

RECEIVED
KANSAS CORPORATION COMMISSION

MAY 09 2008

BEFORE THE CORPORATION COMMISSION
OF THE STATE OF KANSAS

CONSERVATION DIVISION
WICHITA, KS

IN THE MATTER OF THE APPLICATION)
OF DAYSTAR PETROLEUM, INC., FOR A)
BASIC PRORATION ORDER FOR THE HOSS)
LAKE CHESTER OIL AND GAS POOL IN)
THE SOUTHEAST QUARTER OF SECTION 8,)
THE EAST HALF OF SECTIONS 17, 20, 29)
AND 32, THE SOUTH HALF OF SECTIONS) DOCKET NO. 08-CONS-164-CBPO
9 AND 10, AND ALL OF SECTIONS 16, 15, 21,)
22, 28, 27, 33 AND 34 IN TOWNSHIP 31 SOUTH,)
RANGE 30 WEST, AND THE NORTHEAST) CONSERVATION DIVISION
QUARTER OF SECTION 5 AND THE NORTH)
HALF OF SECTIONS 3 AND 4 IN TOWNSHIP)
32 SOUTH, RANGE 30 WEST, MEADE)
COUNTY, KANSAS)
_____)

**RESPONSE OF KEITH F. WALKER OIL & GAS CO., LLC, TO DAYSTAR
PETROLEUM'S REPLY TO MOTION TO REVOKE APPROVAL OF DRILLING
INTENTS AND FOR EXPEDITED HEARING**

COMES NOW Keith F. Walker Oil & Gas Co., LLC, ("Walker") and for its reply to the response filed by Daystar Petroleum, Inc. ("Daystar"), to Walker's motion to revoke approval of certain Daystar drilling intents, states as follows:

1. All of the Walker wells referenced in Daystar's Reply were drilled at legal locations. All of said locations could have been offset by Daystar at equally legal locations on Daystar's acreage. It is Daystar, not Walker, that seeks to restrict drilling locations.

2. Daystar proposes that all of its intended locations are necessary to protect itself against drainage from Walker wells; however, Daystar's own application in this docket alleges that one oil well will drain 40 acres and one gas well will drain 160 acres.

3. It remains a fact that K. A. R. 82-3-109(d) expressly prohibits drilling after the filing of an application, at locations outside of the requested restrictions, and none of the proposed Daystar locations comply with the proposed restrictions.

WHEREFORE, Walker again prays that the Commission withdraw its approval of the Daystar drilling intents previously approved, as set out in Walker's original Motion.

Respectfully submitted,

By


John G. Pike

**WITHERS, GOUGH, PIKE,
PFAFF & PETERSON, LLC.**

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Attorneys for Keith F. Walker
Oil & Gas Co., LLC

VERIFICATION

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

John G. Pike, of lawful age, and being first duly sworn upon oath, deposes and says:
He is an attorney for Keith F. Walker Oil & Gas Co., LLC; he has read the within and foregoing;
and the statements and contents thereof are true to the best of his knowledge and belief.

By:

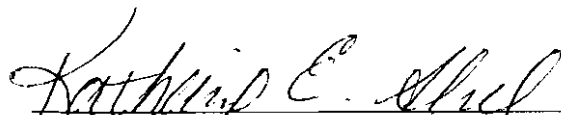

John G. Pike

Subscribed and sworn to before me this 9th day of May, 2008.

My Commission Expires:

June 30, 2010





Katherine E. Abel
Notary Public

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 9th day of May, 2008, a true and correct copy of the above and foregoing *Response of Keith F. Walker Oil & Gas Co., LLC*, was mailed, postage prepaid and properly addressed, to:

Stanford J. Smith, Jr.
Martin, Pringle, Oliver, Wallace & Bauer, LLP
100 N. Broadway, Ste. 500
Wichita, KS 67202



John G. Pike