

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

In the matter of the Application of)	Docket No. 24-CONS-3009-CUIC
Z & L OIL, LLC (Operator) Requesting)	
Approval to Inject Saltwater into the)	CONSERVATION DIVISION
Pfrehm No. 3A Well in the NW/4 of)	
Section 18, T31S, R10E, Elk County,)	License No. 35610
Kansas		

PETITION FOR RECONSIDERATION

I, Frank L. Wilson, hereby submit to the State Corporation Commission of the State of Kansas (“Commission”) this Petition for Reconsideration of the Commission’s Final Order in this matter dated April 9, 2024. In support of this Notice of Request for Reconsideration and with respect to said Order and its findings of fact and conclusions of law, I state and allege as follows:

1. **Commission’s First Findings of Fact and Conclusions of Law.** The Commission here found and concluded that no party disputes Operator owns wells producing oil and salt water from the Mississippi formation, or that the proposed injection well would return produced salt water to said formation. I believe that Operator owned 3 producing wells that all produced oil and salt water from the Mississippi formation and that this Application was for the purpose of converting one of those three producing oil wells, the Pfrehm 3A well, into an EOR injection well. I do dispute the Commission’s findings of fact and conclusion of law that such produced salt water would return to said formation because such produced salt water would be unlikely to stay confined

to said formation. I refer the Commission to the Application and all the testimony with respect thereto.

2. **Commission's Second Findings of Fact and Conclusions of Law.** The Commission found and concluded that Operator has adequately satisfied the requirements of K.A.R. 82-3-401 with respect to the necessary content for an injection Application. The Commission stated that they relied on the testimony of Cox to reach this conclusion. I did not find the testimony of Cox reliable and accurate and do not agree that Operator has adequately satisfied the requirements of K.A.R. 82-3-401. Accordingly, I dispute this portion of the Commission's findings of fact and conclusions of law. I testified that the Application is incomplete, has material omissions, and contains material, inaccurate and misleading information. No credible evidence was offered to show otherwise. I refer the Commission to the Application and all the testimony with respect thereto.

3. **Commission's Third Findings of Fact and Conclusions of Law.** The Commission found and concluded that Cox testified that notice of the Application appeared proper. The Commission found such testimony credible and noted the sworn affidavit contained in the Application. I did not find the testimony of Cox reliable and accurate and do not agree that Notice of the Application was proper. Accordingly, I dispute this portion of the Commission's findings of fact and conclusions of law. I testified that the notice of the Application was not proper, and no credible evidence was offered to show otherwise. I refer the Commission to the Application and all the testimony with respect thereto. I did testify that there were additional interest owners that should have received notice, and the Commission points out that I did not name any of them or the interests that they alleged to hold. It was the obligation of the Operator to determine all interest owners within a one-half mile radius of the Pfrehm #3A well, list them on the Application,

and provide notice of the Application. None of that was my obligation and I was not asked to disclose the names of such interest owners. Nevertheless, upon request by the Commission, I would be happy to disclose the names of all such interest owners.

4. Commission's Fourth Findings of Fact and Conclusions of Law. The Commission found and concluded that in regard to K.A.R. 82-3-403(a), Staff employed by the Conservation Division considered the Maximum injection rate under (a)1, the various pressures under (a)2, the type of fluids and rock characteristics under (a)3, the adequacy and thickness of the zones and the base of water under (a)4, and the construction of all wells within a quarter mile radius under (a)5. I dispute this portion of the Commission's findings of fact and conclusions of law. I testified that the Application failed to identify all wells within a quarter mile radius of the Pfrehm #3A well, and no credible evidence was offered to show otherwise. I refer the Commission to the Application and all the testimony with respect thereto. It was not my obligation to identify all wells within a quarter mile radius of the Pfrehm #3A well. It was the obligation of the Operator. Since the February 16, 2024 Evidentiary Hearing, I have identified additional wells that the Operator should have identified in the Application. I would be happy to identify the names and locations of these wells upon request by the Commission. I'm also happy to meet with the Commission and/or its representatives on the lands on which these wells are located.

