

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

Before Commissioners:                      Shari Feist Albrecht, Chair  
   Jay Scott Emler  
   Pat Apple

In the matter of the failure of Michael Wayne    )  
Hall (“Operator”) to report activity that           )  
occurred during the 2013 calendar year in       )  
compliance with K.A.R. 82-3-409.                   )  
\_\_\_\_\_ ) License No.: 8226

Docket No.: 15-CONS-550-CPEN

CONSERVATION DIVISION

License No.: 8226

**MOTION TO RESCIND PENALTY**

Commission Staff moves for the Penalty Order in this docket to be rescinded, for the following reasons:

1.       On January 15, 2015, the Commission issued a Penalty Order in this docket. Operator filed a timely appeal, and a prehearing conference was held on March 10, 2015.
2.       The Commission’s Penalty Order is accurate in that an Annual Fluid Injection (“U3C”) Report was not filed for the 2013 calendar year, in that Operator appears to be responsible for the well, and in that the well is currently listed on Operator’s license.
3.       The allegations in Operator’s appeal, however, indicate that the primary issue regarding this well appears to be that it has been abandoned for a number of years. There appear to be multiple potentially responsible parties, although Operator seems to be one of them.
4.       Instead of defending and enforcing the Commission’s Penalty Order regarding Operator’s failure to submit a U3C Report, Staff recommends that the most efficient and useful path would be to rescind the penalty order, so that Staff can conduct some research and work with all potentially responsible parties to get the well plugged or returned to use, hopefully without the need for formal proceedings.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I certify that on 3/18/15, I caused a complete and accurate copy of this Motion to Rescind Penalty to be served via United States mail, with the postage prepaid and properly addressed to the following:

Michael Wayne Hall  
260 Fox Road  
Toronto, Kansas 66777

And delivered by hand to:

Lane Palmateer & Rene Stucky  
Conservation Division Central Office



Jonathan R. Myers  
Litigation Counsel  
Kansas Corporation Commission