

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of Joe) Docket No. 25-CONS- -CWLE
Gerstner Oil, LLC for a well location)
exception for its Janet Sue 1-5 OWWO) CONSERVATION DIVISION
well, to be located in the S/2 SW/4 of)
Section 5 Township 16 South, Range 22)
West, Ness County, Kansas) License No. 33605

3339

APPLICATION
FOR WELL LOCATION EXCEPTION

Joe Gerstner Oil, LLC (“Operator”) files this Application for Well Location and Exception (“Application”) with the State Corporation Commission of the State of Kansas (“Commission”) requesting an order authorizing the reopening and completion, and full oil allowable to, an Old Well Work Over on its Janet Sue 1-5 OWWO well (“Subject Well”) at the location specified below. In support of its Application, Operator states and alleges as follows:

1. Operator is a Kansas Limited Liability Company whose mailing address is PO Box 509, Ness City, Kansas 67560, and who is in good standing with the Kansas Secretary of State to do business in Kansas.

2. The Commission has issued Operator oil and gas operator’s License No. 33605 which license is in full force and effect through May 30, 2025.

3. Operator is the operator of a valid subsisting oil and gas lease covering the following described tract of land:

Oil and Gas lease dated August 15th, 2024 from Gerald L. Wyman, Jr. and Janet S. Wyman, husband and wife, as lessor, to Joe Gerstner Oil, LLC, as lessee, recorded in the office of the Register of Deeds, Ness County, Kansas in Book 427, Page 440 covering the Southwest Quarter (SW/4) of Section 5, Township 16 South, Range 22 West.

4. Operator desires to complete an Old Well Work Over on the currently plugged and abandoned Subject Well at a location that is 280' from the South line and 460' from the West line in the South Half of the Southwest Quarter (S/2 SW/4) of Section 5-16S-22W, Ness County, Kansas. Said well was drilled to a total vertical depth of 4432' to produce oil from the Cherokee Sand formation.

5. K.A.R. 82-3-108(a) prescribes a 330' setback from any lease or unit boundary for any well drilled in Ness County, Kansas. K.A.R. 82-3-108(c) provides that a well location exception may be granted to permit drilling a well within the prescribed setback if necessary to prevent waste or to protect correlative rights.

6. Operator requests a well location exception pursuant to K.A.R. 82-3-108(c) because Operator desires to drill the Subject Well at a location that is 280' from the south boundary line of the Subject Lease. Operator also requests said well be assigned its full daily oil allowable under K.A.R. 82-3-203(a).

7. Drilling the Subject Well at the proposed location is necessary to prevent waste and to protect correlative rights. The location at which the Janet Sue 1-5 OWWO well was drilled has already been cased and moving it would dramatically increase dry hole risk.

8. Drilling the Subject Well at the proposed location is necessary to protect the correlative rights of Operator and its lessor-mineral owners. Operator has attempted to acquire an oil and gas lease from the mineral owner of the tract of land ("Offset Tract") whose property line is situated less than 330' from the proposed location of the Subject Well. The owner of the Offset

Tract refuses to consider an oil and gas lease on any reasonable terms, which violates the correlative rights of Operator and its lessor-mineral owners, and results in waste of natural resources.

9. Exhibit A is a plat showing the boundaries of the Subject Well and the Offset Tract. Exhibit A also depicts all completed, partially drilled and permitted wells on said lands. A proposed Notice of Intent to Drill (Form C-1), along with corresponding staking, is attached as Exhibit B.

10. Grant of the well location exception, for Applicant's Janet Sue 1-5 OWWO well as requested herein will maximize production of oil and/or gas from the producing formation without waste and will not violate correlative rights.

11. Listed below is each offset unleased mineral owner whose property line is located less than 330' from the existing well location, provided in accordance with K.A.R. 82-3-108(d)(3)(B). There are likewise no offset operators whose lease line is located less than 330' from the Subject Well, provided in accordance with K.A.R. 82-3-108(d)(3)(A).

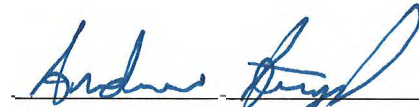
Stanley G. Hogsett and Sally Hogsett
343 Concord Dr
Danville, IL 61832

12. Pursuant to K.A.R. 82-3-108(f), notice of this Application will be provided to all those persons identified in paragraph 10 above, and will be published in the *Wichita Eagle* and the *Ness County News*, the official paper of Ness County, Kansas, in accordance with K.A.R. 82-3-135a(d). Notice will therefore be lawful and proper in respects. Each publisher's affidavit will

be provided to the Commission upon receipt. A copy of the Notice of Application will be filed in this docket.

