

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

In the Matter of the Application of)
TDR Construction, Inc. to Authorize) Docket No. 19-CONS-3167-CUIC
Injection of Saltwater into the)
Squirrel Formation at the McCoy) CONSERVATION DIVISION
#4WCountyA, #8W, and #9W Wells Located)
in Section 32, Township 15 South,) License No. 32218
Range 21 East, Franklin ,)
Kansas.)

**Protestants Request that TDR Construction, Inc. Supply More Complete
Information in Answer to Previous Discovery Questions**

COME NOW Scott Yeargain and Polly Shteamer, Protestants in this docket, who respectfully request that TDR Construction, Inc. provide more complete responses to the following questions in the Information Request of TDR Construction, Inc. filed in the docket 2/25/2019 by Scott Yeargain and Polly Shteamer.

Response to question 2. Is incomplete.

K.A.R. 82-3-401 Application for Injection Well; Content, is clear and specific in what information is required on an application. We would like the information that the operator is required to supply the wells McCoy 8W, 9W, and 4AW. Particularly KAR 82-3-401(a)(8) requires "a description of the fluid to be injected, the source of injected fluid, and the"

KAR 82-3-401(a)(10): " information showing that injection into the proposed zone will be contained within the zone and will not initiate fractures through the overlying strata that could enable the fluid or formation fluid to enter fresh and

usable water strata. Fracture gradients shall be computed and furnished to the conservation division by the applicant, if requested by the conservation division.”

We are asking for the information in KAR 82-3-101(a)(10) along with the reports, emails, texts, and all forms of written communication that Mr. Town possesses that supports the information he provides for this part of the application.

KAR 82-3-401(d): “The disposal zone. If the application is for disposal into a producing zone within a ½ mile radius of the applicant’s well, the disposal zone shall be below the oil-water contact for 50 feet below the base of the producing zone. For the purposes of this subsection, “disposal zone” means the stratigraphic interval that contains few or no commercially productive hydrocarbons and that is saltwater bearing, and “producing zone” means the stratigraphic interval that contains, or appears to contain a common accumulation of commercially productive hydrocarbons.”

In this case a open hole EOR injection well behaves like a disposal well. Will Mr. Town be using open hole for his injection wells and at what specific depth in the Squirrel formation?

KAR 82-3-401(e): “Design approval. Each applicant desiring design approval shall place the words “design approval” at the top of the application for injection operations. The design approval application shall be subject to the requirements set forth in subsection (a) of this regulation, KAR 82-3-402, and KAR 82-3-403(a).”

We are request that Mr. Town supply the information and documents for the permitting factors listed in KAR 82-3-403(a)(1 through 5 inclusive) since these factors “shall be considered by conservation division:” in any application for an injection well.

Answer to question 5 is incomplete

Please note KAR (a)(8) asks for a description of the fluid to be injected. As per our question #5, we would like to know what % by volume is freshwater, what % by volume is produced water and what % by volume is chemicals that are added.

Answer to question #8 is not provided.

As per the discovery and protection order any answer to this question may be made confidential if Mr. Town feels this information is sensitive.

We are requesting income and expense statements for the last 2 years for Mr. Town's operations on this lease (if this information includes information from adjacent leases that is acceptable). That this information is relevant to the issues is demonstrated in Polly Shteamer's pre-filed testimony pages, line 13 on page 22 through line 2 on page 24.

Answer to question #9 is incomplete.

Mr. Town says he consulted an expert to demonstrate that injection fluids will be contained within the producing formation given the injection pressure requested on the application of 600 psi. He says he has no documentation of this interaction. His current answer constitutes hearsay by the standards of acceptable testimony. We request the expert's name and personal address, business name and address, and an invoice for this opinion. We request Mr Town provide any and all documentation of his interactions with the expert he refers to in answer to this question including text messages and emails as well as reports provided to any member of Mr. Town's companies.

Answer to question #10 is incomplete.

We are asking for documentation of expert opinion that the injection pressures and volumes requested by Mr. Town on his application for injection for Wells 4AW, 8W, and 9W, will not cause channeling or breakthrough, including reports, emails, and articles relied upon by Mr. Town.

Respectfully Submitted,

/s/ Polly Shteamer /s/ Scott Yeargain

Polly Shteamer Scott Yeargain
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CERTIFICATE OF SERVICE

I, Polly Shteamer, do certify that a true copy of the attached Petition has been served to the following parties by means of first class mail and/or by means of electronic service on March 11, 2019.

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