

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
RJM Company to authorize injection
of saltwater into the Lansing-Kansas
City formation at the Doll#3 well located in
the SW/4 of Section 27, Township 18
South, Range 11 West, Barton County, Kansas.

Docket No: 18-CONS-3305-CUIC
CONSERVATION DIVISION
License No: 30458

Objection to Notice by Applicant

July 2, 2018

I hereby object to the "Notice of Filing Application" dated January 14, 2018.

In support of this objection the following is stated:

- 1.) The application herein is subject to the notice requirements of K.A.R. 82-3-135a.
- 2.) The Notice of Filing of Application (hereinafter referenced as "Notice") published on January 14, 2018, indicates that the Applicant seeks Commission authority for "the enhanced recovery of saltwater into the Doll Lease Well #3 located in Barton County."
- 3.) The subject application indicates that the authority sought is for "enhanced recovery" using "waterflood."
- 4.) K.A.R. 82-3-101 (29) states " 'Enhanced recovery' means any process involving the injection of fluids into a pool to increase the recovery of oil or gas."
- 5.) The discrepancy between the requested authority specified in the notice ("recovery of saltwater") and the requested authority specified in the application (recovery of oil or gas) is material. The public cannot make an informed decision about whether a protest is warranted when the regulated activity is falsely described.
- 6.) Actions predicated on a material defect in a legally required notice are void. *Genesis Health Club, Inc. v. City of Wichita*, 285 Kan. 1021, 1034, 181 P.3d 549 (2008).
- 7.) Accordingly, I pray that the Commission find and conclude that the subject Notice is materially defective and dismiss this docket.

Respectfully submitted,

Cindy Hoedel, 205 Mercer Street, Matfield Green, KS 66062

CERTIFICATE OF SERVICE

I certify that on July 2, 2018, the above and foregoing Objection to Notice of Application was emailed or sent by hard copy to the entire Service List. Respectfully,

Cindy Hoedel, 205 Mercer St., Matfield Green, KS 66862