WHEREFORE, Applicant requests that this Application be set for hearing or granted administratively if no protests be timely filed; that the Commission enter its order approving the well location exception requested for Applicant's well, and the Commission grant the Applicant such other and further relief as it may deem just and proper.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Andrew Stenzel", is written over a horizontal line.

Andrew Stenzel, Co-Manager
Joe Gerstner Oil, LLC
PO Box 509
Ness City, KS 67560
Telephone: 785-798-2346
Facsimile: 785-798-3470
Email: teko@gbta.net

VERIFICATION

STATE OF KANSAS)
) SS:
COUNTY OF NESS)


Andrew Stenzel, of lawful age and being first duly sworn upon his oath, deposes and states: That he has read the above and foregoing Application, knows and understands the contents thereof, and states that the statements and allegations therein contained are true and correct according to his knowledge, information, and belief.



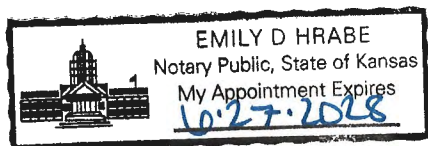
Andrew Stenzel

SUBSCRIBED AND SWORN TO before me, the undersigned authority, this 10th day of April, 2025.

My commission expires: 10.27.2028



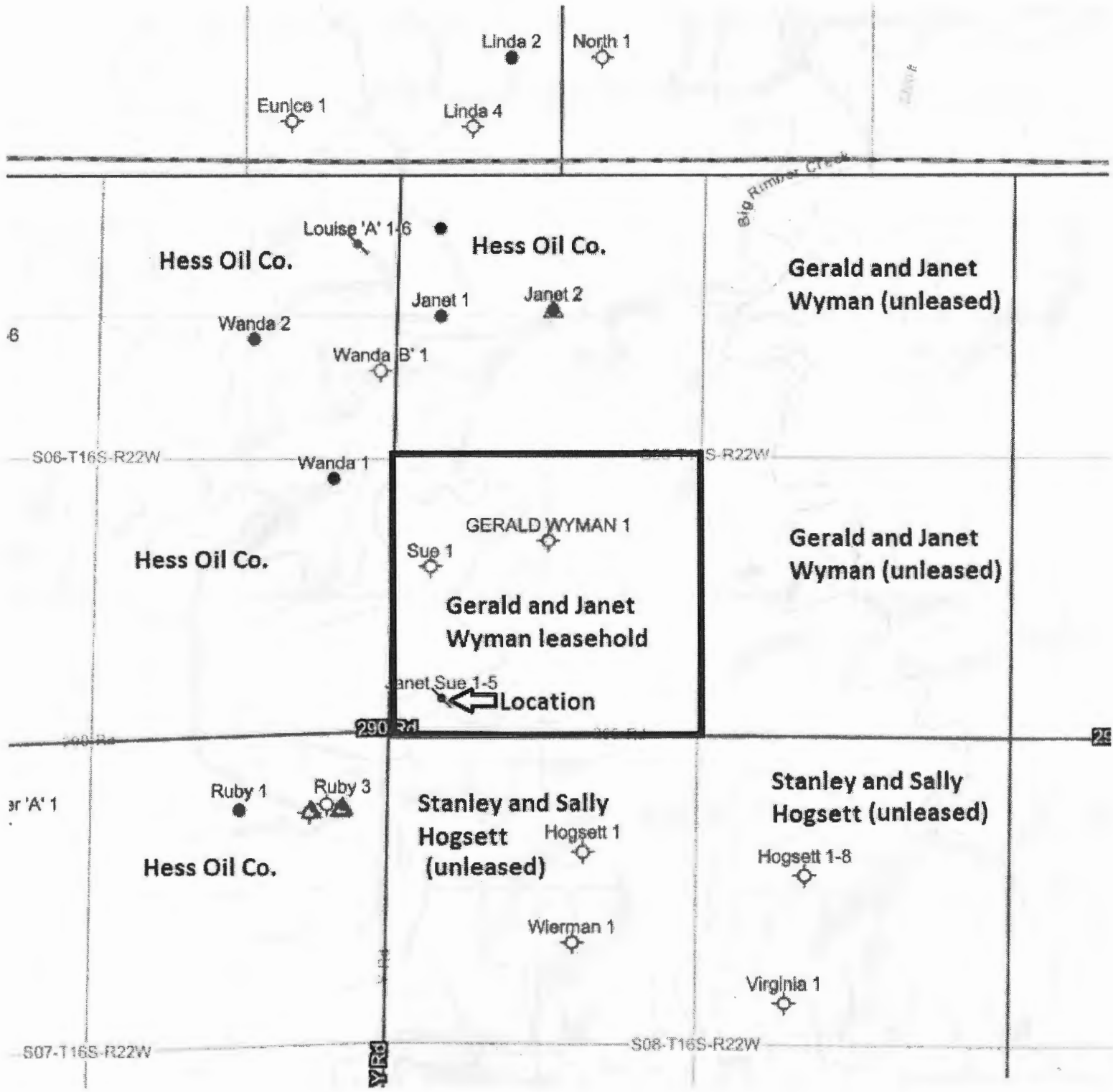
Notary Public



Application of Joe Gerstner Oil, LLC for
Well Location Exception
Janet Sue 1-5 OWWO Well, Section 5-T16S-R22W
Ness County, Kansas

