

November 17, 2017

2017-12-13 13:35:37

Kansas Corporation Commission

/s/ Lynn M. Retz

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

Received
KANSAS CORPORATION COMMISSION

NOV 20 2017

CONSERVATION DIVISION
WICHITA, KS

Dear Mr. Stucky,

I have served on the Lower Kansas WRAPS Stakeholder Leadership Team for 10 years. Over that time the WRAPS SLT and property owners in the watershed have invested tremendous time and hundreds of thousands of dollars to install BMP's to improve water quality in the Lower Kansas. There are 144 active public water supply sites in the watershed, some using surface water, but the predominant source of these public water supplies is groundwater. Thus, I am deeply concerned about the potential for groundwater contamination from wastewater injection wells and the consequent effect on human and animal health throughout the watershed.

Today I write to urge the Kansas Corporation Commission deny the application by Midstates Energy Operating, LLC for a permit to authorize the injection of saltwater into the the Squirrel formation at the Hadl Lease I-1 4750 FSL 4590 FEL I-2 4290 FSL 4590 FEL; located in the Sec. 36, Twp. 13, R 20E, Douglas County, Kansas, with a maximum operating pressure of 600 psig, and a maximum injection rate of 100 bbls per day.

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."

However, I am not only concerned about the Lower Kansas water supplies for these wells are acknowledged by the United State Geological Survey to create induced seismic activity. Past events in Oklahoma have been devastating. Furthermore, in the last weeks alone the following quakes have happened in Kansas 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, as far as I know, no property owner in Kansas has been compensated by the oil industry for such related damage. Because of my strong concerns stated above, I respectfully request the KCC to deny this application.

Sincerely,

Susan C. Iversen

Susan Iversen, Member, Lower Kansas WRAPS Stakeholder Leadership Team
1305 Engel Road, Lawrence, Kansas 66044
siversen@sunflower.com
785-494-8940

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



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

Sam Brownback, Governor

November 27, 2017

SUSAN C IVERSEN
1305 ENGEL ROAD
LAWRENCE KS 66044

RE: Application for Injection Authority
Docket No. E-32,566
MidStates Energy Operating LLC
Hadl I-1 & I-2
Sec. 36-13S-20E
Douglas County, Kansas

Dear Mrs. Iversen:

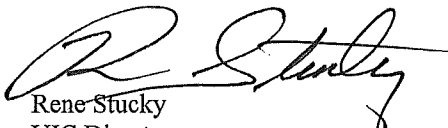
This letter acknowledges receipt of your protest/objection to the above-referenced application.

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 application 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 application, 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 E-32,566 ✓

Enclosure