

**BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

BEFORE COMMISSIONERS: Pat Apple, Chair
Jay Scott Emler, Commissioner
Shari Feist Albrecht, Commissioner

In the Matter of the Amended Application of Lario Oil & Gas Company for an Order Authorizing the Unitization and Unit Operations of the Feiertag Unit in Scott County, Kansas.))	Docket No. 17-CONS-3516-CUNI
))	Conservation Division
))	License No. 5214

**RESPONSE TO PROTEST
OF CHOLLA PRODUCTION, LLC**

COMES NOW, the Applicant Lario Oil & Gas Company (hereinafter “Lario”) and for its Response to the Protest and Petition to Intervene by Cholla Production, LLC (hereinafter “Cholla”), states as follows:

1. Lario has no objection to the intervention of Cholla in this docket and admits the allegations contained in paragraph 1 of Cholla’s Protest.
2. Lario understands Cholla does not own the well identified on Tract 7 in the map of the proposed unit, which map is attached as Exhibit D to Lario’s original Application. Lario does not have sufficient knowledge or information to admit or deny the truth of the remainder of the allegations set forth in paragraphs 2 and 3 of Cholla’s Protest.
3. As to the allegations of paragraph 4 of Cholla’s Protest, Lario denies that Cholla owns the wellbore identified on Tract 7. Further, Lario admits that through an oversight it omitted from paragraph 5 of its original Application the legal description of the Northeast Quarter of the Northeast Quarter (NE/4 NE/4) and the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section 16, Township 19 South, Range 33 West, which it has remedied

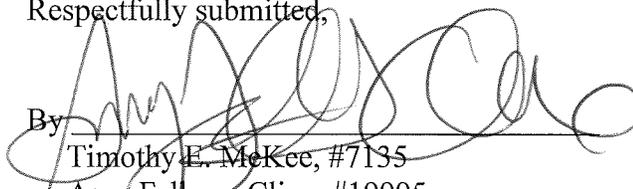
by the filing of an Amended Application and a submission of an Amended Notice concurrent with the filing of this Response.

4. Lario denies the allegations of paragraphs 5, 7, 8, 9, 10, 11 and 12 of Cholla's Protest.

5. As to the allegations of paragraph 6 of Cholla's Protest, Lario states that the statute K.S.A. 55-1304 speaks for itself and requires no response.

WHEREFORE, Lario respectfully requests that the prayer of the Protestant Cholla be denied and that the Commission, after a full and proper hearing of the evidence of this matter, grant Lario's Amended Application herein.

Respectfully submitted,

By 

Timothy E. McKee, #7135

Amy Fellows Cline, #19995

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Attorneys for Lario Oil & Gas Company

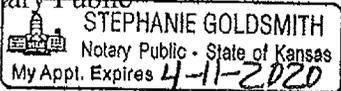
VERIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

Brenten Birk, of lawful age, being first duly sworn upon his oath states that he is the *Operations Engineer* for Lario Oil & Gas Company and states that the statements made herein are true and correct to the best of his knowledge and belief.

Brenten Birk
BRENTEN BIRK

SUBSCRIBED AND SWORN to before me this 25th day of April, 2017.

Stephanie Goldsmith
Notary Public


My Appointment Expires:

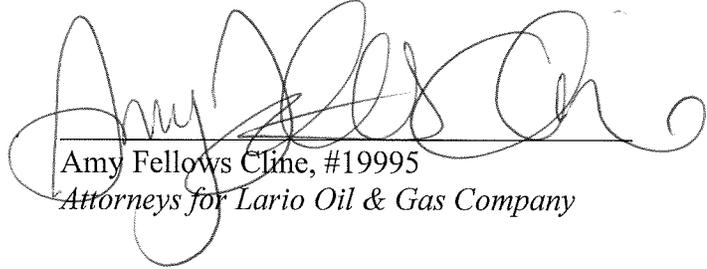
4-11-2020

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of April, 2017, the above Response to Protest of Cholla Production, LLC was electronically served on:

Jon Myers
Assistant General Counsel
Kansas Corporation Commission
130 S. Market, Room 2078
Wichita, KS 67202-3802

Diana Edmiston
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Attorney for Protestant Cholla Production, LLC


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Attorneys for Lario Oil & Gas Company