

**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 Hicks) Docket No.: 25-CONS-3271-CPEN
Exploration, LLC (Operator) to comply with)
K.A.R. 82-3-111 at the Bloom C #1 and) CONSERVATION DIVISION
Moorhead D #1 wells in Seward and Stevens)
Counties, Kansas.) License No.: 36151

PENALTY ORDER

The Commission finds Operator has violated K.A.R. 82-3-111 regarding the captioned wells, assesses a \$200 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 following wells (Subject Wells):

- a. Bloom C #1, API #15-175-21760-00-02, located in Section 7, Township 35 South, Range 33 West, Seward County, Kansas; and
- b. Moorhead D #1, API #15-189-21764-00-00, located in Section 13, Township 33 South, Range 38 West, Stevens County, Kansas.

5. On December 26, 2024, Commission records indicated the Subject Wells had been inactive and unplugged for longer than the 90 days allowed by K.A.R. 82-3-111, that the wells were not exempt pursuant to K.A.R. 82-3-111(e), and that the wells were not approved for TA status. Thus, Commission Staff sent letters to Operator, requiring Operator to bring the Subject Wells into compliance with K.A.R. 82-3-111 by January 9, 2025.¹

6. Between February 5, 2025, and February 13, 2025, Commission Staff inspected the Subject Wells, because the deadline in the letters had passed and the violations had not been resolved, verifying that the wells continued to be inactive and unplugged.²

¹ Exhibit A.

² Exhibit B.

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.

8. Operator has committed two violations of K.A.R. 82-3-111 because the Subject Wells have 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 \$200 penalty.

B. Operator shall plug the Subject Wells, or return the wells to service, or obtain TA status for the wells 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.

³ K.S.A. 55-164; K.A.R. 82-3-111(b).

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.

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: 02/25/2025



Abigail D. Emery
Acting Secretary to the Commission

Mailed Date: 02/25/2025

TSK

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

December 26, 2024
KCC Lic.-36151

HICKS EXPLORATION, LLC
PO BOX 340
DOVER OK 73734-0340

RE: API Well No. 15-175-21760-00-02
BLOOM C 1
7-35S-33W, N2NE
SEWARD County, Kansas

Dear Operator:

According to KCC records, the temporary abandonment (TA) status for this well expired on October 16, 2024 , and you are in probable violation of K.A.R. 82-3-111. An operator may apply to the Conservation Division for a TA status extension prior to the expiration of its TA approval period.

If you file a TA application with the District Office by JANUARY 09, 2025 , we will process the application. If you do not file an application by this date, or advise the District Office in writing the date the well returned to service, I will refer the matter to our legal department with a recommendation that the Commission take formal enforcement action including a monetary penalty and an order for you to plug the well.

You may contact me at the number below if you have any questions.

Sincerely,

MICHAEL MAIER
KCC District # 1



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

Corporation Commission

Laura Kelly, Governor

NOTICE OF VIOLATION

December 26, 2024
KCC Lic.-36151

HICKS EXPLORATION, LLC
PO BOX 340
DOVER OK 73734-0340

RE: API Well No. 15-189-21764-00-00
MOORHEAD D 1
13-33S-38W, NWNWSESE
STEVENS County, Kansas

Dear Operator:

According to KCC records, the temporary abandonment (TA) status for this well expired on October 16, 2024 , and you are in probable violation of K.A.R. 82-3-111. An operator may apply to the Conservation Division for a TA status extension prior to the expiration of its TA approval period.

If you file a TA application with the District Office by JANUARY 09, 2025 , we will process the application. If you do not file an application by this date, or advise the District Office in writing the date the well returned to service, I will refer the matter to our legal department with a recommendation that the Commission take formal enforcement action including a monetary penalty and an order for you to plug the well.

You may contact me at the number below if you have any questions.

