

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

BEFORE COMMISSIONERS: Pat Apple, Chairman
Shari Feist Albrecht
Jay Scott Emler

In the Matter of the Application of Quail Oil
& Gas, LC to authorize injection of saltwater
Into the Arbuckle formation at the Sly 2-6
SWD well, located in the NE NE SE of
Section 6, Township 17S, Range 6E in
Morris County, Kansas

Docket No. 17-CONS-3484-CUIC

CONSERVATION DIVISION

License No. 33185

OBJECTION BY PROTESTANTS TO NOTICE OF APPLICATION

Protestants, through undersigned counsel, hereby object to the “Notice of Filing Application” dated January 31, 2017. In support of this objection the following is stated:

- 1.) The application herein is subject to the notice requirements of K.A.R. 82-3-135a.
- 2.) The Notice of Filing of Application (hereinafter referenced as “Notice”) published on January 31, 2017, indicates that the Applicant seeks Commission authority to inject saltwater into the Arbuckle formation at a specified location in Morris County “with a maximum injection pressure of 500 psi.” (Notice, attached hereto).
- 3.) The subject application indicates that the requested injection pressure is 650 psi.
- 4.) The Applicant’s testimony from Wray Valentine indicates that the requested injection pressure is 650 psi. (Valentine Prefiled Direct Testimony, p. 3, l. 11).
- 5.) The discrepancy between the injection pressure specified in the notice (500 psi) and the application and supporting testimony (650 psi) is material.
- 6.) Actions predicated on a material defect in a legally required notice are void. *Genesis Health Club, Inc. v. City of Wichita*, 285 Kan. 1021, 1034, 181 P.3d 549 (2008).

7.) Accordingly, Protestants pray that the Commission find and conclude that the subject Notice is materially defective dismiss this docket.

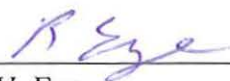
Respectfully submitted,


Robert V. Eye, #10689
Robert V. Eye Law Office, LLC
Suite 1010
4840 Bob Billings Parkway
Lawrence, Kansas 66049
785-234-4040 Phone
785-749-1202 Fax
bob@kauffmaneye.com

VERIFICATION

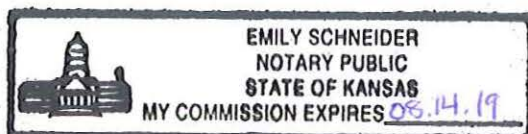
STATE OF KANSAS)
)
COUNTY OF DOUGLAS) ss:

Robert V. Eye, of lawful age, being first duly sworn upon oath, deposes and states: That he is an attorney for the above-named protestants, that he has read the above and foregoing and that the statements therein contained are true and correct according to his knowledge, information and belief.


Robert V. Eye

Subscribed and sworn to before me this 22nd day of May, 2017.

My appointment expires: 08.14.19 
Notary Public

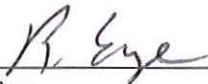


CERTIFICATE OF SERVICE

Undersigned hereby certifies that on May 22, 2017, the above and foregoing Objection by Protestants to Notice of Application was emailed to:

Joseph A. Schremmer
Robert J. Vincze
Depew Gillen Rathbun & Mcinteer, LC
8301 East 21st St. North,
Suite 450
Wichita, KS 67206-2936
joe@depewgillen.com
robert@depewgillen.com

Jonathan R. Myers
KCC Conservation Division
j.myers@kcc.ks.gov



Robert V. Eye

LEGALS

BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

NOTICE OF FILING APPLICATION

RE: Quail Oil & Gas, LC - Application for permit to authorize the injection of saltwater into the following well located in Morris County, Kansas:

Sly 2-6 SWD NE NE SE Sec 6-17S-6E

TO: All Oil and Gas Producers, Unleased Minerals Interest Owners, Landowners, and all persons whomsoever concerned

You, and each of you, are hereby notified that Quail Oil & Gas, LC has filed an application for permit to authorize the injection of saltwater into the Arbuckle formation at the Sly 2-6 SWD, located in the NE-NE-SE Sec 6-T17S-R6E Morris County, Kansas, with a maximum injection rate of 5000 bbls per day and a maximum injection pressure of 500 psi.

Any person who objects to or protest this application shall be required to file their objections or protests with the Conservation Division of the State Corporation of the State of Kansas within thirty (30) days from the date of this publication. These protests shall be filed pursuant to Commission regulations and must state specific reasons why the grant of the application may cause waste, violate correlative rights or pollute the natural resources of the State of Kansas.

All persons interested or concerned shall take notice of the foregoing and shall govern themselves accordingly.

Quail Oil & Gas, LC
525 Industrial Drive
PO Box K
Garden City, KS 67846
620-271-0236

(Published in the Council Grove Republican Jan. 31, 2017)

AFFIDAVIT OF PUBLICATION

State of Kansas, } ss.
Morris County }

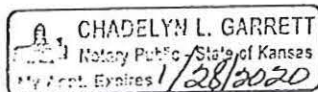
CRAIG A. McNEAL, being first duly sworn, Deposes and says: That he is Publisher of the Council Grove Republican, a daily Newspaper printed in the State of Kansas, and published in and of general circulation in Morris County, Kansas, with a general paid circulation on a daily basis in Morris County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a daily published at least weekly 50 times a year, has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Council Grove in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for one time, the publication thereof being made as aforesaid on the 31st day of January, 2017.

Craig A. McNeal

Subscribed and sworn to before me this 1 day of Feb, 20 17



Chadelyn L. Garrett