

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

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

In the Matter of an Order to Show Cause) Docket No.: 17-CONS-3423-CSHO
Issued to Wanita M. Brooks ("Operator"))
regarding responsibility under K.S.A. 55-179) CONSERVATION DIVISION
for unplugged wells on an expired license)
_____) License No.: 31747

MOTION TO CLOSE DOCKET AND CANCEL EVIDENTIARY HEARING

The Staff of the State Corporation Commission of the State of Kansas ("Staff" and "Commission", respectively), files its Motion to Close Docket and Cancel Evidentiary Hearing (Motion) seeking the Commission close this docket and cancel the remaining procedural schedule. In support of its Motion, Staff states:

1. On December 19, 2016, Staff filed a Motion for an Order to Show Cause, the Designation of a Prehearing Officer, and the Scheduling of a Prehearing Conference regarding unplugged wells on Operator's expired license.¹
2. On March 7, 2017, the Commission issued an Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference.²
3. The prehearing conference was initially scheduled for April 6, 2017, but was continued to May 4, 2017, to allow the parties to seek a resolution of the matter.³
4. On May 4, 2017, a Prehearing Conference was held and the matter set for an evidentiary hearing on September 21, 2017.⁴

¹ See, Motion for an Order to Show Cause, the Designation of a Prehearing Officer, and the Scheduling of a Prehearing Conference, dated December 19, 2016.

² See, Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference, dated March 7, 2017.

³ See, Order Continuing Prehearing Conference, dated April 18, 2017.

⁴ See, Order Setting Procedural Schedule, dated May 23, 2017.

5. Staff performed a lease inspection on the wells remaining on Operator's expired license which confirmed the Potter #1 (API # 15-051-20760-00-00) and Potter #2 (API # 15-051-20794-00-01) wells are unplugged.⁵ Operator subsequently communicated with Staff regarding Operator's financial and familial situation.⁶

6. Based on this additional information, Staff does not believe it to be in the interest of the agency or the interest of the State of Kansas to pursue Operator for plugging responsibility. Therefore, Staff recommends the Commission cancel the remainder of the procedural schedule in this matter and close this docket.

WHEREFORE, Staff respectfully requests the Commission cancel the remainder of the procedural schedule in this matter and close this docket.

Respectfully submitted,



Joshua D. Wright, #24118
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Kansas Corporation Commission
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⁵ See, Exhibit A, Update Report (dated June 20, 2017).

⁶ See, Operator Pre-filed testimony (received September 5, 2017). Operator submitted income tax records which demonstrate indigence and dependence upon Social Security benefits in addition to a detailed letter about personal issues.

UPDATE REPORT

Date: June-20-2017

Operator: To be determined

(31747)
License: Inactive

Location: SW/4 Sec. 21-11-16w

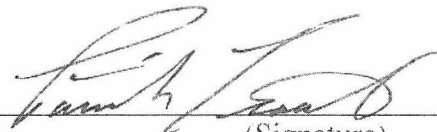
Lease: Potter

County: Ellis

Findings:

- A lease inspection was conducted on June 19, 2017 found the following.
- The last known operator was Wanita M. Brooks 2449 SW 9th, Oklahoma City, OK. 73159
- The lease inspection found wells to be the same as on lease inspection completed on January 1, 2016.
- No new lease assignments were found for this lease at the Ellis County Register of deeds office.
- The Potter well # 1 located in the SW NE SW was found with an open hole with some old tubing laid out by the well bore. GPS location was 39.7908 & -099.10625. 1662' FSL & 3613' FEL NE SW NE SW. API # 15-051-20760-00-00.
- The Potter well # 2 located in the NW SE SW was found to be an abandoned SWD well some tubing still appears to be in the well bore. Docket D-27,909. GPS location was 39.07720 & -099.10637. 978' FSL & 3642' FEL. API # 15-051-20794-00-01.
- The TB site still has the old storage tanks and old gun barrels lying at the site. GPS location was 39.07478 & -099.10311. SE SE SE SW. 92' FSL & 2711' FEL.
- The old pits from the well that was the Potter -Drake well # 2 have not been closed.
- The lease has been sent to legal for determination of responsible party to plug the above said wells.

Pat Staab PIRT II
(Agent)


(Signature)

cc: file; Williams

CERTIFICATE OF SERVICE

I certify that on 9/7/17, I caused a complete and accurate copy of this Motion to be served via United States mail, with the postage prepaid and properly addressed to the following:

Wanita M. Brooks
Po Box 9925
Moore, OK 73153-5325

and delivered by e-mail to:

Cyndee Maine
KCC Central Office

Joshua D. Wright, Litigation Counsel
KCC Wichita Central Office

Samuel Feather, Deputy General Counsel
KCC Topeka Office

/s/ Paula J. Murray
Paula J. Murray
Legal Assistant
Kansas Corporation Commission