Sincerely,

MICHAEL MAIER
KCC District # 1

KCC OIL/GAS REGULATORY OFFICES

Date: 02/13/25

District: D1

Case #: _____

- New Situation
 Response to Request
 Follow-Up

- Lease Inspection
 Complaint
 Field Report

Operator License No: 36151

API Well Number: 15-175-21760-00-02

Op Name: Hicks Exploration, LLC

Spot: NE-SW-NE-NE Sec 7 Twp 35 S Rng 33 E / W

Address 1: P O Box 340

4640 Feet from N / S Line of Section

Address 2: _____

890 Feet from E / W Line of Section

City: Dover

GPS: Lat: 37.02337 Long: 100.94353 Date: 2/13/25

State: OK Zip Code: 73734 -0340

Lease Name: Bloom C Well #: 1

Operator Phone #: (405) 403-8967

County: Seward

Reason for Investigation:

Check for legal.

Problem:

Well has an expired TA with a deadline of 01/09/ 2025

Persons Contacted:

None

Findings:

2/13/25: # 1: Is an inactive oil well that has had the pumping unit removed and tubing and rods left in the well. All wellhead valves are closed, and no production equipment on location.

No leaks or spills.

Action/Recommendations:

Follow Up Required Yes No

Date: 4/14/25

Unsatisfactory send penalty letter for failure to file CP111.

Verification Sources:

Photos Taken: _____

- | | | |
|--|---|-------------------------------------|
| <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 checked="" type="checkbox"/> Other: <u>On site inspection</u> | | |

By: _____

Max Ball

Retain 1 Copy District Office
Send 1 Copy to Conservation Division

Form: _____



Date: 02/13/2025.

Operator: Hicks Exploration LLC.

Well Name: Bloom C 1.

Legals: NE-SW-NE-NE section 7-35s-33w Seward County.

Description: Wellhead showing closed valve and no pumping unit.

KCC OIL/GAS REGULATORY OFFICES

Date: 02/05/25

District: 1

Case #: _____

New Situation

Lease Inspection

Response to Request

Complaint

Follow-Up

Field Report

Operator License No: 36151

API Well Number: 15-189-21764-00-00

Op Name: Hicks Exploration LLC

Spot: NW-NW-SE-SE Sec 13 Twp 33 S Rng 38 E / W

Address 1: PO Box 340

1160 Feet from N / S Line of Section

Address 2: _____

1168 Feet from E / W Line of Section

City: Dover

GPS: Lat: 37.17321 Long: 101.39707 Date: _____

State: OK Zip Code: 73734 -0340

Lease Name: Moorhead D Well #: 1

Operator Phone #: (405) 403-8673

County: Stevens

Reason for Investigation:

NOV Follow up

Problem:

Expired TA

Persons Contacted:

None

Findings:

Gas well with no pumping unit. Wellhead has rods and tubing only. All valves are closed at well. Tank Battery off location 1/4 mile east of well, near entrance. Tank Battery has 1-210 fiberglass and 1-300 bbt metal tank and 1-6' x 3' separator. The lease sign displays the incorrect company name. Meter run location is unknown.

Action/Recommendations:

Follow Up Required Yes No

Date: _____

Send to District Office
Send to Legal

Verification Sources:

Photos Taken: _____

RBDMS

KGS

TA Program

T-I Database

District Files

Courthouse

Other: On-Site Inspection

By: Salvador Alvarado

Retain 1 Copy District Office
Send 1 Copy to Conservation Division

Form: _____



2/5/2025

Hicks Exploration LLC

Moorhead D 1

API# 15-189-21764-00-00

NW-NW-SE-SE 13-33-38

Stevens Co.

Gas well with no pumping unit. Wellhead with rods and tubing down hole. Lease sign with incorrect company.

CERTIFICATE OF SERVICE

25-CONS-3271-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 02/25/2025.

MICHAEL HICKS
HICKS EXPLORATION, LLC
PO BOX 340
DOVER, OK 73734-0340
hicksexploration@gmail.com

TRISTAN KIMBRELL, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
CENTRAL OFFICE
266 N. MAIN ST, STE 220
WICHITA, KS 67202-1513
tristan.kimbrell@ks.gov

FRED MACLAREN
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
frederic.maclaren@ks.gov

ROBYN STALKFLEET, ADMINISTRATIVE SPECIALIST
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
robyn.stalkfleet@ks.gov

KENNY SULLIVAN, DISTRICT #1 SUPERVISOR
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
kenny.sullivan@ks.gov

/S/ KCC Docket Room
KCC Docket Room