K.A.R. 82-3-100. General rules and regulations: Applicability; exception. (a) General rules and regulations. This article shall be statewide in application apply throughout Kansas unless otherwise specifically stated limited. Special orders shall may be issued when required, and by the commission. These special orders shall prevail over general rules and any conflicting regulations if a conflict occurs.

(b) An exception to the requirements of any regulation in this article may be granted by the commission, after considering whether the exception will prevent waste, protect correlative rights, and prevent pollution. Any interested party may file an application for exception. Each party requesting an exception shall file an original and four copies of the application shall be filed with the conservation division. The application for exception shall be set for hearing by the commission. The applicant shall publish notice of the application pursuant to K.A.R. 82-3-135a and notice of any hearing pursuant to K.A.R. 82-3-135. (Authorized by and implementing K.S.A. 1981 2014 Supp. 55-152, K.S.A. 55-604, K.S.A. 55-704; effective T-83-44, Dec. 8, 1982; effective May 1, 1983; amended May 1, 1984; amended April 23, 1990; amended P-________________________.)

K.A.R. 82-3-106. Cementing in Surface casing; penalty and cement. (a) Beginning of drilling operations. Drilling shall not begin until the operator has received the approved notice of intent to drill from the conservation division, pursuant to K.A.R. 82-3-103. The notice of intent to drill shall indicate the amount of surface casing that shall be set. Each operator shall set and cement surface casing pursuant to this regulation and the instructions on the notice of intent to drill
approved pursuant to K.A.R. 82-3-103 before drilling to any depth to test for or produce oil or
gas.

(b) Depth. The depth of required surface casing shall be determined in the following
manner.

(1) The operator shall set a minimum of 50 feet of steel surface casing in the well,
except as otherwise provided by paragraph (b)(2).

(2) Table I, which establishes minimum surface casing requirements as incorporated
by reference in commission order dated August 1, 1991, docket no. 34,780 C (C 1825), shall be
used to determine the required depth of the surface casing and the cementing requirements for
the protection of fresh and usable water. Upon submission of additional information,
adjustments to the required depth of the surface casing may be made by the commission. These
adjustments shall be indicated on the approved notice of intent to drill.

(A) Operators who drill wells in areas referenced in commission order dated June 29,
1994, docket no. 133,891 C, may set surface casing at the minimum depth set forth in that
docket.

(B) An exception to the requirements set forth in table I, as incorporated by reference
in commission order dated August 1, 1991, docket no. 34,780 C (C 1825), may be granted by the
director.

(3) The failure to install surface casing shall be punishable by a $5000 penalty, and
any well not in compliance with the requirements of this regulation shall be shut in until
compliance is achieved. Each operator shall set and cement surface casing in compliance with
the following, which are hereby adopted by reference:
(1) Table I and appendix A, as incorporated in the commission order dated August 1, 1991, docket no. 34,780-C (C-1825); and

(2) appendix B, as incorporated in the commission order dated June 29, 1994, docket no. 133,891-C (C-20,079).

(c) Cementing and time requirements. Protection of fresh and usable water shall be accomplished by one of the two following alternatives.

(1) Alternate I. Cementing shall be performed as follows:

(A) A single string of surface casing shall be set from surface to the depth specified in the documents adopted in subsection (b).

(B) The surface casing shall be cemented continuously from the bottom of the surface casing string to the surface with a portland cement blend. The surface casing shall be set and cemented below all fresh and usable water strata, according to the requirements established pursuant to subsection (b). An operator shall not drill to any depth to test for oil or gas without having set and cemented a continuous string of surface casing.

(2) Alternate II. Surface casing shall be set and cemented in the following manner:

(A) The first string of primary surface casing shall be set through to a depth at least 20 feet below all unconsolidated material plus 20 feet into the underlying formation.

(B) The primary surface casing shall be cemented from the bottom of the primary surface casing string to the surface with a portland cement blend. An operator shall not drill to any depth to test for oil or gas without having set and cemented this string of casing.
(B) (i) (C) All additional surface casing which is strings next to the borehole shall be set and cemented by circulating cement to the surface from a point at least 50 feet below the base of the lowest known fresh and usable water, according to the requirements established pursuant to subsection (b) from the depth specified in the documents adopted in subsection (b) to the surface. Cementing shall be completed with a portland cement blend except as provided by paragraph (d)(3).

