THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:	Dwight D. Keen, Chair		
	Shari Feist	A	brecht
	Susan K. I	Ouf	fy
In the Matter of the Application of F.	G. Holl)	Docket No. 20-CONS-3162-CEXC
Company, L.L.C., for an Order Gran	ting an)	
Exception to the Pit Closure Time Limitation)	CONSERVATION DIVISION
of K.A.R. 82-3-602 at its Calcara #3-	·19 Well)	
located in the SE/4 of Section 19, Township)	License No. 5056
19 South, Range 14 West, Barton Co	unty,)	
Kansas.)	

ORDER ON 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.
- 5. On November 27, 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

¹ K.S.A. 74-623.

the Calcara #3-19 well, API #15-009-26219 ("subject pit(s)").² 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 3-month extension from the date of application due to excessive moisture from persistent rainfall at the subject pit(s).³

- 6. Operator states the extension of time to close the pit will cause no environmental harm because all drilling fluids were hauled off on July 3, 2018.⁴
- 7. Operator has verified that notice has been properly served and published, as required under K.A.R. 82-3-135a.⁵
 - 8. No protest was filed under K.A.R. 82-3-135b.
- 9. Staff recommends that Operator be granted a 3-month extension to the pit closure time limitations in K.A.R. 82-3-602(a)(2).

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 (Nov. 27, 2019); *see also* Proof of Publication – The Great Bend Tribune (Dec. 27, 2019). The Commission takes administrative notice of its databases to determine the API number for the Calcara #3-19.

³ Application at \P 5, 7.

⁴ *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 February 27, 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.

Keen, Chair; Albrecht, Commissioner; Duffy; Commissioner

Dated: 01	/14/2020	Lynn M. Ret
		Lynn M. Retz
		Executive Director
Mailed Date: _	01/14/2020	

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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-3162-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 _	01/14/2020

FRANKLIN R. GREENBAUM F. G. HOLL COMPANY L.L.C. 9431 E. CENTRAL STE 100 WICHITA, KS 67206-2563

KELCEY MARSH, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION CENTRAL OFFICE 266 N. MAIN ST, STE 220 WICHITA, KS 67202-1513 Fax: 785-271-3354 k.marsh@kcc.ks.gov

MARGERY L. NAGEL F. G. HOLL COMPANY L.L.C. 9431 E. CENTRAL STE 100 WICHITA, KS 67206-2563 mnagel@fgholl.com

RICHARD WILLIAMS
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 4
2301 E. 13TH STREET
HAYS, KS 67601-2654
Fax: 785-271-3354
r.williams@kcc.ks.gov

KATHLEEN HAYNES
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
Fax: 785-271-3354
k.haynes@kcc.ks.gov

CASE MORRIS
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 4
2301 E. 13TH STREET
HAYS, KS 67601-2654
Fax: 785-271-3354
c.morris@kcc.ks.gov

JONELLE RAINS
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
WICHITA, KS 67202-1513
Fax: 785-271-3354
j.rains@kcc.ks.gov

/S/ DeeAnn Shupe

DeeAnn Shupe