

2. K.A.R. 82-3-401(d) provides that if an injection application is for disposal into a producing zone within a ½-mile radius of the applicant's well, the disposal zone shall be below the oil-water contact or 50 feet below the base of the producing zone. "Disposal zone" means the stratigraphic interval that contains few or no commercially productive hydrocarbons and that is saltwater bearing, and "producing zone" means the stratigraphic interval that contains, or appears to contain, a common accumulation of commercially productive hydrocarbons.

II. FINDINGS OF FACT

3. Brisco Petroleum, LLC (Operator) is licensed to conduct oil and gas activities in Kansas and is responsible for the Olson Heirs #1 well (Subject Well), API #15-007-24490-00-01.

4. On May 8, 2025, Operator filed an Application for Exception (Application) requesting an exception to the requirement that the disposal zone for injection wells be below the oil-water contact or 50 feet below the base of the producing zone in order to inject into the Mississippian formation.¹ Operator's Application states that the injection will allow for the economic operation of Operator's nearby oil wells and will thus prevent waste.²

5. Operator proposes to inject into the Subject Well at a maximum pressure of 1,500 psig and a maximum rate of 2,500 barrels per day.³ The rate and pressure will not adversely affect production from the Mississippian formation.⁴

6. Before Operator's injection application is approved, Operator will be required to successfully test the Subject Well for mechanical integrity to indicate there is not a present threat to fresh and usable water.

7. Operator served and published notice at least 30 days before the issuance of this Order, as required under K.A.R. 82-3-135a. No protest was filed under K.A.R. 82-3-135b.

8. Commission Staff recommends that Operator's Application be granted. The reasons articulated in Operator's Application are sufficient to support the administrative grant of Operator's Application.

¹ Application for Exception, ¶ 8 (May 8, 2025).

² *Id.*

³ *Id.* at ¶ 4.

⁴ *Id.* at ¶ 9.

III. CONCLUSIONS OF LAW

9. The Commission has jurisdiction over Operator and Operator's Application. Operator's Application was filed in accordance with the rules and regulations of the Commission and in accordance with Kansas statutes. Operator properly served and published notice.

10. Based on the above facts, Operator's Application should be granted. Operator has demonstrated a potential future use for the Subject Well that is preventative of waste. There is no apparent present pollution threat, and correlative rights will not be affected.

THEREFORE, THE COMMISSION ORDERS:

A. Operator's Application for Exception to the requirement that the disposal zone for injection wells be below the oil-water contact or 50 feet below the base of the producing zone is granted for the Subject Well.

B. Operator's Application for Exception is being granted via summary proceedings; thus, this Order does not take effect until after the time for requesting a hearing has expired.⁵ Any party may request a hearing on the above issues by submitting a written request setting forth the specific grounds upon which relief is sought, to the Commission at 266 N. Main, Suite 220, Wichita, Kansas 67202, within 15 days from the date of service of this Order.⁶ If a hearing is not requested, then this Order shall become effective upon expiration of the time for requesting hearing.⁷ If this Order becomes effective, then any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁸

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

⁵ See K.S.A. 77-537.

⁶ See K.S.A. 77-542.

⁷ See K.S.A. 77-537.

⁸ See K.S.A. 55-606; K.S.A. 77-503(c); K.S.A. 77-531(b).

Date: 06/24/2025

Date Mailed: 06/24/2025

TSK



Celeste Chaney-Tucker
Executive Director

CERTIFICATE OF SERVICE

25-CONS-3367-CEXC

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 06/24/2025.

TODD BRYANT, GEOLOGIST SPECIALIST
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
todd.bryant@ks.gov

EVAN DARRAH, GEOLOGY SPECIALIST, UIC
DEPARTMENT
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
evan.darraha@ks.gov

KELCEY MARSH, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
CENTRAL OFFICE
266 N. MAIN ST, STE 220
WICHITA, KS 67202-1513
kelcey.marsh@ks.gov

JONATHAN A. SCHLATTER, ATTORNEY
MORRIS LAING EVANS BROCK & KENNEDY CHTD
300 N MEAD STE 200
WICHITA, KS 67202-2745
jschlatter@morrislaing.com

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