

**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 Application of Weinkauf)	Docket No. 17-CONS-3693-CEXC
Petroleum, Inc. for an exception to the 10-year)	
time limitation of K.A.R. 82-3-111 for its)	CONSERVATION DIVISION
Rexroad #1 well located in the SE/4 of Section 34,)	
Township 33 South, Range 29 West, Meade)	License No.: 30902
County, Kansas.)	
)	

ORDER DISMISSING APPLICATION

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1. On June 23, 2017, Weinkauf Petroleum, Inc. (Applicant) filed an application pursuant to K.A.R. 82-3-111, seeking an exception to the 10-year limitation on temporary abandonment.
2. On October 2, 2017, Commission Conservation Staff (Staff) filed a Motion for the Designation of a Prehearing Officer and the Scheduling of a Prehearing Conference.
3. On October 12, 2017, the Commission issued the Order Designating Prehearing officer and Setting Prehearing Conference setting a Prehearing Conference for November 7, 2017.¹
4. On October 30, 2017, Applicant filed a letter, signed by Patrick J. Carrington, Vice President – Engineering, Weinkauf Petroleum, Inc., informing Staff it “is withdrawing the Motion

¹ Order Designating Prehearing Officer and Setting Prehearing Conference at 2 (Oct. 12, 2017).

for the Designation of a Prehearing Officer and Scheduling of a Prehearing Conference” and that “Rexroad #1 is an active producing well as of October 25, 2017.”²

5. On November 7, 2017, the Prehearing Conference was held. Applicant failed to attend, and Staff verbally moved that the Commission issue a Default Order.

6. On February 15, 2018, the Commission denied the Applicant’s motion and directed Staff to supplement the record with the status of the subject well.³

7. On February 16, 2018, Staff filed a Status Update and Renewal of Motion for Default. Staff stated that Staff does not contest the Applicant’s account that the subject well has been returned to production and acknowledges that such “has been accurately reported in Commission databases.”⁴

8. Based upon Staff’s representations, the Commission finds that the Application should be dismissed as moot.

THEREFORE, THE COMMISSION ORDERS:

A. The Application is dismissed.

B. Any Party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 2016 Supp. 77-529(a). The petition shall be filed within 15 days after service of this Order, plus three days if by mail service, and must state the specific grounds upon which relief is requested. The petition shall be addressed to the Commission and sent to 266 N. Main, Ste. 220, Wichita, Kansas 67202.

C. The Commission retains jurisdiction over the subject matter and the parties and may enter additional orders as it deems appropriate.

² Letter (Oct. 30, 2017).

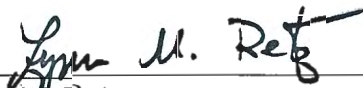
³ Order Denying Applicant’s Motion and Order to Supplement the Record at 2 (Feb. 15, 2018).

⁴ Status Update and Renewal of Motion for Default at 2 (Feb. 16, 2018).

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: Feb. 27, 2018



Lynn M. Retz
Secretary to the Commission

Mailed Date: Feb. 27, 2018

DLK/sc

CERTIFICATE OF SERVICE

I certify that on Feb. 27, 2018, I caused a complete and accurate copy of this Order to be served via United States mail, postage prepaid, addressed to the following:

Julia Atherton, Production Asst.
Weinkauf Petroleum, Inc.
6540 S. Lewis Avenue
Tulsa, OK 74136-1009

and sent by electronic mail to:

Jonathan R. Myers, Litigation Counsel
KCC Central Office
j.myers@kcc.ks.gov

Dustin L. Kirk, Deputy General Counsel
KCC Topeka Office
d.kirk@kcc.ks.gov

/s/ DeeAnn Shupe
DeeAnn Shupe