

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

In the Matter of the Application of Mike Kelso Oil,) Docket No. 16-CONS-563-CUIC
Inc., to increase the authorized injection rate of)
saltwater into the Granite Wash Arbuckle Formation) CONSERVATION DIVISION
at the Schmidt 5 well, located in Section 4, Township)
19 South, Range 10 West, Rice County, Kansas.) License No. 31528

MOTION TO CLOSE DOCKET

The Staff of the Kansas Corporation Commission moves the Commission for an Order closing this docket for the following reasons:

1. On August 19, 2015, the injection application in this docket was filed, requesting an increase in injected volume from 90 barrels per day to 2,000 barrels per day.
2. On September 16, 2015, K & N Petroleum, Inc., protested through counsel. The letter of protest indicated an increase to 750 barrels would be acceptable.
3. On October 1, 2015, the Commission issued an Order designating a Prehearing Officer and scheduling a prehearing conference for Tuesday, October 20, 2015, at 1:30 p.m.
4. During the morning of October 20, 2015, counsel for Commission Staff was informed that, during the previous week, the applicant, counsel for protestant, and Staff members had reached mutual agreement regarding acceptable permit conditions, and that the permit was actually issued and mailed on Friday, October 16, 2015.
5. Out of an abundance of caution, the Prehearing Officer held the prehearing conference as scheduled, but no party attended the prehearing conference.
6. On Thursday, October 22, 2015, counsel for Commission Staff emailed counsel for the protestant, indicating there was no objection to the agreed permit conditions but

requesting a withdrawal of protest. The email is attached as an exhibit to this motion. No response was received, and to date, the protest has not been withdrawn.

7. Staff requests that the Commission close this docket. The parties have agreed to the reduced permit conditions, and the permit has actually been issued. There are no issues left to be determined by the Commission, and there is no need for this docket to remain open.

WHEREFORE, Staff moves the Commission to close this docket.

Respectfully submitted,



Lane R. Palmateer, #23661
Litigation Counsel
Kansas Corporation Commission
266 N. Main, Ste. 220
Wichita, Kansas 67202
Phone: 316-337-6200
Fax: 316-337-6106
Email: l.palmateer@kcc.ks.gov

CERTIFICATE OF SERVICE

I certify that on November 3, 2015, I caused a complete and accurate copy of this Motion to be served via United States mail, with the postage prepaid and properly addressed to the following:

Mike Kelso Oil, Inc.
P.O. Box 467
Chase, Kansas 67524

Timothy R. Keenan
Keenan Law Firm, P.A.
2200 Lakin
P.O. Drawer 459
Great Bend, Kansas 67530
Attorney for K&N Petroleum Inc.

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