

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

Before Commissioners: Mark Sievers, Chairman
 Ward Loyd
 Thomas E. Wright

In the Matter of the Application of) Docket No. 12-CONS-255-CWLE
DianneMarie Yarbrough and Gary Yarbrough)
for a well location exception for their) CONSERVATION DIVISION
Domestic Gas well located at 10100 Scott)
Road, Oswego, Labette County, Kansas.) License No.: 34620

ORDER GRANTING APPLICATION

Now, the above captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas ("Commission" or "KCC").

An application was filed on March 12, 2012, by DianneMarie and Gary Yarbrough ("Applicant") for a well location exception for their Domestic Gas well located at 10100 Scott Road, Oswego, Labette County, Kansas. Notice was published at least fifteen (15) days prior to the granting of this application in *The Wichita Eagle* newspaper and in *The Parsons Sun* newspaper, stating that this matter would be granted without a hearing if no protests were received within fifteen (15) days from publication; there were no protests. The Commission, after giving consideration to the records and files, makes the following findings and conclusions:

1. Applicant holds KCC oil and gas operator's license number 34620.
2. The application in this docket was filed pursuant to the rules and regulations of the State Corporation Commission and the Kansas Statutes, thus fulfilling all regulatory and statutory requirements.

3. Notice was proper in every respect and was published as prescribed by the Commission's rules and regulations; notice was furnished at least fifteen (15) days prior to the granting of the application to all interested parties. There were no protests. The off-set property owner has consented in writing to the well being too close to the property line.

4. The Applicants Domestic Gas well is located as follows:

540 feet from the North line and 331 feet from the East line of Section 27, Township 33 South, Range 20 East, Labette County, Kansas.

5. According to K.A.R. 82-3-108, wells cannot be drilled closer than 330 feet from any lease or unit boundary. Exceptions may be granted to the regulation to prevent waste or to protect correlative rights.

6. The applicant's well is located 30 feet from the property boundary instead of the required 330 feet set back.

7. The acreage to be attributed to said well is described as follows:

SW/4 NE/4 NE/4 NE/4 of Section 27, Township 33 South, Range 20 East in Labette County, Kansas.

8. The Commission finds that an exception to the well location restrictions under K.S.R. 82-3-108 should be granted to prevent waste and to protect correlative rights. A full gas allowable should be assigned to the well.

9. The application should be granted in accordance with the above findings.

IT IS, THEREFORE, BY THE COMMISSION ORDERED: That the application of DianneMarie and Gary Yarbrough for a well location exception for their domestic gas well is granted, and that a full gas allowable is assigned to said well.

Any party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 77-529(a). Such petition shall be filed within fifteen (15)

days after service of this Order and must state the specific grounds upon which relief is requested. This petition for reconsideration shall be filed with the Executive Director of the Conservation Division, Finney State Office Building, 130 S. Market, Room 2078, Wichita, Kansas 67202-3802.

The Commission retains jurisdiction of the subject matter and the parties for the purpose of entering such further Order or Orders as from time-to-time it may deem proper.

BY THE COMMISSION IT IS SO ORDERED.
Sievers, Chmn., Loyd, Com., Wright, Com.

Date: MAY 14 2012



Patrice Petersen-Klein
Executive Director

Date Mailed: 05-14-2012

JM

I CERTIFY THE ORIGINAL
COPY IS ON FILE WITH
The State Corporation Commission

MAY 14 2012



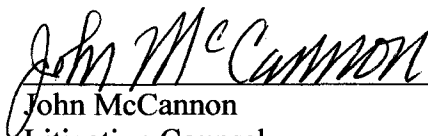
CERTIFICATE OF SERVICE

I hereby certify that on 05-14-2012, I caused a true and correct copy of the foregoing "Order Granting Application" to be served by placing the same in the United States mail, postage prepaid, to the following parties:

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