

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

In the matter of the applications of RJ Energy, )	Docket No: 20-CONS-3231-CUIC
LLC, for injection authority at twelve wells on )	
the Murray Twin lease and ten wells on the )	CONSERVATION DIVISION
Brewer lease, both in Coffey County, Kansas. )	
)	License No: 3728

**PROTESTANT’S SUSAN ROYD-SYKES SETTLEMENT OFFER**  
**and**  
**BRIEF RESPONSE TO APPLICANT’S MOTION TO DISMISS**

1) With regards to the Prehearing Officer Order Setting Prehearing Conference dated May 13, 2020 which sets a new pre-hearing telephone conference in this matter for Thursday, June 4, 2020 at 3:00 p.m., Protestant basically agrees to the Docket history as set out by the Commission in with the following corrections and additions:

- a. Protestant’s Letter of Protest in this matter was dated February 18, 2020 and filed into the docket by the Commission on February 20, 2020.
- b. Protestant filed a Request for Hearing in this matter dated February 28, 2020 which was filed into the docket by the Commission on that same date.
- c. On behalf of RJ Energy LLC, an Entry of Appearance dated March 12, 2020 was filed by Thomas Rhoads LC, of Wichita, Kansas, who, in turn filed a Motion to Dismiss Protests dated March 16, 2020.

**SETTLEMENT OFFER**

2) With regards to a Settlement Offer in this matter, Protestant proposes the following to remedy and resolve this matter without the need of a complicated, time-and-money consuming hearing process:

A. Simply require the Applicant, RJ Energy LLC, to republish a clarified application Notice in the Coffey County Republican, and require the republished Notice to clearly and accurately state beyond a shadow of a doubt what process(es) the Applicant is intending to use at the wells referenced in the application’s Notice.

B. Require the Applicant to provide a copy of the clarified and republished Notice to all parties involved in this matter.

To assist with the republication and clarification issue and remedy, rather than the Notice solely stating:

“for a permit to authorize the **enhanced recovery** from the Murray Twins 2i 3i 4i 5i 6i 7i 9i 10i 11i 12i 13i 14i Brewer 1i 2i 3i 4i 5i 6i 7i 8i 9i 10i located in Coffey County, Kansas ... With a maximum operation pressure of 700 psig and maximum injection rate of 200 bbls per day.”

the Applicant could remedy the Notice clarification with the simple addition of **two words** and now have the Notice accurately say:

“for a permit to authorize the injection of saltwater for the enhanced recovery **of oil** from the Murray Twins 2i 3i 4i 5i 6i 7i 9i 10i 11i 12i 13i 14i Brewer 1i 2i 3i 4i 5i 6i 7i 8i 9i 10i located in Coffey County, Kansas ... “

In her research into these matters, and other related language-problematic Notices that have also been published by RJ Energy LLC for additional wells located in this same area of Coffey County, KS, Protestant is aware that this sort of republishing of Notices for clarification is something that RJ Energy LLC not only understands how to do, but has recently done.

Precisely on point, on January 16, 2020, RJ Energy LLC filed an application Notice in the Coffey County Republican, which read as follows:

“for a permit to authorize the enhanced recovery of saltwater into the Webbw 1i, 2i, 3i; Freeman A 2i; Flatrock 7,41; France 1, 7-06, 5-90; Strawder 2i; Meats 1i,2i,3i, 4i; located in Coffey County, Kansas” for a total of 14 wells located throughout SEC 10 and 11 in T23, R16E; SEC 33 T22 R16E, and SEC1 T23 R16E in Coffey County, Kansas, “with a maximum operation pressure of 800 PSIG and a maximum injection rate of 100 bbls per day”.

