

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

In the Matter of the Application of TGT)	Docket No. 19-CONS-3003-CEXC
Petroleum Corporation (Operator) for an)	
exception to the 10-year time limitation of)	CONSERVATION DIVISION
K.A.R. 82-3-111 for its Wheeler F #1 Well)	
located in the SE/4 NW/4 of Section 34,)	License No. 5118
Township 27 South, Range 19 West, Kiowa)	
County, Kansas.)	

MOTION TO GRANT APPLICATION

The Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively), moves the Commission to grant the Amended Application of Hawkins Oil, LLC, (Operator). In support of its motion, Staff states as follows:

1. On July 3, 2018, the Operator filed an Application requesting an exception to the 10-year limitation on TA status for the Wheeler F #1 well.¹
2. The Operator published notice, pursuant to K.A.R. 135a(d), of its Application in both the Wichita Eagle and the Merchant's Directory.²
3. On July 20, 2018, the Commission received a protest to the application from Voskuhl Staab Family Farms LLC.³ On July 24, 2018, the commission received a protest to the application from Morning Star Farms.⁴
4. On July 31, 2018, the Commission issued an Order Designating Prehearing Officer and Setting Prehearing conference for August 21, 2018.⁵
5. On August 21, 2018, the Prehearing Officer issued an Order Continuing Proceeding and Scheduling a Status Conference until Thursday, October 11, 2018.⁶

¹ Application, (July 3, 2018).

² Affidavit of Publication – Wichita Eagle (July 23, 2018); Affidavit of Publication – Merchant's Directory of Kiowa County (July 23, 2018).

³ Voskuhl Staab Family Farms LLC – Letter Protesting Application (July 20, 2018).

⁴ Morning Star Farms, GP – Letter Protesting Application (July 24, 2018).

⁵ Order Designating Prehearing Officer and Setting Prehearing Conference (July 31, 2018).

⁶ Prehearing Officer Order Continuing Proceeding and Scheduling a Status Conference (Aug. 21, 2018).

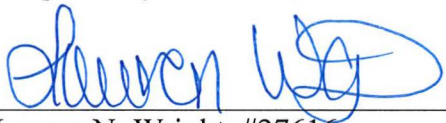
6. On August 20, 2018, the Operator filed a Motion to Dismiss Protests.⁷

7. On September 11, 2018, the Commission issued an Order on Motion to Dismiss Protests, dismissing both protests filed in this docket.⁸

8. The Application complies with all Commission regulations. Staff recommends the Commission grant the Operator's Amended Application because the Operator has demonstrated a potential future use for the well, and there is not a present threat to fresh and usable water.

WHEREFORE, for the reasons set forth above, Staff respectfully requests that the Commission grant the Operator's Application, and attaches a proposed Order Granting Application.

Respectfully submitted,



Lauren N. Wright, #27616
Litigation Counsel, Kansas Corporation Commission
266 N. Main, Suite 220, Wichita, Kansas 67202
Phone: 316-337-6200; Fax: 316-337-6211

⁷ Motion to Dismiss Protests (Aug. 20, 2018).

⁸ Order on Motion to Dismiss Protests (Sept. 11, 2018).

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

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

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Township 27 South, Range 19 West, Kiowa)	
County, Kansas.)	

PROPOSED ORDER GRANTING APPLICATION

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

I. JURISDICTION

1. The Commission has the exclusive jurisdiction and authority to regulate oil and gas activities in Kansas.¹

2. K.A.R. 82-3-111 provides that wells having been shut-in for more than 10 years shall not be approved for TA status without Commission approval of an application for an exception.

3. K.A.R. 82-3-100 provides that the Commission may grant an exception to any regulation after application and notice.

II. BACKGROUND

4. On July 3, 2018, the Operator filed an Application requesting an exception to the 10-year limitation on TA status for the Wheeler F #1 well.²

¹ K.S.A. 74-623

² Application, (July 3, 2018).