EXHIBIT A

plat



Application of Joe Gerstner Oil, LLC for
Well Location Exception
Janet Sue 1-5 OWWO Well, Section 5-T16S-R22W
Ness County, Kansas

EXHIBIT B

Intent to Drill

For KCC Use:
Effective Date: _____
District # 1
SGA? Yes No

NOTICE OF INTENT TO DRILL

Must be approved by KCC five (5) days prior to commencing well

Form KSONA-1, Certification of Compliance with the Kansas Surface Owner Notification Act, MUST be submitted with this form.

Expected Spud Date: 6/1/2025
month day year

OPERATOR: License# 33605
Name: Joe Gerstner Oil, LLC
Address 1: PO BOX 509
Address 2: _____
City: NESS CITY State: KS Zip: 67560 + 0509
Contact Person: Andrew Stenzel
Phone: 785-798-2346

CONTRACTOR: License# 32970
Name: H-D Oilfield Service, Inc.

Well Drilled For: Oil Gas Seismic; # of Holes _____
 Enh Rec Storage Disposal Other: _____
Well Class: Infield Pool Ext. Wildcat Other _____
Type Equipment: Mud Rotary Air Rotary Cable

If OWWO: old well information as follows:
Operator: Falcon Exploration, Inc.
Well Name: Janet Sue
Original Completion Date: 11/24/2003 Original Total Depth: 4432

Directional, Deviated or Horizontal wellbore? Yes No
If Yes, true vertical depth: _____
Bottom Hole Location: _____
KCC DKT #: _____

Spot Description: _____
SE - SW - SW - SW Sec. 5 Twp. 16 S. R. 22 E W
(1/2/4/8) 280 feet from N / S Line of Section
460 feet from E / W Line of Section

Is SECTION: Regular Irregular?

(Note: Locate well on the Section Plat on reverse side)
County: Ness

Lease Name: Janet Sue OWWO Well #: 1-5
Field Name: Waring

Is this a Prorated / Spaced Field? Yes No

Target Formation(s): Cherokee Sand

Nearest Lease or unit boundary line (in footage): 280

Ground Surface Elevation: 2390 Estimated _____ feet MSL

Water well within one-quarter mile: Yes No

Public water supply well within one mile: Yes No

Depth to bottom of fresh water: _____

Depth to bottom of usable water: _____

Surface Pipe by Alternate: I II

Length of Surface Pipe Planned to be set: 1760

Length of Conductor Pipe (if any): _____

Projected Total Depth: 4432

Formation at Total Depth: Mississippi

Water Source for Drilling Operations:
 Well Farm Pond Other: _____

DWR Permit #: _____

(Note: Apply for Permit with DWR)

Will Cores be taken? Yes No

If Yes, proposed zone: _____

AFFIDAVIT

The undersigned hereby affirms that the drilling, completion and eventual plugging of this well will comply with K.S.A. 55 et. seq.

It is agreed that the following minimum requirements will be met:

1. Notify the appropriate district office **prior** to spudding of well;
2. A copy of the approved notice of intent to drill **shall be** posted on each drilling rig;
3. The minimum amount of surface pipe as specified below **shall be set** by circulating cement to the top; in all cases surface pipe **shall be set** through all unconsolidated materials plus a minimum of 20 feet into the underlying formation.
4. If the well is dry hole, an agreement between the operator and the district office on plug length and placement is necessary **prior to plugging**;
5. The appropriate district office will be notified before well is either plugged or production casing is cemented in;
6. If an ALTERNATE II COMPLETION, production pipe shall be cemented from below any usable water to surface within **120 DAYS** of spud date. Or pursuant to Appendix "B" - Eastern Kansas surface casing order #133,891-C, which applies to the KCC District 3 area, alternate II cementing must be completed within 30 days of the spud date or the well shall be plugged. **in all cases, NOTIFY district office** prior to any cementing.

I hereby certify that the statements made herein are true and to the best of my knowledge and belief.

