

**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 Trimble &	)	Docket No.: 15-CONS-282-CPEN
Maclaskey Oil LLC ("Operator") to comply	)	
with K.A.R. 82-3-400 at the Erett #2 D, Hughes	)	CONSERVATION DIVISION
#8, Maclaskey C #1 and Phil Birk #9 wells in	)	
Greenwood, Lyon and Woodson County,	)	License No.: 32044
Kansas.	)	

**ORDER APPROVING SETTLEMENT AGREEMENT**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas. Having examined the files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On October 7, 2014, the Commission issued a Penalty Order to the operator finding four violations of K.A.R. 82-3-400 and assessing a \$4,000 penalty. The Penalty Order was mailed October 8, 2014.

2. On October 30, 2014, the operator submitted a timely appeal.

3. On November 7, 2014, Commission Staff filed a Motion for the Commission to Approve a Settlement Agreement. The settlement agreement has been signed by both parties. The Settlement Agreement changes one violation of K.A.R. 82-3-400 to K.A.R. 82-3-409, affirms the remaining three violations, and reduces the total penalty from \$4,000 to \$2,000.

4. The Commission finds and concludes that the settlement agreement provides a fair and efficient resolution to the issues in this docket.

**THEREFORE, THE COMMISSION ORDERS:**

A. The attached Settlement Agreement is approved and incorporated into this Order.

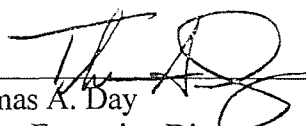
B. Any party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 77-529(a). The petition shall be filed within 15 days after service of this Order. If service of this Order is by mail, three days are added to the deadline. The petition shall be addressed to the Commission and sent to 266 N. Main, Ste. 220, Wichita, Kansas 67202. Pursuant to K.S.A. 55-606 and K.S.A. 77-529(a), reconsideration is prerequisite for judicial review of this Order. Any party taking an action permitted by this summary proceeding before the deadline for a petition for reconsideration does so at their own risk of further proceedings.

C. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Com.; Apple, Com.

Dated: DEC 02 2014

  
Thomas A. Day  
Acting Executive Director

Mailed Date: 12/13/14

LRP

I CERTIFY THE ORIGINAL  
COPY IS ON FILE WITH  
The State Corporation Commission  
DEC 02 2014



## **SETTLEMENT AGREEMENT**

This Settlement Agreement is between Trimble & Maclaskey Oil LLC ("Operator") and the Staff of the Corporation Commission of the State of Kansas ("Staff"). The effective date of this Settlement Agreement shall be the date it is approved by an Order of the Commission. If the Commission does not approve this Settlement Agreement by a signed Order, then this Settlement Agreement shall not be binding on either party. This Settlement Agreement shall settle the proceedings instituted in Commission Docket Number 15-CONS-282-CPEN.

### **A. Background**

1. The October 7, 2014, Penalty Order in this docket required Operator to pay \$4,000 for a total of four violations of K.A.R. 82-3-400, at four wells. Operator filed a timely appeal.

2. Operator reports that it submitted erroneous data regarding one of the four wells. Operator has submitted an updated Annual Fluid Injection Report ("U3C") for the well. Operator has described the circumstances that led to inadvertent over-injection at the other three wells. The circumstances have been resolved to the satisfaction of Staff.

3. In light of the foregoing, Staff recommends that the penalty in this docket should be reduced.

### **B. Terms of Settlement**

4. Instead of paying \$4,000, Operator shall pay \$2,000 in this docket, which shall be due within 30 days from the date this Settlement Agreement is approved by an Order of the Commission.

5. The Commission shall find that Operator committed three violations of K.A.R. 82-3-400 and one violation of K.A.R. 82-3-409, rather than four violations of K.A.R. 82-3-400.

6. Operator agrees to waive its right to appeal any future orders of the Commission regarding this matter, or any suspension of Operator's license implemented by Commission Staff due to Operator's failure to comply with this Settlement Agreement.

C. Conclusion

Both parties believe that this Settlement Agreement represents a fair and appropriate resolution to the matters in this docket, and that the Settlement Agreement accomplishes the Commission's duty to enforce Kansas laws pertaining to the protection of usable waters and the prevention of pollution caused by oil and gas activities.

This Settlement Agreement has been agreed to by the undersigned:

Commission Staff

By: Jon Myers  
Printed Name: JON MYERS

Title: LITIGATION COUNSEL

Date: 11/7/14

Trimble & Maclasky Oil LLC

By: Kimball L. Trimble  
Printed Name: KIMBALL L. TRIMBLE

Title: Managing Member

Date: 11/07/14

**CERTIFICATE OF SERVICE**

I certify that on 12/3/14, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

Randall L. Trimble  
Trimble & Maclaskey Oil LLC  
110 South Street  
PO Box 171  
Gridley, Kansas 66852

And delivered by hand to:

Jon Myers  
Alan Snider  
KCC Conservation Division

/s/ Lane R. Palmateer  
Lane R. Palmateer  
Litigation Counsel  
Kansas Corporation Commission