

Kansas Administrative Regulations

Kansas Corporation Commission

Article 3.—Production and Conservation of Oil and Gas

82-3-108. Well location; exception.

(a) General setback requirement. Except as provided by subsection (b) or (c), an oil well or gas well shall not be drilled nearer than 330 feet from any lease or unit boundary line.

(b) Setback requirements for eastern Kansas.

(1) An oil well that is drilled to a total depth of less than 2,000 feet and is drilled in one of the following counties shall not be drilled nearer than 165 feet from the nearest lease or unit boundary line: Allen, Anderson, Atchison, Bourbon, Brown, Cherokee, Coffey, Crawford, Douglas, Elk, Franklin, Greenwood, Jackson, Jefferson, Johnson, Labette, Leavenworth, Linn, Lyon, Miami, Montgomery, Neosho, Osage, Shawnee, Wilson, Woodson, and Wyandotte.

(2) An oil well that is drilled in Chautauqua County and is drilled to a total depth of less than 2,500 feet shall not be drilled nearer than 165 feet from the nearest lease or unit boundary line.

(c) Well location exception. A well location exception may be granted to permit drilling within shorter distances than those provided in subsection (a) or (b), whichever is applicable, and to the acreage attributable and assigned allowables, if these exceptions are necessary either to prevent waste or to protect correlative rights. In granting the exception, the acreage attributable to the well and the assigned allowables shall be considered.

(d) Application for well location exception. If an exception to this regulation is desired according to subsection (c), an application shall be submitted to the conservation division. The application shall contain the following:

- (1) A brief explanation of the exception or exceptions requested;
- (2) the proposed location of the well, including the distance to the nearest lease or unit boundary line;

(3) a list of the following:

(A) Each offset operator whose lease line is located less than the required distance from the proposed location;

(B) each unleased offset mineral owner whose property boundary is located less than the minimum distance required by subsection (a) or (b) from the proposed locations; and

(C) the applicant's lessor or lessors, if the applicant operates any lease that will be situated less than the minimum distance required by subsection (a) or (b) from the proposed well location;

(4) the acreage attributable to the well; and

(5) the allowable requested.

(e) Additional application requirements. Each application submitted under subsection (d) shall be accompanied by the proposed notice of the intention to drill and a plat, drawn to the scale of one inch equaling 1,320 feet, that accurately shows the following:

(1) The property on which the well is sought to be drilled;

(2) all other completed, partially drilled, or permitted wells on the property; and

(3) all adjacent properties and wells.

(f) Notice; protest. Notice of the application shall be provided to all parties specified in paragraphs (d)(3)(A), (d)(3)(B), and (d)(3)(C) of this regulation and shall be published as required by K.A.R. 82-3-135a(d). If a protest is filed in accordance with K.A.R. 82-3-135a(e), the application shall be set for hearing by the commission.

(g) Approval of intent to drill. Upon the issuance of a written permit by the conservation division for the well location exception, the proposed notice of intention to drill shall be approved in accordance with K.A.R. 82-3-103, if all other applicable requirements for approval have been met.

(h) Allowable required. Each operator of any well drilled nearer than the minimum distance required by subsection (a) or (b) from any lease or unit boundary line without a previously obtained well location exception shall be prohibited from producing either oil or gas until an appropriate allowable is determined.

(i) Factors considered for allowable. Whenever authority is granted to drill a well at a location other than a location specified by this regulation, the allowable shall be

determined by the conservation division for the protection of the correlative rights of all persons entitled to share in the common source of supply in accordance with K.A.R. 82-3-207 and K.A.R. 82-3-312.

(Authorized by K.S.A. 55-152; implementing K.S.A. 55-152, 55-603, 55-605, 55-703a, 55-706; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1984; amended, T-85-51, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended April 23, 1990; amended Jan. 14, 2005; amended Oct. 24, 2008.)

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