5. Commission's Fifth Findings of Fact and Conclusions of Law. The Commission here found that regarding K.A.R. 82-3-405 through 82-3-407, and also K.A.R. 82-3-403(c) through (f) that Cox testified that the proposed completion of the Pfrehm #3A well would comply with Commission regulations and that they found such testimony credible. I dispute this portion of the Commission findings of fact and conclusions of law. I testified that the Application was defective and would not comply with Commission regulations. No credible evidence was offered

to show otherwise. I refer the Commission to the Application and all the testimony with respect thereto.

6. **Commission's Sixth Findings of Fact and Conclusions of Law.** The Commission here credits Milligan's, Fisher's, and Cox's testimony in regard to prevention of waste and finds that as a general proposition, re-pressurization such as that proposed by Operator often increases production. I found Milligan, Fisher, and Cox to not be credible in their testimony regarding prevention of waste. I do not dispute that re-pressurization often results in increases in production. However, the Pfrehm #3A is not a good candidate to be converted into an EOR injection well because of a number of unplugged and improperly plugged wells in the vicinity of said well and the fact that the Application failed to comply with Commission regulations. I refer the Commission to the Application and all the testimony with respect thereto.

7. **Commission's Seventh Findings of Fact and Conclusions of Law.** The Commission here credits Cox's testimony that granting Operator's application will be protective of correlative rights. I dispute this portion of the Commission findings of fact and conclusions of law. I testified that the granting of the Application would not be protective of correlative rights. I refer the Commission to the Application and all the testimony with respect thereto.

8. **Commission's Eighth Findings of Fact and Conclusions of Law.** The Commission here credits Milligan's, Fisher's, and Cox's extensive testimony that granting the Operator's application will protect fresh and usable waters, and soils and waters of the state generally. The Commission also here stated that Cox testified Operator's application complies with all Commission regulations, and the United States Environmental Protection Agency has determined the Commission's regulatory framework represented an effective program to prevent endangerment of underground sources of drinking water. I dispute this portion of the Commission

findings of fact and conclusions of law. I testified that the Application would not comply with Commission regulations and no credible evidence was offered to show otherwise. I refer the Commission to the Application and all the testimony with respect thereto.

For the foregoing reasons, I pray the Commission reconsider its Final Order and deny the Application and order all such relief the Commission believes is proper and authorized by Kansas law.

Respectfully submitted,

A handwritten signature in blue ink, reading "Frank L. Wilson", is positioned above a horizontal line.

Frank L. Wilson
205 Martingale St.
Georgetown, TX 78633
fwilson1952@hotmail.com
phone: 281-923-6046

VERIFICATION OF FRANK L. WILSON

STATE OF TEXAS

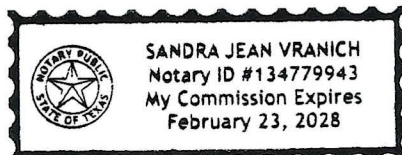
COUNTY OF WILLIAMSON

I, Frank L. Wilson, being first duly sworn on oath, depose and state that I am the person identified in the foregoing Petition for Reconsideration, that I have read same and am familiar with its contents, and I certify that the statements and information contained herein are true and correct to the best of my knowledge and belief.

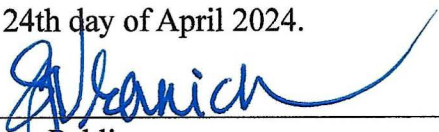


Frank L. Wilson

SUBSCRIBED AND SWORN to before me this 24th day of April 2024.



My Appointment Expires:



Notary Public

CERTIFICATE OF SERVICE

I hereby certify that on the above and foregoing was sent via electronic mail this 24th day of April 2024 addressed to:

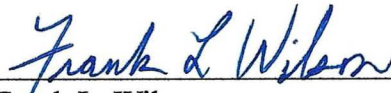
KEITH A. BROCK
kbrock@andersonbyrd.com

KELCEY MARSH
k.marsh@kcc.ks.gov

TODD BRYANT
t.bryant@kcc.ks.gov

JONATHON R. MYERS
j.myers@kcc.ks.gov

RYAN COX
r.cox@kcc.ks.gov



Frank L. Wilson
205 Martingale St.
Georgetown, Texas 78633
Telephone: 281-923-6046
fwilson1952@hotmail.com