

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

Before Commissioners: Mark Sievers, Chairman
 Thomas E. Wright
 Shari Feist Albrecht

In the Matter of the Application of R. T.)	Docket No. 14-CONS-047-CUIC
Enterprises of Kansas, Inc., to authorize the)	
injection of salt water into the Squirrel)	CONSERVATION DIVISION
Formation at the Finnerty Lease, Well I-22,)	
located in Section 11, Township 15 South,)	License No. 33715
Range 20 East, Douglas County, Kansas.)	

ORDER

This matter comes before the State Corporation Commission of the State of Kansas, ("Commission") on the application of R. T. Enterprises of Kansas, Inc., ("R. T." or "Applicant") for a permit to inject saltwater for enhanced recovery into the Finnerty #I-22, #I-23 and #I-24 wells. Giving due consideration to the record herein, the statutes and its regulations the Commission makes the following findings and conclusions:

1. The application was filed by R. T. on June 26, 2013. The application seeks a permit for injection into the Finnerty #I-22, #I-23 and #I-24 wells located in the SE/4 of Section 11, Township 15 South, Range 20 East, Douglas County, Kansas.
2. Timely protests were filed by several parties.
3. The matter was noticed for hearing on September 20, 2013.
4. The matter was heard as noticed. Keith A. Brock appeared on behalf of R. T., John McCannon, Litigation Counsel, appeared on behalf of the Commission Staff and the public generally and Protestants, Daniel and Evelyn Robbs, appeared pro se. No other parties appeared at the hearing.

5. There being no objection to notice the Commission found that notice was proper and that it had jurisdiction of the subject matter and the parties.

6. Stephen Scott, an employee of R. T., testified that the three wells are constructed in accordance with Commission regulations and all new pipe was used. The wells have passed a mechanical integrity test (MIT) witnessed by Commission Staff. These three wells will replace three injection wells on the lease that have been plugged. There has been injection occurring on the lease since 1961 without polluting fresh or usable water.

7. Tony Vail, Environmental Scientist, testified for Staff. He was the staff geologist that reviewed the application. He testified that the wells are constructed in accordance with Commission regulations. The injection rate and pressure are appropriate for the area and geologic formation. The wells have passed an MIT. He also did an area of review and determined that there were no unplugged or poorly plugged wells within the area of review. Mr. Vail recommended granting the application.

8. Evelyn Robbs testified on behalf of the Protestants. She was concerned about the fresh water in the area. Particularly she was concerned that her water well could be adversely impacted, either by downhole leakage or surface spills. She was also concerned about earthquakes being caused by the injection because that had happened in Arkansas where she used to live. She also felt the rate of 300 barrels per day and pressure of 750 psi were high based on other authorized rates and pressure in the general area.

9. The Commission finds that the rate and pressure requested are not excessive. The requested rate and pressure are already authorized for the other injection wells under the injection permit. Mr. Vail testified that he reviewed other permits for injection into the Squirrel

Formation in Douglas County. That review showed that the requested rate and pressure were authorized in other injection permits in the area.

10. The Commission finds that the application should not be denied because of the risk of injection causing seismic activity. There is no record of injection causing seismic activity anywhere in Kansas. Furthermore, there was no evidence presented in this docket that there was a real possibility that injection into these three wells would cause seismic activity.

11. The Commission finds that the three wells meet all Commission regulations. The wells construction will protect fresh and usable water. The Commission finds that the application should be granted.

IT IS, THEREFORE, BY THE COMMISSION ORDERED: That the application of R. T. Enterprises of Kansas, Inc., for injection into the Finnerty #I-22, #I-23 and #I-24 wells be granted. Staff is directed to issue the appropriate permit authorizing the wells at the applied for rate and pressure.

Any party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 77-529(a). Such petition shall be filed within fifteen (15) days after service of this Order and must state the specific grounds upon which relief is requested. This petition for reconsideration shall be filed with the Executive Director of the Conservation Division, Finney State Office Building, 130 S. Market, Room 2078, Wichita, Kansas 67202-3802.

The Commission retains jurisdiction of the subject matter and the parties for the purpose of entering such further Order or Orders as from time-to-time it may deem proper.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn.; Wright, Com.; Albrecht, Com.

Date: OCT 18 2013

A handwritten signature in black ink, appearing to read 'Kim Christiansen', is written over a horizontal line.

Kim Christiansen
Executive Director

Date Mailed: _____

LRP