Exhibit A

In response, on Feb. 14, 2020, Protestant filed a protest to that Notice on grounds that the “unintelligible, meaningless language..... deems the application notice defective on its face” and “fails to accurately state any real process(es)”. Exhibit B

As a result, about two weeks later, on March 5, 2020, RJ Energy LLC itself remedied the Notice’s language issues without the need for a time-consuming expensive hearing via the simple republication of the application Notice with the change of one phrase that provided an accurate and clearly stated process, and, resultantly, Protestant has withdrawn her protest:

“ for a permit to authorize the injection of saltwater for the enhanced recovery of oil on the Webb West 1I 2I 3I, Freeman A 2I, Flatrock 7 4I, France1 7-06 5-90, Strawder 2I, Meats 1I 2I 3I 4I located in Coffey Co., Ks.” Exhibit C

***In summary, that simple, responsible, non-hearing complicated type of a remedy as set out and exemplified above is all that Protestant has asked for in this Offer of Settlement proposed here in this filing.***

### **PROTESTANT’S BRIEF RESPONSE TO APPLICANT’S MOTION TO DISMISS PROTESTS**

3. With regards to the Applicant’s March 16, 2020 eight (8) page Motion to Dismiss Protests, Applicant repeatedly contends that the Protestant failed to do the research into governing regulations and statutes regarding the precise language to be used by Applicant in the publication of application Notices for oil and gas wells or to have understanding of the same and the manner in which they govern the filing of such application notices.

In response, Protestant simply states, that to be best of her knowledge, she has never spoken with, met, or had any visits to her home office from either the Applicant, applicant’s staff, Applicant’s attorney Thomas M. Rhoads, or Mr. Rhoads’ staff, so she is truly amazed that any of those folks could believe they have any knowledge into what research she has done, what research into these matters her home office files may contain, have any insight into her understanding of the matters at hand or have any idea of the amount of time she has spent in research, preparation or filings in this matter, and that is all she has to say.

**IN CLOSING, PROTESTANT ROYD-SYKES STATES:**

Protestant Susan Royd-Sykes has made a Settlement Offer to the Applicant which simply requires Applicant to republish a clear, concisely worded application Notice that leaves no doubt as to what processes the Applicant intends to use at the wells related to the application in this matter.

It is Protestant's hope and desire that Applicant will see the wisdom in this remedy and accept the Settlement Offer that has been proffered.

Additionally, Protestant states that she has made all the response she intends to make to Applicant's Motion to Dismiss Protests.

Respectfully,

*Susan Royd-Sykes*

Susan Royd-Sykes

504 S. 6<sup>th</sup> St.,

Burlington, KS 66839

moondrummer88@gmail.com

**NOTIFICATION OF AND CERTIFICATE OF SERVICE:**

Please note, that at this time, Protestant does not have access to either notary or a FAX machine services. Protestant Susan Royd-Sykes state that on this date of May 29, 2020, true and exact copies of this document have been uploaded into the Docket in this matter, and provided to the following parties via e-mail;

**PROTESTANT'S SUSAN ROYD-SYKES SETTLEMENT OFFER**  
**and**  
**BRIEF RESPONSE TO APPLICANT'S MOTION TO DISMISS**

Cindy Hoedel  
[cindyhoedel@gmail.com](mailto:cindyhoedel@gmail.com)

Jonathan R. Myers  
Asst. General Counsel  
Kansas Corporation Commission  
[j.myers@kcc.ks.gov](mailto:j.myers@kcc.ks.gov)

Kelcey Marsh  
Litigation Counsel  
Kansas Corporation Commission  
[k.marsh@kcc.ks.gov](mailto:k.marsh@kcc.ks.gov)

RJ ENERGY LLC  
Roger Kent  
Candy Kent  
[candykent1@gmail.com](mailto:candykent1@gmail.com)

Thomas M. Rhoads  
[tmrhoads@sbcglobal.net](mailto:tmrhoads@sbcglobal.net)

(Published in *The Coffey County Republican* on Thursday, January 23, 2020)

BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

**NOTICE OF  
FILING APPLICATION**

RE: RJ Energy LLC-application for a permit to authorize the enhanced recovery from the Murray Twins 2i 3i 4i 5i 6i 7i 9i 10i 11i 12i 13i 14i Brewer 1i 2i 3i 4i 5i 6i 7i 8i 9i 10i located in Coffey County, Kansas.

TO: All oil & gas producers, unleased mineral interest owners, landowners, and all persons whomever concerned.

