

## THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners: Shari Feist Albrecht, Chair, Jay Scott Emler, Dwight D. Keen

In the Matter of the Application of RJMCompany  
to authorize injection of saltwater  
into the Lansing-Kansas City formation at the Doll#3 well  
located in the SW/4 of Section 27, Township 18 South,  
Range 11 West, Barton County, Kansas.

Docket No: 18-CONS-3305-CUIC  
CONSERVATION DIVISION  
License No: 30458

### **MOTION TO DENY APPLICANT'S MOTION TO DISMISS THE PROTESTS FILED HEREIN**

RECEIVED  
KANSAS CORPORATION COMMISSION

June 29, 2018

JUL 02 2018

CONSERVATION DIVISION  
WICHITA, KS

Honorable commissioners,

My name is Lynne Hunter and I am one of the protestants in the above mentioned docket. I understand that the commission has broad discretionary powers in accepting protests from average citizens. I know that your mission (posted in the lobby and on the poster in the lobby) is to "Serve the Citizens of Kansas". You can serve them better if you hear their protestations. I also understand that there is great discretion in allowing "honest mistakes" of KCC staff and would expect the same fairness to the Citizens of Kansas attempting, in good faith, to protest harm. I hope that you will use said discretion to dismiss this motion to dismiss/deny.

If there are to be no public comment periods nor any public hearings, I know that you would expect/demand that the process for regular Citizens of Kansas to register their objections be clear, consistent and easy to submit. This is not the case presently. It is nearly impossible to do it correctly and easy to get dismissed at every turn. Therefore, I hope that you will use your substantial discretionary power and not allow my motion to be dismissed.

I do not live within 2 or 5 or 10 or even 50 miles of the proposed Doll #3 well (it seems that the proximity requirements have been diminished as the number of protests increase). I would also propose that, when it comes to a popular wildlife sanctuary, all Citizens of Kansas, perhaps even the nation, should have a say. I am a Citizen of Kansas. This proposed activity could potentially threaten a fragile ecosystem in my state. Drilling and injecting toxic substances near a sensitive environment IS an 'actual or threatened injury' to the internationally known wildlife refuge, Cheyenne Bottoms. The integrity of the concrete cannot be guaranteed and after listening to the testimony on Tuesday attempting to reassure us, my concerns have risen. I, and all Citizens of Kansas, have a "direct and substantial interest" in the denial of this permit.

I would also bring your attention to the RJM Company's Wichita law firm statement in #5 of their motion to dismiss my ability to file a protest:

"the generalized nature of all of these protestants' apparent concerns, which they simply repeat in their letter-writing campaign, protesting a number of similar applications filed by Applicant and other

operators, is evidenced by the form attached as page 2 of protestant Andy Prosser's Motion to Deny. Despite this coaching, Protestants' Motions to Deny still fail to state facts sufficient to grant them legal standing to protest the Application in this matter."

Of course it is a 'generalized letter writing campaign' (#5, line 3) as none of us 'Citizens of Kansas' protestants can afford to hire an expensive law firm to navigate the maze of regulations. We are forced to 'coach' each other for fear of making the tiniest misstep in submitting our protest (as evidenced by their concerted efforts to not less us protest). And yes, my motion of protest is of a 'generalized nature' (#5, line 2), it may not 'demonstrate a causal connection between such alleged injury and the proposed injection activity', and it is impossible to say that the Doll Well #3 absolutely will leak or cause problems in the environment. But the oil company cannot prove that it will not. That is exactly what all oil drilling and oil transport companies say in this new era of citizens raising concerns. Currently there are leaks and accidents occurring commonly. If we could say with certainty that the Doll Well #3 would leak 18 months after drilling, then it would be easy. We can't. But there is a risk, and Cheyenne Bottoms is too important an area to take a chance. The more permits granted, the more risks there are. Therefore, it is important that our lowly citizen concerns be registered.

As Mrs. Cindy Hoedel states, "as commissioners with the solemn duty to protect the water of Kansas, it seems clear that you would want to hear my questions and concerns about the Doll lease before you make your consideration". Listening to the company that will profit, and the KCC staff (whom I heard testify they routinely assist the oil companies in getting permits) creates an image of said staff on the side of the applicant, not the Citizens of Kansas who want clean water. Please allow the Citizens of Kansas to be heard.

Respectfully,



Lynne Hunter  
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