

Kansas Administrative Regulations

Kansas Corporation Commission

Article 3.—Production and Conservation of Oil and Gas

82-3-133. Penalties for unlawful production.

(a) The production of oil or gas in violation of the provisions of a basic proration order, or otherwise in violation of the statutes or the rules and regulations of the commission, shall be deemed unlawful and shall be presumed to violate correlative rights and to constitute waste.

(b) Upon the commission's receipt of a complaint or on its own motion, and upon a determination that a well has unlawfully produced, the operator of that well may be ordered by the commission to shut in the well. The well shall remain shut in until the unlawful production is made up. The violating operator may make application for an exception to the order by showing that the unlawful production was necessary to protect correlative rights or to prevent waste. The exception may be granted by the commission after proper notice and hearing.

(c) Upon a determination by the commission that a well has produced unlawfully, the following may be ordered:

(1) The surface equipment of the unlawfully produced well to be sealed or padlocked for any period of time that the commission may determine;

(2) production of the unlawfully produced well at a reduced rate to ensure the protection of correlative rights and the prevention of waste;

(3) a penalty of \$500; or

(4) any combination of the orders enumerated in paragraphs (c)(1), (2), and (3).

(d) Any action taken by the commission under this regulation shall be in accordance with the Kansas administrative procedure act.

(Authorized by K.S.A. 2000 Supp. 55-164, K.S.A. 55-152; implementing K.S.A. 2000 Supp. 55-603, K.S.A. 55-605, K.S.A. 55-703; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended April 23, 1990; amended June 1, 2001.)

***** Authenticated Kansas Administrative Regulation *****