

Docket 15-CONS-233-CUIC

I, Jacinta Davis of 25161 Mackey Road, Lawrence, Kansas hereby protest the drilling Heavy Oil Solutions located in NE/4 Of Section 23, Township 12 south, Range 20 East, Leavenworth County, Kansas on this day the 28th of October 2014.

This protest is being lodged against drilling of the Injection well due to the documented damage they cause to the environment and potential of contamination of the well water on my property. After reading several other case documents it is abundantly clear that the KCC will be unconcerned about this. I read not one case testimony where an application was denied due to these concerns.

1) The most compelling argument against granting this license is the physical evidence that on this same location Heavy Oil Solutions has violated KCC requirements about location of production wells near my property. There are two wells that are not 165 feet from my property. If this company blatantly disregards these requirements then I believe they will be in non-compliance in issues regarding the injection site. Will the KCC remedy this violation of my mineral rights?

82-3-108. WELL LOCATION; EXCEPTION.

(a) General setback requirement. Except as provided by subsection (b) or (c), an oil well or gas well shall not be drilled nearer than 330 feet from any lease or unit boundary line.

(b) Setback requirements for eastern Kansas.

(1) An oil well that is drilled to a total depth of less than 2,000 feet and is drilled in one of the following counties shall not be drilled nearer than 165 feet from the nearest lease or unit B-7 (10/08)

boundary line: Allen, Anderson, Atchison, Bourbon, Brown, Cherokee, Coffey, Crawford, Douglas, Elk, Franklin, Greenwood, Jackson, Jefferson, Johnson, Labette, Leavenworth, Linn, Lyon, Miami, Montgomery, Neosho, Osage, Shawnee, Wilson, Woodson, and Wyandotte.

(e) Additional application requirements. Each application submitted under subsection (d) shall be accompanied by the proposed notice of the intention to drill and a plat, drawn to the scale of one inch equalling 1,320 feet, that accurately shows the following:

- (1) The property on which the well is sought to be drilled;
- (2) all other completed, partially drilled, or permitted wells on the property; and
- (3) all adjacent properties and wells.

These requirements have not been met on the production wells. What assurance do we have that the operator will be in compliance on any issue?

- 2) The leasee is telling neighbors that this is a natural gas play. This implies that the injection well process is but a ruse to fool the KCC.
- 3) We are still anxiously awaiting the field visit of a KCC staff member to the site for oversight purposes.
- 4) While not addressed by law or regulations, the appearance of the site remains a constant reminder that the operator and land owner granting the lease have no regard for the neighbor's rights. While not wanting to suppress the rights of the landowner granting the lease, a site that is a blight will continue to create a public relations problem for the entire industry.
- 5) Keith Brook, counsel for the operator mentioned on the pre hearing call that he would send documents. We are not in receipt of any as of this writing. How can we trust these folks to comply with KCC regulations where their lack of integrity is demonstrated by their legal adviser?

Signed

Jacinta M Davis