

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

Before Commissioners: Dwight D. Keen, Chair
 Susan K. Duffy
 Shari Feist Albrecht

In the matter of the Application of John O. Farmer, Inc. for) Docket No. 20-CONS-³⁰⁸³-CEXC
an exception to the Pit Closure time limitation of K.A.R. 82-)
3-602 at its Nielsen #1 located in the SW/4 of Section 25,) CONSERVATION DIVISION
Township 16 South, Range 10 East, Lyon County, Kansas)
_____) License No: 5135

APPLICATION

COMES NOW John O. Farmer, Inc. (Applicant) and in support of its Application in the above captioned matter, states as follows:

1. Applicant is a Kansas Corporation doing business in the State of Kansas. Applicant's address is 370 West Wichita, Russell, Kansas 67665.
2. The Kansas Corporation Commission has issued Applicant an Operator's License number 5135, which expires on June 30, 2020.
3. Applicant is the owner and operator of the Nielsen #1 well, API #15-111-20536 (the subject well), which is located 215 feet from the south line and 420 feet from the west line of the SW/4 of Section 25, Township 16 South, Range 10 East of the 6th P.M., Lyon County, Kansas. The subject pit is located on Applicant's Nielsen #1 oil and gas lease covering the S/2 SW/4 of Section 25, Township 16 South, Range 10 East, Lyon County, Kansas.
4. K.A.R. 82-3-100 (b) states that the Commission may grant an exception to the requirement of any of its regulations.
5. Applicant respectfully requests an exception to the deadline for closing a drilling pit as provided in K.A.R. 82-3-602. Applicant has received two 3-month extensions but, due

to certain circumstances beyond Applicant's control, will be unable to complete closure of the drilling pit by September 30, 2019.

6. An exception and corresponding extension of time to close the pit will cause no environmental harm. The subject pit has been emptied several times and Applicant has closed up those portions of the pit deemed dry enough to close. Any fluid which may remain in the pit is fresh water.

7. The Applicant has been unable to completely close the pit within the time prescribed by regulation due to intermittent but persistent rainfall at the location.

8. The names and address of the landowners on whose land the well and pit are located are J.J. Nielsen and Helen Nielsen, husband and wife, 3222 Road F, Allen, Kansas 66833. The names and addresses of the unleased mineral owners of record and operators of leases of record within one-half (1/2) mile of the subject well and entitled to receive notice of this Application are shown on the attached Exhibit "A."

9. Attached as Exhibit "B" are maps showing the location of the Nielsen #1 well.

WHEREFORE, John O. Farmer, Inc. prays that this Application be docketed by the Commission and that if no written protest is received within thirty (30) days after Notice of the Application has been published and duly provided to all interested parties, the Commission issue an order administratively granting John O. Farmer, Inc. an exception to the time limitation set forth in K.A.R. 82-3-602 and allow an additional extension of ninety (90) days from September 30, 2019. In the event a timely and proper protest is filed with the Commission, John O. Farmer, Inc. requests that the Commission set this Application for hearing and, upon such hearing, grant the request for exception and afford such other and further relief as the Commission deems necessary and proper.

Respectfully Submitted,

Thompson, Arthur, Davidson & Katz
525 North Main Street
P.O. Box 111
Russell, Kansas 67665
Attorneys for John O. Farmer, Inc.

By


Dennis R. Davidson, #10619

CERTIFICATE OF SERVICE

I hereby certify that on this 12 day of September, 2019, true and correct copies of the above and foregoing Application and the Notice of Application were served by depositing copies of the same in the United States Mail, postage prepaid, and properly addressed to the landowners set forth in paragraph 8 of the said Application and each of the unleased mineral owners and operators set forth in Exhibit "A" attached to said Application, and the original Application and all necessary support documentation was electronically filed with the Kansas Corporation Commission to a new docket via E-Filing Express.


Dennis R. Davidson

OFFSET OPERATORS/UNLEASED MINERAL OWNERS
(within 1/2 mile radius)

TO JOHN O. FARMER, INC.

Nielsen #1

215' FSL & 420' FWL

Sec. 25-16S-10E

Lyon County, Kansas

Sec. 26-16S-10E

NE/4 less tract & N/2 SE/4

Bill and Debra Burris
537 Road 320
Allen, KS 66833

S/2 SE/4

Jackson Family Revocable Trust
591 Road 320
Allen, KS 66833

Tract in NE/4

Brian and Adrienne Burris
3263 Road F
Allen, KS 66833

Sec. 25-16S-10E

S/2 NW/4 & N/2 SW/4

John O. Farmer, Inc.

