

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

IN THE MATTER OF AN ORDER)
REDUCING SALTWATER INJECTION) DOCKET NO. 15-CONS-770-CMSC
RATES INTO THE ARBUCKLE)
FORMATION, APPLICABLE TO WELLS IN)
DEFINED AREAS OF INCREASED SEISMIC) CONSERVATION DIVISION
ACTIVITY IN HARPER AND SUMNER)
COUNTIES)

MOTION TO INTERVENE AND REQUEST FOR HEARING

Tapstone Energy, LLC (“Tapstone”), petitions the Commission for an Order allowing Tapstone to intervene in the above-captioned docket, and requests that the Commission schedule a hearing in this docket. In support of its Motion and Request, Tapstone states and alleges as follows:

1. Tapstone owns and operates injection wells in Harper County and Sumner County, Kansas, Tapstone is duly authorized to do business in Kansas and has been issued KCC Operator License No. 35053.

2. The injection wells owned and operated by Tapstone in Harper County and Sumner County, Kansas, include a well that injects water into the Arbuckle Formation, and considered by the Commission to be a “high volume” injection well located within the “areas of heightened seismic activities,” all as defined in the Order Reducing Saltwater Injection Rates entered on March 19, 2015, in the above captioned docket (the “ March 19 Order”). In addition, Tapstone operates more than a dozen additional injection wells within the area sought to be expanded by the Commission Staff in its Report and Recommendation of February 19, 2016. All of those injection wells are being lawfully operated by Tapstone pursuant to injection well permits issued

by the Commission. The terms of those permits are being modified by the March 19 Order and the Staff's Report and Recommendation without a hearing or evidence being offered. Tapstone has been directly impacted by the restrictions and obligations imposed by the Commission. Tapstone seeks intervention for purposes of participating in and requesting a hearing on the issues raised and restrictions imposed by the Kansas Corporation Commission (the "Commission") in the March 19 Order and the Staff's Report and Recommendation of February 19, 2016.

3. Tapstone is so situated that its legal rights and interests as the owner and operator of injection wells impacted by the March 19 Order and the Staff's Report and Recommendation of February 19, 2016, have and will be substantially affected by the proceedings herein and, accordingly, is entitled to intervene pursuant to K.S.A. 77-521 and K.A.R. 82-1-225.

4. There is no deadline to intervene in this docket and the interests of justice and the orderly and prompt conduct of the proceedings in this matter will not be impaired by granting Tapstone's request to intervene. No party will be prejudiced by granting the requested intervention.

5. Copies of this Motion to Intervene have been mailed to those persons and entities shown on the Certificate of Service attached hereto.

6. Tapstone requests that copies of all communications, correspondence, filings with the Commission, and notices be sent to their undersigned counsel.


7. In addition, Tapstone hereby requests that the Commission schedule a hearing in this docket to consider evidence as to the basis for the actions of the Commission and the impacts on interested parties of such actions.

WHEREFORE, Tapstone Energy, LLC, requests that the Commission enter an order allowing it to intervene in the above-captioned matter and to fully participate therein and for a hearing in this docket, and for such other relief as the Commission deems just and property.

Dated: February 24, 2016.

Respectfully submitted,

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

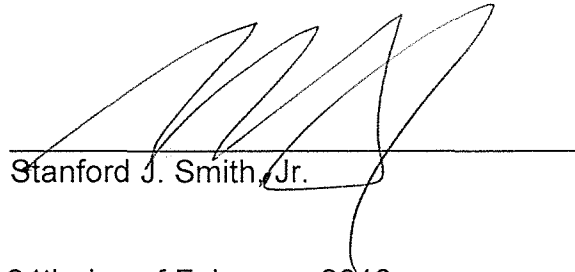
By 
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VERIFICATION

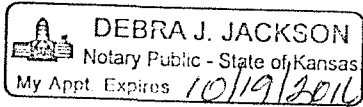
STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

COMES NOW, Stanford J. Smith, Jr., of lawful age, being first duly sworn on his oath states:

That he is employed by Tapstone Energy, Inc., as their attorney and is authorized to make this verification; that he has read the above and foregoing Motion to Intervene and Request for Hearing 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 24th day of February, 2016.




Notary Public

My Appointment Expires:
10/19/2016

CERTIFICATE OF SERVICE

I certify that on February 24, 2016, I caused a complete and accurate copy of the above and foregoing Motion to Intervene and Request for Hearing to be electronically mailed to:

Jonathan R. Myers, Esq.
Litigation Counsel
Kansas Corporation Commission
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Wichita, KS 67202-1513

and a copy mailed, postage prepaid and properly addressed to the following:

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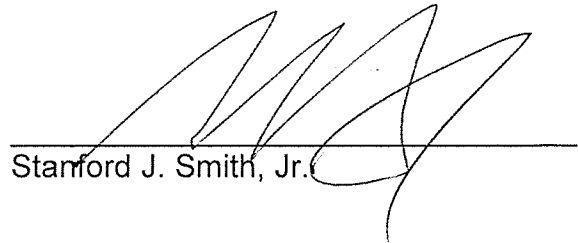
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Stanford J. Smith, Jr.