

Rene Stucky  
Kansas Corporation Commission  
Conservation Division  
266 N. Main St., Ste. 220  
Wichita, KS 67202-1513

**KCC WICHITA**  
**OCT 26 2017**  
**RECEIVED**

Dear Mr. Stucky:

*18-cons-3196-CMC*

I am writing to ask that the Kansas Corporation Commission deny the application by Midstates Energy Operating, LLC for a permit to authorize the injection of saltwater into the Squirrel formation at the Thrasher Lease 10 330 FSL 3170 FEL; located in the Sec. 25, Twp. 13, R 20E, Douglas County, Kansas, with a maximum operating pressure of 400 psig, and a maximum injection rate of 100 bbls per day.

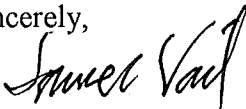
I live two miles directly west of this proposed injection site, and have concerns about wastewater making its way into our well – which waters livestock.

K.S.A. 82a-702 states: “All water within the state of Kansas is hereby dedicated to the use of the people of the state, subject to the control and regulation of the state in the manner herein prescribed.”

K.S.A 82a-705 states: “No person shall have the power or authority to acquire a new appropriation right to the use of water for other than domestic use without first obtaining the approval of the chief engineer, and no water rights of any kind may be acquired hereafter solely by adverse use, adverse possession, or by estoppel.”

In addition to my concerns regarding our Kansas water supplies, these wells are known to create induced seismic activity. In the last weeks alone the following quakes have happened in areas where this type of oil recovery/salt water injection is taking place:  
near Mankato: 2.7M at 9:13pm, Oct. 13; near Harper: 3.1M at 6:29pm, Oct 11; near Salina: 2.5M at 3:25pm, Oct. 19; near Anthony: 2.6M at 8:27pm, Oct. 8; near Harper: 2.6M at 3:20pm, Oct. 8. To the best of my knowledge, there is currently no regulatory oversight in place to require oil operators to provide compensation for resulting damage, and to the best of my knowledge, no property owner in Kansas has been compensated by the oil industry for such related damage. For the reasons stated above, I respectfully urge the KCC to deny this application.

Sincerely,



James Vail  
1012 E 1700 Rd  
Lawrence, KS 66046

Conservation Division  
266 N. Main St., Ste. 220  
Wichita, KS 67202-1513



Phone: 316-337-6200  
Fax: 316-337-6211  
<http://kcc.ks.gov/>

Pat Apple, Chairman  
Shari Feist Albrecht, Commissioner  
Jay Scott Emler, Commissioner

Sam Brownback, Governor

October 27, 2017

**JAMES VAIL**  
**1012 E 1700 ROAD**  
**LAWRENCE KS 66046**

**RE:** Application for Injection Authority  
Docket No. E-31,965  
MidStates Energy Operating LLC  
Trasher #10  
Sec. 25-13S-20E  
Douglas County, Kansas

Dear Mr. Vail:

This letter acknowledges receipt of your protest/objection to the above-referenced application.

Please advise me within ten (10) days of receiving this letter if you feel a hearing should be scheduled in this matter. If a hearing is scheduled, you will be expected to participate in the hearing either in person or through legal counsel. Should you decide that you will not participate in a hearing, none will be scheduled and the application will be handled administratively and your protest will be noted. The U.S. Environmental Protection Agency (EPA) requires a hearing be held where significant interest is demonstrated. Failure to participate in the hearing process after filing a protest or objection indicates a lack of significant interest and no useful purpose would be served by holding a hearing if you, as opposing party, are not there to present testimony or cross-examine applicant's witnesses. If you are going to appear, you will receive a Notice of Hearing and should carefully comply with that Notice, including the requirement of pre-filed testimony. Any person requiring special accommodations under The Americans With Disabilities Act needs to give notice to the Commission at least ten (10) days prior to the scheduled hearing date. If you have questions regarding the hearing process, please contact Jon Meyers (316-337-6200) of our legal staff.

Commission staff has the duty to represent the public in general in recommending approval or denial of applications for injection or disposal well authority. One of the Commission's primary concerns is the protection of our groundwater and environment. If no hearing is held on this application, your objection will be taken into consideration by our staff in making a recommendation on this application. All of our staff geologists and technicians have qualified as expert witnesses and are sensitive to the concerns expressed by you and the citizens of our State.

Enclosed is a copy of the Conservation Division regulations regarding applications, hearings, and protestants. If you have any other questions, please do not hesitate to contact me.

Very truly yours,

  
Rene Stucky  
UIC Director

cc: MidStates Energy Operating LLC  
District Office # 3  
Jerry Knobel  
Legal  
File ✓

Enclosure