

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

In the matter of the failure of Benjamin M. Giles	)	Docket No: 20-CONS-3082-CPEN
("Operator") to comply with K.A.R. 82-3-120.	)	
	)	CONSERVATION DIVISION
	)	
_____	)	License No: 5446

**NOTICE OF ORDER FOR  
AUTHORITY TO RENEW OPERATORS LICENSE**

Charlene A. Giles, Executor of the Estate of Benjamin M. Giles, deceased ("Executor"), hereby notifies the Commission that on October 29, 2019, the District Court of Butler County, Kansas, Probate Section, in the case captioned *In the Matter of the Estate of Benjamin M. Giles, Deceased*, Consolidated Case Nos. 2019-PR-000031 and 2019-PR-000040, granted authority to the Executor to:

- (A) Renew the Operators License on an interim basis;
- (B) Pay from Estate funds in an amount not to exceed \$5,000 for payment of the renewal fees due the Commission; and
- (C) Take such action as she deems appropriate to continue to operate the Subject Wells until they are sold at auction on December 5, 2019.

A true and correct copy of the Order for Authority to Renew Operators License is attached hereto as **Exhibit A**.

Executor filed her Request for Hearing, Motion to Lift Shut-in Order, and Request to Renew License with the Commission on October 25, 2019. The Executor will be seeking to renew the Operators License based upon the authority granted by the Butler County District Court, Probate Section.

Respectfully submitted,



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James A. Durbin KS Bar #14379  
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Attorneys for Petitioner

**VERIFICATION**

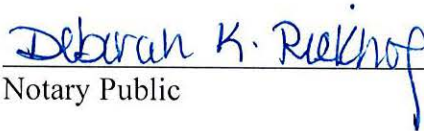
STATE OF MISSOURI     )  
  ) ss.  
COUNTY OF JACKSON    )

Daniel V. Hiatt, Jr., as attorney for Charlene Giles, Executor of the Estate of Benjamin M. Giles, of lawful age, being first duly sworn, upon oath, states he is the attorney for Charlene Giles, Executor of the Estate of Benjamin M. Giles; has read the above Notice of Order for Authority to Renew Operators License, knows the contents thereof, and affirms that all factual statements made therein are true to the best of his knowledge and belief.



Daniel V. Hiatt, Jr.

Subscribed and sworn to before me this 30<sup>th</sup> day of October, 2019.

  
Notary Public

My Appointment Expires:

2/15/2020

DEBORAH K. RIEKHOF  
NOTARY PUBLIC-NOTARY SEAL  
STATE OF MISSOURI  
JACKSON COUNTY  
MY COMMISSION EXPIRES 2/15/2020  
COMMISSION # 12493822

## CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the 30<sup>th</sup> day of October, 2019, I caused the original of this **Notice of Order for Authority to Renew Operators License** to be electronically filed with the Conservation Division of the State Corporation Commission of the State of Kansas, and caused a true and correct copy of the same be electronically served to the following parties:

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\_\_\_\_\_  
Daniel V. Hiatt, Jr. #22992



Court: Butler County District Court  
Case Number: 2019-PR-000031  
Case Title: In the Matter of the Estate of Benjamin M Giles  
Type: Order for Authority to Renew Operators License

SO ORDERED.

A handwritten signature in black ink that reads "Mike Ward".

/s/ Honorable Mike Ward, District Court Judge

IN THE DISTRICT COURT OF BUTLER COUNTY, KANSAS  
PROBATE SECTION

In the Matter of the Estate of	)	Consolidated Case Nos. 2019-PR-000031
	)	2019-PR-000040
BENJAMIN M. GILES, Deceased	)	

**ORDER FOR AUTHORITY TO RENEW OPERATORS LICENSE**

On this date, comes on for hearing the Petition for Authority to Renew Operators License filed by Charlene A. Giles, Executor of the Estate of Benjamin M. Giles, deceased.

There are no appearances.

After examining the files, hearing the evidence, statements and arguments of counsel, and being duly advised in the premises, the Court finds:

1. The decedent at the time of death was one of the shareholders of MWM Oil Co., Inc., a Kansas corporation, and one of the members of Rag Oil Co., LLC, a Kansas limited liability company (collectively known as “the Businesses”). As a result of the decedent’s death, the Estate is now the shareholder and member of the Businesses, respectively.

2. The Businesses are located and operated in the State of Kansas and are in good standing with the Kansas Secretary of State and are under the jurisdiction of the State Corporation Commission of the State of Kansas.

3. At the time of his death, the decedent had a valid oil and gas operators license issued by the Commission under License No. 5446 (the “Operators License”).

4. The Businesses filed for bankruptcy under Chapter 11 of the bankruptcy code on July 26, 2019, and in conjunction with said bankruptcy proceedings, the working interests and overriding

royalty interested in certain wells owned by the Businesses (the "Subject Wells") are scheduled to be sold at auction on December 5, 2019.

5. The Subject Wells and the potential sale proceeds which may be received at auction on December 5, 2019, represent assets which could potentially inure to the benefit of the Estate. In the event there is a surplus in the bankruptcy proceedings, a portion of such surplus would be distributable to the Estate as an owner of the Businesses and potentially be available to claimants of the Estate.

6. The Executor should be authorized to renew the Operators License, on an interim basis, and to pay from Estate funds in an amount not to exceed \$5,000 for payment of the renewal fees due the Commission.

IT IS THEREFORE BY THE COURT CONSIDERED, ORDERED, ADJUDGED AND DECREED:

- (A) The above findings are hereby made a part of the order and decree of this Court.
  - (B) The Executor is authorized and directed to renew the Operators License on an interim basis.
  - (C) The Executor is authorized to pay from Estate funds in an amount not to exceed \$5,000 for payment of the renewal fees due the Commission.
  - (D) The Executor is granted the authority to take such further action as she deems appropriate to continue to operate the Subject Wells until they are sold at auction on December 5, 2019.
-

Judge

Submitted by:

/s/ Daniel V. Hiatt, Jr. \_\_\_\_\_  
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Attorneys for Petitioner