

JLM  
5-26-16

**BEFORE THE CORPORATION COMMISSION  
STATE OF OKLAHOMA**

APPLICANT: Tim Baker, Director,	)	
Oil and Gas Conservation Division	)	CAUSE No. OGC 201600001 T
Oklahoma Corporation Commission	)	
	)	Ticket No. 1-0852 - A
RESPONDENT: Garry Davis Oil, LLC	)	
	)	
RELIEF SOUGHT: Contempt, Fines, and	)	ORDER No. <b>653093</b>
Compliance with Commission Rules	)	

**FINAL CITATION ORDER**

This Cause came on for hearing before Kathy McKeown, Administrative Law Judge, on the Pollution and Enforcement Docket on May 3, 2016, Kerr State Office Building, Tulsa, Oklahoma, for the purpose of taking testimony and reporting to the Commission. Connie Moore appeared for the Conservation Division. Respondent did not appear.

**SUMMARY OF EVIDENCE**

Operator disposed of saltwater into the Cottman #2 (API:071-24178) well located in the SW/4 NW/4 Section 17, Township 25 North, Range 01 East, Kay County, Oklahoma in violation of OAC 165:10-5-2 – Failure to obtain Authorization to Inject. The well was red-tagged and shut-in. Field Operations requested the scheduled fine of \$5,000.00.

**FINDINGS**

1. The Commission has jurisdiction over the subject matter, over the parties and has the authority to enter this order. Notice has been given as required by law and the rules of the Commission. Respondent was given Notice of Hearing by certified mail addressed to the most recent 1006B address listed on the Form 1006B (Operator’s Agreement to Plug).
2. Citation #1-0852 was delivered to company owner Garry Davis on location by the Field Inspector. In addition, the Citation was mailed by certified mail to Garry Davis Oil, LLC at the address listed with the Surety Department.
3. Commission Field Inspector Supervisor, Jim Waite, alleges that on a site visit to the Rackley #1, he and Field Inspector, George Schwarz, determined that the Respondent was disposing of saltwater into the Cottman #2 (API:071-24178) well located in the SW/4 NW/4 Section 17, Township 25 North, Range 01 East, Kay County, Oklahoma in violation of OAC 165:10-5-2.
4. The Cottman #2 has not been permitted as a disposal well and was red-tagged and shut-in.

5. Field Operations requested the scheduled fine of \$5,000.00.

**CONCLUSIONS OF LAW**

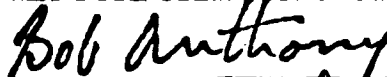
1. The Commission has jurisdiction over the subject matter, over the parties and has the authority to enter this order. Notice has been given as required by law and the rules of the Commission.
2. Respondent is the responsible entity for maintaining required forms for the subject wells and complying with all applicable Commission rules.
3. Operator disposed of saltwater in an unauthorized well is in violation of OAC 165:10-5-2 – Failure to obtain Authorization to Inject.
4. Failure to comply with Commission Rules and Regulation inhibits the Commission's responsibility to protect the public welfare and protect the waters of the state of Oklahoma.

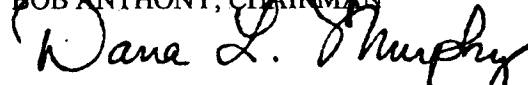
**ORDER**

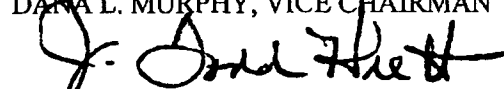
IT IS THEREFORE THE ORDER of the Commission that the Respondent violated OAC 165:10-5-2 – Failure to obtain Authorization to Inject into the Cottman #2. Garry Davis Oil, LLC is fined the scheduled amount of \$5,000.00 for the violation. The fine has been paid.

No further action is necessary and this Cause is closed.

**OKLAHOMA CORPORATION COMMISSION**

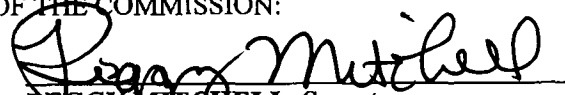
  
\_\_\_\_\_  
BOB ANTHONY, CHAIRMAN

  
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DANA L. MURPHY, VICE CHAIRMAN

  
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J. TODD HIATT, COMMISSIONER

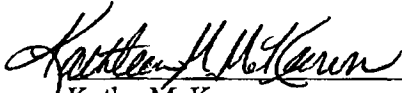
DONE AND PERFORMED this 31 day of May 2016.

BY ORDER OF THE COMMISSION:

  
\_\_\_\_\_  
PEGGY MITCHELL, Secretary

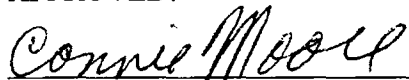
REPORT OF THE ADMINISTRATIVE LAW JUDGE

The above Findings and Order are the report and recommendations of the Administrative Law Judge.

  
\_\_\_\_\_  
Kathy McKeown  
Administrative Law Judge

  
\_\_\_\_\_  
Date

APPROVED:

  
\_\_\_\_\_  
Connie Moore, OBA 6331  
Assistant General Counsel