

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

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

In the matter of an Order to Show Cause)	Docket No.: 17-CONS-3075-CSHO
issued to Randall K. Matlock ("Operator"))	
regarding responsibility under K.S.A. 55-179)	CONSERVATION DIVISION
for unplugged wells on an expired license.)	
		License No.: 4676

**ORDER TO SHOW CAUSE, DESIGNATING A PREHEARING OFFICER,
AND SETTING A PREHEARING CONFERENCE**

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:

I. JURISDICTION

1. The Commission has jurisdiction to regulate oil and gas production in Kansas under Chapter 55 of the Kansas Statutes Annotated and the General Rules and Regulations for the Conservation of Crude Oil and Natural Gas, K.A.R. 82-3-100 *et seq.*
2. K.S.A. 55-162 provides the Commission with jurisdiction to institute proceedings to enforce the laws of Kansas and Commission rules, regulations, and orders.
3. K.S.A. 55-179 provides the Commission with jurisdiction to determine the persons legally responsible for the proper care and control of oil and gas wells, including the responsibility to plug the wells.
4. K.S.A. 55-179(b) provides that a person who is legally responsible for the proper care and control of an abandoned well shall include one or more of the following:

- a. Any operator of a waterflood or other pressure maintenance program deemed to be causing pollution or loss of usable water;
 - b. the current or last operator of the lease upon which such well is located, irrespective of whether such operator plugged or abandoned such well;
 - c. the original operator who plugged or abandoned such well; and
 - d. any person who without authorization tampers with or removes surface equipment or downhole equipment from an abandoned well.
5. K.S.A. 55-180 gives the Commission a cause of action against responsible parties for the reasonable plugging costs of abandoned wells.
6. K.A.R. 82-3-120 provides that no Operator shall conduct activities at a well without a current license.

II. FINDINGS OF FACT

7. On August 30, 2016, Commission Staff moved the Commission to issue an order to show cause, alleging that:
- a. The wells listed on the attached Exhibit A, which is incorporated into this order, are unplugged;
 - b. the wells on the attached Exhibit A are listed on Operator's license, which is expired, so the wells appear to be abandoned; and
 - c. pursuant to Kansas statutes and Commission regulations, Operator appears to be responsible for plugging the wells.
8. Staff's August 30, 2016, motion was served on Operator, and no response was filed.

III. CONCLUSIONS OF LAW

9. The Commission finds and concludes that Operator should attend an evidentiary hearing to show cause why Operator is not responsible for the wells listed on Exhibit A.

10. Pursuant to K.S.A. 77-551(c), the Commission finds and concludes that a Prehearing Officer should be designated in this proceeding to address any matters listed in K.S.A. 77-517(b). The Commission also finds that an initial prehearing conference should be scheduled in this matter.

THEREFORE, THE COMMISSION ORDERS:

A. The Prehearing Officer in this proceeding shall be John McCannon, Counsel, Kansas Corporation Commission, 266 N. Main, Suite 220, Wichita, Kansas 67202, telephone number 316-337-6200, email address j.mccannon@kcc.ks.gov.

B. A Prehearing Conference is scheduled for October 18, 2016. The Prehearing Conference shall begin at 1:30 p.m. and end by 2:00 p.m., at the Commission's offices, 266 N. Main, Suite 220, Wichita, Kansas 67202. Telephonic attendance may be permitted by advance request. The Prehearing Conference will focus on the development of a procedural schedule for this docket.

C. At the Prehearing Conference, parties shall be prepared to discuss deadlines for filing testimony and briefs, discovery procedures, scheduling of a hearing with the Commission, and any other issues that will promote the orderly and prompt resolution of this proceeding.

D. At the Prehearing Conference, without further notice, this proceeding may be converted into a conference hearing or a summary proceeding for disposition of this matter as provided by the Kansas Administrative Procedure Act ("KAPA"). Any party that fails to attend

or participate in the Prehearing Conference, hearing, or other stage of this proceeding shall be held in default under the KAPA.

E. Pursuant to K.A.R. 82-1-228(d)(2), corporations must enter an appearance via an attorney. If a corporation fails to enter an appearance via an attorney prior to the Prehearing Conference, it may be held in default under the KAPA.

F. The attorney designated to appear on behalf of the agency in this proceeding is Jonathan R. Myers, telephone number 316-337-6200, email address j.myers@kcc.ks.gov.

G. Any person requiring special accommodations under the Americans with Disabilities Act is asked to give notice to the Commission at least 10 days prior to the scheduled hearing date.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: SEP 29 2016



