

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the matter of the application of Charles) Docket No. 18-CONS-3328-CHOR
N. Griffin for an order authorizing the)
drilling of the Donna #1H as a horizontal) CONSERVATION DIVISION
wellbore upon its Donna lease located in)
Pratt County, Kansas.) License No. 33936

ORDER GRANTING APPLICATION

The above captioned matter comes before the State Corporation Commission of the State of Kansas for consideration and determination. Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

I. JURISDICTION

1. K.S.A. 74-623 provides that the Commission has the exclusive jurisdiction and authority to regulate oil and gas activities.
2. K.S.A. 55-155 provides licensing authority to the Commission.
3. K.A.R. 82-3-103a provides that any hole drilled horizontally into a formation for production may only be permitted after application and notice under K.A.R. 82-3-135a.

II. FINDINGS OF FACT

4. Commission records indicate that Charles N. Griffin (“Operator”) is currently licensed to conduct oil and gas activities in Kansas under K.S.A. 55-155.

5. On February 20, 2018, Operator filed an application requesting permission to drill and complete its proposed Donna #1H horizontal well (“the subject well”) into the Viola formation in Pratt County, Kansas.¹

6. On April 10, 2018, Operator filed an amended application.²

7. The surface location of the subject well shall be 165' FSL and 800' FWL in Section 29, Township 29 South, Range 15 West.

8. The bottom-hole location of the subject well shall be 660' FNL and 700' FWL in Section 29, Township 29 South, Range 15 West.

9. The completion interval of the subject well shall meet the setback requirements of K.A.R. 82-3-108.

10. Operator has verified that notice was properly served and published, as required under K.A.R. 82-3-135a, at least 15 days before the issuance of this Order.³

11. No protests have been filed pursuant to K.A.R. 82-3-135(b).

12. Commission Staff recommends the approval of Operator’s application.

¹ In Paragraph 6 of its Application, Operator also requests the assignment of a production allowable consistent with the provisions of K.A.R. 82-3-1303. There is no need for the Commission to specifically grant the request, however, because each horizontal well automatically has its production allowable determined under K.A.R. 82-3-1303. No Commission ruling is necessary.

² There are some irregularities in Operator’s February 20, 2018, application and April 10, 2018, amended application. For example, Operator’s February 20, 2018, application, at Paragraph 11 and Exhibit C, inaccurately represented that there were no parties other than Griffin Management LLC that needed to be provided notice pursuant to K.A.R. 82-3-135a(b). Operator essentially admits this through its April 10, 2018, amended application, where Operator represents between Paragraph 11, Exhibit C, and its Certificate of Service that multiple parties needed to be, and were, provided notice pursuant to K.A.R. 82-3-135a(b). Further, Operator’s April 10, 2018, amended application, while apparently mailed to the appropriate parties, at Paragraph 5 states that a staking plat and a directional survey plan are attached as Exhibits A and B, respectively. While such Exhibits are attached to the original application, they are not attached to the amended application. The Commission finds, however, that between the original application and amended application, adequate information has been provided for the Commission to rule upon Operator’s request to drill its Donna #1H well. Further, the Commission finds that the amended application provided adequate notice of Operator’s application to any party so mailed the notice, even if Exhibit A and Exhibit B were not attached.

³ In Paragraph 11 of its Application, Operator stated that notice would be published in the *Kiowa News*. Under K.A.R. 82-3-135a(d), however, notice must be published in the official county newspaper, in this case the *Pratt Tribune*. Despite Operator’s representation, Operator in fact published in the *Pratt Tribune*.

III. CONCLUSIONS OF LAW

13. The Commission has jurisdiction over Operator and this matter.

14. The application was filed in accordance with the Commission's rules and regulations and in accordance with Kansas statutes.

15. Notice was properly served and published.

16. Based on the available facts, the Commission finds that granting the application would not cause waste or harm correlative rights.

THEREFORE, THE COMMISSION ORDERS:

A. Operator's application for a horizontal well is granted.

B. This Order is a summary proceeding pursuant to K.S.A. 77-537, which provides in paragraph (b)(4) that summary proceedings are not effective until the time for requesting a hearing has expired. K.S.A. 77-542 provides that a request for hearing shall be filed within 15 days of any agency notice resulting in a right to request a hearing. If service of this Order is by mail, three days are added to the deadline.

C. Any party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 77-529(a). The petition shall be filed within 15 days after service of this Order. If service of this Order is by mail, three days are added to the deadline. The petition shall be addressed to the Commission and sent to 266 N. Main, Suite 220, Wichita, Kansas 67202. Pursuant to K.S.A. 55-606 and K.S.A. 77-529(a), reconsideration is prerequisite for judicial review of this Order. Any party taking an action permitted by this summary proceeding before the deadline for a petition for reconsideration does so at their own risk of further proceedings.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Keen, Commissioner

Dated: 05/01/2018



Lynn M. Retz
Secretary to the Commission

Mailed Date: 05/02/2018

JRM

CERTIFICATE OF SERVICE

18-CONS-3328-CHOR

the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of
first class mail and electronic service on 05/01/2018.

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