

additional extension to the deadline for closing the pit(s) (“subject pit(s)”) associated with the well as an exception to K.A.R. 82-3-602 provided under K.A.R. 82-3-100(b).

6. Operator has already received the two extensions allowed by K.A.R. 82-3-602(a)(2) but is requesting an additional extension due to excessive moisture from persistent rainfall at the location of the subject pit(s).³

7. Operator states any fluids which may remain in the subject pit(s) is fresh water from rainfall.⁴

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

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

10. Staff recommends that Operator be granted a 60-day exception to the pit closure time limitations in K.A.R. 82-3-602(a)(2).⁵

III. CONCLUSIONS OF LAW

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

12. The Commission concludes the Application will prevent waste, has no effect on correlative rights, prevent pollution, and was filed in accordance with the rules and regulations of the Commission and in accordance with Kansas statutes.

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

14. Based on the above facts, the Commission finds and concludes that the Application should be granted.

³ *Id.*, at ¶¶5, 7.

⁴ *Id.*, at ¶6.

⁵ Staff has verified with Operator that a 60-day extension from the date of the order would be acceptable. *See* Exhibit A.

THEREFORE, THE COMMISSION ORDERS:

A. Operator's Application is granted. Operator shall have until February 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.

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner

Dated: 12/12/2019



Lynn M. Retz
Executive Director

Mailed Date: 12/12/2019

KAM

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).

Kelcey Marsh

From: Loveness Mpanje <Impanje@fgholl.com>
Sent: Tuesday, November 26, 2019 9:46 AM
To: Kelcey Marsh
Subject: RE: 20-CONS-3093-CEXC

This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.

This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.

Kelcey,
Yes, the 60 days will be sufficient.
Thanks,
Loveness

From: Kelcey Marsh [mailto:k.marsh@kcc.ks.gov]
Sent: Monday, November 25, 2019 3:08 PM
To: 'Impanje@fgholl.com'
Subject: 20-CONS-3093-CEXC

Loveness,

This email is in regards to your application in the referenced docket for an extension to close the pit at the ILS Land "A" #1-1 well in Barton County, Kansas. The Application submitted did not specify the extra amount of days you are requesting to close the pit. Staff has made a field inspection of the pit and recommends for the pit to be closed 60 days from the date of the order.

Are you ok with that amount of time as an extension?

Sincerely,
KM

Kelcey Marsh
Litigation Counsel



Conservation Division
Kansas Corporation Commission
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Phone (316) 337-6200 | Fax (316) 337-6211 | <http://kcc.ks.gov/>

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CERTIFICATE OF SERVICE

20-CONS-3093-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 12/12/2019.

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/S/ DeeAnn Shupe

DeeAnn Shupe