

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of Hughes Drilling)	DOCKET No. 18-CONS-3255-CUIC
Co., a General Partnership, to Authorize Injection of)	
Saltwater in the Squirrel Formation at the Wend)	
Broers Lese, Well Numbers I-1, I-2, I-3, and I-4,)	CONSERVATION DIVISION
Located in Section 2, Township 16 South, Range 20)	
East, Franklin County, Kansas)	License No. 5862

MOTION TO ACCEPT PROTESTS

Comes now the Protestant, Scott Yeargain, who respectfully requests that the Kansas Corporation Commission recognize all Protestants currently filed in docket 18-CONS-3255-CUIC. In support of his motion Scott Yeargain states:

1. KAR 82-3-135b(d) states, "Each protester shall serve the protest upon the applicant at the same time or before the protestor files the protest with the conversation division." Protestor Scott Yeargain states hereby that he did not comply with KAR 82-3-135b(d) in this docket and he regrets this.
2. KAR 82-1-222 allows the Commission, at its discretion, to amend the proceedings of hearings and such amendment may reasonably include the requirement of KAR 82-3-135b(d) in the interest of public safety and health.

3. The watershed for the four proposed injection wells in docket 18-CONS-3255-CUIC is Wolf Creek, which drains into Ottawa Creek, which drains to the Marais des Cygnes river near Peoria, Kansas.
4. The watershed for Hughes Drilling Company's well Petty 1 SWD is Walnut Creek, which enters the Marais des Cygnes river near Peoria, Kansas. Well Petty 1 SWD is the specific well used by Hughes Drilling Company for disposal of the drilling fluids. Petty 1 SWD is identified by API number 15-059-23145. The produced waters from the four proposed injection wells may reasonable be expected to be disposed of in Petty 1 SWD.
5. The Marais des Cygnes river, where Walnut creek and Ottawa creek enter, is, by direct route, not by river route, about 5 miles above the Franklin County Rural Water #6 water intake from the Marais des Cygnes river.
6. Franklin county Rural Water #6 was assessed by Burns and McDonnell in its Source Water Assessment Report of 12 December, 2003. This report assigned Susceptibility Likelihood Scores to Rural Water 6 which placed it in the top 1% of at-risk public water supplies assessed. 762 public water supplies in Kansas were assessed by Burns and McDonnell. The contaminants evaluated by Burns and McDonnell as presenting

risk to Rural Water #6 included contaminants related to oil and gas production, storage, and transport.

7. The watersheds for Hughes Drilling Company's applications enhance the risks identified by Burns and McDonnell.
8. Rural Water #6 has a water protection plan established in 2005 by the board of directors of Rural Water 6 and the Kansas Rural Water Association. This plan is currently in place.
9. Evidence indicates that no communication has taken place between Hughes Drilling Company and the board of directors of Rural Water 6 to study the implications of the proposed application for the existing water protection plan.

WHEREFORE, Protestant Scott Yeargain respectfully moves that the Commission allow all current protests be heard in this docket's assigned hearing.

Scott Yeargain, Ph.D.
2263 Nevada Road
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Certificate of Service

I hereby certify that a copy of the above and foregoing was sent via US mail or electronically delivered this 20th day of February, 2018 to:

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