

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Andrew J. French, Chairperson
Dwight D. Keen
Annie Kuether

In the matter of Jason Nickell's responsibility) Docket No: 25-CONS-3307-CMSC
pursuant to K.S.A. 55-179 for the abandoned Nickell)
#OW-1 well, located in Section 21, Township 20) CONSERVATION DIVISION
South, Range 22 East, Linn County, Kansas.)
_____) License No: N/A

PROPOSED DEFAULT ORDER

The Commission rules as follows:

1. On March 12, 2025, Commission Staff motioned for the designation of a presiding officer and the scheduling of a prehearing conference in this matter. Mr. Nickell did not respond.

2. On April 3, 2025, the Commission designated a presiding officer and set an April 17, 2025, prehearing conference. In its order, the Commission stated, "[t]he purpose of this docket shall be to consider whether Jason Nickell is responsible for the captioned well under K.S.A. 55-179, and what actions he should be obligated to undertake regarding the well."¹

3. Mr. Nickell did not attend the prehearing conference.

4. K.S.A. 77-520 provides that "If a party fails to attend or participate in a prehearing conference, hearing or other stage of an adjudicative proceeding, the presiding officer may serve upon all parties a written notice of a proposed default order, including a statement of the grounds." Due to Mr. Nickell's failure to attend the prehearing conference, the Commission finds Mr. Nickell has failed to participate in a stage of this adjudicative proceeding, and serves this Proposed Default Order.

5. Pursuant to K.S.A. 77-520(b), Mr. Nickell may file a written motion requesting this Proposed Default Order be vacated, stating the grounds relied upon, within seven calendar days after

¹ Order Designating Presiding Officer and Setting Prehearing Conference, ¶ 2 (Apr. 3, 2025).

service of this Order. Pursuant to K.S.A. 77-520(c), unless Mr. Nickell files a timely written motion to vacate this Proposed Default Order, this Order shall be effective.

6. If this Proposed Default Order becomes effective, then without further order Mr. Nickell shall be deemed a person responsible for the captioned well under K.S.A. 55-179 and shall be obligated to cause the well to be plugged pursuant to Commission regulations within 60 days.

7. If Mr. Nickell fails to plug the well within 60 days, then he shall be assessed a \$5,000 penalty, and Staff is authorized to plug the well and to assess all associated costs to Mr. Nickell.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, C-----

Dated: 05/20/2025



Celeste Chaney-Tucker
Executive Director

Mailed Date: 05/20/2025
JRM

CERTIFICATE OF SERVICE

25-CONS-3307-CMSC

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 05/20/2025.

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/S/ KCC Docket Room

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