

Kansas Administrative Regulations

Kansas Corporation Commission

Article 3.—Production and Conservation of Oil and Gas

82-3-300. Assignment of gas allowables in prorated pools; notice.

(a) Request for allowable. A gas well in a prorated common source of supply that is in conformance with all provisions of the applicable basic proration order shall be granted an allowable by the commission on the date of filing the latest of the following:

(1) A form as prescribed by the commission requesting an allowable for a gas well in a prorated pool;

(2) an acreage plat verifying the location of the well and a description of the acreage to be attributed to the well;

(3) the results of the state-supervised test as required by the applicable basic proration order; and

(4) in the case of a replacement well, either of the following:

(A) Documentation that the operator has plugged the original well, caused the productive perforations to be squeezed, or otherwise isolated the productive zone; or

(B) an affidavit filed with the commission stating that the well is disconnected and surface equipment is sealed in preparation to be plugged or returned to other use within one year of the date of being sealed.

(b) Replacement wells. In the case of a replacement well, any accumulated overage or underage shall be transferred to the replacement well.

(c) Application for exception. A gas well in a prorated common source of supply that requires exceptions to any provision of the applicable basic proration order may be granted an allowable by the commission only after an application has been filed with the conservation division. Each application shall show the following:

(1) The exact location of the well and the acreage attributed to the well;

(2) the common source of supply from which the well is producing;

(3) the name and address of the purchaser, if known;

(4) a statement of the exception being requested and the reasons the exception should be granted;

(5) a plat showing the location and approximate depths of all wells and dry holes that have been drilled within one mile from the acreage to be attributed;

(6) the applicant's license number;

(7) the names and addresses of each person owning a royalty or working interest in the acreage to be attributed, and a certificate of mailing indicating the date on which service of a copy of the application was made to each person;

(8) the names and addresses of all operators of producing acreage abutting or adjoining the acreage to be attributed, and a certificate of mailing indicating the date on which service of a copy of the application was made to each operator;

(9) the names and addresses of all lessees of record of nonproducing acreage abutting or adjoining the acreage to be attributed, and a certificate of mailing indicating the date on which service of a copy of the application was made to each lessee;

(10) the names and addresses of all owners of record of the minerals in, or royalty of unleased acreage abutting or adjoining, the acreage to be attributed, and a certificate of mailing indicating the date on which service of a copy of the application was made to each owner;

(11) the names and addresses of all persons owning the royalty or leasehold interests in acreage abutting or adjoining the acreage to be attributed that is operated by the applicant or on which the applicant has a lease or an interest in the lease, and a certificate of mailing indicating the date on which service of a copy of the application was made to each person;

(12) a statement advising each person listed in paragraphs (7) through (11) of this subsection that the person has 15 days in which to file a protest to the application with the conservation division pursuant to the provisions of K.A.R. 82-3-135b; and

(13) any other relevant information that the commission may require.

(d) Notice of the application. In addition to mailing a copy of the application to each of the persons described in subsection (c), notice of the application shall be published in at least one issue of the official county newspaper of each county in which lands affected by the application are located and in the "Wichita Eagle" newspaper.

(e) Protest. After notice of the application is published pursuant to subsection (d) and mailed to the persons described in subsection (c), the application shall be held in abeyance for 15 days from the date of publication or mailing, whichever is later, pending the filing of any protest pursuant to K.A.R. 82-3-135b. If a valid protest is filed or if, on the commission's own motion, it is deemed that there should be a hearing on the application, a hearing shall be held. The applicant shall publish notice of the hearing pursuant to K.A.R. 82-3-135.

(Authorized by K.S.A. 55-152 and 55-704; implementing K.S.A. 55-705b, K.S.A. 55-706; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1988; amended April 23, 1990; amended March 20, 1995; amended June 1, 2001; amended Nov. 2, 2007.)

***** Authenticated Kansas Administrative Regulation *****