

November 4, 2018

Mr. Rene Stucky
Kansas Corporation Commission
Conservation Division
266 N. Main Street, Suite 220
Wichita, Kansas 87202-1513

Dear Mr. Stucky:

We hereby express my protest for the issuance of a permit to TDR Construction, Inc., to inject saltwater in the Superior Lease into well I-1. This well is located in the northeast $\frac{1}{4}$ of section 10, Twp. 16S, Range 21 E, Franklin county Kansas.

My protest is based on these claims which I now state:

- a) A 1920's era oil and gas map of Franklin county, Kansas, which map Scott Yeargain procured from Franklin county cartographer, Mr. Roy Baker, shows 12 oil producing wells in the NE $\frac{1}{4}$ of sec. 10, 1 oil producing well and 3 gas wells in the NW $\frac{1}{4}$ of sec. 10, 4 oil producing wells in the SE $\frac{1}{4}$ of sec. 10, 5 oil producing wells and 2 gas wells in the SW $\frac{1}{4}$ of sec 10, 1 abandoned well just north of section 10 section line, in the SE $\frac{1}{4}$ of section 3; 1 abandoned well in the extreme NE corner of the SE $\frac{1}{4}$ of section 10;
- b) The old wells referenced above, in the presence of enhanced oil recovery operations, present risk to me and my assets by virtue of the possibility, even likelihood, that such old wells are not properly plugged;
- c) The watershed for the Superior lease consists streams and draws which run generally southwest and which allow waters from said lease appear to enter the Marais des Cygnes river just above the town of Peoria, Kansas; the large creek which appears to take water from this lease is Hickory creek;
- d) The 2018 KCC abandoned well report to the Kansas legislature indicates the presence of 5 Priority 1, Level B wells located in section 10, twp. 16S, Range 21E.
- e) The watershed for the Superior lease allows waters to enter the Marais des Cygnes river above Peoria, Kansas and this proximity to the intake pipe for Franklin County Rural Water #6 presents contamination risk to this PWS;
- f) All of the above and, we own property in the Peoria Township and are customers of water district 6 in Franklin County. We were under a water boil for a month that was just lifted two weeks ago. The state has determined that the discoloration of water is being caused by manganese. Although the state maintains that the levels we have are only aesthetic and present no health risk, there are studies that conclude that high levels of manganese in the water can lead to lower IQ's in children. Even if the health risks are minimal or even false, the discoloration of our water has a significant impact on our property value(s). We do not have the resources to prove or disprove that the recent well injections that been carried out

in the area caused the recent manganese issue, but we feel that the issue should be fully investigated before any new injections in this area are approved. The profits from these injections seem to hardly justify the risk of an entire community's water supply, and the water supply of communities down stream.

The Kansas Appellate court decision *Labette County Medical Center d/b/a Labette Health v. Kansas Department of Health and Environment*, 2017 WL3203383 at *8 (Kan App. July 28, 2017) (unpublished) does, I believe, mandate an evidential hearing, allowing cross examination and discovery, based on the statements I have made.

Cordially,

Paul and Lisa Jewell
3910 Labette terr
Ottawa, Ks 66067
785-242-1117

Cc: TDR Construction, Inc.
PO Box 339
Louisburg, Kansas 66053