

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

Before Commissioners: Susan K. Duffy, Chair
Shari Feist Albrecht
Dwight D. Keen

In the Matter of the Application of F. G. Holl) Docket No. 20-CONS-3170-CEXC
Company, L.L.C. for an Order Granting an)
Exception to the Pit Closure Time Limitation) CONSERVATION DIVISION
of K.A.R. 82-3-602 at its Kufeld #2-19 Well)
Located in SW/4 of Section 19, Township 19) License No. 5056
South, Range 14 West, Barton County,)
Kansas.)

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 and conclusions:

I. JURISDICTION

1. The Commission has the exclusive jurisdiction and authority to regulate oil and gas activities in Kansas.¹
2. K.A.R. 82-3-602(a)(2) limits pit permit extensions to two, three-month extensions.
3. K.A.R. 82-3-100 provides that the Commission may grant an exception to any regulation after application and notice.

II. FINDINGS OF FACT

4. F.G. Holl Company, L.L.C. (Operator) conducts oil and gas activities in Kansas under active license number 5056.

¹ K.S.A. 74-623.

5. On December 10, 2019, Operator filed an Application requesting an exception to the time limitations for pit closures set out in K.A.R. 82-3-602(a)(2) for the pit(s) associated with the Kufeld #2-19 well, API #15-009-26220 (“subject pit(s)").²

6. Operator has already received the two extensions allowed by K.A.R. 82-3-602(a)(2) but pursuant to K.A.R. 82-3-100(b) requested an additional three-month extension from the date of the application due to excessive moisture from persistent rainfall at the subject pit(s).³ Staff recommends that Operator also be granted a three-month extension.

7. The extension of time to close the subject pit(s) will cause no environmental harm, because all drilling fluids have been hauled off from the subject pit(s).⁴

8. Operator has verified that notice has been properly served and published, as required under K.A.R. 82-3-135a.⁵

9. No protest was filed under K.A.R. 82-3-135b.

III. CONCLUSIONS OF LAW

10. The Commission concludes that it has jurisdiction over Operator in this matter.

11. The Commission concludes the Application will prevent waste, will not affect correlative rights, will prevent pollution, and was filed in accordance with the rules and regulations of the Commission and in accordance with Kansas statutes.

12. The Commission concludes that notice was properly served and published.

13. Based on the above facts, the Commission concludes that the Application should be granted.

² Application, ¶¶3, 5 (Dec. 10, 2019); *see also* Proof of Publication – The Great Bend Tribune (Dec. 18, 2019). The Commission takes administrative notice of its databases to determine the API number for the Kufeld #2-19.

³ Application, ¶¶5, 7.

⁴ *See Id.* at ¶6.

⁵ *Id.*, at ¶10; *see also id.* at Certificate of Service.

THEREFORE, THE COMMISSION ORDERS:

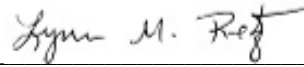
A. Operator's Application is granted. Operator shall have until March 10, 2020, to close the subject pit(s).

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).⁶

BY THE COMMISSION IT IS SO ORDERED.

Duffy, Chair; Albrecht, Commissioner; Keen; Commissioner

Dated: 01/23/2020



Lynn M. Retz
Executive Director

Mailed Date: 01/23/2020

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⁶ 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).

CERTIFICATE OF SERVICE

20-CONS-3170-CEXC

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 01/23/2020.

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/S/ DeeAnn Shupe

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