Amy L. Green
Secretary to the Commission

Mailed Date: September 29, 2016

JM

Exhibit A

Matlock, Randall K. License: 4676

<u>Unplugged Wells on Operator's License</u>				
API Well #	Lease Name / Well #		Well Location	County
15-133-01782-00-01	O'BRYAN	83	22-29S-21E, E2SENW	NEOSHO
15-133-24261-00-00	O'BRYAN	4	22-29S-21E, NWNWNNW	NEOSHO
15-133-24263-00-00	O'BRYAN	5	22-29S-21E, NENENWNW	NEOSHO
15-133-24271-00-00	O'BRYAN	6	22-29S-21E, NWNENWNW	NEOSHO
15-133-24273-00-00	O'BRYAN	7	22-29S-21E, NENWNNW	NEOSHO
15-133-24274-00-00	O'BRYAN	8	22-29S-21E, NWNWNNW	NEOSHO
15-133-24275-00-00	O'BRYAN	1	22-29S-21E, NENENENW	NEOSHO
15-133-24276-00-00	O'BRYAN	2	22-29S-21E, NWNENENW	NEOSHO
15-133-24277-00-00	O'BRYAN	3	22-29S-21E, NENWNNW	NEOSHO
15-133-24278-00-01	O'BRYAN	9	22-29S-21E, NENENW	NEOSHO
15-133-24279-00-02	O'BRYAN	10	22-29S-21E, N2NENW	NEOSHO
15-133-24280-00-01	O'BRYAN	11	22-29S-21E, NWNENW	NEOSHO
15-133-24281-00-00	O'BRYAN	12	22-29S-21E, N2N2NW	NEOSHO
15-133-24282-00-00	O'BRYAN	13	22-29S-21E, NENWNNW	NEOSHO
15-133-24283-00-00	O'BRYAN	14	22-29S-21E, N2NWNW	NEOSHO
15-133-24284-00-00	O'BRYAN	15	22-29S-21E, NWNWNNW	NEOSHO
15-133-24371-00-00	O'BRYAN	16	22-29S-21E, SENENENW	NEOSHO
15-133-24372-00-00	O'BRYAN	17	22-29S-21E, SWNENENW	NEOSHO
15-133-24373-00-00	O'BRYAN	18	22-29S-21E, SENWNNW	NEOSHO
15-133-24374-00-00	O'BRYAN	19	22-29S-21E, SWNWNENW	NEOSHO
15-133-24375-00-01	O'BRYAN	20	22-29S-21E, SENWNNW	NEOSHO
15-133-24376-00-00	O'BRYAN	21	22-29S-21E, SWNENWNNW	NEOSHO
15-133-24376-00-02	O'BRYAN	21	22-29S-21E, SWNENWNNW	NEOSHO
15-133-24377-00-01	O'BRYAN	22	22-29S-21E, NWNWNNW	NEOSHO
15-133-24388-00-00	O'BRYAN	23	22-29S-21E, SWNWNWNNW	NEOSHO
15-133-24389-00-00	O'BRYAN	24	22-29S-21E, E2NENW	NEOSHO
15-133-24390-00-00	O'BRYAN	25	22-29S-21E, NENW	NEOSHO

15-133-24391-00-00	O'BRYAN	26	22-29S-21E, W2NENW	NEOSHO
15-133-24392-00-00	O'BRYAN	27	22-29S-21E, N2NW	NEOSHO
15-133-24395-00-00	O'BRYAN	28	22-29S-21E, E2NWNW	NEOSHO
15-133-24396-00-00	O'BRYAN	30	22-29S-21E, W2NWNW	NEOSHO
15-133-24398-00-00	O'BRYAN	29	22-29S-21E, NWNW	NEOSHO
15-133-24420-00-00	O'BRYAN	35	22-29S-21E, NESENWNW	NEOSHO
15-133-24421-00-00	O'BRYAN	36	22-29S-21E, NWSNWNW	NEOSHO
15-133-24422-00-00	O'BRYAN	37	22-29S-21E, NESWNWNW	NEOSHO
15-133-24444-00-02	O'BRYAN	99	22-29S-21E, SWSWNW	NEOSHO
15-133-24463-00-00	O'BRYAN	92	22-29S-21E, NWSESENW	NEOSHO
15-133-24464-00-01	O'BRYAN	100	22-29S-21E, S2SENW	NEOSHO
15-133-24465-00-00	O'BRYAN	107	22-29S-21E, SWSESENW	NEOSHO
15-133-24466-00-02	O'BRYAN	84	22-29S-21E, W2SWNW	NEOSHO
15-133-24467-00-00	O'BRYAN	91	22-29S-21E, NESESENW	NEOSHO
15-133-24468-00-00	O'BRYAN	106	22-29S-21E, SESESENW	NEOSHO
15-133-24475-00-00	O'BRYAN	76	22-29S-21E, SWNWSWNW	NEOSHO
15-133-24476-00-00	O'BRYAN	77	22-29S-21E, SENWSWNW	NEOSHO
15-133-24477-00-00	O'BRYAN	85	22-29S-21E, SENW	NEOSHO
15-133-24478-00-00	O'BRYAN	93	22-29S-21E, NESWSSENW	NEOSHO
15-133-24479-00-00	O'BRYAN	101	22-29S-21E, SWSSENW	NEOSHO
15-133-24480-00-00	O'BRYAN	108	22-29S-21E, SESWSSENW	NEOSHO
15-133-24528-00-00	O'BRYAN	95	22-29S-21E, NESESWNW	NEOSHO
15-133-24529-00-01	O'BRYAN	103	22-29S-21E, S2S2NW	NEOSHO
15-133-24530-00-00	O'BRYAN	110	22-29S-21E, SESESWNW	NEOSHO
15-133-24535-00-00	O'BRYAN	88	22-29S-21E, E2SWNW	NEOSHO
15-133-24536-00-02	O'BRYAN	89	22-29S-21E, SWNW	NEOSHO
15-133-24538-00-00	O'BRYAN	96	22-29S-21E, NWSESWNW	NEOSHO
15-133-24539-00-00	O'BRYAN	97	22-29S-21E, NWSWSWNW	NEOSHO
15-133-24660-00-00	O'BRYAN	104	22-29S-21E, S2SWNW	NEOSHO
15-133-24661-00-00	O'BRYAN	111	22-29S-21E, SWSESWNW	NEOSHO
15-133-25102-00-00	O'BRYAN	KESN-1	22-29S-21E, W2W2NW	NEOSHO

CERTIFICATE OF SERVICE

I certify that on 9/29/16, 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:

Linda Barker
Randall K. Matlock
1927 SE Ohio St
Topeka, KS 66607

/s/ Paula J. Murray
Paula J. Murray
Legal Assistant
Kansas Corporation Commission