

¹ *Bright v. LSI Corp.*, 254 Kan. 853, 858 (1994).

B. 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).²

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 07/01/2025



Celeste Chaney-Tucker
Executive Director

Mailed Date: 07/01/2025

JRM

² K.S.A. 55-162; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).

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

In the matter of the failure of Justin and Tera Bushong (Operator) to comply with K.A.R. 82-3-120. <hr style="width: 40%; margin-left: 0;"/>)))))	Docket No.: 25-CONS-3286-CPEN CONSERVATION DIVISION License No.: 35540
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SETTLEMENT AGREEMENT

This Settlement Agreement (Agreement) is entered into by and between the Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively) and Operator (collectively referred to herein as the Parties). The effective date of this Agreement will be the date the Commission enters an order approving or amending the terms of the Agreement.

I. BACKGROUND

1. Operator is a residential operator with one unplugged well, the Ratliff #1 well (Subject Well), on its well inventory.

2. On March 11, 2025, the Commission issued a Penalty Order against Operator for one violation of K.A.R. 82-3-120(a). The Commission found that Operator remained responsible for the Subject Well, and Operator's license was expired. The Penalty Order assessed a \$500 penalty, and directed Operator to renew its license, transfer the Subject Well to another operator, or plug the well.

3. On April 9, 2025, Operator timely filed a request for hearing.

4. On June 10, 2025, Operator renewed its license. Operator currently has an active residential license.

5. Subsequent to the issuance of the Penalty Order, the Parties discussed resolution of the underlying issues in this docket, and reached a settlement in this matter. As part of the

settlement, Staff agreed to reduce the terms to writing and submit the same for Commission approval. The terms of the settlement are set forth below.

II. TERMS OF THE SETTLEMENT AGREEMENT

6. The Parties agree that the Commission has jurisdiction and authority over this matter. The Parties also agree that adoption of this Agreement is in the public interest and that the Commission should approve the terms as set forth below.

7. Operator stipulates that it committed one violation of K.A.R. 82-3-120(a).

8. Operator agrees to pay a reduced penalty of \$250, which shall be due by August 1, 2025.

9. Staff agrees that upon approval by the Commission, and barring default proceedings pursuant to K.S.A. 77-520, this Agreement shall constitute a final resolution of this matter.

10. Failure to pay the penalty by the deadline will result in suspension of Operator's license. Operator agrees and understands that if its license is suspended for the failure to meet the above deadline, the license shall remain suspended until the penalty has been paid.

11. Operator agrees to waive its right to appeal the Commission's order approving this Agreement, any penalties assessed under this Agreement, and any suspension of Operator's license implemented by Staff due to Operator's failure to comply with this Agreement. The terms of this Agreement shall remain binding upon Operator even if its interests in the Subject Well are conveyed.

IN WITNESS WHERETO, the Parties hereby execute and approve this Settlement Agreement by subscribing their signatures below.

Commission Staff

/s/ Tristan Kimbrell

Tristan Kimbrell, #27720
Litigation Counsel
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Justin and Tera Bushong

Signature: Tera Bushong

Printed Name: Tera Bushong

Title: _____

Date: 06/20/2025

CERTIFICATE OF SERVICE

25-CONS-3286-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 07/01/2025.

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/S/ KCC Docket Room
KCC Docket Room