

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

2016-10-17 14:41:13
Kansas Corporation Commission
/s/ Amy L. Green

Before Commissioners: Jay Scott Emler, Chair
 Shari Feist Albrecht
 Pat Apple

In the matter of the failure of Energyquest)	Docket No. 16-CONS-4068-CPEN
II, LLC (“Operator”) to comply with K.A.R.)	
82-3-400 regarding injection that took place)	CONSERVATION DIVISION
during the 2015 calendar year.)	
<hr/>)	License No. 35216

**PRE-FILED REBUTTAL TESTIMONY

OF

RENE STUCKY**

1 Q. What is your name?
2 A. Rene Stucky.
3 Q. Are you the same Rene Stucky who submitted direct testimony in this matter?
4 A. Yes.
5 Q. Have you reviewed the pre-filed testimony of Phil Hudgens?
6 A. Yes.
7 Q. In Mr. Hudgens's testimony, Page 3, Lines 6-8, he states that you did not present any
8 evidence in your direct testimony that any of the wells in question operated at greater
9 than gravity pressure in 2015. Is Mr. Hudgens's assertion true?
10 A. No. In fact, I presented Operator's own fluid injection reports, where Operator stated that
11 it injected at 500 psi at each well throughout 2015.
12 Q. In Mr. Hudgens's testimony, Page 2, Lines 7-9, he states that the wells in question did
13 not inject under pressure during 2015. If Mr. Hudgen's statement is true, did Operator
14 violate any Commission regulation?
15 A. Yes. Operator violated K.A.R. 82-3-409(b) by failing to provide accurate data in its
16 original reports. If the Commission believes Operator, then the Commission's Penalty
17 Order should be modified and affirmed to reflect violations of K.A.R. 82-3-409(b) rather
18 than K.A.R. 82-3-400(a).
19 Q. Do you have any additional comments regarding Mr. Hudgens's pre-filed testimony?
20 A. Yes. His Exhibits #4 and #8 both appear to show fluid in diked areas. K.A.R. 82-3-604(b)
21 requires fluids to be removed in such situations within 48 hours after discovery or
22 knowledge. His Exhibit #2 appears to show a tank battery identification sign listing a
23 different operator. K.A.R. 82-3-126 requires identification signs to list the current
24 operator. I do not know if the pictures represent what is currently in the field at
25 Operator's leases, and the pictures may not necessarily indicate a violation, but I
26 encourage Operator to make sure they are in compliance with those regulations.
27 Q. Does this conclude your rebuttal testimony as of this date, October 17, 2016?
28 A. Yes.

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

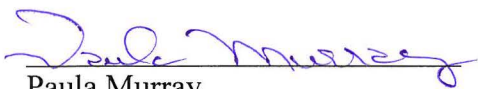
Before Commissioners: Jay Scott Emler, Chair
 Shari Feist Albrecht
 Pat Apple

In the matter of the failure of Energyquest)	Docket No. 16-CONS-4068-CPEN
II, LLC ("Operator") to comply with K.A.R.)	
82-3-400 regarding injection that took place)	CONSERVATION DIVISION
during the 2015 calendar year.)	
_____)	License No. 35216

CERTIFICATE OF SERVICE

I, Paula Murray, certify that on October 17, 2016, I did cause a true and correct copy of the Pre-Filed Rebuttal Testimony of Rene Stucky to be served by United States mail, first class, postage prepaid to the following:

David E. Bengtson
Stinson Leonard Street LLP
1625 N. Waterfront Parkway, Suite 300
Wichita, Kansas 67206
Attorney for Energyquest II, LLC



Paula Murray
Legal Assistant
Kansas Corporation Commission