You, and each of you, are hereby notified that RJ Energy LLC has filed an application to commence the injection of saltwater into the squirrel formation at the Murray Twins 2i 744 FSL 5115 FEL 3i 448 FSL 4770 FEL 4i 1025 FSL 4722 FEL 5i 165 FSL 4417 FEL 6i 728 FSL 4364 FEL 7i 1155 FSL 4030 FEL 9i 412 FSL 4069 FEL 10i 165 FSL 3750 FEL 11i 710 FSL 3701 FEL 12i 1050 FSL 3418 FEL 13i 394 FSL 3373 FEL 14i 716 FSL 3029 FEL Brewer 1i 1485 FSL 5095 FEL 2i 1485 FSL 4429 FEL 3i 1485 FSL 3774 FEL 4i 1753 FSL 4756 FEL 5i 1765 FSL 4096 FEL 6i 1772 FSL 3431 FEL 7i 2102 FSL 4970 FEL 8i 2088 FSL 4379 FEL 9i 2024 FSL 3600 FEL 10i 2475 FSL 4055 FEL sec 13 T23 R16E located in Coffey County, Kansas, with a maximum operation pressure of 700 psig and maximum injection rate of 200 bbls per day.

Any persons who object to or protest this application shall be required to file their objections or protest with the Conservation Division of the State Corporation Commission of the State of Kansas within thirty (30) days from the date of this publication. These protests shall be filed pursuant to Commission regulations and must state specific reasons why granting the application may cause waste, violate correlative rights or pollute the natural resources of the State of Kansas.

All persons interested or concerned shall take notice of the foregoing and shall govern themselves accordingly.

RJ Energy LLC  
22082 NE Neosho Road  
Garnett, Kansas 66032  
(785) 448-6995

Exhibit A

Condensed Copy - does not include the KORA attachments:

14 February, 2020

Rene Stucky

Kansas Corporation Commission

Conservation Division, 266 N. Main St., Ste. 220

Wichita, KS 67202-1513

Lynn Retz

KCC Litigation Division

1500 SW Arrowhead Rd.

Topeka, KS 66604-4027

Dear Mr. Stucky and Ms. Retz:

I am writing to protest RJ Energy LLC's January 16, 2020 application notice published in the Coffey County Republican which asks the Kansas Corporation Commission "for a permit to authorize the **enhanced recovery of saltwater** into the Webb 1i, 2i, 3i; Freeman A 2i; Flatrock 7,41; France 1, 7-06, 5-90; Strawder 2i; Meats 1i,2i,3i, 4i; located in Coffey County, Kansas" for a total of 14 wells located throughout SEC 10 and 11 in T23, R16E; SEC 33 T22 R16E, and SEC1 T23 R16E in Coffey County, Kansas, "with a maximum operation pressure of 800 PSIG and a maximum injection rate of 100 bbls per day." Attachment A.

The grounds for this protest are as follows:

1) This application notice published by RJ Energy LLC in the Coffey County Republican is an application for a non-existent process – **the enhanced recovery of saltwater**. The fact that RJ Energy LLC has applied to utilize a non-existent process in 14 wells in Coffey County, results in the use of unintelligible, meaningless language which deems the application notice defective on its face. Because this application notice fails to accurately state any real process(es) that RJ Energy LLC intends to utilize at the referenced 14 wells located in Coffey County where I live, this defective application creates injury and harm to me because it creates impossibility for me to ferret out, determine or specifically state the manner in which the granting of the application may cause waste or harm to the environment, violate correlative rights or pollute the natural resources of the state of Kansas.

In support of my position that the application is defective based on its request to utilize the non-existent process of **the enhanced recovery of saltwater**, I offer the following:

1) The sample Notice Of Filing Application that the Commission provides on their website for operators such as RJ Energy LLC to use when creating publication notices offers process choices as follows: "**Application for a permit to authorize the ("enhanced recovery from" or "disposal of saltwater into")**", which clearly does not include **the enhanced recovery of saltwater** as a viable process or selection.

Attachment B.

