

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

Before Commissioners:

Jay Scott Emler, Chairman
Shari Feist Albrecht
Pat Apple

In the matter of a Compliance Agreement)
Between Steven A. Leis and Commission Staff)
regarding bringing the twenty-eight wells in)
compliance with K.A.R. 82-3-111)
_____)

Docket No.: 16-CONS-3876-CMSC
CONSERVATION DIVISION
License No.: 33900

Pursuant to the Kansas Statutes & Administrative Regulations

PETITION OF LANDOWNER FOR INTERVENTION

Comes now, LD and Cheryl McCormick, husband and wife, Petitioners herein, and do hereby Petition for Intervention as interested parties in the above-entitled cause of action pursuant to K.S.A. 77-521, or as otherwise provided by law.

In support thereof, Petitioners allege and state as follows:

1) Petitioners, LD and Cheryl McCormick, reside at 1266 80th Road, Yates Center, Kansas, 66783.

2) Petitioners are the owners of the following described property, to wit:

South Half (S/2) of Section 28, Township 25 South, Range 15 East of the 6th P.M., Woodson County, Kansas.

3) The land described in paragraph 2 was covered by and oil and gas lease formerly described as the "Hartzler" oil and gas where the following unplugged wells are located according to records maintained by the Kansas Corporation Commission:

In the Matter of a Compliance Agreement
Between Steven A. Leis and Commission Staff
regarding bringing the twenty-eight wells in
Woodson County into compliance with K.A.R. 82-3-111
Docket No. 16-CONS-3876-CMSC
CONSERVATION DIVISION
License No. 33900
Filed by Fax to 316-337-6106
Page 1

a.	Hartzler #4	API 15-207-21924
b.	Hartzler #5	API 15-207-23773
c.	Hartzler #6	API 15-207-23774
d.	Hartzler #7	API 15-207-23775
e.	Hartzler #8	API 15-207-23776
f.	Hartzler #9	API 15-207-23795
g.	Hartzler #11	API 15-207-23794
h.	Hartzler #12	API 15-207-23797
i.	Hartzler #14	API 15-207-23849
j.	Hartzler #15	API 15-207-23850
k.	Hartzler #17	API 15-207-23852
l.	Hartzler #18	API 15-207-23853
m.	Hartzler #19	API 15-207-23854
n.	Hartzler #20	API 15-207-23855
o.	Hartzler #23	API 15-207-23899
p.	Hartzler #25	API 15-207-23901 (Injection Well)
q.	Hartzler #29	API 15-207-23920 (Injection Well)
r.	Hartzler #31	API 15-207-23930 (Injection Well)
s.	Hartzler #37	
t.	Hartzler #44	API 15-207-23936
u.	Hartzler #51	API 15-207-23923
v.	Hartzler #55	API 15-207-23998
w.	M. Hartzler #8	API 15-207-22874
x.	Hartzler #39	API 15-207-23938
y.	Hartzler #40	API 15-207-23939
z.	Hartzler #41	API 15-207-23940
aa.	Hartzler #46	API 15-207-23945
bb.	Hartzler #47	API 15-207-23946

4) Petitioners give notice to the Kansas Corporation Commission (KCC) that the oil well identified by KCC records as the Hartzler #22 well located on the land and property described in paragraph 2 above appears to be unplugged because the wellhead remains with a ball valve on it.

5) Petitioners further give notice to the Kansas Corporation Commission that oil wells identified by KCC records as the Hartzler #30 and Hartzler #48 wells located on the land

and property described in paragraph 2 above also appear to be unplugged.

6) Petitioners further give notice to the Kansas Corporation Commission that the oil and gas lease covering the land and property described in paragraph 2 above, and formerly known as the "Hartzler" lease was released by Steven A. Leis a/k/a Steve Leis on or about August 15, 2014, and said release of oil and gas lease was duly filed of record with the Woodson County Register of Deeds on or about January 26, 2015.

7) A true and correct copy of the recorded release of oil and gas lease referenced in paragraph 6 above is attached hereto, marked Exhibit "A", and incorporated herein by reference.

8) K.S.A. 77-521, provides for granting a Petition for Intervention if:

(1) The petition is submitted in writing to the presiding officer, with copies mailed to all parties named in the presiding officer's notice of the hearing, at least three business days before the hearing;

(2) the petition states facts demonstrating that the petitioner's legal rights, duties, privileges, immunities or other legal interests may be substantially affected by the proceeding or that the petitioner qualifies as an intervener under any provision of law; and

(3) the presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.