Date: _____ Signature of Operator or Agent: _____ Title: _____

For KCC Use ONLY
API # 15 - _____
Conductor pipe required _____ feet
Minimum surface pipe required _____ feet per ALT. I II
Approved by: _____
This authorization expires: _____
(This authorization void if drilling not started within 12 months of approval date.)
Spud date: _____ Agent: _____

Remember to:

- File Certification of Compliance with the Kansas Surface Owner Notification Act (KSONA-1) with Intent to Drill;
- File Drill Pit Application (form CDP-1) with Intent to Drill;
- File Completion Form ACO-1 within 120 days of spud date;
- File acreage attribution plat according to field proration orders;
- Notify appropriate district office 48 hours prior to workover or re-entry;
- Submit plugging report (CP-4) after plugging is completed (within 60 days);
- Obtain written approval before disposing or injecting salt water.
- If well will not be drilled or permit has expired (See: authorized expiration date) please check the box below and return to the address below.

Well will not be drilled or Permit Expired Date: _____
Signature of Operator or Agent: _____

5
16
22
 E
 W

For KCC Use ONLY

API # 15 - _____

DRAFT Side Two

IN ALL CASES PLOT THE INTENDED WELL ON THE PLAT BELOW

In all cases, please fully complete this side of the form. Include items 1 through 5 at the bottom of this page.

Operator: Joe Gerstner Oil, LLC

Lease: Janet Sue OWWO

Well Number: 1-5

Field: Waring

Number of Acres attributable to well: _____

QTR/QTR/QTR/QTR of acreage: SE - SW - SW - SW

Location of Well: County: Ness

280 feet from N / S Line of Section

460 feet from E / W Line of Section

Sec. 5 Twp. 16 S. R. 22 E W

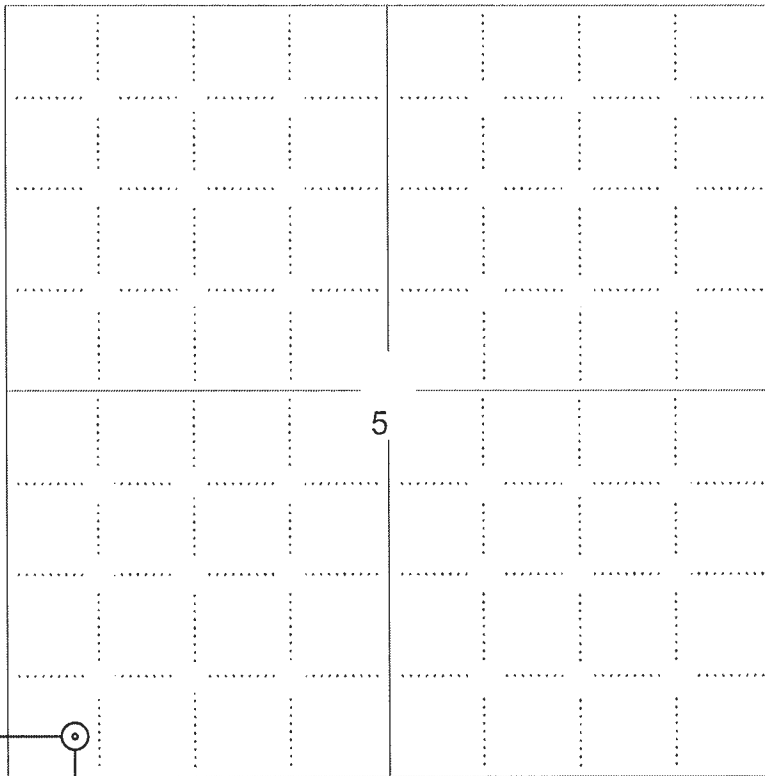
Is Section: Regular or Irregular

If Section is Irregular, locate well from nearest corner boundary.

Section corner used: NE NW SE SW

PLAT

Show location of the well. Show footage to the nearest lease or unit boundary line. Show the predicted locations of lease roads, tank batteries, pipelines and electrical lines, as required by the Kansas Surface Owner Notice Act (House Bill 2032). You may attach a separate plat if desired.



NOTE: In all cases locate the spot of the proposed drilling location.

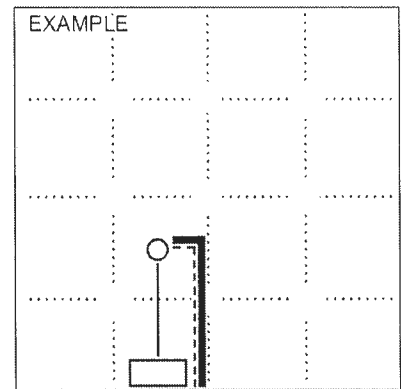
280 ft.

In plotting the proposed location of the well, you must show:

1. The manner in which you are using the depicted plat by identifying section lines, i.e. 1 section, 1 section with 8 surrounding sections, 4 sections, etc.
2. The distance of the proposed drilling location from the south / north and east / west outside section lines.
3. The distance to the nearest lease or unit boundary line (in footage).
4. If proposed location is located within a prorated or spaced field a certificate of acreage attribution plat must be attached: (CO-7 for oil wells; CG-8 for gas wells).
5. The predicted locations of lease roads, tank batteries, pipelines, and electrical lines.

