

**THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

Before Commissioners:                    Shari Feist Albrecht, Chair  
   Jay Scott Emler  
   Dwight D. Keen

In the Matter of the Application of Eastern Kansas ) Docket No: 18-CONS-3258-CVAC  
Operating, LLC, for authorization to impose a )  
vacuum on its Someday #32-12 lease located in ) CONSERVATION DIVISION  
Section 12, Township 16 South, Range 4 East, )  
Miami County, Kansas. ) License No. 34971

**ORDER DISMISSING APPLICATION AND CLOSING DOCKET**

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 makes the following findings:

1. On January 2, 2018, Eastern Kansas Operating, LLC (Operator) filed an Application seeking authorization to install a vacuum on its Someday #32-12 lease.<sup>1</sup> The Operator published notice of its Application in the Miami County Republic newspaper on January 3, 2018,<sup>2</sup> and in the Wichita Eagle newspaper on January 3, 2018.<sup>3</sup>

2. On April 26, 2018, the Commission issued its *Order Designating Prehearing Officer and Setting Prehearing Conference*, scheduling a Prehearing Conference for May 10, 2018.<sup>4</sup>

3. On April 30, 2018, the Operator filed a Notice of Withdrawal of Application, stating that the Operator “hereby withdraws, without prejudice, its Application to Impose a Vacuum on the Someday #32-12 lease as sought in this Docket.”<sup>5</sup> The Operator also stated that it “will not be

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<sup>1</sup> Application, p. 3 (Jan. 2, 2018).

<sup>2</sup> Affidavit of Publication (Jan. 9, 2018).

<sup>3</sup> Affidavit of Publication (Jan. 9, 2018).

<sup>4</sup> *Order Designating Prehearing Officer and Setting Prehearing Conference*, Ordering Clause B (Apr. 26, 2018).

<sup>5</sup> Notice of Withdrawal of Application, p. 1 (Apr. 30, 2018).

appearing at the Pre-Hearing Conference scheduled on May 10, 2018” and requested that “the Commission dismiss and close this docket.”<sup>6</sup>

4. Based on the fact that no protests have been filed in this docket, nor has any objection been made to the Operator’s Notice of Withdrawal of Application, the Commission finds it is in the public interest to dismiss the Operator’s Application, without prejudice, and close this docket.


**THEREFORE, THE COMMISSION ORDERS:**

- A. The Operator’s Application is dismissed, without prejudice, and this docket is closed.
- B. The parties have fifteen (15) days, plus three (3) days if mailed service, in which to petition the Commission for reconsideration.<sup>7</sup>
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

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

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 05/15/2018

  
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Lynn M. Retz  
Secretary to the Commission

Mailed Date: 05/16/2018

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<sup>6</sup> *Id.*

<sup>7</sup> K.S.A. 55-162; K.S.A. 55-606; K.S.A. 77-529(a)(1); *see* K.S.A. 66-118b.

**CERTIFICATE OF SERVICE**

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I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail and electronic service on 05/15/2018.

EASTERN KANSAS OPERATING  
EASTERN KANSAS OPERATING, LLC  
9532 Riggs Road  
Sun Lakes, AZ 85248

JAMES OSBORN  
EASTERN KANSAS OPERATING, LLC  
2221 W. Baseline Road, Suite 101  
Tempe, AZ 85283

MICHAEL DUENES, ASSISTANT GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604-4027  
Fax: 785-271-3354  
m.duenes@kcc.ks.gov

JONATHAN R. MYERS, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
Conservation Division  
266 N. Main St. Ste. 220  
WICHITA, KS 67202-1513  
Fax: 316-337-6211  
j.myers@kcc.ks.gov

/S/ DeeAnn Shupe  
DeeAnn Shupe