

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

In the Matter of the Application of RedBud Oil	)	Docket No.: 19-CONS-3191-CUIC
& Gas Operating, LLC to authorize injection of	)	
natural gas into the Cattleman formation at the	)	CONSERVATION DIVISION
Westfall #2E-12 well, located in Section 12,	)	
Township 31 South, Range 13 East,	)	License No.: 35497
Montgomery County, Kansas.	)	

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**MOTION FOR DEFAULT ORDER**

The Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission,” respectively), moves the Commission for a Default Order to be issued against the Operator and the Protester. In support of its motion, Staff states as follows:

1. On October 29, 2018, RedBud Oil & Gas Operating, LLC (Operator) filed an Application to authorize injection of natural gas into the Cattleman formation at the Westfall #2E-12 well.<sup>1</sup>
2. On November 20, 2018, Arlyn Hare, Director of Eagle Oak Land Development, (Protester) timely filed a letter of protest.
3. On January 15, 2019, the Commission issued an order setting this matter for an April 18, 2019, Evidentiary Hearing.<sup>2</sup>
4. On January 31, 2019, a Prehearing Officer Order was issued scheduling a Status Conference in this docket for February 15, 2019.
5. Counsel for Staff appeared at the pre-hearing conference on February 15, 2019, but both the Operator and Protester failed to appear.
6. Pursuant to K.S.A. 77-520(a), “[i]f a party fails to attend or participate in a prehearing conference, hearing or other stage of an adjudicative proceeding, the presiding officer

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<sup>1</sup> Application, p. 1 (Oct. 29, 2018).

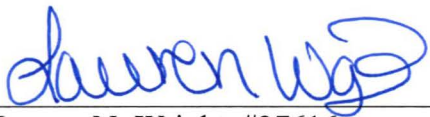
<sup>2</sup> Order Setting Procedural Schedule, ¶ 4, (Jan. 15, 2019).

may serve upon all parties written notice of a proposed default order, including a statement of the grounds.”

7. Staff believes Operator and Protester were both properly notified and afforded an opportunity to attend and participate in the February 15, 2019, prehearing conference, but failed to do so. Therefore, Staff requests that a default order be issued against the Operator and the Protester dismissing both the Application and Protest in this docket.

WHEREFORE, for the reasons set forth above, Staff respectfully requests the Commission issue a default order against Operator and Protester dismissing the Application and the Protest filed in this docket, for failure to appear and participate, and for any further relief as the Commission deems just and proper.

Respectfully submitted,



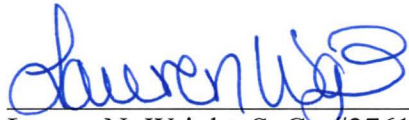
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Lauren N. Wright, #27616  
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266 N. Main, Suite 220, Wichita, Kansas 67202  
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**VERIFICATION**

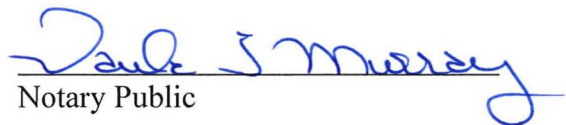
STATE OF KANSAS                     )  
  ) ss.  
COUNTY OF SEDGWICK            )

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.

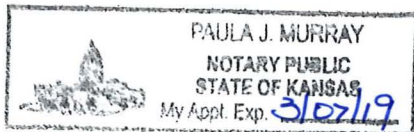


Lauren N. Wright, S. Ct. #27616  
Litigation Counsel  
State Corporation Commission  
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 18 day of FEB, 2019.

  
Notary Public

My Appointment Expires: 3/07/19



## **CERTIFICATE OF SERVICE**

19-CONS-3191-CUIC

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 February 18, 2019.

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/S/ Paula J. Murray  
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Paula J. Murray