

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the matter of the failure of Clinton)	Docket No.: 26-CONS-3016-CPEN
Production, Inc. (Operator) to comply with)	
K.A.R. 82-3-111 at the D J Moore #1 in Reno)	CONSERVATION DIVISION
County, Kansas.)	
_____)	License No.: 5585

PENALTY ORDER

The Commission finds Operator has violated K.A.R. 82-3-111 regarding the captioned well, assesses a \$100 penalty, directs Operator to come into compliance, and further rules as more fully described below.

I. JURISDICTION

1. K.S.A. 74-623 provides the Commission exclusive jurisdiction and authority to regulate oil and gas activities in Kansas. K.S.A. 55-152 provides the Commission with jurisdiction to regulate the construction, operation, and abandonment of any well, and also the protection of the usable water of this state from any actual or potential pollution from any well. The Commission has licensing authority under K.S.A. 55-155.

2. K.S.A. 55-162 and K.S.A. 55-164 provide the Commission authority to issue penalty orders for violations of Chapter 55 of the Kansas Statutes Annotated, or of any rule, regulation, or order of the Commission. Under K.S.A. 55-164, a penalty order may include a monetary penalty of up to \$10,000, the penalty must constitute a substantial and actual economic deterrent to the violation, and each day of a continuing violation constitutes a separate violation.

3. K.A.R. 82-3-111 provides that within 90 days after operations cease on any well, the operator of that well shall plug the well, return the well to service, or file an application with

the Conservation Division requesting temporary abandonment (TA) status. If not plugged or returned to service, the operator must obtain TA approval; TA status may be denied by the Conservation Division if necessary to prevent pollution. A well shut-in for 10 years or more cannot be granted TA status without the operator filing an application for an exception pursuant to K.A.R. 82-3-100 and approval from the Commission. K.A.R. 82-3-111(e) provides a TA exemption for certain wells fully equipped and capable of production.

II. FINDINGS OF FACT

4. Operator is licensed to conduct oil and gas activities in Kansas and is responsible for the D J Moore #1 (Subject Well), API #15-155-21202-00-00, located in Section 36, Township 24 South, Range 9 West, Reno County, Kansas.

5. On May 27, 2025, Commission records indicated the Subject Well had been inactive and unplugged for longer than the 90 days allowed by K.A.R. 82-3-111, that the well was not exempt pursuant to K.A.R. 82-3-111(e), and that the well was not approved for TA status. Thus, Commission Staff sent a letter to Operator, requiring Operator to bring the Subject Well into compliance with K.A.R. 82-3-111 by June 24, 2025.¹

6. On June 25, 2025, Commission Staff inspected the Subject Well, because the deadline in the letter had passed and the violation had not been resolved, verifying that the well continued to be inactive and unplugged.²

III. CONCLUSIONS OF LAW

7. The Commission has jurisdiction over Operator and this matter under K.S.A. 74-623 and K.S.A. 55-152.

¹ Exhibit A.

² Exhibit B.

8. Operator has committed one violation of K.A.R. 82-3-111 because the Subject Well has been inactive in excess of the time allowed by regulation without being plugged, returned to service, or approved for TA status.³

THEREFORE, THE COMMISSION ORDERS:

- A. Operator shall pay a \$100 penalty.
- B. Operator shall plug the Subject Well, or return the well to service, or obtain TA status for the well if eligible.
- C. Commission Staff may require Staff-witnessed static fluid level measurements before a Subject Well is returned to service. A Subject Well may not be returned to service if (1) any measurement has shown fluid in the wellbore at or above the appropriate minimum surface casing requirement described in Table I of the Commission's August 1, 1991, Order in Docket 34,780, (2) any measurement has shown fluid in the wellbore at or above any salt formation or other corrosive formation, or (3) in the opinion of Staff, variation in measurements indicates the possibility of a casing leak. Provided, however, a Subject Well may be returned to service upon (a) passing a casing integrity test after issuance of this Penalty Order to the satisfaction of Staff, or (b) Staff providing written, well-specific authorization after issuance of this Penalty Order.
- D. Operator may request a hearing on the above issues by submitting a written request, pursuant to K.S.A. 55-164, K.S.A. 77-537, and K.S.A. 77-542, to the Commission at 266 N. Main St., Suite 220, Wichita, Kansas 67202, within 30 days from the date of service of this Order. A request for hearing must comply with K.A.R. 82-1-219.
- E. Failure to timely request a hearing will result in a waiver of Operator's right to a hearing. If no party timely requests a hearing, then this Order shall become final.

³ K.S.A. 55-164; K.A.R. 82-3-111(b).

F. If Operator is not in compliance with this Order and the Order is final, then Operator's license shall be suspended without further notice and shall remain suspended until Operator complies. If a Subject Well has been inactive for more than 10 years and Operator applies for an exception to the 10-year limit on TA status for the Subject Well prior to this Order becoming final, and Operator would be in compliance with this Order if the application were approved, then suspension shall not be enforced unless: (1) the application is denied, and (2) 30 days have elapsed since the denial. The notice and opportunity for a hearing on this Order shall constitute the notice required by K.S.A. 77-512 regarding license suspension.

