1. Re" the RRC's consideration of a compliance plan to grant extensions. As a condition of granting extensions via a compliance plan, the operators should be required to furnish well records to the RRC. Those well records should contain a detailed list of equipment in the well, prior history of workovers, cementing records, well logs, and any other relevant information that will aid the RRC's state managed well plugging program should the well(s) later become orphans. One of the factors that drives up the cost to plug orphan wells is not having well records. The state engineers who have to plug wells go into those wells "blind". This results in spending much more money to plug wells because a plan cannot be written beforehand. Having these records prior to plugging will aid the state's engineers in planning for eventual plugging of the well(s). While it is optimistic to think that operators can live up to their compliance plan and bring their wells online or plug them, the reality of the cyclical nature of the oilfield will cause many of these operators to go broke before the compliance plan has run out, and orphan the wells to the state. Lets gather up the well records while there is an operator alive to furnish them.
2. Re: 89.051 grants the Commission the power to adopt any necessary rules to regulate and monitor inactive wells. The operators, as part of owning inactive wells, are required to test the wells on a schedule. The Commission does not have the staff necessary to witness H5 and H15 tests on inactive wells. Statewide, they witness less than 40%, and in district 08, they witness less than 20% of testing. Operators large and small are guilty of filing false test reports and the RRC cannot police all of the testing. Landowners and groundwater districts should be notified when tests are scheduled and be allowed to witness these tests. Email notification would be sufficient. Landowners and groundwater districts could furnish emails to facilitate that process. If a well cannot pass mechanical integrity, then that well should not be allowed to sit idle without repair.
3. Landowners need to be furnished a copy of the compliance plan. Landowners have the most to lose when wells are allowed to sit idle and not maintained or produced. The goal of passing this dam bill in the first place is to protect groundwater and surface from

damage due to unplugged wells and keep them off the orphan well list. It is anticipated that there will be widespread fraud associated with the compliance plans. With operators being under the gun to plug or re-activate their wells, they will use every trick in the book to keep from having to spend money on inactive wells. By filing false forms that are required to show the well as active, the operator can delay the reckoning. The RRC has a history of being lenient and letting operator's avoid punishment when they are caught filing false forms. The Commission does not have the staff to do site visits to ensure that wells are in shape to produce or be activated. If a well does not have electrical power, surface equipment, or access via road, then the landowner will know if that well is subject to a compliance plan. If the operator lists wells that are active and does not have pipeline or tank battery connection, then they will know to file a complaint on that well and the operator will be require to plug it, or bring it into compliance.

4. The RRC should also consider the operator's history of compliance and violations when considering plugging extensions. Operators that have a history of non-compliance with rules are more likely to orphan their wells and more likely to have wells that are not mechanically intact. If an operator has a history of non-compliance, there should be a hard and fast rule that they cannot extend their plugging liability.
5. Re: "prior history" plugging extension. The RRC proposes no hard and fast metrics on what qualifies an operator's prior history of restoring wells to production. The RRC needs to have metrics that at a minimum require that the operator have a prior history of restoring wells in excess of 75% of their inactive well population. The Commission proposes 10%, which is a ridiculously low number.
6. Re: The whining and pathetic excuses clause: subsection(h)(4)(B)(iii)(I)-(III) relating to road construction, brush clearing, or actions necessary to access a well site. This one requires a "duh" question. If an operator cannot access a well site, how are they going to test the mechanical integrity or fluid level of the well? Mechanical integrity and/or fluid level tests are required in order to apply for an extension, right? Or, if there are subsurface factors that

restrict access, ie: soft soil, sinkholes, or other surface failures, how are they to furnish well tests in order to obtain a plugging extension? If a well has subsurface factors that render it a danger or present problems with access should it not be on the priority list to plug? Granting a plugging extension for these factors is only going to expand the orphan list and cost for the state to eventually plug the well(s). There is nothing in the statute that considers an operator's failure to maintain access to well sites. Granting this excuse for an extension is ludicrous.

7. In the same section, "additional costs: (I) specific to the wellbore's construction". If a well has specific factors that restrict plugging, shouldn't that well be placed on a priority to plug list instead of kicking it down the road? Operators should be required to plug these wells first instead of granting them an extension. Its easy to come up with excuses, but its not funny when the taxpayers are going to have to fund the eventual retirement of these wells with additional costs. Is it prudent for the state to delay plugging wells with problems so that the operators can slough them off as orphans? I think not. There is nothing in the statute that allows this exemption to plugging.
8. Financial hardship metrics, (I)(1)(B). This one also requires a duh question. If an operator is in financial hardship already, what path is there to get them to a place where they can plug their wells. The business laws allow operators to bankrupt their companies and take the money for their personal use while underfunding their asset retirement obligations already. Why don't you just go ahead and place their wells on the orphan list and be honest about the extent of the state's liability?
9. Performance bond options. Would an well plugging insurance option be available?
10. Re: annual report to legislature, governor, etal. The Commission should also submit a detail of extensions granted because of financial hardship. That list should have information relating to operator's financial obligations, earnings, losses, and inability to plug their wells. The wells in this category are, for the most part, eventually going to become

orphans and the public should know the extent of liabilities we are passing on to our children.

11. Re: Identifying non-operators. The operators know who the non-operators (WI) are. They send our AFE's and require them to pay their apportioned share in the cost of the well. These WI owners are not listed on the county tax rolls, so requiring them to search the tax rolls is not warranted. Why don't you just require the operators to furnish their pay deck listing the WI owners? Also, these WI owners should be considered when evaluating whether an operator has the funds to plug their wells. They are the "silent" beneficiaries of the production of the well and typically allow the operator to take bankruptcy while they are released from paying for the funeral. Its time to make them pay their share of the plugging cost.
12. Re: The nebulous nature of the compliance plan. This compliance plan scheme is open to interpretation by each and every operator. If you have thousands of operators submitting plans written by their attorney or in house wordsmith, there will be many diverse forms of the plans submitted. Is the commission going to promulgate a form, or will it be up to the individual company to come up with their own? Not having a form to submit is going to create a chokepoint in reading the plans and slow down the process to the point where the operators are going to whine about these burdensome rules and how its taking away from their ability to produce energy. I hate bureaucratic guvment forms as much as operators do, but this whole compliance plan scheme appears to me to be designed to muck up the process to the point to where the operators are planning on using it as an excuse to relax the rules. Without hard and fast "boxes to check" on the form, the RRC is creating a process that is designed to allow for unlimited extensions, just like what we have today.

Thank you for your consideration of my comments.

Schuyler Wight