

**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) 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)
_____) License No.: 33900

Pursuant to the Kansas Statutes & Administrative Regulations

LANDOWNER'S RESPONSE TO KCC STAFF RESPONSE
OPPOSING PETITION FOR RECONSIDERATION
OF MARCH 15, 2016, ORDER APPROVING COMPLIANCE AGREEMENT

Comes now, LD and Cheryl McCormick, husband and wife, Petitioners herein, and submit their response to KCC staff's response opposing the Petition for Reconsideration of the March 15, 2016, Order Approving Compliance Agreement filed by Petitioners.

In response, Petitioners allege and state as follow:

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 an oil and gas lease formerly described as the "Hartzler" lease. The oil and gas lease was released by the Operator on August 15, 2014.

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Between Steven A. Leis and Commission Staff
regarding bringing the twenty-eight wells in
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CONSERVATION DIVISION
License No. 33900 - Filed Electronically
Page 1

4) Neither Steven A. Leis (Operator) nor KCC staff present any evidence of prejudice by an order allowing reconsideration of the March 15, 2016, Order Approving Compliance Agreement.

5) In further support of the Petition for Reconsideration, Petitioners state that there appears to be discrepancies with respect to the unplugged wells listed in the Compliance Agreement, (Petition for Intervention, Exhibit B), as follows:

a) 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.

b) The 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.

c) The oil wells listed in the Compliance Agreement, (Petition for Intervention, Exhibit B), as the Hartzler #8, #39, #40, #41, #46 and #47 do not correspond with information and well location previously provided to Petitioners by KCC staff.

d) The Compliance Agreement, (Petition for Intervention, Exhibit B), lists the Hartzler #25, #29 & #31 wells as being injections wells. However, it appears that Hartzler #2 may actually be Hartzler #31 which was to have been converted to a non-injection well based on information previously received by Petitioners from KCC staff.

e) The oil and gas lease covering the land described in paragraph 2 above, and formerly known as the "Hartzler" lease, was released by Steven A. Leis a/k/a Steve Leis

(Operator) on or about August 15, 2014. The release of oil and gas lease was duly filed of record with the Woodson County Register of Deeds on or about January 26, 2015. However, the Operator submitted Temporary Abandonment Well Applications to the KCC for Hartzler well #31 on or about September 17, 2015, after the oil and gas lease was released.

f) For year 2015, the Operator also submitted an Annual Report of Pressure Monitoring, Fluid Injection and Enhanced Recovery documents to the KCC covering the Hartzler #23, #25 and #29 wells. However, the Compliance Agreement (Petition for Intervention, Exhibit B), does not show the Hartzler #23 well as being an injection type well.

6) Petitioners rights, duties, privileges, immunities or other legal interests are substantially affected due to apparent discrepancies with respect to the wells listed in the Compliance Agreement. Granting the Petition for Reconsideration will allow opportunity for KCC staff and the parties to correct the record and properly identify well locations, well types, and well status for plugging.

7) The Petition for Reconsideration should be granted due to the apparent discrepancies in the Compliance Agreement as set forth herein. As such, the KCC should set aside the March 15, 2016, order approving the Compliance Agreement.

8) Petitioners received no written notice of the March 15, 2016, Order Approving Compliance Agreement that was entered and filed herein.

9) The Petition for Reconsideration should be granted because the March 15, 2016, Order Approving Compliance Agreement issued by the KCC affects Petitioners legal and constitutional rights with respect to their property and was entered without any notice to

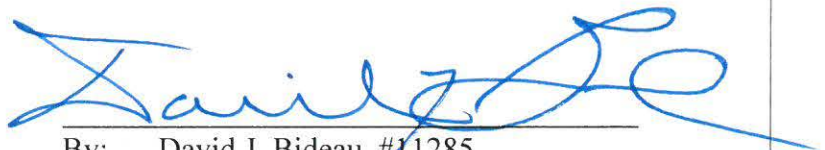
Petitioners or opportunity to be heard.

10) The Petition for Reconsideration should be granted because the Compliance Agreement, (Petition for Intervention, Exhibit B), appears to contain errors and have discrepancies as to content, well location, well identification and well status as set forth herein.

11) No objection to the Petition for Reconsideration has been filed by the Operator to the knowledge of Petitioners as of this date.

WHEREFORE, the Petition for Reconsideration of the March 15, 2016, Order Approving Compliance Agreement filed by Petitioners should be granted; and that Petitioners should be granted such other and further relief to which they may otherwise be entitled herein.

BIDEAU LAW OFFICES, LLC



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Attorney for Petitioners
LD & Cheryl McCormick

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the above and foregoing Landowner's Response to KCC Staff Response Opposing Petition for Reconsideration of March 15, 2016, Order Approving Compliance Agreement was served upon the following parties by depositing the same in the U.S. Mail, postage prepaid, addressed as follows on this 25th day of April, 2016.

Original to: Agency Head
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 25th day of April, 2016, the original thereof was submitted electronically to the Kansas Corporation Commission - Conservation Division of the State of Kansas for filing in this matter.


Bideau Law Offices, LLC