(ii) The operator shall notify the appropriate district office prior to the before cementing of the additional casing. If a time period is specified by table I, as incorporated by reference in commission order dated August 1, 1991, docket no. 34.780 C (C-1825), the additional cementing shall be completed within the time period specified.

(iii) A backside squeeze, which is the uncontrolled placement of cement in the annular space between the surface casing and production casing from the surface down, shall be prohibited unless permitted only upon a request to by the appropriate district office. Requests shall be granted only upon the approval of with consideration of the cement evaluation method to be utilized and submitted as verification of cement placement.
“Backside squeeze” shall mean the uncontrolled placement of cement from the surface into the annular space between the primary surface casing and the additional casing.

(d) Methods and materials to be used in setting and cementing of surface casing.

(1) In setting surface casing, the surface hole diameter shall be sufficiently larger than the surface casing to permit circulation of the cement. The operator shall use a drill bit that is at least two and one-quarter inches larger in diameter than the surface casing, when measured from the outside of the casing.

(2) The annular space between the surface casing and the borehole shall be filled with a portland cement blend. The cement shall be and maintained at surface level.

(3) If cement does not circulate, the operator shall notify the appropriate district office immediately and perform remedial cementing sufficient to prevent fluid migration. If the surface casing is perforated, the operator shall pressure-test the surface casing according to district office specifications to ensure mechanical integrity.

(4) The use of any material other than a portland cement blend shall be prohibited except for the alternative cementing materials as defined by commission order dated August 1, 1991, docket no. 34,780 C (C-1825), which is incorporated by reference.

(4) (5) The cemented casing string shall stand and further operations shall not begin until the cement has been in place for at least eight hours and has reached a compressive strength of 300 pounds per square inch. This requirement may be modified by specific order of the commission.

(6) The operator shall install centralizers as follows:
(A) If the surface casing is 300 feet or less, a centralizer shall be installed at the top of the shoe joint.

(B) If the surface casing is more than 300 feet, a centralizer shall be installed at approximately 300 feet and at every fourth joint of casing to the bottom of the surface casing.

(7) When total depth has been reached during drilling operations, the operator or contractor shall not move the rig off of the well until the required casing has been run or the well has been plugged. All wells that are subject to the documents adopted in paragraph (b)(2) shall be exempt from the requirements in this paragraph.

(e) Affidavit.

(1) Each operator shall file a sworn affidavit with the conservation division setting out the type, amount, and method of cementing used on all casing strings in a wellbore. The affidavit shall be filed within 120 days of the spud date of the well, or as otherwise required by K.A.R. 82-3-130(b), on the form provided by the commission.

(2) Legible documentation of the cementing operations across fresh and usable water strata shall be attached to the affidavit. The documentation may consist of invoices, job logs, job descriptions, or other similar service company reports.

(3) Falsification of documentation or the failure to complete alternate II cementing shall be punishable by a $5000 penalty, and any Each operator of a well not in compliance with requirements of this regulation shall be shut in shut the well in until compliance is achieved.

(f) Upon written, timely request by an operator, the director may provide an exception to any of the requirements of this regulation. In considering a request for an exception, the director may require the operator to provide financial assurance sufficient to cover

K.A.R. 82-3-109. Application for well spacing, orders and basic proration orders; evidence; hearing. (a) Contents. Any interested party may file an application for, or an application for amendments to, a new or amended well spacing order or basic proration order. The application shall include the following:

(1) If the application is for amendment, a description of the nature of the amendment sought;

(2) the well location, and depth, and the common source of supply from which a well or wells in the subject acreage are producing;

(3) a description of the acreage subject to the application, with an affirmation that all of the acreage is reasonably expected to be productive from the subject common source of supply;

(4) the proposed well location restriction and proposed provisions for any exceptions thereto;
the proposed configuration of producing units for purposes of acreage attribution purposes;

the name and address of each operator or lessee of record in the subject acreage, and a certificate of mailing indicating the date service of a copy of the application was made to each;

the name and address of each owner of record of the minerals in unleased acreage within the subject acreage, and a certificate of mailing indicating the date service of a copy of the application was made to each;

the name and address, as shown by the applicant's books and records, of each person owning the royalty or leasehold interest in the subject acreage and 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 service of a copy of the application was made to each; a list of the persons provided notice pursuant to K.A.R. 82-3-135a and the date that notice was provided;

if the factors proposed to be used in any proration formula is sought, the specific factors proposed to be utilized in the allocation of production;

the applicant's license number; and

such other relevant information which may be required by the commission.

