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Kansas Corporation Commission
/S/ Susan K. Duffy

MAY 14 2008

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

CONSERVATION DIVISION
WICHITA, KS

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
_____)

**REPLY TO RESPONSE OF KEITH F. WALKER OIL AND GAS CO., LLC,
TO DAYSTAR PETROLEUM, INC.'S, REPLY TO MOTION TO
REVOKE APPROVAL OF DRILLING INTENTS AND
FOR EXPEDITED HEARING**

COMES NOW, Daystar Petroleum, Inc., ("Daystar") and in response to the response of Keith F. Walker Oil & Gas Co., LLC, ("Walker") states, alleges and avers as follows:

1. All of Daystar's proposed intents expressly meet the most restrictive location set forth in the Application. Paragraph 2 of the proposed Basic Proration Order provides an exception for intents that were filed prior to the drilling of the Application. Each of Daystar's intents were filed and approved prior to the filing of the Application and, therefore, do meet the most restrictive restriction in the proposed Basic Proration Order and are not in violation of K.A.R. 82-3-109(d).

2. Each of the proposed wells are necessary as protective offsets to Walker's drilling activities and are necessary to protect Daystar's correlative rights.

WHEREFORE, Daystar respectfully requests that the Walker's Motion to Revoke Approval of Drilling Intents be denied.

By 

Stanford J. Smith, Jr.
MARTIN, PRINGLE, OLIVER, WALLACE
& BAUER, L.L.P.

100 North Broadway, Suite 500
Wichita, KS 67202

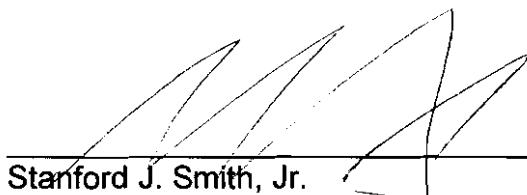
Attorney for Applicant

VERIFICATION

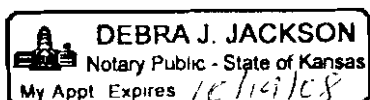
STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

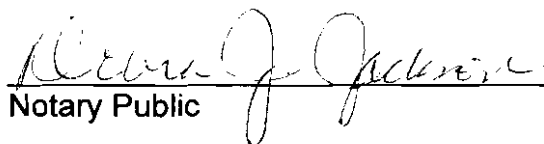
Stanford J. Smith, Jr., being of lawful age and being first duly sworn upon his oath, deposes and says:

That he is the attorney for Daystar Petroleum, Inc.; he has read the above and forgoing Reply 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 14th day of May, 2008.




Notary Public

My Appointment Expires:
10/19/08

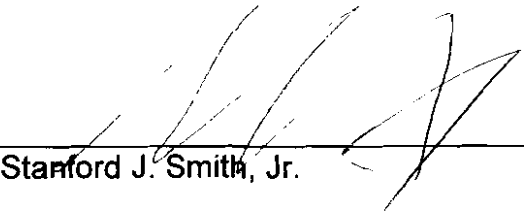
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Response to Motion to Revoke Approval of Drilling Intents and for Expedited Hearing was hand delivered on this 14th 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.