

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

Before Commissioners: Pat Apple, Chairman  
Shari Feist Albrecht  
Jay Scott Emler

In the Matter of the Failure of Prairie Gas Operations, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Clift #1, Sell A # 1, and Hazlett #2 wells in Greeley and Hamilton County, Kansas.	)	
	)	
	)	Docket No. 18-CONS-3125-CPEN
	)	Docket No. 18-CONS-3128-CPEN
	)	
	)	
In the Matter of the Failure of Prairie Gas Operations, LLC ("Operator") to comply with K.A.R. 82-3-111 at the Hoffman G #32-1 in Greeley County, Kansas.	)	
	)	CONSERVATION DIVISION
	)	
	)	License No.: 35442

**Motion to Vacate or Amend Proposed Default Order**

COMES NOW Prairie Gas Operations, LLC ("Prairie Gas") by and through its Counsel of Record, Lee Thompson of the Thompson Law Firm, L.L.C., Wichita, Kansas, and pursuant to K.S.A. 77-520(b) moves for an order vacating or amending the Proposed Default Order, as previously amended by Nunc Pro Tunc Order for the following reasons:

1. The Staff of the Conservation Commission filed a Motion for Default Order on January 22, 2018.
2. The Operator previously filed a proposed confidential settlement proposal and Staff sought to eliminate the confidential designation and strike the settlement proposal on February 5 due, inter alia, Operator's failure to be represented by counsel.
3. The Operator retained the undersigned counsel for who entered his appearance herein on February 23, 2018.

4. Upon entering his appearance, counsel reviewed the referenced documents on the Commission's web site for docket filings on or about March 1 and learned of the filing of a Proposed Default Order on February 27, 2018 and a Nunc Pro Tunc Order on March 1, 2018.
5. Counsel has been unable to identify or locate email transmissions of the copies of the Proposed Order of Nunc Pro Tunc. Counsel has appeared in multiple prior dockets before the Commission and has never failed to receive copies of filed documents or notice thereof.
6. Out of an abundance of caution this Motion is filed pursuant to the terms of the Nunc Pro Tunc Order and requests that the Proposed Default Order be vacated or alternatively amended to specify and confirm all prior representations made by Staff, namely that:
  - a. That the subject wells are all now in compliance with regulations of the Commission;
  - b. That the total fine in this docket shall be \$400.00; and
  - c. That Operator be given appropriate notice of the means and manner of payment such fine which Operator hereby agrees to pay within seven days of the receipt of a final order.

**WHEREFORE,** Operator consents to a final default order in the form of the proposed order but respectfully submits that such an order should specify the precise state of the record as to compliance and the amount of the fine as stated above.

Respectfully Submitted,  
/s/ Lee Thompson

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**CERTIFICATE OF SERVICE**

I hereby certify on this 6<sup>th</sup> day of March, 2018 the original of the above and foregoing Motion to Vacate or Amend was filed by means of the KCC e-filing Express and served on the undersigned as an attachment to an electronic mail.

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And

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/s/ Lee Thompson