

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

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

In the matter of the application of Eastern)	Docket No.: 18-CONS-3112-CVAC
Kansas Operating, LLC, for authorization to)	
impose a vacuum on its Someday Lease)	CONSERVATION DIVISION
located in Section 12, Township 16 South,)	
Range 24 East, Miami County, Kansas.)	License No.: 34971

**MOTION FOR THE DESIGNATION OF A PREHEARING OFFICER AND THE
SCHEDULING OF A PREHEARING CONFERENCE**

The Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission,” respectively) files this Motion seeking the designation of a prehearing officer and scheduling a prehearing conference in this matter. In support of its motion, Staff states as follows:

I. Background

1. On August 21, 2017, Operator filed an application seeking authorization to install a vacuum on two wells on the Someday Lease.
2. On September 8, 2017, Operator provided an affidavit of publication of notice in the Miami County Republic, and on September 14, 2017, Operator provided an affidavit of publication of notice in the Wichita Eagle.

II. Argument

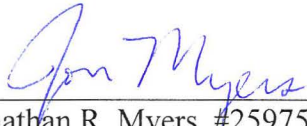
3. Upon review of the application, Staff believes that at least one of the two wells is less than the required 330 feet away from a lease or unit boundary line, without a well location exception, and therefore in violation of K.A.R. 82-3-108. In addition, Staff believes it may have additional concerns regarding the application, which may be fleshed out as this matter develops.

III. Conclusion

4. Based upon the above, Staff does not recommend approval of Operator's application at this time, and believes it would be appropriate for this matter to be set for an evidentiary hearing.

WHEREFORE, for the reasons described above, Staff respectfully requests an Order designating a prehearing officer and scheduling a prehearing conference, in anticipation of an evidentiary hearing where Staff may recommend denial of the application.

Respectfully submitted,

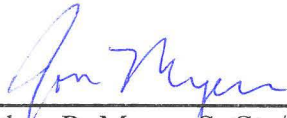
A handwritten signature in blue ink, reading "Jon R. Myers", is positioned above a horizontal line.

Jonathan R. Myers, #25975
Litigation Counsel
Kansas Corporation Commission
266 N. Main, Suite 220
Wichita, Kansas 67202
Phone: 316-337-6200; Fax: 316-337-6211

VERIFICATION

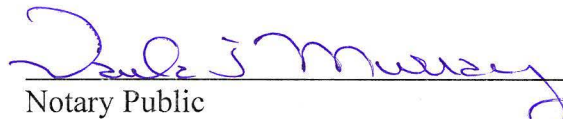
STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

Jonathan R. Myers, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion*, and attests that the statements therein are true to the best of his knowledge, information and belief.



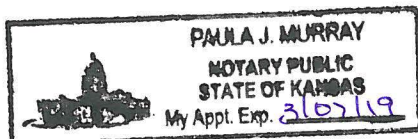
Jonathan R. Myers, S. Ct. #25975
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 2nd day of Oct, 2017.



Notary Public

My Appointment Expires: 3/07/19



CERTIFICATE OF SERVICE

I certify that on 10/2/17, 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:

Eastern Kansas Operating, LLC
9532 E. Riggs Road
Sun Lakes, AZ 85248

Eastern Kansas Operating, LLC
PO Box 13350
Sun Lakes, AZ 85248

and delivered by e-mail to:

Jim Hemmen
KCC Central Office

Jonathan R. Myers, Litigation Counsel
KCC Central Office

/s/ Paula J. Murray
Paula J. Murray
Legal Assistant
Kansas Corporation Commission