

RECEIVED
KANSAS CORPORATION COMMISSION

APR 02 2012

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

LEGAL SECTION

IN THE MATTER OF THE APPLICATION OF)
NEW GULF OPERATING LLC FOR A) DOCKET NO. 12 CONS-235-CWLE
LOCATION EXCEPTION FOR THE A.C. FELT)
#1 WELL IN SECTION 6, TOWNSHIP 18) OPERATOR NO. 34162
SOUTHRANGE 34 WEST IN SCOTT) CONSERVATION DIVISION
COUNTY, KANSAS.)

MOTION TO DISMISS WITHOUT PREJUDICE

COMES NOW, the Applicant, New Gulf Operating LLC and respectfully requests an Order of the Commission dismissing this Application without prejudice. In support thereof, Applicant would show as follows:

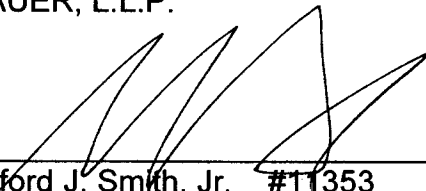
1. Applicant filed this Docket on March 7, 2012. The Application sought an Order granting a location exception and assignment of a full allowable at the appropriate time to the A.C. Felt #1 well.

2. That at the time of the filing of the Application, the well was closer than 330' from a lease boundary. However, the leases have been modified and that is no longer the case. Therefore, the relief sought therein is no longer necessary and Applicant seeks to dismiss this Application without prejudice.

WHEREFORE, Applicant prays: That the Commission dismiss this Application without prejudice.

Respectfully submitted,

MARTIN, PRINGLE, OLIVER, WALLACE
& BAUER, L.L.P.

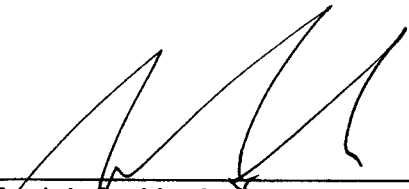
By 
Stanford J. Smith, Jr. #11353
Attorneys for New Gulf Operating LLC

VERIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

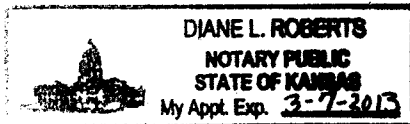
COMES NOW, Stanford J. Smith, Jr., of lawful age, being first duly sworn on his oath states:

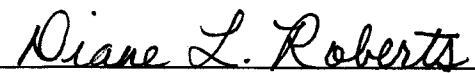
That he is the attorney for Applicant and is authorized to make this verification; that he has read the above and foregoing Motion to Dismiss Without Prejudice and is familiar with the contents thereof and that the statements made there are true and correct to the best of his knowledge and belief.



Stanford J. Smith, Jr.

SUBSCRIBED AND SWORN TO before me this 30th day of March, 2012.





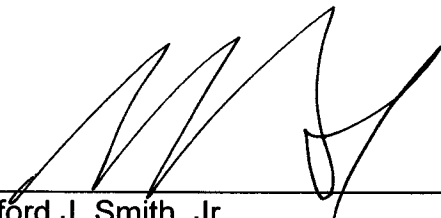
Notary Public

My Appointment Expires:
3-7-2013

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Dismiss Without Prejudice was hand delivered on this 30th day of March, 2012, to:

John G. McCannon, Esq.
Kansas Corporation Commission
130 South Market, Room 2078
Wichita, KS 67202



Stanford J. Smith, Jr.