

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

In the matter of the application of Canaday Oil) Docket No.: 23-CONS-3074-CEXC
Corporation for an exception to the 10-year time)
limitation of K.A.R. 82-3-111 for its Byerly # 1-17) CONSERVATION DIVISION
well located in the Northwest Quarter (NW/4) of)
Section 17, Township 30 South, Range 24 West,) License No.: 5303
Clark County, Kansas.)

MOTION TO DISMISS APPLICATION AND CLOSE DOCKET

The Staff of the Kansas Corporation Commission (Staff and Commission, respectively) moves the Commission to issue an order dismissing the application in this matter and closing the docket. In support of its motion, Staff states the following:

1. On August 31, 2022, Canaday Oil Corporation (Operator) filed an application seeking an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Byerly #1-17 well (Subject Well), API #15-025-21015.

2. In its application, Operator stated the Subject Well was located on a recently expired lease to be unitized into a new secondary recovery unit.¹ On November 14, 2022, Operator filed a Supplement to Application, wherein, Operator stated the waterflood unitization agreement was being finalized for ratification signatures.²

3. On February 8, 2023, Staff filed a Motion for the Designation of a Presiding Officer and the Scheduling of a Prehearing Conference based on the Subject Well being located on an expired lease.

4. To date, Operator has not provided any documentation indicating the Subject Well is located on a valid lease. Additionally, Operator has not filed an application for unitization or documentation indicating the Subject Well has been included as part of a

¹ Application – Canaday Oil Corp., ¶ 3 (Aug. 31, 2022).

² Supplement to Application, p. 1 (Nov. 14, 2022).

unitization agreement. Staff's position is that Operator has had sufficient time to provide such documentation.

5. Based upon the information above, Staff does not recommend approval of Operator's application at this time. Further, Staff believes it would be appropriate for this application to be dismissed and for this docket to be closed.

WHEREFORE, for the reasons described above, Staff respectfully moves the Commission to issue an Order dismissing Operator's application and closing the docket in this matter.

Respectfully submitted,

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CERTIFICATE OF SERVICE

23-CONS-3074-CEXC

I, the undersigned, certify that a true and correct copy of the attached Motion to Dismiss Application and Close Docket has been served to the following by means of electronic service on September 29, 2023.

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/s/ Paula J. Murray
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