

**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-3099-CSHO
issued to IGWT, Inc. ("Operator") regarding )	
responsibility under K.S.A. 55-179 for the )	CONSERVATION DIVISION
Wernli #5, #7, #8 and #9 wells on the Wernli )	
lease in Greenwood County, Kansas. )	License No: 3167

**ORDER CANCELLING EVIDENTIARY HEARING AND CLOSING DOCKET**

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

1. On October 11, 2016, the Commission issued an *Order to Show Cause, Designating a Prehearing Officer, and Setting a Prehearing Conference*.
2. On December 13, 2016, the Commission issued its *Order Designating [a] New Prehearing Officer and Amending [the] Procedural Schedule*, designating Michael J. Duenes as the new Prehearing Officer and setting an evidentiary hearing for February 20, 2017.<sup>1</sup>
3. On February 2, 2017, the Commission issued its *Order Continuing Procedural Schedule*, continuing the evidentiary hearing to May 18, 2017.<sup>2</sup>
4. On April 7, 2017, Commission Staff (Staff) filed a Motion to Cancel [the] Evidentiary Hearing and Close [the] Docket. Staff reported it has conducted a full review of this docket.<sup>3</sup> According to Staff, Operator has claimed the wells at issue based on an April 1, 2013, Transfer of Operator (T-1) Form and by Operator's repeated inclusion of the wells on its annual

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<sup>1</sup> Docket No. 17-CONS-3099-CSHO, *Order Designating New Prehearing Officer and Amending Procedural Schedule*, ¶¶ 4-5 (Dec. 13, 2016).

<sup>2</sup> *Order Continuing Procedural Schedule*, ¶ 6 (Feb. 2, 2017).

<sup>3</sup> Motion to Cancel Evidentiary Hearing and Close Docket, p. 1 (Apr. 7, 2017).

well inventory.<sup>4</sup> Staff further stated that “[i]f Operator wishes to contest its responsibility for the wells in some manner, it is welcome to do so. However, from Staff’s perspective, this matter is settled.”<sup>5</sup> Staff noted that Operator is not opposed to Staff’s Motion.<sup>6</sup> Thus, Staff asked that the docket be closed.”<sup>7</sup>

5. Based on Staff’s Motion, the Commission affirms Staff’s resolution of the issue concerning Operator’s wells in question. Thus, the Commission finds the matter is appropriately resolved, and this docket should be closed.

**THEREFORE, THE COMMISSION ORDERS:**

A. The evidentiary hearing is hereby cancelled, and the docket is closed.


B. Parties have 15 days, plus three days if mailed service, from the date this Order was served in which to petition the Commission for reconsideration.<sup>8</sup>

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.**

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: APR 13 2017

  
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Amy L. Green  
Secretary to the Commission

Mailed Date: April 13, 2017

MJD/sc

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<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* at p. 2.

<sup>7</sup> *Id.* at p. 1.

<sup>8</sup> K.S.A. 66-118b; K.S.A. 77-529(a)(1).

**CERTIFICATE OF SERVICE**

I certify that on April 13, 2017, I caused a complete and accurate copy of this Order to be served via United States mail, with the postage prepaid and properly addressed to the following:

John Pike  
Withers, Gough et al.  
200 W. Douglas, Suite 1010  
Wichita, Kansas 67202  
*Attorney for IGWT, Inc.*

Kenton Hupp  
IGWT, Inc.  
155 N. Market, Suite 500  
Wichita, Kansas 67202

And delivered electronically to:

Jonathan R. Myers  
Conservation Division Central Office

Michael Duenes  
Assistant General Counsel

/s/ Cynthia K. Maine  
Cynthia K. Maine  
Administrative Assistant  
Kansas Corporation Commission