the right to use water from the Ogallala Aquifer;

G. Attempted excessive use of alleged rights to take small amounts of fresh water from the Ogallala Aquifer for drilling a few vertical oil and gas wells in the past;

H. Whether the O.C.C. has any jurisdiction to grant any relief sought by applicant;

I. Whether the O.C.C. has any jurisdiction to grant any relief other than to change, alter and/or add to the use of injection wells;

J. Whether the O.C.C. has any jurisdiction to allow, permit or authorize taking any fresh water from the Ogallala Aquifer for injection into the unitized formation as part of secondary recovery operations; and

K. Whether the relief sought by applicant infringes on or violates the rights of other parties using and dependent on fresh water from the Ogallala Aquifer.

L. Whether authorization is needed from the Oklahoma Water Resources Board regarding the use of fresh water sought by Applicant and

M. Whether alternate sources of fluids for use in Applicant's enhanced recovery operations are available.

IV. **MOTIONS, EMERGENCY, BRIEFS:**

- A. Motions shall be filed and set for hearing at least 8 days prior to the original protest hearing date.
B. Are emergencies anticipated at this time? Yes _____ No X _____
C.

V. **WITNESSES:**

No unlisted witness will be permitted to testify as a witness in chief except when justified by exceptional circumstances and approved by the Administrative Law Judge.

A. **Applicant:**

Name	Area of Qualification(s)	Proposed Testimony
Brandon Eichler	Land	
Kirk Love	Production Engineer	
Raymond Schutte	Reservoir Engineer	

B. **Protestants:**

Name	Area of Qualification(s)	Proposed Testimony

C. **Protestant Oklahoma Corporation Commission:**

Name	Area of Qualification(s)	Proposed Testimony

D. **Pro Se: Esther Partsch**

Name	Area of Qualification(s)	Proposed Testimony

- D. Parties agree to furnish the witness list at least 8 days prior to the original hearing date by personal delivery /or electronic transfer.

VI. **EXHIBITS:**

A. **Applicant:**

(Please list exhibits to be presented, if known, at this time)

I. _____

II. _____

III. _____

B. **Protestant:**

(Please list exhibits to be presented, if known, at this time)

I. _____

II. _____

III. _____

C. **Pro Se: Esther Partsch**

(Please list exhibits to be presented, if known, at this time)

I. _____

II. _____

III. _____

- D. Parties agree to exchange copies of exhibits 8 days prior to the original protest hearing date by personal delivery /or electronic transfer.

VII. **POSSIBILITY OF SETTLEMENT:**

GOOD _____ FAIR _____ POOR X _____

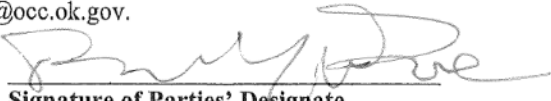
Parties shall attempt to negotiate settlement in advance of the scheduled hearing date and shall be prepared to proceed to hearing at 8:30 a.m.

VIII. **MISCELLANEOUS:**

IX. **STATUS REPORT:**

By noon on Tuesday preceding the scheduled hearing date(s), OAP shall be notified of the current case status. Parties to this agreement shall designate a party who shall be responsible for contacting parties to determine whether the cause remains protested or has been settled. Failure to notify OAP can result in loss of assigned docket priority. Notification to OAP shall be made to the OKC ALJ Docket Clerk at (405) 521-4457 or to the Tulsa Docket Clerk, at (918) 581-2296,

or by e-mail notification to the clerk in Oklahoma City, Eleise Rouse: Eleise.Rouse@occ.ok.gov
or in Tulsa, Beth Million: Beth.Million@occ.ok.gov.


Signature of Parties' Designate

Phone Number: 405-236-0478

Email: rgore@mahaffeygore.com

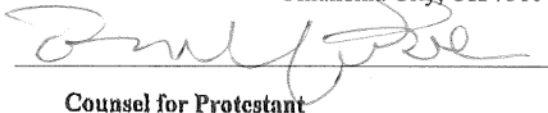
All parties approve this agreement and understand that this agreement shall not be amended except by leave of the Administrative Law Judge or by further agreement of the parties hereto:

Please Print Clearly:

Counsel for Applicant

Name: Richard J. Gore
Email Address: rgore@mahaffeygore.com
Mailing Address: 300 N.E. 1st Street
Oklahoma City, OK 73104-4004

Phone Number
405-236-0478

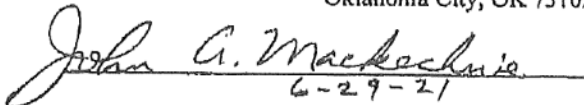


Signature of Counsel for Applicant

Counsel for Protestant

Name: John A. Mackechnie
Email Address: mackechnie@gpmlegal.net
Mailing Address: 105 North Hudson Ave., Ste. 900
Oklahoma City, OK 73102

Phone Number
(405) 488-1212


6-29-21

Signature of Counsel for Protestant

Pro Se Protestant

Name: Esther Partsch
Email Address:
Mailing Address: 298 Beagle Rd
South Fork, PA 15956

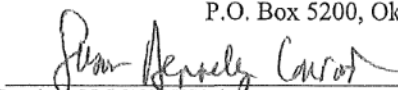
Phone Number

Signature of Protestant

OTHER Counsel and/or Interested Parties

Name: Susan Dennehy Conrad, Deputy General Counsel for O&G Conserv. Div.
Email Address: susan.conrad@occ.ok.gov
Mailing Address: Oklahoma Corporation Commission ("OCC")
P.O. Box 5200, Oklahoma City, OK 73152-2000

Phone Number
405-521-3939



Signature of Counsel for Protestant OCC