

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

Before Commissioners: Mark Sievers, Chairman
 Thomas E. Wright
 Shari Feist Albrecht

In the Matter of the Application of Linn) Docket No. 13-CONS-480-CUNI
Operating, Inc. for an Order Providing for the)
Unitization and Unit Operation of a Part of the) CONSERVATION DIVISION
Hugoton and Panoma Council Grove Gas Fields)
in the Alternate Tract Unit Described as Section) License No. 33999
23-28S-40W (SE/4), Section 24-28S-40W
(SW/4), Section 26-28S-40W (NE/4), Section
25-28S-40W (NW/4) in Stanton County,
Kansas. (ATU 153)

ORDER

This matter comes before the State Corporation Commission of the State of Kansas ("Commission") on the Motion to Withdraw Application Without Prejudice of Linn Operating, Inc. ("Applicant"). Upon review of the file and Applicant's Motion, the Commission orders as follows:

1. The application in this matter was filed on June 13, 2013. The application sought an Order permitting authority to unitize an alternate tract unit at the above described location pursuant to K.S.A. 55-1304(a)(2).
2. Since the filing of this Application, the Applicant has decided not to proceed with the Application at this time.
3. Since the relief sought therein is no longer necessary, the Applicant seeks to dismiss this Application without prejudice.

4. The Commission finds that Linn Operating, Inc. should be allowed to withdraw its application in this docket without prejudice.

IT IS, THEREFORE, BY THE COMMISSION ORDERED:

A. That Linn Operating, Inc. "Motion to Withdraw Application Without Prejudice" is hereby approved.

B. Any party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 77-529(a). Such petition shall be filed within fifteen (15) days after service of this Order and must state the specific grounds upon which relief is requested. This petition for reconsideration shall be filed with the Executive Director of the Conservation Division, Finney State Office Building, 130 S. Market, Room 2078, Wichita, Kansas 67202-3802.

C. The Commission retains jurisdiction of the subject matter and the parties for the purpose of entering such further Order or Orders as from time-to-time it may deem proper.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn.; Wright, Com.; Albrecht, Com.

Date: AUG 01 2013



Kim Christiansen
Executive Director

Date Mailed: 8-2-2013

JM

I CERTIFY THE ORIGINAL
COPY IS ON FILE WITH
The State Corporation Commission

AUG 01 2013




CERTIFICATE OF SERVICE

I hereby certify that on 8-2-2013, I caused a true and correct copy of the foregoing "Order" to be served by placing the same in the United States mail, postage prepaid, to the following parties:

Stanford J. Smith Jr.
Martin, Pringle, Oliver, Wallace, & Bauer, L.L.P.
100 N. Broadway, Ste 500
Wichita, KS 67202
Attorney for Linn Operating, Inc.

and hand delivered to the following:

Richard Lacey, KCC District #1


John McCannon
Litigation Counsel
Kansas Corporation Commission