

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Susan K. Duffy

In the matter of the application of Atlas) Docket No: 20-CONS-3284-CUIC
Operating, LLC, for a permit to authorize the)
disposal of saltwater into the Lloyd M. Wells) CONSERVATION DIVISION
#5-17 well in Section 17, Township 30 South,)
Range 8 West, Kingman County, Kansas.) License No: 34357

PREHEARING OFFICER ORDER
CLOSING DOCKET

The Prehearing Officer makes the following findings:

1. On May 18, 2020, Atlas Operating LLC (Operator) filed an application for injection authority at its Lloyd M. Wells #5-17 well.¹ On May 15, 2020, attorney Steve Gough of Withers, Gough, et al. had filed a protest on behalf of various entities (Protesters).² On March 3, 2021, Protesters withdrew their request for hearing.

2. Under K.A.R. 82-3-400, the Conservation Division may take all actions with regard to injection wells without a Commission order, except for contested matters.³ Since Protesters have withdrawn their protest and Staff does not contest Operator's application, this is no longer a contested matter.⁴ Thus, the Prehearing Officer finds further proceedings within this docket are unnecessary, and that closing this docket will not prevent Staff from taking any appropriate or necessary administrative actions related to the application.

¹ See Application, p. 1 (May 18, 2020).

² Notice of the application was initially published in April 2020. See Affidavit of Publication – Kingman Leader-Courier (May 18, 2020).

³ See K.A.R. 82-3-400; KCC Docket 02-CONS-294-CREG, Declaratory Order, ¶¶ 3, 6 (Jul. 23, 2002).

⁴ Commission Staff has submitted pre-filed testimony in this docket supporting Operator's application. See Pre-Filed Testimony of Rene Stucky (Jan. 8, 2021).

THEREFORE, THE PREHEARING OFFICER ORDERS:

- A. This docket is closed.
- B. The March 8, 2021 evidentiary hearing is cancelled.
- C. If any issue arises necessitating the reopening of this docket, any party may request such.

BY THE PREHEARING OFFICER IT IS SO ORDERED.

Dated: March 4, 2021

/s/ Jonathan R. Myers

Jonathan R. Myers
Prehearing Officer

JRM

CERTIFICATE OF SERVICE

20-CONS-3284-CUIC

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of
electronic service on 03/04/2021.

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/S/ DeeAnn Shupe

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