LEGEND

- Well Location
- Tank Battery Location
- Pipeline Location
- Electric Line Location
- Lease Road Location



DRAFT
 KANSAS CORPORATION COMMISSION
 OIL & GAS CONSERVATION DIVISION

Form CDP-1
 May 2010
 Form must be Typed

APPLICATION FOR SURFACE PIT

Submit in Duplicate

Operator Name: Joe Gerstner Oil, LLC		License Number: 33605	
Operator Address: PO BOX 509		NESS CITY KS 67560	
Contact Person: Andrew Stenzel		Phone Number: 785-798-2346	
Lease Name & Well No.: Janet Sue OWWO 1-5		Pit Location (QQQQ): SE - SW - SW - SW	
Type of Pit: <input type="checkbox"/> Emergency Pit <input type="checkbox"/> Burn Pit <input type="checkbox"/> Settling Pit <input type="checkbox"/> Drilling Pit <input type="checkbox"/> Workover Pit <input type="checkbox"/> Haul-Off Pit <i>(If WP Supply API No. or Year Drilled)</i>		Pit is: <input type="checkbox"/> Proposed <input type="checkbox"/> Existing If Existing, date constructed: _____ Pit capacity: _____ (bbls)	
		Sec. <u>5</u> Twp. <u>16</u> R. <u>22</u> <input type="checkbox"/> East <input checked="" type="checkbox"/> West <u>280</u> Feet from <input type="checkbox"/> North / <input checked="" type="checkbox"/> South Line of Section <u>460</u> Feet from <input type="checkbox"/> East / <input checked="" type="checkbox"/> West Line of Section Ness _____ County	
Is the pit located in a Sensitive Ground Water Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Chloride concentration: _____ mg/l <i>(For Emergency Pits and Settling Pits only)</i>	
Is the bottom below ground level? <input type="checkbox"/> Yes <input type="checkbox"/> No		Artificial Liner? <input type="checkbox"/> Yes <input type="checkbox"/> No	
How is the pit lined if a plastic liner is not used?			
Pit dimensions (all but working pits): _____ Length (feet) _____ Width (feet)		<input checked="" type="checkbox"/> N/A: Steel Pits	
Depth from ground level to deepest point: _____ (feet)		<input type="checkbox"/> No Pit	
If the pit is lined give a brief description of the liner material, thickness and installation procedure.		Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring.	
Distance to nearest water well within one-mile of pit: _____ feet Depth of water well _____ feet		Depth to shallowest fresh water _____ feet. Source of information: <input type="checkbox"/> measured <input type="checkbox"/> well owner <input type="checkbox"/> electric log <input type="checkbox"/> KDWR	
Emergency, Settling and Burn Pits ONLY: Producing Formation: _____ Number of producing wells on lease: _____ Barrels of fluid produced daily: _____ Does the slope from the tank battery allow all spilled fluids to flow into the pit? <input type="checkbox"/> Yes <input type="checkbox"/> No		Drilling, Workover and Haul-Off Pits ONLY: Type of material utilized in drilling/workover: <u>Fresh Water</u> Number of working pits to be utilized: <u>1</u> Abandonment procedure: <u>Steel pit will be used.</u> _____ Drill pits must be closed within 365 days of spud date.	
I hereby certify that the above statements are true and correct to the best of my knowledge and belief.			
_____ Date		_____ Signature of Applicant or Agent	

KCC OFFICE USE ONLY

Liner Steel Pit RFAC RFAS

Date Received: _____ Permit Number: _____ Permit Date: _____ Lease Inspection: Yes No

CERTIFICATION OF COMPLIANCE WITH THE KANSAS SURFACE OWNER NOTIFICATION ACT

This form must be submitted with all Forms C-1 (Notice of Intent to Drill); CB-1 (Cathodic Protection Borehole Intent); T-1 (Request for Change of Operator Transfer of Injection or Surface Pit Permit); and CP-1 (Well Plugging Application). Any such form submitted without an accompanying Form KSONA-1 will be returned.

Select the corresponding form being filed: **C-1** (Intent) **CB-1** (Cathodic Protection Borehole Intent) **T-1** (Transfer) **CP-1** (Plugging Application)

OPERATOR: License # 33605
Name: Joe Gerstner Oil, LLC
Address 1: PO BOX 509
Address 2: _____
City: NESS CITY State: KS Zip: 67560 + 0509
Contact Person: Andrew Stenzel
Phone: (785) 798-2346 Fax: (_____) _____
Email Address: _____

Well Location:
SE SW SW SW Sec. 5 Twp. 16 S. R. 22 East West
County: Ness
Lease Name: Janet Sue OWWO Well #: 1-5

If filing a Form T-1 for multiple wells on a lease, enter the legal description of the lease below:

Surface Owner Information:
Name: Gerald and Janet Wyman
Address 1: 25708 290 Rd
Address 2: _____
City: Brownell State: Kansas Zip: 67521 + _____

When filing a Form T-1 involving multiple surface owners, attach an additional sheet listing all of the information to the left for each surface owner. Surface owner information can be found in the records of the register of deeds for the county, and in the real estate property tax records of the county treasurer.

