

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

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

In the matter of the failure of Tailwater, Inc.	)	Docket No.: 15-CONS-599-CPEN
("Operator") to comply with K.A.R. 82-3-107	)	
and K.A.R. 82-3-130 at the North Kempnich	)	CONSERVATION DIVISION
#52-T in Anderson County, Kansas.	)	
<hr/>		License No.: 32461

**ORDER RESCINDING PENALTY**

Upon its own motion, the Commission finds and concludes as follows:

**I. FINDINGS OF FACT**

1. On January 29, 2015, the Commission issued a Penalty Order in this docket, requiring Operator to pay \$500 and to submit a Well Completion Report for the North Kempnich #52-T ("the subject well").

2. Staff reports that the Well Completion Report was timely submitted for the subject well, but that the Commission's KOLAR online filing system did not appropriately communicate with the Commission's RBDMS database. As a result, when Staff ran automated queries for missing Well Completion Reports, the subject well was in the query. Staff did not see this error when making its penalty recommendation, but will be on the lookout for such errors in the future. Staff recommends that the Penalty Order in this docket should be rescinded.

**II. CONCLUSIONS OF LAW**

3. Based upon the above, the Commission concludes that the January 29, 2015, Penalty Order in this docket should be rescinded.

**THEREFORE, THE COMMISSION ORDERS:**


A. The Penalty Order issued in this docket is rescinded.

B. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner


Dated: FEB 10 2015

  
\_\_\_\_\_  
Neysa Thomas  
Acting Secretary

Mailed Date: 2/11/15

JRM

I CERTIFY THE ORIGINAL  
COPY IS ON FILE WITH  
The State Corporation Commission

FEB 10 2015  


**CERTIFICATE OF SERVICE**

I certify that on 2/11/15, 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:

Christian L. Martin  
Tailwater, Inc.  
6421 Avondale Drive, Suite 212  
Oklahoma City, Oklahoma 73116

And delivered by hand to:

Rene Stucky  
Conservation Division Central Office

/s/ Jonathan R. Myers  
Jonathan R. Myers  
Litigation Counsel  
Kansas Corporation Commission