

**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 TDR ) Docket No: 19-CONS-3167-CUIC  
Construction, Inc. (Operator) to authorize )  
injection of saltwater into the Squirrel ) CONSERVATION DIVISION  
formation at the McCoy #4WA, #8W and )  
#9W wells, located in Section 32, Township ) License No: 32218  
15 South, Range 21 East, Franklin County, )  
Kansas. )

---

**PREHEARING OFFICER ORDER CONTINUING PREHEARING CONFERENCE**

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the pleadings and record, the Prehearing Officer makes the following findings:

1. On October 12, 2018, TDR Construction, Inc. (Operator) filed an Application seeking authorization to inject saltwater into the Squirrel formation at the McCoy #4WA, #8W and #9W wells, located in Franklin County, Kansas.<sup>1</sup> On October 6, 2018, the Notice of Filing of Application was published in the Ottawa Herald newspaper.<sup>2</sup>
2. On November 5, 2018, protests were filed by Scott Yeargain, Polly Shteamer, Paul and Lisa Jewell, and Roxanne Mettenburg.
3. On November 27, 2018, an *Order Designating Prehearing Officer and Setting Prehearing Conference* set a Prehearing Conference for December 27, 2018.<sup>3</sup>
4. Due to scheduling conflicts, the Prehearing Officer finds that the Prehearing Conference should be continued to Thursday, January 10, 2019 at 1:00 p.m.

---

<sup>1</sup> Application (Oct. 12, 2018).

<sup>2</sup> Affidavit of Publication – The Ottawa Herald (Oct. 6, 2018); filed in the docket Oct. 12, 2018.

<sup>3</sup> *Order Designating Prehearing Officer and Setting Prehearing Conference* (Nov. 27, 2018).

**THEREFORE, THE PREHEARING OFFICER ORDERS:**

A. The Prehearing Conference is continued to **Thursday, January 10, 2019, at 1:00 p.m.** by telephone. The conference call information is: telephone number: (866) 620-7326, Conference Code PIN: 7632914771#.

B. Any party that fails to attend or participate in the Prehearing Conference, hearing, or other stage of this proceeding may be held in default pursuant to the Kansas Administrative Procedure Act.<sup>4</sup>

C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).<sup>5</sup>

D. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

Dated: November 29, 2018

/s/ Michael J. Duenes

Michael J. Duenes  
Prehearing Officer

MJD

---

<sup>4</sup> K.S.A. 77-516(c)(8); K.S.A. 77-520.

<sup>5</sup> K.S.A. 55-162; K.S.A. 55-606; K.S.A. 55-707; K.S.A. 77-503(c); K.S.A. 77-531(b).

## CERTIFICATE OF SERVICE

19-CONS-3167-CUIC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of  
first class mail and electronic service on 11/29/2018.

KEITH A. BROCK, ATTORNEY  
ANDERSON & BYRD, L.L.P.  
216 S HICKORY  
PO BOX 17  
OTTAWA, KS 66067  
Fax: 785-242-1279  
kbrock@andersonbyrd.com

JAKE EASTES, GEOLOGIST SPECIALIST  
KANSAS CORPORATION COMMISSION  
Conservation Division  
266 N. Main St. Ste. 220  
WICHITA, KS 67202-1513  
Fax: 785-271-3354  
j.eastes@kcc.ks.gov

LAUREN WRIGHT, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
Conservation Division  
266 N. Main St. Ste. 220  
WICHITA, KS 67202-1513  
Fax: 316-337-6211  
l.wright@kcc.ks.gov

POLLY SHTEAMER  
2263 NEVADA RD  
OTTAWA, KS 66067  
pshteamer@gmail.com

SCOTT YEARGAIN  
2263 NEVADA RD  
OTTAWA, KS 66067  
j201942@yahoo.com

MICHAEL DUENES, ASSISTANT GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
Fax: 785-271-3354  
m.duenes@kcc.ks.gov

RENE STUCKY  
KANSAS CORPORATION COMMISSION  
Conservation Division  
266 N. Main St. Ste. 220  
WICHITA, KS 67202-1513  
Fax: 785-271-3354  
r.stucky@kcc.ks.gov

PAUL JEWELL  
PAUL AND LISA JEWELL  
3910 Labette Terrace  
Ottawa, KS 66067

ROXANNE METTENBURG  
1824 NEVADA RD  
PRINCETON, KS 66078  
citizenmett@gmail.com

LANCE TOWN  
TDR CONSTRUCTION, INC.  
PO Box 716  
Louisburg, KS 66053

**CERTIFICATE OF SERVICE**

19-CONS-3167-CUIC

/S/ DeeAnn Shupe  
\_\_\_\_\_  
DeeAnn Shupe