

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

In the Matter of the Application of John O. Farmer, Inc. for an order authorizing the unitization and unit operation of the Sutor-Ziegler Waterflood Unit to be located in Sheridan County, Kansas.	)	Docket No.: 21-CONS-3175-CUNI
	)	CONSERVATION DIVISION
	)	License No.: 5135

**RESPONSE TO MOTION FOR SUMMARY PROCEEDINGS  
ON AMENDED APPLICATION**

Comes now the Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively) in response to the Motion for Summary Proceedings on Amended Application filed on behalf of John O. Farmer, Inc. (Operator). In support of Staff's response, Staff states the following:

1. On February 11, 2021, Operator filed an application requesting an order authorizing the unitization and unit operation of its proposed Sutor-Ziegler Waterflood Unit in Sheridan County, under K.S.A. 55-1301, et seq.<sup>1</sup>

2. Notice was properly served and met the requirements of K.S.A. 55-1310, K.S.A. 55-605, and K.A.R. 82-3-135a. No protests or objections have been submitted to the Commission in this matter.

3. On March 17, 2021, Operator filed its Motion for Summary Proceedings (Motion) for the Commission to consider as an alternative to holding a formal evidentiary hearing provided by the Kansas Administrative Procedure Act (KAPA).<sup>2</sup>

4. On March 30, 2021, Staff filed its Response to Operator's Motion for Summary Proceedings, wherein Staff recommended approval of Operator's Application.<sup>3</sup>

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<sup>1</sup> Application for John O. Farmer, Inc. (Feb. 11, 2021).

<sup>2</sup> Motion for Summary Proceedings, ¶7 (Mar. 17, 2021).

<sup>3</sup> Response to Motion for Summary Proceedings (Mar. 30, 2021).

5. On April 16, 2021, Operator filed an Amended Application for its proposed Sutor-Ziegler Waterflood Unit.<sup>4</sup>

6. On April 22, 2021, Operator provided notice of its Amended Application in The Sheridan Sentinel and The Wichita Eagle.

7. On May 10, 2021, Operator filed a Motion For Summary Proceedings on Amended Application for the Commission to consider as an alternative to holding a formal evidentiary hearing provided by the Kansas Administrative Procedure Act (KAPA).<sup>5</sup>

7. Staff has had the opportunity to completely review the Operator's Amended Application in this matter. Staff is satisfied that the grant of such Amended Application complies with the applicable statutory and regulatory requirements.

8. As such Staff has no objection to the Motion because it appears the KAPA notice and hearing requirements mandated by K.S.A. 55-1304 are met, and Operator's application qualifies for summary proceedings under K.S.A. 77-537.

In Conclusion, for the reasons described above, Staff recommends approval of the Operator's Amended Application for the Unitization of the Sutor-Ziegler Waterflood Unit in order to prevent waste and protect correlative rights.

Respectfully submitted,

/s/ Kelcey Marsh  
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<sup>4</sup> Amended Application (Apr. 16, 2021).

<sup>5</sup> Motion for Summary Proceedings on Amended Application, ¶6 (Mar. 17, 2021).

## **CERTIFICATE OF SERVICE**

21-CONS-3175-CUNI

I, the undersigned, certify that a true copy of the attached Response to Motion for Summary Proceedings on Amended Application has been served to the following by means of electronic service on May 17, 2021.

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/S/ Paula J. Murray  
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