

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

In the matter of the application of Canaday Oil Corporation for an exception to the 10-year time limitation of K.A.R. 82-3-111 Northwest Quarter (NW4), Southeast Quarter (SE4), Northwest Quarter (NW4), Northwest Quarter (NW) of Section 17, Township 30 South, Range 24 West Clark County, Kansas.)	Docket No. 26-CONS-3053-CEXC
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)	
)	CONSERVATION DIVISION
)	
)	
)	License No: 5303
)	

PROTEST BY KAREN LEE BYERLEY, TRUSTEE OF THE KAREN LEE BYERLEY REVOCABLE TRUST DATED JULY 1, 2019 AND LOUISE ANN WEST TO THE APPLICATION OF CANADAY OIL CORPORATION FOR EXCEPTION TO THE 10-YEAR TIME LIMITATION OF K.A.R. 82-3-111

COMES NOW, Karen Lee Byerley, Trustee of the Karen Lee Byerley Revocable Trust dated July 1, 2019 and Louise Ann West ("Protestors"), by and through Robert Eisenhower of Johnston, Eisenhower, Eisenhower & Lynch, LLC, Pratt, Kansas, and pursuant to the Kansas Corporation Commission ("Commission") submit their protest against the granting of the Application of Canaday Oil Corporation for exception to the 10-year limitation of K.A.R. 82-3-111 for the Byerley #1-17 well located in Clark County, Kansas.

In support of this protest, Protestors state and allege as follows:

1. Protesters are the owners of an undivided 100% of the mineral interest in and under the Northwest Quarter (NW/4) of Section 17, Township 10 South, Range 24 West of the 6th P.M., Clark County, Kansas.
2. Protesters have filed an Affidavit of Non-Production with regard to the prior lease owned in part by Canaday Oil Corporation since the Byerley #1-17 well has not produced oil or gas in a number of years.

3. Protesters state that Canaday Oil Corporation cannot obtain a temporary abandonment status for the Byerley #1-17 well, since there is no valid oil and gas lease where said well is located.

4. Grant Canaday, President of Canaday Oil Corporation, testified under oath in an evidentiary hearing held in the matter of the Application of Canaday Oil Corporation for an order authorizing the unitization and unit operation of the Irons Morrow Sand Unit in Clark County, Kansas, docket number 24-CONS-3103-CUNI, that the Byerley lease was not a valid oil and gas lease and had not been a valid oil and gas lease for more than seven years. (See Evidentiary Trial Transcript 14: 23-25.)

5. For some unknown reason, the Kansas Corporation Commission previously granted the applicant's application for temporary abandonment in August of 2024. Attached hereto as Exhibit A is a copy of correspondence dated August 27, 2024 from Michael Maier to the applicant stating that the TA states that the Byerley 1-17 will expire August 31, 2025.

6. It is the position of these Protestors that a well that has not produced oil and/or gas in paying quantities for years should be plugged as set forth under the rules and regulations of the Kansas Corporation Commission.

WHEREFORE, Protestors, Karen Lee Byerley, Trustee of the Karen Lee Byerly Revocable Trust dated July 1, 2019 and Louise Ann West pray that the application in this protest be set for hearing before the Commission; that upon receipt of testimony and other evidence presented at a hearing, the Commission deny applicant's application and for such other and further relief as the Commission believes is proper and authorized by the rules and regulations of the Kansas Corporation Commission.

Respectfully submitted,

JOHNSTON, EISENHAUER, EISENHAUER
& LYNCH, LLC.

By: /s/ Robert Eisenhauer
Robert Eisenhauer, #10835
For the Firm
113 E. Third - P.O. Box 825
Pratt, KS 67124
(620) 672-5533
johnston.eisenhauer@gmail.com

VERIFICATION

STATE OF NC
COUNTY OF Wake ss:

Karen Lee Byerley, Trustee of the Karen Lee Byerley Revocable Trust dated July 1, 2019, of lawful age, being first duly sworn, upon oath states: She is a Protestor in the foregoing Protest Application of Canaday Oil Corporation; she has read the foregoing Protest, knows of its contents and knows that the statements made therein are true.