If this form is being submitted with a Form C-1 (Intent) or CB-1 (Cathodic Protection Borehole Intent), you must supply the surface owners and the KCC with a plat showing the predicted locations of lease roads, tank batteries, pipelines, and electrical lines. The locations shown on the plat are preliminary non-binding estimates. The locations may be entered on the Form C-1 plat, Form CB-1 plat, or a separate plat may be submitted.

Select one of the following:

- I certify that, pursuant to the Kansas Surface Owner Notice Act (see Chapter 55 of the Kansas Statutes Annotated), I have provided the following to the surface owner(s) of the land upon which the subject well is or will be located: 1) a copy of the Form C-1, Form CB-1, Form T-1, or Form CP-1 that I am filing in connection with this form; 2) if the form being filed is a Form C-1 or Form CB-1, the plat(s) required by this form; and 3) my operator name, address, phone number, fax, and email address.

- I have not provided this information to the surface owner(s). I acknowledge that, because I have not provided this information, the KCC will be required to send this information to the surface owner(s). To mitigate the additional cost of the KCC performing this task, I acknowledge that I must provide the name and address of the surface owner by filling out the top section of this form and that I am being charged a \$30.00 handling fee, payable to the KCC, which is enclosed with this form.

If choosing the second option, submit payment of the \$30.00 handling fee with this form. If the fee is not received with this form, the KSONA-1 form and the associated Form C-1, Form CB-1, Form T-1, or Form CP-1 will be returned.

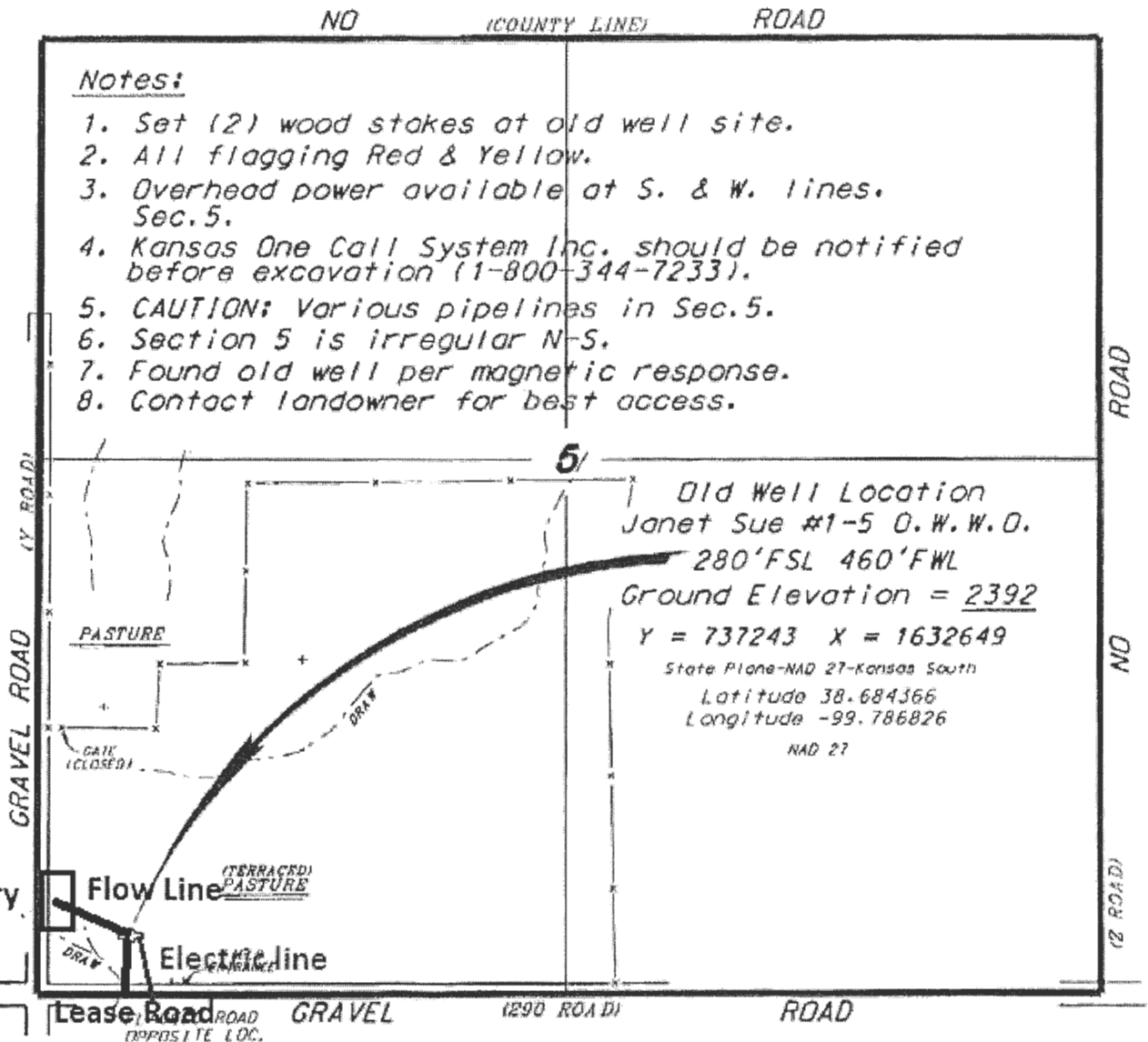
I hereby certify that the statements made herein are true and correct to the best of my knowledge and belief.