G. A party may petition for reconsideration of a final order pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁴

H. Credit card payments may be made by calling the Conservation Division at 316-337-6200. Checks and money orders shall be payable to the Kansas Corporation Commission. Payments shall be mailed to the Kansas Corporation Commission at 266 N. Main St., Suite 220, Wichita, Kansas 67202. Payments must reference the docket number of this proceeding.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 07/08/2025



Celeste Cheney-Tucker
Executive Director

Mailed Date: 07/08/2025

KAM

⁴ See K.S.A. 55-162; K.S.A. 55-164; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).



Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

Corporation Commission

Laura Kelly, Governor

NOTICE OF VIOLATION

May 27, 2025
KCC Lic.-5585

CLINTON PRODUCTION, INC.
7700 E. DUBLIN
WICHITA KS 67206-2031

RE: TEMPORARY ABANDONMENT

API Well No. 15-155-21202-00-00
D J MOORE 1
36-24S-9W, S2SWNW
RENO County, Kansas

Operator:

On May 27, 2025, a lease inspection documented a probable violation of the following regulation at the referenced well:

- K.A.R. 82-3-111. Within 90 days after operations cease on a well, the operator must return the well to service, plug the well, or obtain approval for temporary abandonment status.

**Failure to remedy this violation
by JUNE 24, 2025
shall be punishable by a \$100 penalty.**

You may contact me if you have any questions.

Sincerely,

VIRGIL CLOTHIER
KCC District # 2

KCC OIL/GAS REGULATORY OFFICES

Date: 05/27/25

District: 2

Case #: _____

☐ New Situation

☒ Lease Inspection

☐ Response to Request

☐ Complaint

☐ Follow-Up

☒ Field Report

Operator License No: 5585

API Well Number: 15-155-21202-00-00

Op Name: Clinton Production, Inc.

Spot: S/2-SW-NW Sec 36 Twp 24 S Rng 9 ☐ E / ☒ W

Address 1: 7700 E Dublin

3050 Feet from ☐ N / ☒ S Line of Section

Address 2: _____

4592 Feet from ☒ E / ☐ W Line of Section

City: Wichita

GPS: Lat: 37.92052 Long: 98.26792 Date: 5/20/25

State: KS Zip Code: 67206 -2031

Lease Name: D.J. Moore Well #: 1

Operator Phone #: (316) 655-4734

County: Reno

Reason for Investigation:

Routine lease inspection.

Problem:

INACTIVE well, NO CP-111 on file.

Persons Contacted:

Findings:

INACTIVE well, NO lease activity indicated - lease road from tank battery to well is overgrown with grass. NO current gas sales chart on Barton fixture. Last recorded KGS gas produced in 8-2023 of 88 MCF.

Action/Recommendations:

Follow Up Required ☐ Yes ☐ No ☒

Date: _____

Will send the TA - N.O.V. letter. RE-CK'D ON 6-25-2025, WELL STILL INACTIVE - OPERATOR WAS SENT THE TA - N.O.V. LETTER GIVING UNTIL 6-24-2025 TO SUBMIT A CP-111. I RECOMMEND MONETARY PENALTY OF \$100 FOR FAILURE TO COMPLY WITH K.A. R. 82-3-111. ALSO, ON 6-25-2025, DISCOVERED WHAT APPEARS TO BE BRINE SPILL FROM BRINE TANK AT TANK BATTERY. BRINE TANK IS EMPTY. BRINE HAS RAN OUT TO THE EAST IN WHEAT FIELD FOR APPROX. 105' IN VARYING WIDTHS. SOIL SAMPLE MAXED OUT CONDUCTIVITY PEN. WILL SEND OPERATOR THE UNREPORTED SPILL LETTER.

Verification Sources:

Photos Taken: 2

<input checked="" type="checkbox"/> RBDMS	<input checked="" type="checkbox"/> KGS	<input type="checkbox"/> TA Program
<input type="checkbox"/> T-I Database	<input type="checkbox"/> District Files	<input type="checkbox"/> Courthouse
<input type="checkbox"/> Other: _____		

By: Virgil Clothier

ECRS/UIC Officer

Retain 1 Copy District Office
Send 1 Copy to Conservation Division

Form: _____

Exhibit B
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D.J. Moore #1,
inactive oil and
gas well located
in the NW/4 of
36-24S-9W,
Reno County.
Operated by
Clinton
Production, Inc.
Lic. 5585.

Photo was taken
on 6/25/25 by
Virgil Clothier-
ECRS/UIC
Officer.



Barton meter
shows no flow,
chart has been
left on meter
with many
rotations in the
same position.
Also chart was
put on
backwards to
record on the
blank side of
chart.

CERTIFICATE OF SERVICE

26-CONS-3016-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 07/08/2025.

CHRIS CLINTON
CLINTON PRODUCTION, INC.
7700 E. DUBLIN
WICHITA, KS 67206-2031
cpmjs2@netscape.net

DANIEL FOX, COMPLIANCE OFFICER, KCC DISTRICT 2
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 2
3450 N. ROCK RD BLDG 600 STE 601
WICHITA, KS 67226
dan.fox@ks.gov

KELCEY MARSH, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
CENTRAL OFFICE
266 N. MAIN ST, STE 220
WICHITA, KS 67202-1513
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/S/ KCC Docket Room

KCC Docket Room