

BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Application of Midstates Energy Operating, LLC, to authorize injection of saltwater into the Squirrel formation at the Thrasher Wells #I-5, #I-4, and #I-3, and to increase the injection pressure on all wells encompassed by Permit E-31965, located in Section 25, Township 13 South, Range 20 East, Douglas County, Kansas.

Docket 19-CONS-3173-CUIC
Conservation Division

License No.: 35503

Pre-Filed Testimony of Karin Pagel-Meiners

1 Q: Please state your name.

2 A: Karin Pagel-Meiners.

3

4 Q: Where do you live?

5 A: I am a resident of Douglas County.

6

7 Q: Whom are you representing?

8 A: Myself only, as a concerned citizen who lives in the area.

9

10 Q: Are you employed by the applicant, Midstates Energy Operating, LLC, or a representative of the applicant?

11 A: I am not.

12

13 Q: Do you have any ties to the oil and gas industry?

14 A: I do not.

15

16 Q: How would you be affected or potentially affected by the injection wells proposed in this permit application should they be approved?

18 A: I recently attended a lecture at the Kansas Geological Survey that presented new research explaining how wastewater disposal can cause earthquakes at a much greater distance from the point of injection than previously thought. I learned that both Class I and Class II injection wells were subject to causing earthquakes due to "extremely far-field pressure diffusion" and that this could affect an area within a 90 kilometer radius of the injection site.

23 I live well within a 90 kilometer range for the injection wells proposed in this permit application, and am thereby well within a potentially affected area. My home and my property are thereby put at an increased risk of damage for which there is no clear recourse, financial or otherwise. More broadly, there is the potential that earthquakes caused by injection wells may cause damage to public and community property in the area in which I live, which are maintained and repaired by the taxes of those who live in the area, including myself. Furthermore, I am concerned that allowance of these injection wells may pollute and/or contaminate the natural water resources in the area, which is, frankly, the concern of anyone who uses water. As an American citizen and longtime Kansan resident, it is a civic duty to be informed of and participate in matters of community importance, therefore, I am protesting this application.

32

33 Q: What are your objections regarding this application?

34 A: I object to this application on the basis of procedural matters, which were outlined in my letter of protest submitted on November 13, 2018. I object as well, on the basis of environmental and community concern, as I outline in answer to the above question. It is my understanding that the applicant cannot absolutely guarantee that their proposed wells will not cause earthquakes or water contamination. Furthermore, I object as, to my understanding, should property damage or water contamination occur, the applicant would take absolutely no responsibility, financial or otherwise. I consider it unjust that the burden of solution, financial or otherwise, to any and all negative consequences affecting private property or public property potentially caused by the proposed wells in question, if these consequences should occur, will then fall to the private citizens affected and to the tax payers within the area of public property affected.

1 Q: What do you recommend the Kansas Corporation Commission do?

2 A: I recommend that the Commission dismiss this application, deny the requested permit in full, that is, all four
3 wells in question, and close this docket.

4

5 In his "expert" testimony in docket 18-CONS-3196-CUIC regarding the Thrasher #10 well (submitted on April
6 24, 2018) Terry Ballou stated: "In my opinion we would not be able to operate an effective water flood upon the
7 Thrasher Lease using injection pressures less than 400 psig, and a portion of the recoverable oil would be left
8 unrecovered and waste will occur." Expert witness, R. H. Hilbun, in testimony submitted on the same day, April
9 24, 2018, explained that: "In order for water flooding to be efficient the water injection must be at a rate sufficient
10 to recover the oil within a specified time. Thus the ultimate purpose of the proposed injection is to increase the
11 production of oil and the ultimate recovery of oil from the reservoir, thereby preventing underground waste."
12 Have these prior recommendations of injection pressures of 400 psig proven to be inadequate? Since the new
13 application requests 500 psig, one can only assume they have. Why apply to raise the maximum pressure
14 otherwise? My concern is how much pressure will ultimately be required to prevent "waste" of oil, whether the
15 well will be able to withstand ever increasing pressure levels, and how much water will ultimately need to
16 wasted, perhaps all to no avail for any significant oil recovery at all.

17

18 Docket 18-CONS-3196-CUIC also unveiled much of the obfuscation regarding the Thrasher I-5 well which has
19 apparently been operating since 2014 according to the expert testimony cited in the paragraph above, despite
20 having been revoked in March 2016. According to K.A.R. 82-3-408 (a): "Permits authorizing injection wells
21 shall remain valid for the life of the well, unless revoked by the commission for just cause." It is still unclear
22 why the permit for I-5 was revoked and what problems the well itself presented, in other words, what precisely
23 constituted the "just cause" for its revocation. It is also still unclear why the permit for I-5 was reinstated. If this
24 well has been operating continuously, but without an operator, who collected the profits, and who paid the bills
25 and taxes? This well is fraught with errors and unanswered questions.

26

27 Given that the outcomes that prior "expert" testimony offered were apparently not sufficient, approving increased
28 pressures for both #10 and I-5 and adding even more wells ("I-3" and "I-4") seems like a wasteful and foolhardy
29 exercise at best.

30

31 Q: Do you have any other concerns?

32 A: Yes. The descriptive title of this docket has been only partially corrected. The "Order Setting Procedural
33 Schedule, Designating A New Prehearing Officer, and Correcting the Descriptive Title of the Docket," submitted
34 February 5, 2019, states: "The descriptive title of this docket, as originally published in the Commission's Order
35 Designating Prehearing Officer and Setting Prehearing Conference, omitted the Thrasher #I-5 well. Operator's
36 Application, Operator's Affidavit of Publication, and the Commission's Order Adopting Staff's Report and
37 Recommendation in Docket 18-CONS-3196-CUIC however, indicate injection authorization at the Thrasher #I-5
38 is an issue in this docket. Accordingly, the descriptive title in this docket should hereafter be amended to reflect
39 such issue, for ease of both current and future reference." The Thrasher #10 well should also be included in the
40 descriptive title because it is also an issue in this docket. The descriptive title in this docket should therefore be
41 amended to reflect such issue, for the same reason, that is, for ease of both current and future reference. To omit
42 it in the descriptive title might suggest, intentionally or not, an attempt to obscure the history of Commission
43 actions on this well.

44

45 Q: Does that conclude your testimony?

46 A: Yes.

VERIFICATION

STATE OF KANSAS

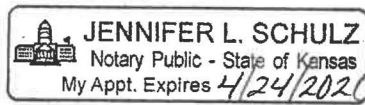
DOUGLAS COUNTY

Karin Pagel-Meiners states: I am a protestant in the above name [&]docket, I have read the above, the statements above are true according to my knowledge, information, and understanding.

Karin Pagel Meiners
Karin Pagel-Meiners

Subscribed and sworn to before me this 11th day of March, 2019.

Jennifer L. Schulz



CERTIFICATE OF SERVICE

I, Karin Pagel-Meiners, certify that on March 11, 2019, I did cause a true and correct copy of the Pre-Filed Testimony of Karin Pagel-Meiners to be sent to the following parties by means of the United States Postal Service and followed up by electronic service.

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