9) Petitioners state that their Petition for Intervention is submitted in writing as set forth herein with the original submitted to the Commission for filing as provided by law with copies to the parties listed in the Certificate of Mailing.

10) Petitioners' legal rights, duties, privileges, immunities or other legal interests are substantially affected by these proceedings.

11) Petitioners qualify as an intervener as provided by law since all orders issued or to be issued by the Commission affect their property rights as owners of the real property more specifically described in paragraph 2 above.

12) Petitioners also qualify as an intervener as provided by law since all orders issued or to be issued by the Commission affect their legal and constitutional rights to full use and enjoyment of their real property described in paragraph 2 above.

13) Petitioners qualify as an intervener herein because the oil and gas lease covering their property and formerly known as the "Hartzler" lease was released by Steven A. Leis a/k/a Steve Leis on or about August 15, 2014, and said release of oil and gas lease was duly filed of record with the Woodson County Register of Deeds on or about January 26, 2015.

14) Petitioners qualify as an intervener and should be allowed to intervene herein as an interested party because there are numerous unplugged wells now located on their land as described in paragraphs 2, 3, 4 and 5 above.

15) Petitioners should be allowed to intervene in these proceedings as an interested party because all orders issued or to be issued by the Commission affect their legal right to have all existing oil wells plugged by the licensed Operator, Steven A. Leis, in full compliance with all applicable KCC regulations and as otherwise provided by law.

16) Petitioners should be allowed to intervene in these proceedings as an interested party because all orders issued or to be issued by the Commission affect and could conflict with their legal right to have all existing oil wells plugged, all oil and gas equipment removed and the

land restored to prelease conditions pursuant to K.S.A. 55-177 which provides as follows:

In the Matter of a Compliance Agreement
Between Steven A. Leis and Commission Staff
regarding bringing the twenty-eight wells in
Woodson County into compliance with K.A.R. 82-3-111
Docket No. 16-CONS-3876-CMSC
CONSERVATION DIVISION
License No. 33900
Filed by Fax to 316-337-6106
Page 4

55-177. Removal of structures and abutments from lands after abandoning wells; exception. (a) Leaving the surface of lands with a part of the operating structure or other equipment intact after abandoning oil or gas wells is against public policy, and constitutes a public nuisance, and shall be hereafter prohibited. Whenever any lease operator abandons any oil or gas well, the lease operator, within six months thereafter, shall remove any rig, derrick or other operating structure, and all abutments and other obstacles of every kind or size used in the operation of such oil or gas lease, from the land upon which the well was theretofore operated, and shall grade the surface of the soil in such manner as to leave the land, as nearly as practicable, in the same condition after the removal of such structures, equipment and obstacles as it was before such structures and abutments were placed thereon, unless the owner of the land and the abandoning party have entered into a contract providing otherwise.

(b) Any person, firm, association, partnership or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$100 nor more than \$500.

17) Petitioners should be allowed to intervene in these proceedings as an interested party because an order issued or to be issued by the Commission that gives Steven A. Leis, as the last owner and Operator of the former oil and gas lease covering Petitioner's land as described in paragraphs 2, 3, 4 and 5 above, more time to plug the existing oil wells than what is otherwise provided by K.S.A. 55-177 could substantially affect or impair Petitioner's legal rights or other legal interests with respect to their land.

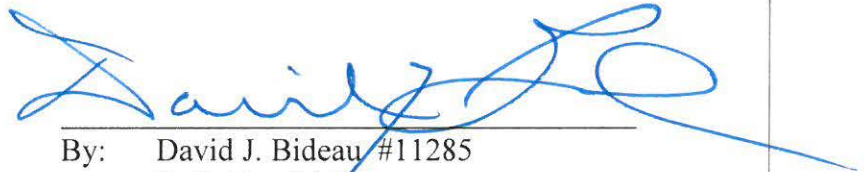
18) Petitioners received no prior written notice of these proceedings from the Kansas Corporation Commission.

19) Petitioner's believe that their legal and constitutional rights have been affected by lack of any prior notice of these proceedings from the Kansas Corporation Commission and no opportunity to be heard.

20) The Petition for Intervention filed herein by Petitioners should be approved and granted for good cause shown pursuant to K.S.A. 77-521, or as otherwise provided by law.

WHEREFORE, Petitioners request that their Petition for Intervention be granted for good cause shown, and that Petitioners be granted such other and further relief to which they may otherwise be entitled herein.

