

AUG 22 2016

LEGAL SECTION

2016.08.22 10:36:57
Kansas Corporation Commission
/S/ Amy L. Green

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

**IN THE MATTER OF THE APPLICATION)
OF UNIT PETROLEUM COMPANY FOR) DOCKET NO.
AN ORDER APROVING THE) 17-CONS-3012-CUNI
UNITIZATION AND UNIT OPERATIONS)
OF THE LANGDON WATERFLOOD UNIT) OPERATOR NO. 34192
IN RENO COUNTY, KANSAS)
_____) CONSERVATION DIVISION**

MOTION TO INTERVENE AND PROTEST

COME NOW, JKL Preisser, Kurt D. and Alyssa Preisser, Alva L. Gaston and Phyllis A. Gaston Revocable Trust, Gilbert D. Clouse, Unified School District #310, James J. Harris and Joyce A. Harris, Schultz Trust, Bonnie Louise Butler and Larry Preisser (collectively "Owners") and hereby move to intervene and protest the Application of Unit Petroleum Company ("Unit Petroleum") for an Order approving the unitization and waterflood operations for the proposed Langdon Waterflood Unit in Reno County, Kansas.

1. Unit Petroleum has filed its Application for the establishment of the Langdon Waterflood Unit covering all of Section 16 and portions of Sections 15, 17, 20, 21 and 22 of Township 25 South, Range 9 West, Reno County, Kansas.

2. Owners own surface rights and/or mineral rights within the proposed Unit.

3. The Owners are not per se against the establishment of the Langdon Waterflood Unit but its creation and operation will impact their rights as to their current

and future uses and enjoyment of their property and operations will impact the Owners financially.

4. The Owners submit the Application of Unit Petroleum filed for the establishment of the Langdon Waterflood Unit is inadequate to enable any of the Owners to properly evaluate and assess the total impact, both physically and financially, on the Owners and their respective properties.

5. Unit Petroleum's Application indicates the enhanced oil recovery project will be implemented pursuant to a development plan described in a Plan of Unitization attached as Exhibit "A" to the Application. The Plan of Unitization is simply a model form operating agreement used for cooperation between various lessees located in a proposed waterflood area. This model form has limited application with respect to a single-operator unit and no relevance as how the operator intends to specifically implement the waterflood project as to the Owners' properties.

6. The Application and attached Plan of Unitization fail to describe with any degree of specificity the potential drilling or recompletion, of input or withdrawal wells, the nature and location of surface facilities, or the establishment of pipelines and roadways necessary for the implementation of the project and its operation. There is no information as to the source or suitability of the water to be used in the waterflood. In short, the Plan of Unitization fails to outline how the waterflood will be developed or how the Langdon Waterflood Unit will potentially impact the Owners.

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7. The Application and attached Plan of Unitization further fail to provide specificity as to how the plan will be fair, reasonable and equitable to all interest owners and contains only a bare unsupported allegation to that effect.

8. The planned unit fails to include certain adjoining wells within the Langdon Field which are operated by Unit Petroleum and currently producing out of the Mississippian Formation. Unit Petroleum and the royalty owners of these adjoining wells will likely benefit from operations of the Langdon Waterflood Unit, but these benefits will not flow to the Owners whose properties will be burdened by the operation of the Langdon Waterflood Unit because those wells are not in the proposed Unit.

9. Without resolving the foregoing and other issues to be considered at the hearing, it is not possible for the Owners or the Commission to appropriately make a determination regarding Unit Petroleum's Application. The Owners respectfully request the Commission set this matter for pre-hearing conference and hearing.

WHEREFORE, the Owners respectfully request the Commission to deny the

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Application in its entirety at this time.

Respectfully submitted,

STULL, BEVERLIN, NICOLAY & HAAS, LLC

BY: 

Gordon B. Stull #8906
Josh V. C. Nicolay #25119
1320 East First Street
Pratt, Kansas 67124
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Attorneys for the Owners

VERIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF PRATT)

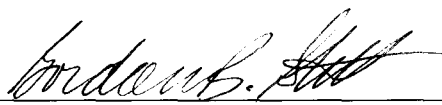
COMES NOW, Gordon B. Stull, of lawful age, being first duly sworn on his oath states:

That he is employed by JKL Preisser, Kurt D. and Alyssa Preisser, Alva L. Gaston and Phyllis A. Gaston Revocable Trust, Gilbert D. Clouse, Unified School District #310, James J. Harris and Joyce A. Harris, Schultz Trust, Bonnie Louise Butler and Larry Preisser as their attorney and is authorized to make this verification; that he has read the above and foregoing Motion to Intervene and Protest and is familiar with the contents

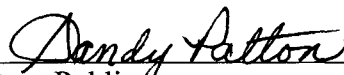
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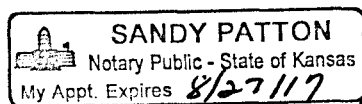
thereof and that the statements made therein are true and correct to the best of his knowledge and belief.


Gordon B. Stull

SUBSCRIBED AND SWORN to before me this 18th day of August, 2016.


Notary Public

My Commission Expires:



CERTIFICATE OF SERVICE

I hereby certify that the original of the protest was mailed on this 18th day of August, 2016, addressed to the following named persons, to-wit:

John G. McCannon, Esq.
Litigation Counsel
Kansas Corporation Commission
266 North Main, Suite 220
Wichita, Kansas 67202

and a true and correct copy was deposited in the United States mail, postage prepaid to the following named persons, to-wit:

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