

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

IN THE MATTER OF THE APPLICATION)	DOCKET NO. 22-CONS-3319-CEXC
OF MERIT ENERGY COMPANY, LLC,)	
FOR AN EXCEPTION TO THE 10-YEAR)	
TIME LIMITATION OF K.A.R. 82-3-111)	CONSERVATION DIVISION
FOR ITS GORE D-1 WELL IN THE)	
NORTHWEST QUARTER OF THE)	
SOUTHWEST QUARTER OF SECTION)	LICENSE NO. 32446
4, TOWNSHIP 35 SOUTH, RANGE 41)	
WEST, MORTON COUNTY, KANSAS.)	

IN THE MATTER OF THE APPLICATION)	DOCKET NO. 22-CONS-3408-CEXC
OF MERIT ENERGY COMPANY, LLC,)	
FOR AN EXCEPTION TO THE 10-YEAR)	CONSERVATION DIVISION
TIME LIMITATION OF K.A.R. 82-3-111)	
FOR ITS AVERY 2-28 WELL IN THE)	LICENSE NO. 32446
NORTHEAST QUARTER OF THE)	
SOUTHWEST QUARTER OF THE)	
NORTHWEST QUARTER OF SECTION)	
28, TOWNSHIP 30 SOUTH, RANGE 32)	
WEST, HASKELL COUNTY, KANSAS.)	

MOTION TO WITHDRAW APPLICATION FOR THE AVERY 2-28 WELL
WITHOUT PREJUDICE

COMES NOW, Merit Energy Company, LLC, and respectfully requests an Order of the Commission allowing withdrawal of the Avery 2-28 Application without prejudice.

In support of this Motion, Applicant would show as follows:

1. The Application for the Avery 2-28 well was filed on May 2, 2022. The Avery 2-28 Application sought an Order for the exception to the 10-year time limitation to K.A.R. 82-3-111.

2. Since the filing of this Application, the Applicant determined it needed to plug the Avery 2-28 well, and the well is in the process of being plugged at this time.

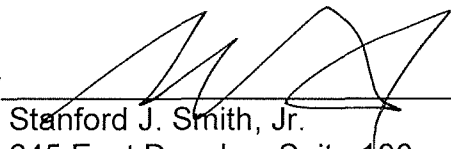
3. Since the relief sought therein is no longer necessary, Applicant seeks to dismiss this Application without prejudice.

WHEREFORE, Applicant requests the Commission issue an Order allowing it to withdraw the Application for the Avery A-28 well without prejudice.

Respectfully submitted,

MARTIN, PRINGLE, OLIVER, WALLACE
& BAUER, L.L.P.

By



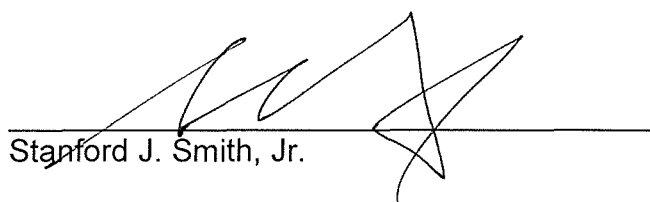
Stanford J. Smith, Jr.
645 East Douglas, Suite 100
Wichita, KS 67202
(316) 265-9311
Attorneys for Merit Energy Company, LLC

VERIFICATION

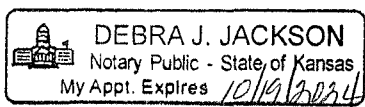
STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

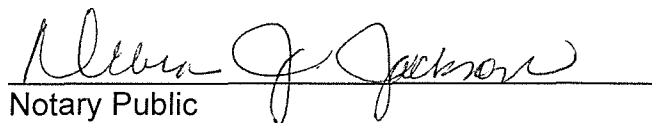
Stanford J. Smith, Jr., of lawful age, being first duly sworn, upon oath states:

That he is the attorney for Merit Energy Company, LLC, Applicant herein; that he has read the above and foregoing Motion to Withdraw Application Without Prejudice of Merit Energy Company, LLC, and is familiar with the contents thereof; and, that the statements made therein are true and correct to the best of his knowledge and belief.


Stanford J. Smith, Jr.

SUBSCRIBED and sworn to before me this 15th day of November, 2022.




Notary Public

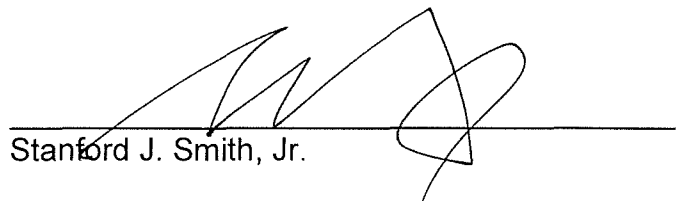
My Appointment Expires:
10/19/2024

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Withdraw Application Without Prejudice was e-mailed on this 15th day of November, 2022, to:

Kelcey Marsh, Esq.
Litigation Counsel
Kansas Corporation Commission
226 North Main, Suite 220
Wichita, KS 67202

Jonathan R. Myers, Esq.
Assistant General Counsel
Kansas Corporation Commission
266 North Main, Suite 220
Wichita, KS 67202



Stanford J. Smith, Jr.