

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

In the Matter of the Application of Marshall Oil LLC to Authorize Injection of Saltwater into the Douglas Formation at the Teter-Spencer No. 2A Well Located in the NW/4 of Section 22, Township 23 South, Range 9 East, Greenwood County, Kansas.)	Docket No.: 18-CONS-3385-CUIC
)	CONSERVATION DIVISION
)	License No.: 35346

**STAFF'S RESPONSE TO PROTESTERS' MOTION TO DENY
THE APPLICATION AND CLOSE THE DOCKET**

Commission Staff (Staff) of the State Corporation Commission of the State of Kansas (Commission) files this Response, supporting the position that this docket should be closed. In support of its Response, Staff states as follows:

1. On February 23, 2018, Marshall Oil, LLC ("Operator") submitted an application seeking injection authority at the subject well.
2. On February 23, 2018, the Commission received a protest to the application from Susan Royd-Sykes ("Protester Sykes"). On February 26, 2018, the Commission received a protest to the application from Daniel Copp ("Protester Copp"). Both Protesters requested a hearing.
3. On June 28, 2018, the Commission issued an Order Designating Prehearing Officer and Setting Prehearing Conference, scheduling a prehearing conference in this matter on July 17, 2018.
4. On July 18, 2018, the Prehearing Officer issued an Order Continuing Prehearing Conference to August 21, 2018. During the August 21, 2018, prehearing conference the Operator stated that he would be withdrawing his application.
5. On September 6, 2018, the Commission issued an Order Designating a New Prehearing Officer.

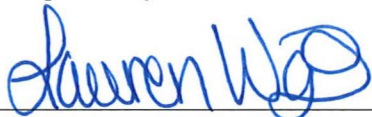
6. On September 14, 2018, Staff contacted the Operator asking if he desired to continue with the application process. The Operator stated it was his desire to withdraw the application and that he would send a formal request to withdraw his application shortly.

7. On September 19, 2018, both Protesters filed Motions to Deny the Application and Close the Docket.¹

8. While the Operator has repeatedly made his intention to withdraw this Application clear, to date Staff has not received the Operator's formal request to withdraw the Application. Staff believes the appropriate course of action at this time is to dismiss the Application without prejudice, for lack of prosecution and to close the docket.

WHEREFORE, for the reasons described above, Staff respectfully moves the Commission to dismiss the Application without prejudice and close the docket.

Respectfully submitted,



Lauren N. Wright, #27616
Litigation Counsel,
Kansas Corporation Commission
266 N. Main, Suite 220, Wichita, Kansas 67202
Phone: 316-337-6200; Fax: 316-337-6211

¹ See Protestant Susan Royd-Sykes' Motion to Deny the Application and Close the Docket, (Sept. 19, 2018); Protestant Daniel Copp's Motion to Deny the Application and Close the Docket, (Sept. 19, 2018).

VERIFICATION

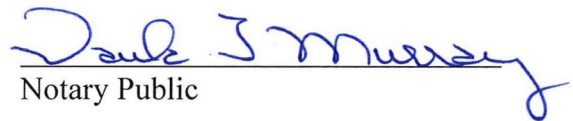
STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

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

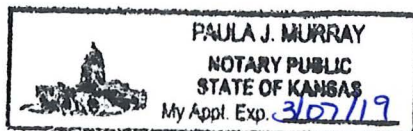


Lauren N. Wright, S. Ct. #27616
Litigation Counsel
State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 1st day of Oct, 2018.


Notary Public

My Appointment Expires: 3/07/19



CERTIFICATE OF SERVICE

18-CONS-3385-CUIC

I, the undersigned, certify that the true copy of the attached "Staff's Response to Protesters' Motion to Deny the Application and Close the Docket" has been served to the following parties by means of first class mail and electronic service on October 1, 2018.

Daniel Copp
504 S. 6th Street
Burlington, KS 66839
dccwls777@gmail.com

BRYAN MARSHALL
MARSHALL OIL LLC
PO Box 389
Eureka, KS 67045

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

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

Susan Royd-Sykes
504 S. 6th St.
Burlington, KS 66839
moondrummer88@gmail.com

/S/ Paula J. Murray

Paula J. Murray