

1. On January 21, 2025 Staff filed its Motion for the Designation of Presiding Officer and the Scheduling of a Prehearing Conference (“Staff’s Motion”).
2. On February 19, 2025 Bluejacket entered its appearance in the above captioned matter.
3. On March 25, 2025, Bluejacket filed a Motion to Dismiss in this Docket which included a request for affirmative relief to order the T-1 transferers to be approved and the transfer of operatorship to Bluejacket.
4. On March 28, 2025, Daylight filed a Motion to Dismiss / Motion for Summary Judgment, which requested affirmative relief, “finding as a matter of law that the T-1 transfers must be approved and ordering Staff to process said T-1 transfers forthwith and assign the wells listed thereon and applicable injection authorities to Bluejacket.”
5. Staff has filed a “Withdrawal of Motion” which purports to withdraw Staff’s Motion requesting the designation of a presiding officer and scheduling a prehearing conference in anticipation of a hearing regarding the captioned matter.
6. As pointed out by Daylight in its Response, both Bluejacket and Daylight have requested affirmative relief in this Docket via the two motions referenced above and the Commission

cannot close this Docket without deciding such issues. *See* K.S.A. 77-621(c)(3).

7. Regardless, Staff's basis for opening this Docket are certain T-1 transfers from Daylight to Bluejacket that it approved, then revoked, and now seeks to partially reinstate. The basis for that denial was an ancillary matter that bore no relevance to Bluejacket.
8. In its Motion Staff now seeks to partially re-approve a number of the Subject Wells, but deny transfer of other injection wells, again based on irrelevant factors unrelated to the purchase by Bluejacket.
9. In other words, Staff explicitly notes that "Staff intends to process the T-1 forms between Daylight and Bluejacket once they are resubmitted, **as long as they meet the requirements of K.A.R. 82-3-136. Further, Staff will not transfer injection authority for any currently permitted injection wells if Staff finds an abandoned well or any of the wells remaining under Daylight's license within a quarter mile area of review pursuant to K.A.R. 82-3-410**
10. Thus, by staff's own admission, the issue is not resolved and will not be until Staff approves each and every one of the T-1 transfers that have been submitted or give an adequate legal basis for its failure to approve the transfer.
11. As a matter of law Staff is required to process all of the submitted T-1's that meet the requirements set forth in KCC regulations or related statutory provisions. Bluejacket has previously demonstrated its compliance with all applicable rules and regulations.
12. Unless and until the transfer occurs, all of the outstanding issues articulated in this Docket have not been resolved.
13. Importantly, Staff previously approved the transfer of all the T-1s, including the injection wells, and only subsequently revoked them in relation to aforementioned ancillary docket

involving Daylight, which has no bearing or relevance on the purchase of Daylight's assets by Bluejacket.

14. In discovery responses, and other documents, Staff conveyed only generalities and inapplicable statutes or regulations, but no specific basis or legal authority that would allow staff to deny transfer.
15. Bluejacket is in compliance with KCC rules and regulations.
16. Daylight is in compliance with KCC rules and regulations to Bluejacket's knowledge.
17. There are no specific regulatory or statutory provisions that allow Staff to deny transfer of the injection wells simply because one of the parties is retaining wells that are in proximity to injection wells.
18. Therefore, as there is no factual or legal basis for denial, Staff must approve **all** the Subject Wells, including the injection wells.
19. Upon approval of all the wells, including the injection wells, Bluejacket would consent to voluntary closure of this docket.
20. However, if Staff plans to follow through on its stated intention, Bluejacket believes it appropriate to retain the ongoing docket to deal with the open and pending legal matters.
21. More specifically, unless the full transfer is effectuated, the issues raised in this Docket have not been fully resolved and the Commission has not ruled on all issues requiring resolution.

WHEREFORE, Bluejacket Operating, LLC respectfully requests the Commission deny Staff's "Withdrawal of Motion," for the reasons specified herein and further finding as a matter of law that the T-1 transfers must be approved and ordering Staff to process said T-1 transfers forthwith and assign the wells listed thereon and applicable injection authorities to Bluejacket.

s/Chris McGowne

Christopher J. McGowne, #29056

McGowne Law Offices, P.A.

P.O. Box 1659

Hays, KS 67601

Phone: (720) 878-7688

Email: cjmcgowne@mcgownelawoffices.com

Attorneys for Bluejacket Operating, LLC

CERTIFICATE OF SERVICE: 25-CONS-3235-CMSC

I, the undersigned, certify that a true and correct copy of the attached Motion has been served to the following by means of first-class mail and electronic service on June 26, 2025.

Richard Dean
BLUEJACKET OPERATING, LLC
4582 S. Ulster St., Ste. 1210
Denver, CO 80237-2633
rich@ranchoil.com

Deanna Garrison
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
Wichita, KS 67202-1513
deanna.garrison@ks.gov

Kelcey Marsh, Litigation Counsel
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
Wichita, KS 67202-1513
Kelcey.marsh@ks.gov

Jonathan R. Myers, Assist. Litigation Counsel
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
Wichita, KS 67202-1513
jon.myers@ks.gov

Donnan Steele
DAYLIGHT PETROLEUM, LLC
P.O. Box 52070
Houston, TX 77027-2952
regulatory@daylightpetroleum.com

Kraig Stoll, EP&R Supervisor
KANSAS CORPORATION COMMISSION
266 N. Main St., Ste. 220
kraig.stoll@ks.gov

/s/ Chris McGowne
Chris McGowne