Date: _____ Signature of Operator or Agent: _____ Title: _____

JOE GERSTNER OIL, LLC
 JANET SUE LEASE
 SW. 1/4, SECTION 5, T16S, R22W
 NESS COUNTY, KANSAS

Notes:

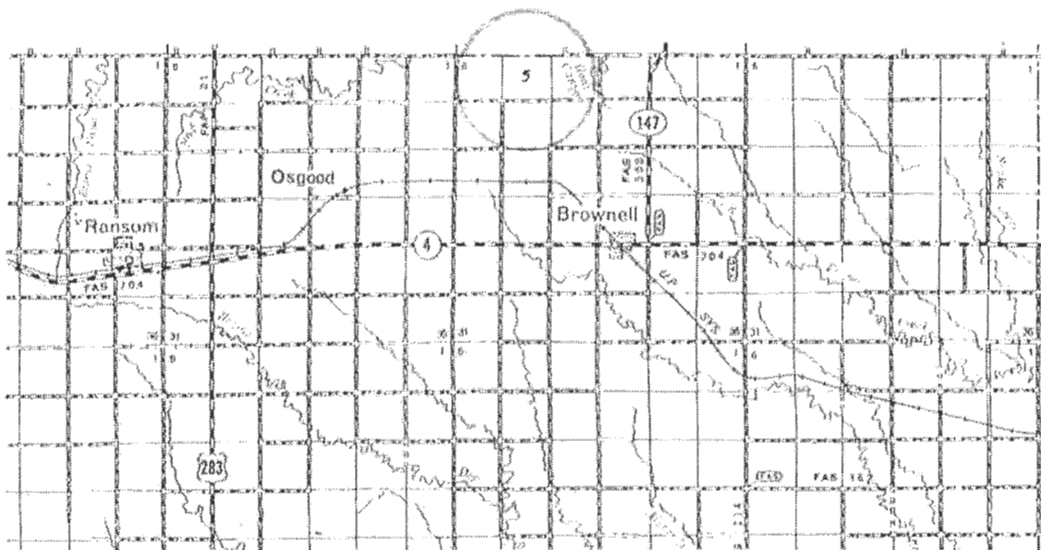
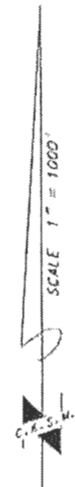
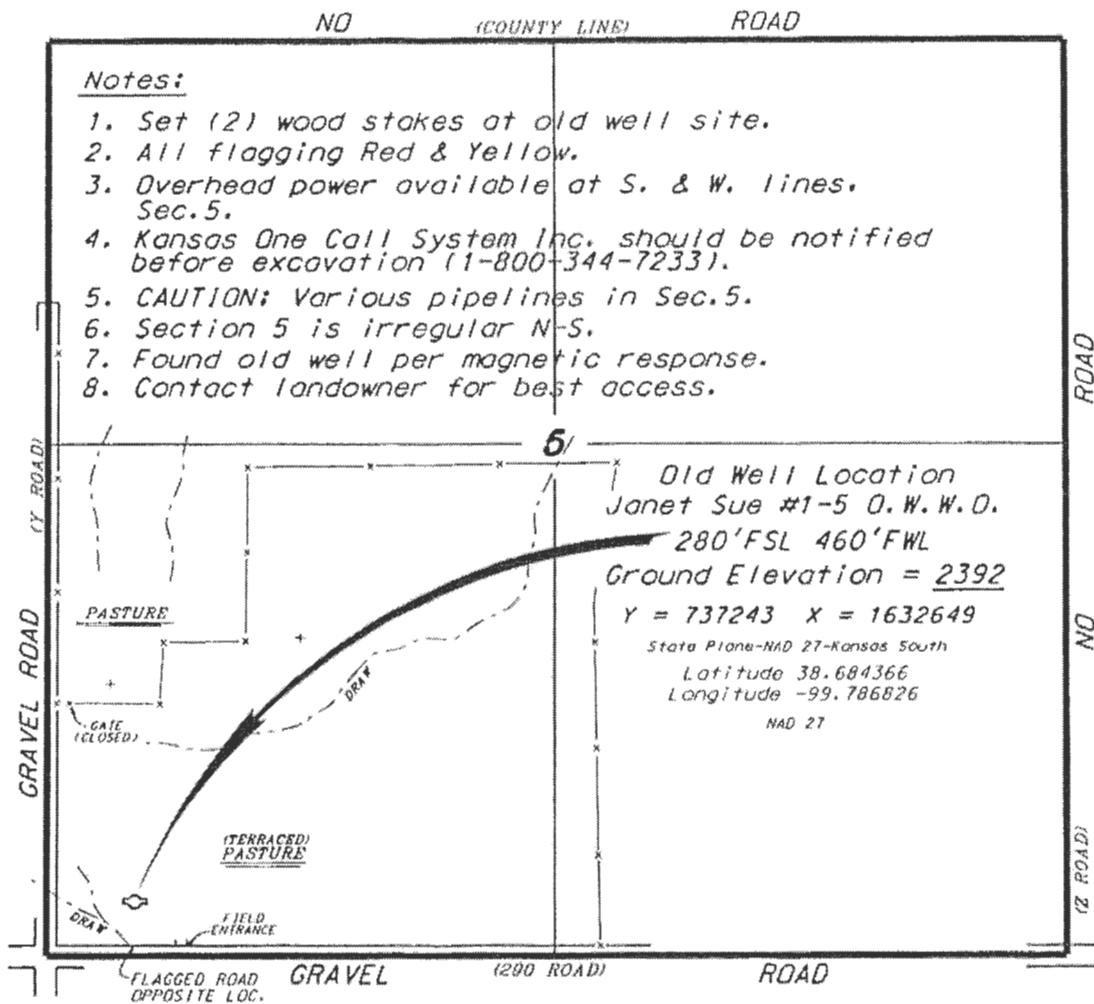
1. Set (2) wood stakes at old well site.
2. All flagging Red & Yellow.
3. Overhead power available at S. & W. lines. Sec. 5.
4. Kansas One Call System Inc. should be notified before excavation (1-800-344-7233).
5. CAUTION: Various pipelines in Sec. 5.
6. Section 5 is irregular N-S.
7. Found old well per magnetic response.
8. Contact landowner for best access.



