

MAY 19 2008

CONSERVATION DIVISION
WICHITA, KS

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

IN THE MATTER OF THE APPLICATION)
OF DAYSTAR PETROLEUM, INC., FOR A)
BASIC PRORATION ORDER FOR THE HOSS)
LAKE CHESTER OIL AND GAS POOL IN)
THE SOUTHEAST QUARTER OF SECTION 8,)
THE EAST HALF OF SECTIONS 17, 20, 29)
AND 32, THE SOUTH HALF OF SECTIONS) DOCKET NO. 08-CONS-164-CBPO
9 AND 10, AND ALL OF SECTIONS 16, 15, 21,)
22, 28, 27, 33 AND 34 IN TOWNSHIP 31 SOUTH,) CONSERVATION DIVISION
RANGE 30 WEST, AND THE NORTHEAST)
QUARTER OF SECTION 5 AND THE NORTH)
HALF OF SECTIONS 3 AND 4 IN TOWNSHIP)
32 SOUTH, RANGE 30 WEST, MEADE)
COUNTY, KANSAS)
_____)

ADDITIONAL RESPONSE OF KEITH F. WALKER OIL & GAS CO., LLC

COMES NOW Keith F. Walker Oil & Gas Co., LLC, ("Walker") and for its reply to the response filed May 15, 2008, by Daystar Petroleum, Inc. ("Daystar"), states as follows:

1. Contrary to Daystar's most recent Reply, Daystar's proposed locations do not meet "the most restrictive location provision sought in the pending application", as set out in K. A. R. 82-3-109(d). These locations are outside of the most restrictive location provisions of the pending application. They completely rely upon a proposed exception to those proposed rules. It is impossible to know at this time whether such an exception would be included in the final order. If the location restrictions were included in a final order, but not the proposed exception, these proposed wells would not conform to the proposed order. It is therefore improper to permit the drilling of the Daystar locations while the application is pending.

2. The clear purpose of K. A. R. 82-3-109(d) is to preserve the status quo in the area proposed for additional regulation, while the application is pending and prior to Commission action. Permitting drilling that would violate the proposed location restrictions, based on a proposed exception provision that may or may not be granted, violates that purpose.

3. It should also continue to be noted that it is Daystar that has sought the additional regulation of the field, and any temporary hold on drilling locations is the result of its own actions.

WHEREFORE, Walker again prays that the Commission withdraw its approval of the Daystar drilling intents previously approved, as set out in Walker's original Motion.

Respectfully submitted,

By


John G. Pike

**WITHERS, GOUGH, PIKE,
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Attorneys for Keith F. Walker
Oil & Gas Co., LLC

VERIFICATION

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

John G. Pike, of lawful age, and being first duly sworn upon oath, deposes and says:
He is an attorney for Keith F. Walker Oil & Gas Co., LLC; he has read the within and foregoing;

and the statements and contents thereof are true to the best of his knowledge and belief

By: _____

John G. Pike

Subscribed and sworn to before me this 19th day of May, 2008.

My Commission Expires:

June 30, 2010



Katherine E. Abel
Notary Public

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 19th day of May, 2008, a true and correct copy of the above and foregoing *Additional Response of Keith F. Walker Oil & Gas Co., LLC*, was mailed, postage prepaid and properly addressed, to:

Stanford J. Smith, Jr.
Martin, Pringle, Oliver, Wallace & Bauer, LLP
100 N. Broadway, Ste. 500
Wichita, KS 67202

John G. Pike