Karen Lee Byerley Revocable Trust dated July 1, 2019

Karen Lee Byerley
Karen Lee Byerley, Trustee

Subscribed and sworn to before me on this 4 day of September, 2025.

Jackson T. Pearce
Notary Public

JACKSON T PEARCE
Notary Public, North Carolina
Wake County
My Commission Expires
03-31-2030

VERIFICATION

STATE OF Oklahoma ,

ss:

COUNTY OF Osage ,

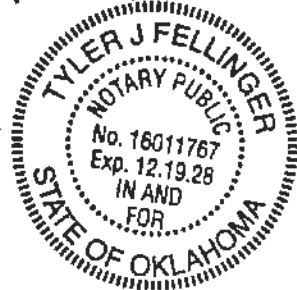
Louise Ann West, of lawful age, being first duly sworn, upon oath states: She is a Protestor in the foregoing Protest Application of Canaday Oil Corporation; she has read the foregoing Protest, knows of its contents and knows that the statements made therein are true.

by Dickie A. Blay acting as POA
Louise Ann West For Louise Ann West

Subscribed and sworn to before me on this 4th day of September, 2025.



Notary Public



DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That, I, Louise Ann West, also known as Louise A. West, a resident of Minneola, Clark County, Kansas, do hereby appoint Jon Alan West, also known as Jon West, as my attorney-in-fact, and I direct that said attorney-in-fact may act for me in my name and stead as hereinafter set forth, to-wit:

1. To ask, demand, sue for, collect, recover, and receive all sums of money, debts, rents, accounts, legacies, interest, annuities, or other demands whatsoever now due or which may hereafter become due and payable to me; and to give good and sufficient receipts or discharges thereof;
2. To transact all of my ordinary bank business at any bank, building and loan association, or other financial institution in which I may hereafter deposit or have deposited for me, any funds; to draw checks on my account in said bank, building and loan, or other financial institution; to endorse all checks, drafts, and bills or exchange or other documents which may require my endorsement for collection or deposit; and to waive demand, notice, and notice of protest thereon;
3. To assign or release mortgages, whether on real estate or on chattels, standing in my name, receive the proceeds thereof and deposit the same to the credit of my account in the above named bank or other financial institution in which I may have or deposit funds;
4. To compromise any debt, claim, or demand now or hereafter owing or payable to me; and to grant an extension of time for the payment or satisfaction thereof; either with or without security, upon such terms and conditions as to my attorney may seem proper and expedient in the circumstances;
5. To sell, assign, and convey my securities standing in my name or which I may now or hereafter own, at their market value, and also to sell and convey any other personal property which I may own or hereafter acquire; and to invest and reinvest the proceeds from such sales or deposit such proceeds in my account in any bank or financial institution in which I may have or may deposit funds;
6. To receive and receipt all income and/or dividends now or which shall hereafter become due and payable on any stock outstanding in my name in any company or corporation, or net income from any partnership in which I may be engaged; and to vote at the meeting of any such partnership, company or corporation and otherwise to act as my proxy or representative in respect to any shares of stock now held or which may hereafter be acquired by me, or interest in said partnership, and for that purpose to sign and executed any proxies or other instruments in my name and on my behalf.

7. To pay all premiums from money coming into the hands of my attorney-in-fact on life and fire and other insurance policies held by me or which may hereafter be taken out in my name and to pay any and all debts for which I am or may be liable therefor;

8. To prepare, execute, and file both federal and state income tax returns, or amendment thereto, and any claims for refund, or to make any report required by governmental agencies;

9. To lease or let, to mortgage or sell and convey any real estate standing in my name or which I may have an interest, upon such terms and conditions and under such covenants as to my said attorney may seem proper; and for me and in my name and as my act and deed to execute, acknowledge, and deliver such leases, mortgages and notes, contracts of sale, or deeds as may be necessary in the premises.

