

MAY 08 2008

CONSERVATION DIVISION
WICHITA, KS

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

IN THE MATTER OF THE APPLICATION OF)
DAYSTAR PETROLEUM, INC., FOR A BASIC) DOCKET NO. 08-CONS-164-CBPO
PRORATION ORDER FOR THE HOSS LAKE)
CHESTER OIL AND GAS POOL IN THE)
SOUTHEAST QUARTER OF SECTION 8,)
THE EAST HALF OF SECTIONS 17, 20, 29)
AND 32, THE SOUTH HALF OF SECTIONS 9)
AND 10, AND ALL OF SECTIONS 16, 15, 21,)
22, 28, 27, 33 AND 34 IN TOWNSHIP 31)
SOUTH, RANGE 30 WEST, AND THE)
NORTHEAST QUARTER OF SECTION 5 AND)
THE NORTH HALF OF SECTIONS 3 AND 4)
IN TOWNSHIP 32 SOUTH, RANGE 30 WEST,) OPERATOR NO. 30931
MEADE COUNTY, KANSAS) CONSERVATION DIVISION
_____)

**DAYSTAR PETROLEUM, INC.'S, REPLY TO MOTION
FOR EXPEDITED HEARING ON APPLICATION**

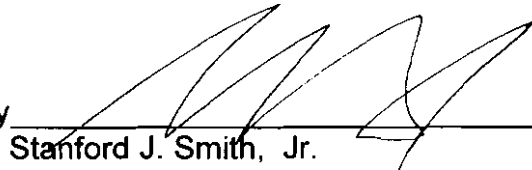
COMES NOW, Daystar Petroleum, Inc., ("Daystar") and in reply to the Motion of Keith F. Walker Oil & Gas Co., LLC, ("Keith FI Walker") for Expedited Hearing on Application, states, alleges and avers as follows:

1. Daystar requested the Commission set this matter for hearing on July 17, 2008, in order to provide for reasonable time for discovery and for a pre-hearing conference in this matter.
2. Daystar hereby requests a pre-hearing conference be scheduled in this matter pursuant to K.A.R. 82-1-222 in order to establish an extended timeline for the filing of prefiled testimony simplification of the issues and to allow for a schedule for discovery in this matter.

3. In addition, Daystar is unable to proceed with a hearing on the docket of June 27, 2008. Counsel for Daystar has a jury trial beginning June 2, 2008, which is scheduled to last through June 24, 2008. Therefore, the earliest Daystar could proceed with hearing on this matter would be the July 17, 2008 docket.

WHEREFORE, Daystar respectfully requests that the Motion of Keith F. Walker for Expedited Hearing on the Application be denied and that his matter be set for a pre-hearing conference and that this matter not be set for hearing any sooner than July 17, 2008.

By



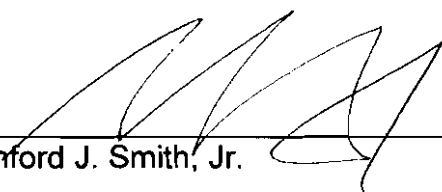
Stanford J. Smith, Jr.
MARTIN, PRINGLE, OLIVER, WALLACE
& BAUER, L.L.P.
100 North Broadway, Suite 500
Wichita, KS 67202
Attorney for Applicant

VERIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

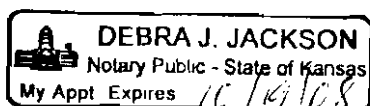
Stanford J. Smith, Jr., being of lawful age and being first duly sworn upon his oath, deposes and says:

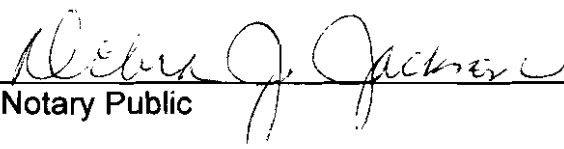
That he is the attorney for Daystar Petroleum, Inc.; he has read the above and forgoing Response and is familiar with the contents thereof and that the statements made therein are true and correct to the best of his knowledge and belief.



Stanford J. Smith, Jr.

SUBSCRIBED AND SWORN to before me this 8th day of May, 2008.





Notary Public

My Appointment Expires:
10/19/08

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Response to Motion for Expedited Hearing on Application was hand delivered on this 8th day of May, 2008, to:

John G. McCannon, Esq.
Kansas Corporation Commission
130 South Market, Room 2078
Wichita, KS 67202

and a copy mailed to:

John G. Pike, Esq.
WITHERS, GOUGH, PIKE, PFAFF
& PETERSON, LLC
200 West Douglas, Suite 1010
Wichita, KS 67202
Attorneys for Keith F. Walker



Stanford J. Smith, Jr.