

BEFORE THE CORPORATION COMMISSION
OF THE STATE OF KANSAS

IN THE MATTER OF THE APPLICATION OF
DIANNEMARIE YARBROUGH AND GARY
YARBROUGH FOR A WELL LOCATION
EXCEPTION FOR THEIR DOMESTIC GAS
WELL LOCATED AT 10100 SCOTT ROAD,
OSWEGO, LABETTE COUNTY, KANSAS

) DOCKET NO. 12-CONS-255-*WLF*
)
) LICENSE NO. 34620
)
) CONSERVATION DIVISION
)

APPLICATION

DianneMarie Yarbrough and Gary Yarbrough ("Yarbrough") submit this application for well location exception for a residential well located within Labette County, Kansas. In support of their application, Yarbrough allege and states as follows:

1. DianneMarie Yarbrough and Gary Yarbrough are husband and wife and are the owners of the property located at 10100 Scott Road, Oswego, Labette County, Kansas. The property is located in the Northeast corner of Section 27, Township 33 South, Range 20 East in Labette County, Kansas.

2. Applicants propose to drill a private gas well on their property located at 10100 Scott Road, Oswego, Labette, County, Kansas.

3. Attached hereto is a proposed Notice of Intent to Drill marked as Exhibit A. Attached hereto is a Plat showing the property on which the well is sought to be drilled marked Exhibit B.

4. Yarbroughs request an exception to the well location provisions of K.A.R. § 82-3-108 for their private gas well that will be drilled less than 300 feet to adjoining property owners land.

5. The Yarbroughs request that a full allowable be assigned to their well.

6. The Yarbroughs contend that granting the request to well location exceptions will prevent economic and physical waste and will not violate correlative rights.

7. Notice of this application for a well location exception will be published in the Parsons Sun newspaper pursuant to K.A.R. § 82-3-108(f).

8. The name and addresses of the owners located less than 330 feet from the well are:

Verlyn White, 1862 10,000 Road, Oswego, KS 67356

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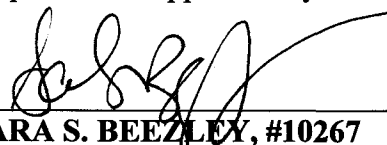
9. The Yarbroughs do not operate any leases that are less than 350 feet from the well. The well is anticipated to be drilled approximately 66 feet from the south property line which adjoins property owned by Verlyn White as identified on Exhibit B attached hereto.

10. Notice of the filing of this Application will be given as required by K.A.R. § 82-3-135(a)(b).

11. That production of gas from the well will not promote waste or violate correlative rights. Gas produced from said well will be utilized solely for residential purposes permitted by the laws of the State of Kansas and the regulations of this commission.

WHEREFORE, for the foregoing reasons, the Yarbroughs pray that, if no written protest is received by the conservation division within fifteen (15) days after notice of the application has been duly published, this commission grant Yarbroughs' request for a well location exception and assign a full allowable to its well as requested herein at the appropriate time and in accordance with the laws of the State of Kansas and the order of this commission.

Prepared and Approved By:



SARA S. BEEZLEY, #10267
Beezley Law, L.L.C.
126 South Ozark – Box 352
Girard, Kansas 66743
(620) 724-4111
Attorney for Applicants

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VERIFICATION

STATE OF KANSAS)
COUNTY OF Crawford) SS:

DianneMarie Yarbrough and Gary Yarbrough, of lawful age, being first duly sworn upon oath, depose and say: that they are the Applicants; that they have read the within and foregoing Application; and the statements and contents thereof are true to the best of their knowledge and belief.

DianneMarie Yarbrough
DianneMarie Yarbrough

Gary Yarbrough
Gary Yarbrough

SUBSCRIBED AND SWORN TO before me this 28 day of February, 2012.



Mandi Montanye
Notary Public

My Appointment Expires: _____

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IN THE MATTER OF THE APPLICATION OF) DOCKET NO. 12-CONS-
DIANNEMARIE YARBROUGH AND GARY)
YARBROUGH FOR A WELL LOCATION) LICENSE NO. 34620
EXCEPTION FOR THEIR DOMESTIC GAS)
WELL LOCATED AT 10100 SCOTT ROAD,) CONSERVATION DIVISION
OSWEGO, LABETTE COUNTY, KANSAS)

NOTICE OF APPLICATION

TO: All Oil and Gas Producers, Purchasers, Royalty Owners, Landowners, and all other persons whomsoever concerned.

You, and each of you, are hereby notified that DianneMarie Yarbrough and Gary Yarbrough has filed with the State Corporation Commission of the State of Kansas an Application pursuant to K.A.R. 82-3-108 requesting a well location exception for its well located in the Northeast corner of Section 27, Township 33 South, Range 20 East in Labette County, Kansas. Said Application further requests that the acreage to be attributed to said well consists of less than 300 feet to adjoining property owners land described as the Northeast corner of Section 27, Township 33 South, Range 20 East in Labette County, Kansas, and that said well be permitted to produce at its full day oil and gas allowable under K.A.R. 82-3-203 and K.A.R. 82-3-312(a).

You are further notified that unless a written protest is received by the State Corporation Commission, Conservation Division, State Office Building, Room 2078, 130 South Market, Wichita, Kansas 67202 within fifteen (15) days after publication of this notice, this Application will be granted without a hearing. If written protest is timely received, you are further notified that this matter will be heard before the State Corporation Commission at the Hearing Room of the Kansas Corporation Commission, Conservation Division, State Office Building, Room 2078, 130 South Market, Wichita, Kansas on _____, 2012 at _____, or as soon thereafter as said Application may be reached.

All persons interested or otherwise concerned shall take notice of the forgoing and govern themselves accordingly.

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