BIDEAU LAW OFFICES, LLC



By: David J. Bideau #11285
P. O. Box 945
Chanute, Kansas 66720-0945
(620) 431-2720 (Voice)
(620) 431-2742 (Fax)
Attorney for Petitioners
LD & Cheryl McCormick

VERIFICATION

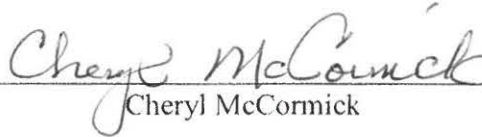
STATE OF KANSAS, COUNTY OF NEOSHO, SS:

Comes now, LD and Cheryl McCormick, husband and wife, being of lawful age, and first duly sworn upon oath, state that:

They are the Petitioners in the above entitled Petition for Intervention; that they have read the foregoing Petition for Intervention and know the contents thereof, and that the allegations contained therein are true and correct on information and belief.

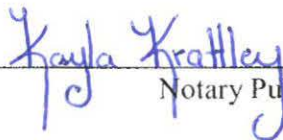


LD McCormick



Cheryl McCormick

Subscribed and sworn to before me this 28th day of March, 2016, by LD McCormick and Cheryl McCormick, husband and wife.



Notary Public

My Appointment Expires:

August 5, 2018

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the above and foregoing Petition for Intervention was served upon the following parties by depositing the same in the U.S. Mail, postage prepaid, addressed as follows on this 29th day of March, 2016.

Original to: Kansas Corporation Commission
Conservation Division
266 North Main, Suite 220
Wichita, Kansas 67202

Copy to: Mr. Jonathan R. Myers
Litigation Counsel
Kansas Corporation Commission
266 North Main, Suite 220
Wichita, Kansas 67202

Copy to: Steven A. Leis
1135 30th Road
Yates Center, Kansas 66783

Copy to: John Almond
Kansas Corporation Commission
Conservation Division - District 3 Office
1500 West 7th Street
Chanute, Kansas 66720


Bideau Law Offices, LLC

We further certify that on the 29th day of March, 2016, the original thereof was faxed to the Kansas Corporation Commission - Conservation Division of the State of Kansas at 316-337-6106, for filing in this matter with no error in transmission shown.


Bideau Law Offices, LLC

In the Matter of a Compliance Agreement
Between Steven A. Leis and Commission Staff
regarding bringing the twenty-eight wells in
Woodson County into compliance with K.A.R. 82-3-111
Docket No. 16-CONS-3876-CMSC
CONSERVATION DIVISION
License No. 33900
Filed by Fax to 316-337-6106
Page 8

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

the matter of a Compliance Agreement)	Docket No.: 16-CONS-3876-CMSC
Between Steven A. Leis and Commission Staff)	
regarding bringing the twenty-eight wells in)	CONSERVATION DIVISION
compliance with K.A.R. 82-3-111)	
<hr/>		License No.: 33900

EXHIBIT "A"

In the Matter of a Compliance Agreement
Between Steven A. Leis and Commission Staff
regarding bringing the twenty-eight wells in
Woodson County into compliance with K.A.R. 82-3-111
Docket No. 16-CONS-3876-CMSC
CONSERVATION DIVISION
License No. 33900
Filed by Fax to 316-337-6106
Page 9


Release of Oil and Gas Lease

STATE OF KANSAS, COUNTY OF WOODSON, ss:

The undersigned releases, surrenders, and forever quitclaims to the Lessor named in the Oil and Gas Lease, and the Lessor's successors in interest, any and all rights whatsoever acquired or held under that certain Oil and Gas Lease date August 24, 1992, and recorded in Book 73 at Page 235 of the Register of Deeds, Woodson County, Kansas, insofar as the Lease together with any ratifications, amendments, extensions or renewals, cover the following land:

LEGAL DESCRIPTION: The South Half (S/2) of Section 28, Township 25 South, Range 15 East of the 6th P.M.

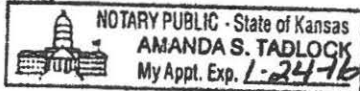
Dated this 15th day of August, 2014.



Steve Leis

Acknowledged before me, the undersigned notary public, by Steve Leis, this 15th day of August, 2014.

My appointment expires:
(SEAL)


Notary Public

WOODSON COUNTY REGISTER OF DEEDS
Book: S96 Page: 73
Pages Recorded: 1 Recording Fee: \$12.00
Date Recorded: 1/26/2015 9:40:00 AM

✓✓