5. The Operator published notice of its Application in both the Wichita Eagle and the Merchant's Directory of Kiowa County.³

6. On July 20, 2018, the Commission received a protest to the application from Voskuhl Staab Family Farms LLC.⁴ On July 24, 2018, the commission received a protest to the application from Morning Star Farms.⁵

7. On July 31, 2018, the Commission issued an Order Designating Prehearing Officer and Setting Prehearing conference for August 21, 2018.⁶

8. On August 21, 2018, the Prehearing Officer issued an Order Continuing Proceeding and Scheduling a Status Conference until Thursday, October 11, 2018.⁷

9. On August 20, 2018, the Operator filed a Motion to Dismiss Protests.⁸

10. On September 11, 2018, the Commission issued an Order on Motion to Dismiss Protests, dismissing both protests filed in this docket.⁹

III. FINDINGS OF FACT

11. The Operator conducts oil and gas activities in Kansas under active license number 5118.

12. On July 3, 2018, the Operator filed an Application, pursuant to K.A.R. 82-3-100, requesting an exception to the 10-year limit on TA status for the Wheeler F #1 well, API #15-097-21577-00-00.

13. The Operator has verified that notice was properly served and published, as required under K.A.R. 82-3-135a, at least 15 days before the issuance of this Order.

14. On June 28, 2018, the Operator successfully tested the subject well for mechanical integrity.¹⁰

³ Affidavit of Publication – Wichita Eagle (July 23, 2018); Affidavit of Publication – Merchant's Directory of Kiowa County (July 23, 2018).

⁴ Voskuhl Staab Family Farms LLC – Letter Protesting Application (July 20, 2018).

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⁹ Order on Motion to Dismiss Protests (Sept. 11, 2018).

¹⁰ Application ¶7, July 3, 2018.

15. The Commission finds the Application and the mechanical integrity test sufficient to support the administrative grant of this application.

IV. CONCLUSIONS OF LAW

16. The Commission finds and concludes that it has jurisdiction over Operator and this matter.

17. The Commission finds and concludes that the Operator's application was filed in accordance with the rules and regulations of the Commission and in accordance with Kansas statutes.

18. The Commission finds and concludes that notice was properly served and published.

19. Based on the above facts, the Commission finds and concludes that the application should be granted to prevent waste and protect correlative rights, because Operator has demonstrated a potential future use for the well, and there is not a present threat to fresh and usable water.

THEREFORE, THE COMMISSION ORDERS:

A. Operator's Application for an exception to the 10-year limit on TA status for the subject well is granted for three years, calculated from the date the application was filed. Operator must file an annual TA form for the subject well. The first TA form shall be filed within 30 days.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).¹¹

¹¹ K.S.A. 55-162; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Date: _____

Lynn M. Retz
Secretary to the Commission

Date Mailed: _____

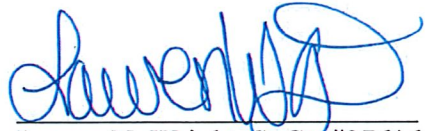
LW

DRAFT

VERIFICATION

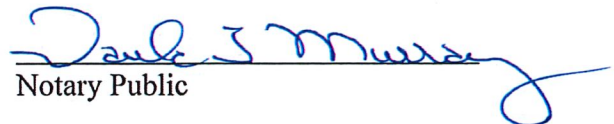
STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

Lauren N. Wright, of lawful age, being duly sworn upon her oath deposes and states that she is Litigation Counsel for the State Corporation Commission of the State of Kansas; that she has read and is familiar with the foregoing *Motion*, and attests that the statements therein are true to the best of her knowledge, information and belief.

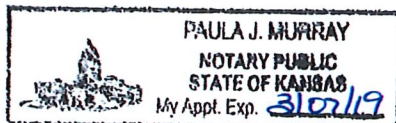


Lauren N. Wright, S. Ct. #27616
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 29 day of Oct, 2018.


Notary Public

My Appointment Expires: 3/07/19



CERTIFICATE OF SERVICE

19-CONS-3003-CEXC

I, the undersigned, certify that the true copy of the attached Motion has been served to the following parties by means of first class mail and electronic service on October 29, 2018.

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/S/ Paula J. Murray

Paula J. Murray