

**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 application of IGWT,) Docket No. 25-CONS-3251-CEXC
Inc. for an exception to K.A.R. 82-3-401(d))
for its Edmiston #6 well located in the) CONSERVATION DIVISION
NW/4 of Section 33, Township 25 South,)
Range 4 East, Butler County, Kansas.) License No. 3167

ORDER GRANTING APPLICATION

The Commission rules as follows:

I. JURISDICTION

1. K.S.A. 74-623 provides the Commission exclusive jurisdiction and authority to regulate oil and gas activities in Kansas. K.A.R. 82-3-100 provides that the Commission may grant an exception to any regulation after application and notice, and after considering whether the exception will prevent waste, protect correlative rights, and prevent pollution.

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. For the purposes of this subsection, "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. IGWT, Inc. (Operator) is licensed to conduct oil and gas activities in Kansas and is responsible for the Edmiston #6 well (Subject Well), API #15-015-40425.

4. On February 5, 2025, Operator filed an Application regarding the Subject Well, requesting an exception to the requirement of K.A.R. 82-3-401(d).

5. The Subject Well is currently in use as an enhanced oil recovery well, with fluids being injected into the Mississippi formation (a producing zone). Operator now wishes to simultaneously dispose into the Arbuckle formation (not a producing zone).

6. Operator's Application states that simultaneous injection will increase the ultimate recovery of oil from the Edmiston lease and prevent waste.¹

7. Operator published and served notice at least 15 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.

9. On the record before the Commission, it is not completely clear that an application for an exception to the requirement of K.A.R. 82-3-401(d) is necessary. But to the extent that one is necessary, the Commission finds the reasons articulated in Operator's Application are sufficient to support the administrative grant of Operator's Application.

III. CONCLUSIONS OF LAW

10. 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.

11. 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.

¹ See Application, ¶ 6 (Feb. 5, 2025).

THEREFORE, THE COMMISSION ORDERS:

A. Operator's February 5, 2025, Application for an exception to the requirement of K.A.R. 82-3-401(d) is granted; Staff is authorized to grant the underlying injection application.

B. Operator's Application is being granted via summary proceedings; thus, this Order does not take effect until after the time for requesting a hearing has expired.² 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.³ If a hearing is not requested, then this Order shall become effective upon expiration of the time for requesting hearing.⁴ 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).⁵

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Date: 05/22/2025



Celeste Chaney-Tucker
Executive Director

Date Mailed: 05/22/2025

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² See K.S.A. 77-537.

³ See K.S.A. 77-542.

⁴ See K.S.A. 77-537.

⁵ See K.S.A. 55-606; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

25-CONS-3251-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 05/22/2025.

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/S/ KCC Docket Room

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