

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

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

In the Matter of the Application of Black Gold )  
Oil, LLC for an Operator's License. )  
 )  
 )  
 )  
 ) License No. N/A

**MOTION TO APPROVE APPLICATION FOR LICENSE  
AND TO CANCEL OR CONTINUE PREHEARING CONFERENCE**

The Staff of the State Corporation Commission of the State of Kansas ("Staff" and "Commission," respectively) files this Motion, asking that the Commission's license denial order be rescinded, that Staff be directed to approve Applicant's license, and that the prehearing conference be cancelled or at least continued. In support of its Motion, Staff states as follows:

1. On August 29, 2017, the Commission issued an *Order Denying Application for License* to Black Gold Oil, LLC ("Applicant"), based upon Staff's determination that Applicant was associated with Sage Oil and Gas, an operator out of compliance with K.S.A. Chapter 55.
2. On October 10, 2017, the Commission issued an *Order Designating Prehearing Officer and Setting Prehearing Conference*, setting an October 26, 2017, prehearing conference.
3. Following the receipt and review of additional information, Staff has concluded that Applicant meets the requirements of K.S.A. 55-155 and K.A.R. 82-3-120.<sup>1</sup> Therefore, Staff requests that the Commission rescind its August 29, 2017, *Order Denying Application for License*, and that Staff be directed to approve Applicant's license.

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<sup>1</sup> Specifically, the State of Kansas has been reimbursed for its plugging of the Ward #5 well, resulting in Sage Oil and Gas no longer being out of compliance with K.S.A. Chapter 55 and Commission Docket 15-CONS-667-CSHO.

4. Should the Commission rescind its August 29, 2017, *Order Denying Application for License*, Staff will approve Applicant's license renewal application, all matters pertaining to Operator will be resolved, and this docket can be closed.

5. Staff notes that it is unavailable for a prehearing conference on October 26, 2017, and therefore requests that should the Commission not grant Staff's Motion as it pertains to the license application prior to that date, that the prehearing conference be continued.

WHEREFORE, Staff respectfully moves the Commission to rescind its August 29, 2017, *Order Denying Application for License*, to direct Staff to approve the application and close this docket, and for any other determination that the Commission finds proper.

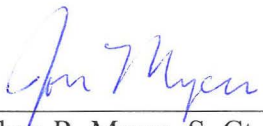
Respectfully submitted,

  
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Jonathan R. Myers, #25975  
Litigation Counsel  
Kansas Corporation Commission  
266 N. Main, Suite 220  
Wichita, Kansas 67202  
Phone: 316-337-6200; Fax: 316-337-6211

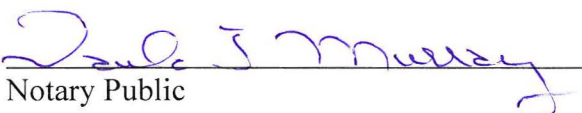
**VERIFICATION**

STATE OF KANSAS                    )  
  ) ss.  
COUNTY OF SEDGWICK            )

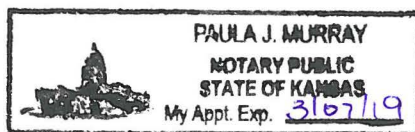
Jonathan R. Myers, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion*, and attests that the statements therein are true to the best of his knowledge, information and belief.

  
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Jonathan R. Myers, S. Ct. #25975  
Litigation Counsel  
State Corporation Commission  
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 16 day of Oct, 2017.

  
\_\_\_\_\_  
Notary Public

My Appointment Expires: 3/07/19



**CERTIFICATE OF SERVICE**

I certify that on 10/16/17, I caused a complete and accurate copy of this Motion to be served electronically and via United States mail, with the postage prepaid and properly addressed to the following:

John R. Horst  
PO Box 560  
Caney, KS 67333  
jrhurst48@yahoo.com  
*Attorney for Black Gold Oil, LLC*

and delivered by e-mail to:

Cyndee Maine  
KCC Central Office

Jonathan R. Myers, Litigation Counsel  
KCC Central Office

Michael J. Duenes, Assistant General Counsel  
KCC Topeka Office

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