Evidence. Each applicant for a well spacing order or basic proration order or for amendments adding or deleting acreage in an existing well spacing order or basic proration order shall file with the application the following evidence in support of the application:

A net sand isopachus map of the subject common source of supply;
(2) a geological structure map of the subject common source of supply;

(3) to the extent practicable, a cross-section cross section of logs representative of wells in the acreage affected by the application;

(4) data from any available drill stem test data;

(5) an economic analysis, including a reservoir or drainage study which supports the specific pattern sought in the application; and

(6) any other relevant information which may be required by the commission.

(c) Notice. Each applicant shall file an original and four copies of the application shall be filed with the conservation division. The application shall be set for hearing by the commission. The applicant shall publish notice of the application pursuant to K.A.R. 82-3-135a and notice of any hearing pursuant to K.A.R. 82-3-135.

(d) Drilling prohibited. Once notice of the hearing has been provided, any Except as otherwise specified in this subsection, the drilling of any wells within an area sought to be spaced or prorated under the provisions of this regulation and before commission approval of the well spacing proposal subject to an application for spacing or proration shall be prohibited unless the intended until the commission has issued a final order on the application. However, any operator may drill a well during the pendency of the application if the well location conforms to the most restrictive location provisions sought in the pending application or applications. An exception to this requirement may be granted after notice and hearing. (Authorized by K.S.A. 1989 Supp. 55-604, K.S.A. 55-704; implementing K.S.A. 1989 Supp. 55-603, 55-605, 55-706, K.S.A. 55-703a, K.S.A. 55-704; effective, T-83-44, Dec. 8, 1982; effective May 1, 1983; amended, T-85-51, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987; amended May
K.A.R. 82-3-203. State and pool Production allowable and proration. (a) Well allowables for nonprorated pools. Allowables An allowable shall be assigned on an individual well basis to each well in a nonprorated pool. The allowable for each well in nonprorated pools shall be set by the following depth schedule and shall take effect from on the date of first production:

<table>
<thead>
<tr>
<th>Depth of Producing Interval</th>
<th>Daily Production Allowable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Found Between</td>
<td>bbls/well/day (barrels per well per day)</td>
</tr>
<tr>
<td>0-4000'</td>
<td>100</td>
</tr>
<tr>
<td>4001-6000'</td>
<td>200</td>
</tr>
<tr>
<td>Below 6000'</td>
<td>300</td>
</tr>
</tbody>
</table>

(b) Oil wells not meeting the provisions of K.A.R. 82-3-207 shall have their oil allowables determined under the provisions of that section.

(c) Exception. An allowable may be assigned and acreage may be attributed to a given nonprorated well at variance to the allowable assigned and acreage attributed to a well of similar depth as set out in subsection (a). The applicant for such an exception shall file a verified application that shows: Any interested party may file an application for an exception to this regulation with the conservation division. The application shall include the following:

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

(2) the allowable requested;

(3) the geological name of the producing formation;
(4) the top and bottom depths of the producing formation;

(5) the names and addresses of each operator or lessee of record and each unleased mineral owner within a ½ mile radius of the subject well, and an affidavit indicating the date that service of a copy of the application was made to each a list of the persons provided notice pursuant to K.A.R. 82-3-135a and the date that notice was provided; and

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

(d) Any interested party may file an application for an exception to the well allowable provisions of this regulation.

(1) An original and four copies of the application shall be filed with the conservation division.

(2) The application shall be set for hearing by the commission.


K.A.R. 82-3-208. Venting or flaring of casinghead gas. (a) Exception to hearing requirement. Without a hearing, The venting or flaring of non-sour casinghead gas, other than sour casinghead gas, may be permitted by the commission director if the requirements of this subsection are met. The operator shall file an affidavit with the conservation division. The affidavit shall be
submitted on a form supplied by the commission and shall state all of the following:

(1) The well has produced 25 mcfd or less of casinghead gas available for sale as established by a state-supervised test.

(2) The casinghead gas volume is uneconomic to market because a pipeline connection is not feasible, or the price received would not allow reasonable recovery of the investment required to market the gas and the direct expense attributable to marketing due to pipeline or marketing expenses.