2) In the Commission's replies to my KORAs dated 11 January, 2019 and January 14, 2019 requesting explanation/description/documentation of the definition of the process of **the enhanced recovery of saltwater**, the Commission stated "**it has been determined that the Kansas Corporation Commission does not have any records responsive to your request.**"

Attachments C, D E.

The Commission's mission statement charges the Commission to protect correlative rights and environmental resources (of Kansas) .... by enforcing regulations that provide guidelines of producing resources efficiently. Allowing operators to publish defective applications containing non-existent processes and meaningless, unintelligible language not only harms me by preventing any ability to make a clear, informed, intelligent decision on this particular application, it also violates the spirit of the Commission's oversight in these application matters, and bucks up against the overriding state statutes and the Safe Water Drinking Act.

That being said, with regards to the above referenced application notice, for the reasons stated, I pray that the Commission deem this application notice defective on its face and **DENY** this application until such time that the Commission requires RJ Energy to publish a clear, intelligible application notice in this matter in order for it to be possible for an interested citizen such as myself to be able to accurately determine and specifically state if or how the granting of the related application may cause waste, violate correlative rights or pollute the natural resources of the state of Kansas.

Sincerely,

*Susan Royd-Sykes*

Susan Royd-Sykes 504 S. 6<sup>th</sup> St., Burlington, Ks 66839 [620-803-2172](tel:620-803-2172)

Faxed to Lynn Retz and Renee Stucky, KCC, 2/14/20 with hard copies following E-mailed 2/14/20 to RJ Energy LLC with hard copy following 22082 NE Neosho Road, Garnett, Kansas 66032 785-448-6995 (no FAX) available e-mail: [candykent1@gmail.com](mailto:candykent1@gmail.com)



Thursday, March 5, 2020

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(Published in *The Coffey County Republican* on Thursday, March 5, 2020)

BEFORE THE KANSAS  
CORPORATION COMMISSION

**NOTICE OF  
FILING APPLICATION**

RE: RJ Energy, LLC - Application for a permit to authorize the injection of saltwater for the enhanced recovery of oil on the Webb West 1I 2I 3I, Freeman A 2I, Flatrock 7 4I, France 1 7-06 5-90, Strawder 2I, Meats 1I 2I 3I 4I, located in Coffey Co., KS.

TO: All Oil & Gas Producers, Unleased Mineral Interest Owners, Landowners, and all persons whomever concerned.

You, and each of you, are hereby notified that RJ Energy, LLC, has filed an application to commence the injection of saltwater in the Squirrel formation for the enhanced recovery of oil at the Webb West 1I located [4608

FSL 64 FEL] SEC10 T23 R16E; 2I located [4682 FSL 5158 FEL] 3I located [5071 FSL 5153 FEL] Freeman A 2I located [3697 FSL 4571 FEL]. SEC11 T23 R16E, Flatrock 7 located [5115 FSL 2890 FEL] 4I located [4471 FSL 3192 FEL] SEC33 T22 R16E; France 7-06 located [4143 FSL 4155 FEL] 5-90 located [4748 FSL 5115 FEL] 1 located [4290 FSL 4715 FEL] SEC31 T22 R16E, Strawder 2I located [4173 FSL 1518 FEL] Meats 1I located [1747 FSL 4453 FEL] 2I located [2068 FSL 4778 FEL] 3I [2377 FSL 5123 FEL] 4I [2433 FSL 4465] SEC1 T23 R16E Coffey Co., Kansas, with a maximum operating pressure of 800 psi and a maximum injection rate of 100 bbls per day.

Any persons who object to or protest this application shall be required to file their objections or protest with the Conservation Division of the Kansas Corporation Commission within 30 days from the date of this publication. These protests shall be filed pursuant to Commission regulations and must state specific reasons why granting the application may cause waste, violate correlative rights, or pollute the natural resources of the State of Kansas.

All persons interested or concerned shall take notice of the foregoing and shall govern themselves accordingly.

RJ Energy, LLC  
22082 NE Neosho Rd  
Garnett, KS 66032  
(785) 448-6995

Exhibit C