SCALE 1" = 1000'

JOE GERSTNER OIL, LLC
 JANET SUE LEASE
 SW. 1/4, SECTION 5, T16S, R22W
 NESS COUNTY, KANSAS

*Ingress and egress to location as shown on this plot is per usage only and may not be legally opened for public use. Contact landowner, tenant and county road department for access.



• Controlling data is based upon the best maps and photographs available to us and upon a regular section of land containing 640 acres.
 • Approximate section lines were determined using the normal standard of care of oilfield surveyors practicing in the state of Kansas. The section corners, which establish the precise section lines, were not necessarily located, and the exact location of the drillsite location in the section is not guaranteed. Therefore, the operator accepting this service and accepting this plot and all other parties relying thereon agree to hold Central Kansas Oilfield Services, Inc., its officers and employees harmless from all losses, costs and expenses and said entities released from any liability from incidental or consequential damages.
 • Elevations derived from National Geodetic Vertical Datum.

Date April 7, 2025

Joe Gerstner Oil, LLC
PO Box 509
Ness City, KS 67560
785-798-2346
785-798-3470 fax
teko@gbta.net

April 10, 2025

To Whom It May Concern:

The purpose of this letter is to notify you that we have applied for a Location Exception for the Janet Sue 1-5 OWWO oil well. You are being informed as your land is located less than the minimum distance of subject well required by K.A.R. 82-3-108(a). Pursuant to K.A.R. 82-3-108(f), you are hereby notified of such action.

Sincerely,

Joe Gerstner Oil, LLC

encl

AFFIDAVIT OF NOTICE

STATE OF KANSAS)
) SS:
COUNTY OF NESS)


I certify that on this 10th day of April, 2025, I, Andrew Stenzel, caused the original of the foregoing Application and the Notice of Application to be electronically filed with the Conservation Division of the State Corporation Commission of the State of Kansas, and caused true and correct copies of the same to be deposited in the United States Mail, postage prepaid, and properly addressed to the individuals described in paragraph 11 of the Application.



Andrew Stenzel

SUBSCRIBED AND SWORN TO before me, the undersigned authority, this 10th day of April, 2025.

My commission expires: 10-27-2028



Notary Public

