

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

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

In the matter of the application of Cobalt Energy, LLC for an extension to the pit closure time requirement of K.A.R 82-3-602 for the Horsch "A" #1-5 well, located in the NE/4 of Section 5-T32S-R01E, Sumner County, Kansas.) Docket No.: 20-CONS-3267-CEXC
)
) CONSERVATION DIVISION
) License No.: 34579
)

ORDER CLOSING DOCKET

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises the Commission finds and concludes as follows:

1. On April 6, 2020, Cobalt Energy, LLC (Operator) submitted an Application seeking an exception to the pit closure time limitation of K.A.R. 82-3-602.¹
2. On June 24, 2020, Operator sent Staff an email that they wished to withdraw their Application.²
3. In light of Operator's request to withdraw its Application, the Commission finds further proceedings are unnecessary, and this docket should be closed.

THEREFORE, THE COMMISSION ORDERS:

- A. This docket is closed.
- B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).³

¹ Application for Cobalt Energy (Apr. 6, 2020).

² Exhibit A.

³ K.S.A. 55-162; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Duffy, Chair; Keen, Commissioner; French, Commissioner

Date: 06/30/2020



Lynn M. Retz
Secretary to the Commission

Date Mailed: 06/30/2020

KAM

From: [Nicholas Hess](#)
To: [Kelcey Marsh](#)
Subject: RE: 20-CONS-3267-CEXC
Date: Wednesday, June 24, 2020 4:19:58 PM

This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.

Yes, we wish to withdraw this application for extension at the Horsch "A" #1-5 location.

Thank you,

Nicholas D. Hess, CPL

President

Cobalt Energy, LLC

316-201-4101 office

316-440-9395 fax

nick@cobaltenergyllc.com

www.cobaltenergyllc.com

PO Box 8037

Wichita, KS 67208-8037

From: Kelcey Marsh <k.marsh@kcc.ks.gov>
Sent: Wednesday, June 24, 2020 4:18 PM
To: Nicholas Hess <nick@cobaltenergyllc.com>
Subject: RE: 20-CONS-3267-CEXC

Nick,

I received word that the pit was closed right around the same time that you emailed me back. Yes, we can close the docket once we have a withdrawal of the application from the Operator. I just want to confirm that you wish to withdraw your application for the pit extension at the Horsch A #1-5?

Sincerely,
KM

From: Nicholas Hess <nick@cobaltenergyllc.com>
Sent: Wednesday, June 24, 2020 2:09 PM
To: Kelcey Marsh <k.marsh@kcc.ks.gov>
Subject: RE: 20-CONS-3267-CEXC

This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.

Hi Kelcey,

My mistake on the blank sheet. Although, we just filled these pits yesterday and I filed the pit closure report. Can you just dismiss this application?

Thanks,

Nick

Nicholas D. Hess, CPL

President

Cobalt Energy, LLC

316-201-4101 office

316-440-9395 fax

nick@cobaltenergyllc.com

www.cobaltenergyllc.com

PO Box 8037

Wichita, KS 67208-8037

From: Kelcey Marsh <k.marsh@kcc.ks.gov>
Sent: Wednesday, June 24, 2020 9:30 AM
To: Nicholas Hess <nick@cobaltenergyllc.com>
Subject: RE: 20-CONS-3267-CEXC

Hey Nick,

Unfortunately, we noticed another discrepancy with your application regarding the certificate of service on page 4. It says, "the Application was served by depositing copies in the U.S. Mail, postage prepaid, and properly addressed to the following persons:". However, after that there is nobody listed. Without the parties listed we are not able to process the application because there is no way to verify that the prudent parties were properly served. I think that an easy way to fix this will be for you to file an Amended Certificate of Service with us.

If you could send the amended Certificate of Service to us by July 10, 2020, I would appreciate it. Please feel free to let me know if you have any questions.

Thank you,
KM

From: Nicholas Hess <nick@cobaltenergyllc.com>
Sent: Monday, June 8, 2020 2:20 PM
To: Kelcey Marsh <k.marsh@kcc.ks.gov>
Subject: RE: 20-CONS-3267-CEXC

This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.

Yes, 120 day extension is acceptable.

Thank you,

Nicholas D. Hess, CPL

President

Cobalt Energy, LLC

316-201-4101 office
316-440-9395 fax
nick@cobaltenergyllc.com
www.cobaltenergyllc.com
PO Box 8037
Wichita, KS 67208-8037

From: Kelcey Marsh <k.marsh@kcc.ks.gov>
Sent: Monday, June 08, 2020 2:11 PM
To: Nicholas Hess <nick@cobaltenergyllc.com>
Subject: 20-CONS-3267-CEXC

Nick,

Per our phone conversation, I just want to confirm that a 120-day extension from the date the original application was an acceptable extension for the above referenced docket? Please feel free to let me know if you have any questions or concerns.

Sincerely,
KM

Kelcey Marsh
Litigation Counsel



Conservation Division
Kansas Corporation Commission
266 N. Main, Suite 220 | Wichita, KS | 67202-1513
Phone (316) 337-6200 | Fax (316) 337-6211 | <http://kcc.ks.gov/>

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CERTIFICATE OF SERVICE

20-CONS-3267-CEXC

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 06/30/2020.

KATHLEEN HAYNES
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
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/S/ DeeAnn Shupe

DeeAnn Shupe