

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

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

In the Matter the Application of IGWT,)	Docket No: 18-CONS-3383-CWLE
Inc., for the assignment of and a location)	
exemption for the Varner Farms #1 located)	CONSERVATION DIVISION
990' FNL and 1500' FWL of Section 33,)	
Township 25 South, Range 4 East, Butler)	License No: 3167
County, Kansas.)	

PREFILED TESTIMONY OF KENTON L. HUPP
ON BEHALF OF IGWT, INC.

1 Q: Would you please state your name, position, employer, and office address?

2 A: My name is Kenton L. Hupp. I am President of IGWT, Inc. My business office address is
3 218 W. Young, Rose Hill, Kansas, mailing address of PO Box 550, Rose Hill, Kansas
4 67133-0550.

5 Q: Would you please relate your educational and professional background?

6 A: I am a licensed petroleum engineer in Kansas and Missouri. I have testified on numerous
7 occasions as an expert witness before District and Federal courts, the Kansas Corporation
8 Commission and the Kansas Board of Tax Appeals on matters relating to petroleum
9 engineering, correlative rights and drainage issues. My company also has drilled and
10 operated several wells in Kansas and currently operates 7 wells within 3 miles of the
11 property that is the subject of this application.

1 Q: Are you familiar with the surface topography in the area encompassed by this application,
2 and have you reviewed the geologic information provided by Mr. Jackson, another witness
3 in this proceeding?

4 A: Yes.

5 Q: Have you reached any conclusions regarding surface problems with the original proposed
6 location?

7 A: Yes. The original location 330 feet East of the West line of our lease was noted as lying
8 within a draw, or drainage. Our landowner commented to us about the water way and
9 drainage. We also noted ponds shortly downstream from that location and concluded that
10 the proposed location 180 feet from the lease line was more at the edge of the draw and on
11 substantially higher ground.

12 Q: Why not move the location East of the drainage area?

13 A: It is undesirable to go East as the width of the draw extends to nearly the pinch out of the
14 Chert and thus an Easterly location that would clear the drainage would greatly decrease
15 our likelihood of a successful completion, leaving our lease with unrecovered oil in place,
16 which would result in waste and damage to the correlative rights of our Lessor.

17 Q: Do you have an opinion regarding the possibility of drainage from the Jones lease at the
18 180 foot location?

19 A: Yes. The Mississippi Chert is a tight formation. Areal drainage is minimal.

20 Q: Do you sponsor any Exhibits of the area?

21 A: Yes, Exhibits A and B to my testimony.

22 Q: Were these Exhibits prepared by you or under your supervision?

1 A: These Exhibits were obtained by me from the public records of Butler County and depict
2 the area of Section 33.

3 Q: Can you explain your Exhibits?

4 A: Yes. My Exhibit A shows the NE/4 NW/4 of Section 33 and gives a good view of the
5 draw, or drainage located there and its width. The Exhibit also shows the original location,
6 and the revised location to the West of the original. Exhibit B shows the same area but on
7 a more distant view that allows including the ponds that lie South of our lease but in the
8 path of the drainage.

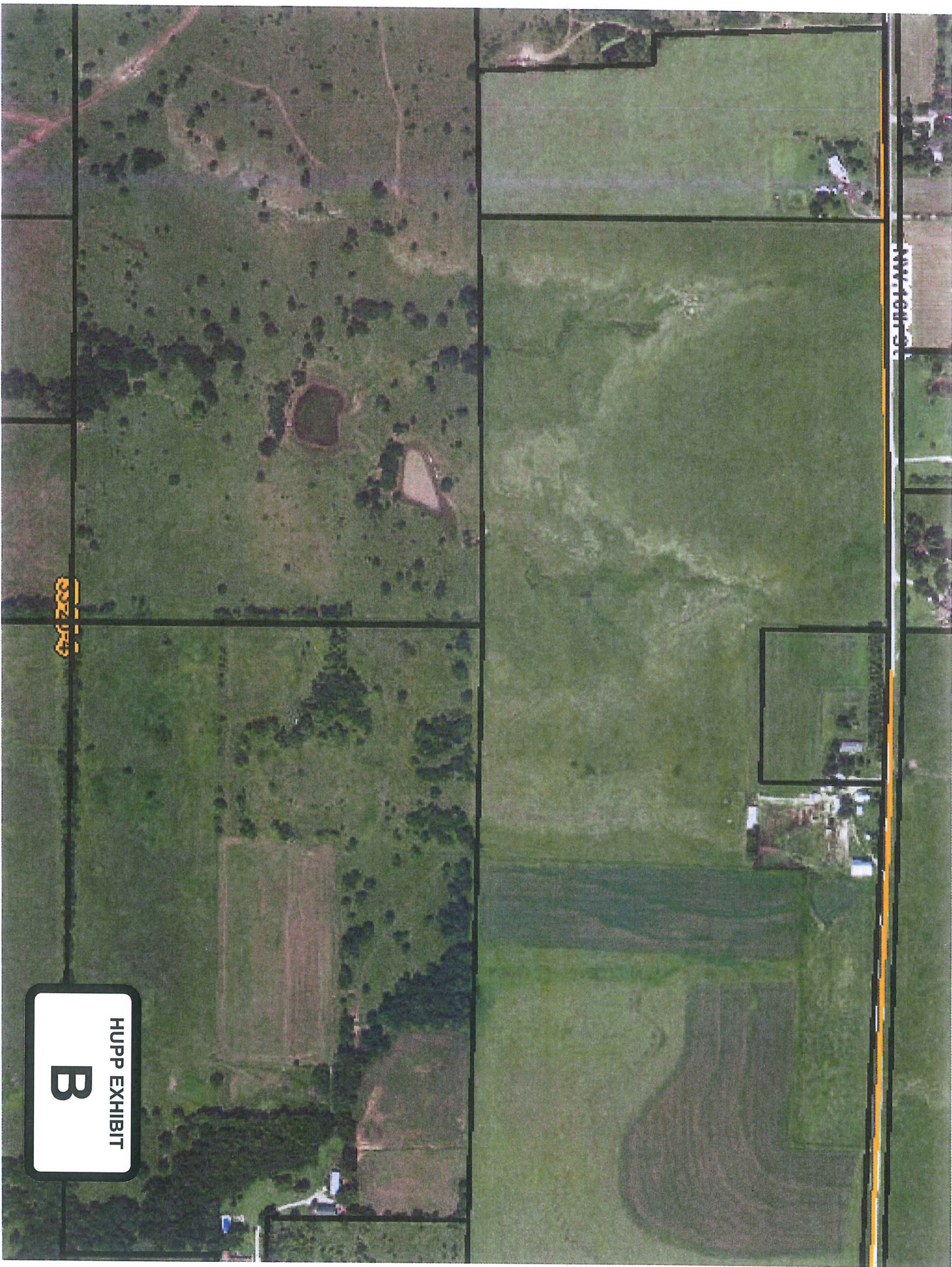
9 Q: Does this conclude your testimony?

10 A: Yes.

NW 10th St

HUPP EXHIBIT

A



100' 16" 11' 51"

100' 16" 11' 51"

100' 16" 11' 51"

HUPP EXHIBIT

B