

Received
KANSAS CORPORATION COMMISSION

BEFORE THE STATE CORPORATION COMMISSION

JUN 12 2020

OF THE STATE OF KANSAS

CONSERVATION DIVISION
WICHITA, KS

In the Matter of the Application of Terry E.)	Docket No:20-CONS-3253-CUIC
Morris dba GLM Company to authorize the)	
disposal of saltwater into the Arbuckle)	CONSERVATION DIVISION
formation in the Steinle # 5 located in the)	
N2 NE/4 SW/4 of Section 22, Township 13)	License No: 3134
South, Range 13 West, Russell County)	
Kansas)	

MOTION FOR DEFAULT ORDER AGAINST NON-APPEARING PROTESTER

COMES NOW the applicant Terry E. Morris dba GLM Company by Terry E. Morris, sole proprietor, who requests an order finding that protester, Patrick Barney, failed to attend or participate in the pre-hearing conference and is in default under the Kanas Administrative Procedure Act (KAPA) and Order Setting Prehearing Conference. In support of its motion, applicant states as follows:

1. On March 3, 2020 the applicant filed a U-1 Application with the Commission to authorize disposal of saltwater into the Arbuckle in the Steinle # 5, located N2 NE SW, Section 22, Township 13 South, Range 13 West, Russell County Kansas. Notice was published in the Russell County News on February 27, 2020.
2. On March 9, 2020 Patrick Barney filed a protest.
3. On its own Motion, the Commission designated a Prehearing Officer and scheduled a Prehearing Conference pursuant to K.S.A. 77-516 in which Jonathan R. Myers was designated Prehearing Officer and the

Prehearing Conference was scheduled for **Thursday, June 4, at 1:30 PM** via telephone.

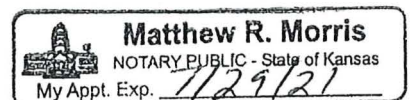
4. The Commission's Order Designating Prehearing Officer and Setting Prehearing Conference stated "Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default under the KAPA."
5. On Thursday, June 4, 2020, at 1:30 PM a phone conference on this docket was held. Terry E. Morris dba GLM Company appeared, along with Kelcey Marsh for the Kansas Corporation Commission. The protester, Patrick Barney, did not appear. There were no other appearances.
6. The above-named protester failed to appear at, or participate in, the Prehearing Conference. Therefore, pursuant to K.S.A. 77-516 (c) (8), the protester, Patrick Barney should be held in default under the KAPA and Order Setting Prehearing Conference.

WHEREFORE, the applicant, Terry E. Morris dba GLM Company respectfully moves the Commission for an order finding the protester named in paragraph 2, Patrick Barney, above to be in default in this proceeding under the KAPA and for a default order pursuant to K.S.A. 77-520, and for such other and further relief as the Commission deems appropriate

Respectfully submitted

Terry E. Morris

Terry E. Morris
GLM Company



Matthew R. Morris

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 10TH day of June, 2020, he caused a complete and accurate copy of the foregoing *Motion for Default Order Against Non-Appearing Protestor* to be served via U.S. Mail, postage prepaid and properly addressed, to the following:

PATRICK BARNEY

1720 N Main St

Russell, Kansas 67665

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And delivered electronically to:

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Terry E. Morris