10. To execute bills of sale, vehicle titles and other instruments necessary to sell or convey personal property.

11. To make gifts, of either money or property, to herself or others, without limitation.

I hereby give and grant unto my said attorney herein named full power and authority to do and perform all and every lawful act and thing whatsoever that may be necessary to be done, as fully and to all intents and purposes as I might or could do if personally present, and hereby ratify and confirm all that my said attorney shall lawfully do, or cause to be done hereunder.

I specifically announce that the enumerated powers herein, set out are not in derogation of any powers not herein enumerated, and such enumerated powers are hereby granted in order to carry out the purposes hereinbefore expressed.

This is a durable power of attorney and the authority of my attorney-in-fact shall not terminate if I become disabled or in the event of later uncertainty as to whether I am dead or alive.

In the event that Jon Alan West is unable or unavailable to serve as my attorney-in-fact hereunder, I appoint the following to serve, in the alternative, as my attorney-in-fact with full power and authority hereunder below (in order named if more than one listed):

Vickie Ann Glaze
12420 N. Harvard
Skiatook, Oklahoma 74070

Dustin Wayne Glaze
9254 Freedom Road
Apt. 221
Sapulpa, Oklahoma 74066

I hereby declare that this Power of Attorney shall be and remain in full force and effect until such powers are later revoked by me in writing.

WITNESS WHEREOF, I have hereunto set my hand this 31 day of August, 2012.

Louise West

Louise Ann West, also known as
Louise A. West

STATE OF KANSAS)
)
COUNTY OF CLARK) ss:

This instrument was subscribed, sworn to and acknowledged before me this 31st day of August 2012, by Louise Ann West, also known as Louise A. West.



Sarah Bootes Shattuck

Notary Public

My Appointment Expires: 8-15-2016

CERTIFICATE OF SERVICE

26-CONS-3053-CEXC

I, the undersigned, certify that a true copy of the attached Protest has been served to the following by means of first-class mail and/or electronic service on September 4, 2025.

CHRIS MILLARD
CANADAY OIL CORPORATION
2407 SAINT ANDREW ST
GODDARD, KS 67052-8488
gcanaday@sbcglobal.net

MICHAEL MAIER
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
Michael.Maier@ks.gov

KELCEY MARSH, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
CENTRAL OFFICE
266 N. MAIN ST, STE 220
WICHITA, KS 67202-1513
Kelcey.Marsh@ks.gov

ROBYN STALKFLEET, ADMINISTRATIVE SPECIALIST
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
Robyn.Stalkfleet@ks.gov

KENNY SULLIVAN, DISTRICT #1 SUPERVISOR
KANSAS CORPORATION COMMISSION
DISTRICT OFFICE NO. 1
210 E. FRONTVIEW SUITE A
DODGE CITY, KS 67801
Kenny.Sullivan@ks.gov

By: /s/ Robert Eisenhauer
Robert Eisenhauer, #10835

Conservation Division
District Office No. 1
210 E. Frontview, Suite A
Dodge City, KS 67801



EXHIBIT

A

Phone: 620-682-7933
<http://kcc.ks.gov/>

Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Knethier, Commissioner

Laura Kelly, Governor

08/27/2024

Chris Millard
Canaday Oil Corporation
2407 Saint Andrew St.
Goddard, KS 67052

Re: Temporary Abandonment
API 15-025-21015-00-00
BYERLEY 1-17
NW/4 Sec.17-30S-24W
Clark County, Kansas

Dear Chris Millard:

Your temporary abandonment (TA) application for the well listed above has been approved. In accordance with K.A.R. 82-3-111 the TA status of this well will expire 08/31/2025.

Your exception application expires on 08/31/2025.

- * If you return this well to service or plug it, please notify the District Office.
- * If you sell this well you are required to file a Transfer of Operator form, T-1.
- * If the well will remain temporarily abandoned, you must submit a new TA application, CP-111, before 08/31/2025.

You may contact me at the number above if you have questions.

Very truly yours,

Michael Maier