

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

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

In the Matter of the Application of Richlan) Docket No. 19-CONS-3066-CEXC
Drilling for an exception to the 10-year time)
limitation of K.A.R. 82-3-111 for its) CONSERVATION DIVISION
Schneweis 9 well located in the NW/4 of)
Section 05, Township 17 South, Range 11) License No. 31086
West, Barton County, Kansas.)

**ORDER GRANTING MOTION TO CANCEL EVIDENTIARY HEARING
AND GRANT APPLICATION**

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 August 13, 2018, Richlan Drilling (Operator) filed an Application seeking an exception to the 10-year time limitation of K.A.R. 82-3-111 for the Schneweis #9 well in Barton County, Kansas.¹

2. On October 2, 2018, Commission Conservation Staff (Staff) filed a Motion for the Designation of a Prehearing Officer and the Scheduling of a Prehearing Conference (Motion).² Staff's Motion stated the need for the Operator to submit a supplemental certificate of service verifying notice was provided pursuant to K.A.R. 82-3-135a(b) and to conduct a successful, Staff-witnessed mechanical integrity test (MIT) before Staff would recommend approval of Operator's Application.³

¹ Application, p. 1 (Aug. 13, 2018).

² Motion for the Designation of a Prehearing Officer and the Scheduling of a Prehearing Conference (Oct. 2, 2018).

³ *Id.* at ¶¶ 3-4.

3. On October 9, 2018, the Commission issued its *Order Designating Prehearing Officer and Setting Prehearing Conference*, scheduling a Prehearing Conference for October 25, 2018.⁴ Pursuant to the parties' agreement at the Prehearing Conference, the Commission issued an *Order Setting Procedural Schedule* on November 1, 2018, setting an evidentiary hearing for December 20, 2018.⁵

4. On November 26, 2018, Staff filed a Motion to Cancel Evidentiary Hearing and Grant Application.⁶ Staff informed the Commission that the Operator's notice of the Application pursuant to K.A.R. 82-3-135a(b) was verified on October 16, 2018, and the subject well passed a Staff-witnessed MIT on November 19, 2018.⁷ Staff further confirmed that the Operator has addressed all of Staff's concerns, the Application complies with all Commission regulations, and therefore, Staff requested the Application be granted and the evidentiary hearing set for December 20, 2018 be cancelled.⁸

5. On December 3, 2018, Staff filed a Motion for Leave to File Testimony Out of Time.

6. Based on the above, the Commission finds the Operator has addressed all concerns regarding the Application and further proceedings are unnecessary. The evidentiary hearing set for December 20, 2018 should be cancelled, and the Operator's Application should be granted.

THEREFORE, THE COMMISSION ORDERS:

A. The evidentiary hearing set for December 20, 2018 is cancelled, and the Operator's Application is granted.

⁴ *Order Designating Prehearing Officer and Setting Prehearing Conference*, Ordering Clause B (Oct. 9, 2018).

⁵ *Order Setting Procedural Schedule*, ¶ 4 (Nov. 1, 2018).

⁶ Motion to Cancel Evidentiary Hearing and Grant Application (Nov. 26, 2018).

⁷ *Id.* at ¶¶ 5, 7.

⁸ *See id.* at ¶ 8.

B. Staff's Motion for Leave to File Testimony Out of Time is moot.

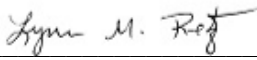
C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁹

D. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 12/11/2018



Lynn M. Retz
Secretary to the Commission

Date Mailed: _____

MJD/sc

⁹ 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

19-CONS-3066-CEXC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 12/11/2018.

MICHAEL DUENES, ASSISTANT GENERAL COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3354
m.duenes@kcc.ks.gov

CASE MORRIS
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 4
2301 E. 13TH STREET
HAYS, KS 67601-2654
Fax: 785-271-3354
c.morris@kcc.ks.gov

LAUREN WRIGHT, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
Conservation Division
266 N. Main St. Ste. 220
WICHITA, KS 67202-1513
Fax: 316-337-6211
l.wright@kcc.ks.gov

RICK L. SCHREIBER
RICHLAN DRILLING
598 2nd Avenue
Beaver, KS 67525-9226
schreiberrj@hbcomm.net

/S/ DeeAnn Shupe

DeeAnn Shupe