

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

In the matter of the application of Enterra ) Docket No.: 24-CONS-3015-CUNI  
Resources, LLC, for an order authorizing the )  
unitization and unit operation of the Kinsler ) CONSERVATION DIVISION  
Morrow Unit to be located in Morton County, )  
Kansas. ) License No.: 35263

**RESPONSE TO OPERATOR'S MOTION FOR SUMMARY PROCEEDINGS**

Comes now Staff of the Kansas Corporation Commission (Staff and Commission, respectively) in response to the Motion for Summary Proceedings filed on behalf of Enterra Resources, LLC (Operator) on August 21, 2023. In support, Staff states the following:

1. On July 25, 2023, Operator filed its Application requesting an order authorizing the unitization and unit operation of the Kinsler Morrow Unit in Morton County, Kansas, pursuant to K.S.A. 55-1301, et seq.<sup>1</sup>

2. Notice was properly served and met the requirements of K.S.A. 55-1310, K.S.A. 55-605, and K.A.R. 82-3-135a. No protests or objections have been submitted to the Commission in this matter.

3. On August 1, 2023, the Commission issued an Order Designating Presiding Officer and Setting Prehearing Conference, wherein a prehearing conference was scheduled for August 24, 2023.<sup>2</sup>

4. On August 21, 2023, Operator filed a Motion for Summary Proceedings (Motion) in lieu of an evidentiary hearing as provided by the Kansas Administrative Procedure Act (KAPA).<sup>3</sup>

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<sup>1</sup> Enterra Resources, LLC Application (July 25, 2023).

<sup>2</sup> Order Designating Presiding Officer and Setting Prehearing Conference (Aug. 1, 2023).

<sup>3</sup> Motion for Summary Proceedings (Aug. 21, 2023).

5. Staff has reviewed Operator's Application in this matter. Staff is satisfied that the grant of such Application complies with the applicable statutory and regulatory requirements. Thus, Staff has no objection to the Motion because it appears the KAPA notice and hearing requirements mandated by K.S.A. 55-1303 and K.S.A. 55-1304 are met, and Operator's application qualifies for summary proceedings under K.S.A. 77-537.

WHEREFORE, for the reasons described above, Staff recommends approval of Operator's Application authorizing the unitization of the Kinsler Morrow Unit as it appears granting the Application will prevent waste, protect correlative rights, and that there does not appear to be any current pollution threat.

Respectfully submitted,

/s/ Kelcey Marsh  
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## **CERTIFICATE OF SERVICE**

24-CONS-3015-CUNI

I, the undersigned, certify that a true and correct copy of the attached Response to Operator's Motion for Summary Proceedings has been served to the following by means of electronic service on September 15, 2023.

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/s/ Paula J. Murray

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Paula J. Murray