

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the Matter the Application of Marshall) Docket No: 18-CONS-3385-CUIC
Oil LLC to Authorize Injection of Saltwater)
into the Douglas Formation at the Teter-) CONSERVATION DIVISION
Spencer No. 2A Well Located in the NW/4)
of Section 22, Township 23 South, Range 9) License No: 35346
East, Greenwood County, Kansas.)

ORDER DISMISSING APPLICATION AND CLOSING DOCKET

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds the following:

1. On February 23, 2018, Marshall Oil LLC (Operator) filed an Application seeking authorization for injection of saltwater into the Douglas Formation at the Teter-Spencer No. 2A well located in Greenwood County, Kansas.¹
2. On February 23, 2018, Susan Royd-Sykes filed a letter of protest, and on February 26, 2018, Daniel Copp also filed a letter of protest.
3. On August 21, 2018, a Prehearing Conference was held, wherein the Operator stated his intention to withdraw his Application.
4. On September 19, 2018, Ms. Royd-Sykes and Mr. Copp filed identical Motions to Deny the Application and Close the Docket. The Motions stated that Ms. Royd-Sykes and Mr. Copp checked the docket on September 14, 2018, and “found no withdrawal of [the] application on file

¹ Application, p. 1 (Feb. 23, 2018).

from Mr. Marshall or Marshall Oil LLC.”² The Protestants asked the Commission to “immediately remedy this unresolved matter by denying this application . . . and close this docket.”³

5. On October 1, 2018, Commission Conservation Staff (Staff) filed a Response to Protesters’ Motion to Deny the Application and Close the Docket, stating that “[w]hile the Operator has repeatedly made his intention to withdraw this Application clear, to date Staff has not received the Operator’s formal request to withdraw the Application.”⁴ Staff recommended the Commission dismiss the Application without prejudice and close the docket.⁵

6. Based on the Operator’s stated intention to withdraw his Application and his failure to prosecute this matter further, the Commission finds the Operator’s Application shall be dismissed, without prejudice, and this docket shall be closed.

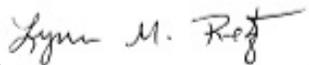
THEREFORE, THE COMMISSION ORDERS:

- A. The Operator’s Application is dismissed, without prejudice, and this docket is closed.
- 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
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 10/16/2018



Lynn M. Retz
Secretary to the Commission

Date Mailed: 10/17/2018

MJD

² Protestant Susan Royd-Sykes’ Motion to Deny the Application and Close the Docket, p. 2 (Sept. 19, 2018); Protestant Daniel Copp’s Motion to Deny the Application and Close the Docket, p. 2 (Sept. 19, 2018).

³ *Id.*

⁴ Staff’s Response to Protesters’ Motion to Deny the Application and Close the Docket, ¶ 8 (Oct. 1, 2018).

⁵ *Id.*

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

18-CONS-3385-CUIC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail and electronic service on 10/16/2018.

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/S/ DeeAnn Shupe

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