(3) The operator has made a diligent effort to obtain a market for the gas, and the volume of casinghead gas produced from this well will not economically justify a pipeline connection.

(b) Notice; hearing. If the total volume produced and available for sale from a well is in excess of well produces more than 25 mcfd, the venting or flaring of a specified amount of casinghead gas may be permitted only by the commission upon application and after notice and hearing. In making such a determination, the following shall be considered by the commission order after consideration of the following:

(1) The availability of a market or of pipeline facilities;

(2) the probable recoverable gas reserves;

(3) the necessity for maintenance of reservoir gas pressure to maximize the recoverability of oil reserves from the formation;

(4) the feasibility of reinjecting the gas;

(5) a reasonable testing period;

(6) any anticipated change in the gas-to-oil ratio;
(7) the applicant’s compliance with the department’s applicable air quality regulations; and

(8) any other relevant fact or circumstance demonstrating the reasonableness of the request.

(c) Application. Any interested party may file an application to vent or flare a total volume of casinghead gas in excess of more than 25 mcf/d from a well of casinghead gas. The original and four copies of the application shall be filed with the conservation division. The application shall be set for hearing by the commission. The applicant shall publish notice of the application pursuant to K.A.R. 82-3-135a and notice of any hearing pursuant to K.A.R. 82-3-135.

(d) Form and contents. The application shall include the following:

(1) The name and address of each operator or lessee of record within a 1/2-mile radius of the subject well, and a certificate of mailing indicating the date on which service of a copy of the application was made to each operator or lessee;

(2) the name and address of each owner of record of the minerals in unleased acreage within a 1/2-mile radius of the subject well, and a certificate of mailing indicating the date on which service of a copy of the application was made to each owner of record; and

(3) the name and address, as shown by the applicant’s books and records, of each person owning the royalty or leasehold interest in the acreage upon which the well is located, and a certificate of mailing indicating the date on which service of a copy of the application was made to each person. a list of the persons provided notice pursuant to K.A.R. 82-3-135a and the date that notice was provided.
(e) **Gas measurement; continuing jurisdiction.** The volume of gas vented or flared under this regulation shall be metered, measured, or monitored, and the charts or records shall be retained for at least two years. This information shall be reported to the commission semiannually or as designated by the commission. **The continuing jurisdiction with authority to terminate the venting or flaring of gas when necessary shall lie with the commission.**

(f) **Protection of persons and property.** All gas vented or flared under this regulation shall be done in a manner designed to prevent damage to property and injury to persons who are reasonably expected to be in the vicinity for work, pleasure, or business.


K.A.R. 82-3-209. **Flaring of sour gas.** (a) The flaring of Sour casinghead gas may be flared only if permitted by the commission. In making such a determination, with consideration of the following factors shall be considered by the commission:

1. The availability of a market or of pipeline facilities;
2. probable recoverable gas reserves;
3. the necessity for maintenance of gas pressure in the formation to protect the nonwasteful production of oil;
4. the feasibility of reinjection of sour gas;
5. any anticipated change in the gas-oil ratio;
the hydrogen sulfide content of the gas;

the feasibility of desulfurization of the gas;

the proposed flaring facility;

the applicant's compliance with the department's air quality regulations in K.A.R. 28–19–6 et seq.; and

any other relevant fact or circumstance having bearing on the reasonableness of the request.

Any interested party may file an application for the flaring of sour casing head gas from a well. Each applicant shall file an original and four copies of the application shall be filed with the conservation division. The application shall be set for hearing by the commission. The applicant shall publish notice of the application pursuant to K.A.R. 82-3-135a and any hearing pursuant to K.A.R. 82-3-135.

The Each application shall include the following:

(1) The name and address of each operator or lessee of record within a one half mile radius of the subject well, and a certificate of mailing indicating the date service of a copy of the application was made to each;

(2) the name and address of each owner of record of the minerals in unleased acreage within a one half mile radius of the subject well, and a certificate of mailing indicating the date service of a copy of the application was made to each;

(3) the name and address, as shown by the applicant's books and records, of each person owning the royalty or leasehold interest in the acreage upon which the well is located, and a certificate of mailing indicating the date service of a copy of the application was made to each
a list of the persons provided notice pursuant to K.A.R. 82-3-135a and the date that notice was provided.