

November 18, 2018

Mr. Rene Stucky  
Kansas Corporation Commission  
Conservation Division  
266 N. Main Street, Suite 220  
Wichita, Kansas 87202-1513

Dear Mr. Stucky:

In a letter dated November 8, 2018 you ask whether or not I “feel” a hearing ought be held in regards to the application of TDR Construction, Inc. to engage in EOR operations in the McCoy lease, sec. 32, twp. 15S, range 21E in wells 4 AW, 8W, and 9W and in the Superior lease, sec. 19, twp. 16S, range 21E in well I-1.

My answer is “yes,” a hearing ought be held, and is required by the Kansas Appellate court decision *Labette County Medical Center d/b/a Labette Health v. Kansas Department of Health and Environment*, 2017 WL3203383 at \*8 (Kan App. July 28, 2017) (unpublished).

I hereby state that I will participate in such hearing.

Cordially,

Scott Yeargain  
2263 Nevada Road  
Ottawa, Kansas 66067  
785-418-7615