

**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 Prolific ) Docket No: 25-CONS-3224-CPEN  
Resources, LLC (Operator) to comply with )  
K.A.R. 82-3-407 at the Panning #4 well in ) CONSERVATION DIVISION  
Stafford County, Kansas. )  
\_\_\_\_\_ ) License No: 33964

**ORDER APPROVING SETTLEMENT AGREEMENT**

The Commission rules as follows:

1. On January 14, 2025, the Commission issued a Penalty Order against Operator, assessing a \$1,000 penalty and directing Operator to either conduct a mechanical integrity test upon the captioned well or plug it.

2. On January 24, 2025, Commission Staff filed a Motion to Approve Settlement Agreement. In pertinent part, the Settlement Agreement changes the regulator violation from one of K.A.R. 82-3-407 to one of K.A.R. 82-3-128 (failure to verify information) and reduces the penalty amount to \$100. Staff reports Operator had conducted a mechanical integrity test upon the captioned well but had failed to submit the reporting form.<sup>1</sup>

3. The law encourages settlement.<sup>2</sup> The Commission finds the Settlement Agreement constitutes a fair and reasonable resolution of this proceeding. The Settlement Agreement is attached to this Order and made part of this Order.

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<sup>1</sup> See Motion to Approve Settlement Agreement, ¶ 2 (Jan. 24, 2025).

<sup>2</sup> *Bright v. LSI Corp.*, 254 Kan. 853, 858 (1994).

**THEREFORE, THE COMMISSION ORDERS:**

A. Staff's motion to approve the attached Settlement Agreement is granted; the Settlement Agreement is approved.

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).<sup>3</sup>

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

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 01/30/2025



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Lynn M. Retz  
Executive Director

Mailed Date: 01/30/2025

JRM

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<sup>3</sup> 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).



by a member of Staff. However, Operator did not submit a Casing Mechanical Integrity Test (U-7) form for the Subject Well prior to the issuance of the Penalty Order in this docket.

3. The Parties discussed resolution of the 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

4. 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.

5. As Operator performed a successful MIT on the Subject Well before the deadline in the NOV letter but did not timely submit a U-7 form, the Parties agree to seek Commission approval to change the regulatory violation from K.A.R. 82-3-407 to K.A.R. 82-3-128, and to seek approval to reduce the penalty amount to \$100.

6. Operator stipulates that it committed one violation of K.A.R. 82-3-128 for failure to timely submit a U-7 form for the Subject Well. Operator agrees to submit a U-7 form for the MIT performed at the Subject Well on December 16, 2024, by February 24, 2025. The penalty amount prescribed by K.A.R. 82-3-128 is \$100. Consequently, Operator agrees to pay a \$100 penalty by February 24, 2025.

7. 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.

8. Failure to meet any of the deadlines shall result in suspension of Operator's license. Operator agrees and understands that if its license is suspended for the failure to meet the above

deadlines, the license shall remain suspended until Operator has submitted the U-7 form and the penalty has been paid in full.

9. 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.

**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  
Kansas Corporation Commission  
266 N. Main St., Ste. 220  
Wichita, KS 67202  
[t.kimbrell@kcc.ks.gov](mailto:t.kimbrell@kcc.ks.gov)

**Prolific Resources, LLC**

Signature: 

Printed Name: Jeffrey A. Bork

Title: Geologist/Agent

Date: 01/24/2025

**CERTIFICATE OF SERVICE**

25-CONS-3224-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 01/30/2025.

TODD BRYANT, GEOLOGIST SPECIALIST  
KANSAS CORPORATION COMMISSION  
266 N. Main St., Ste. 220  
WICHITA, KS 67202-1513  
todd.bryant@ks.gov

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

JONATHAN R. MYERS, ASSISTANT GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
266 N. Main St., Ste. 220  
WICHITA, KS 67202-1513  
jon.myers@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

DARRELL L. WILLINGER  
PROLIFIC RESOURCES LLC  
250 N OLD MANOR RD  
WICHITA, KS 67208-4137  
darrellwillinger@gmail.com

/S/ KCC Docket Room  
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