SE/4

Brian and Adrienne Burris
3263 Road F
Allen, KS 66833

Sec. 35-16S-10E

NE/4

John O. Farmer, Inc.

Sec. 36-16S-10E

NW/4

John O. Farmer, Inc.

N/2 NE/4

Kelly and Kathleen Miller
2967 Road G5
Americus, KS 66835

Darrell and Sandi Burris
2446 E Manchester St
Springfield, MO 65804

EXHIBIT

B



Fall & Associates
Stake and Elevation Service
P.O. Box 222
Pretty Prairie, KS. 67570
785-243-7506

Date 2-8-18Invoice Number 0205181

JOHN O. FARMER, INC.

Operator

1

Number

Nielson

Farm Name

Lyon-KS

County-State

25

S

16S

T

10E

R

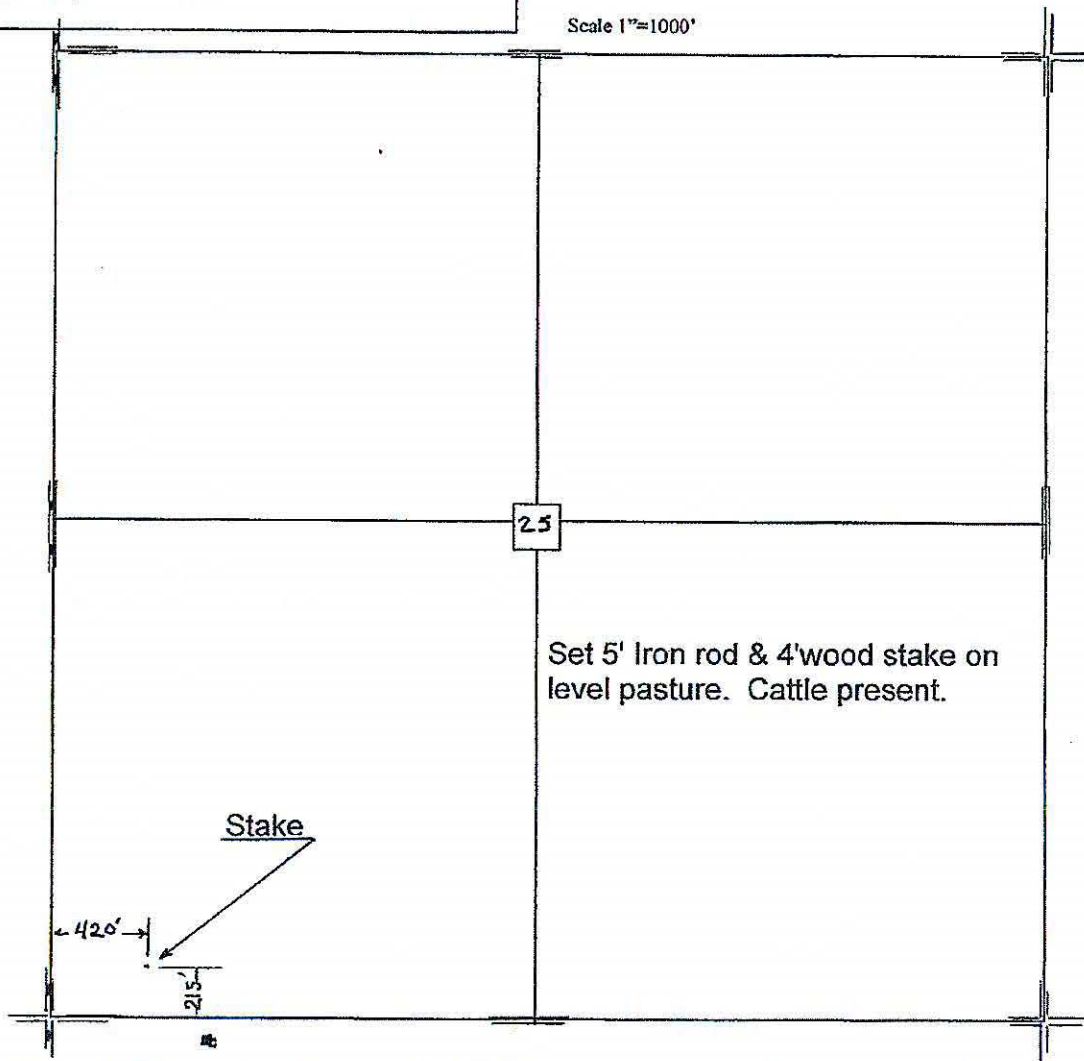
215'FSL 420'FWL

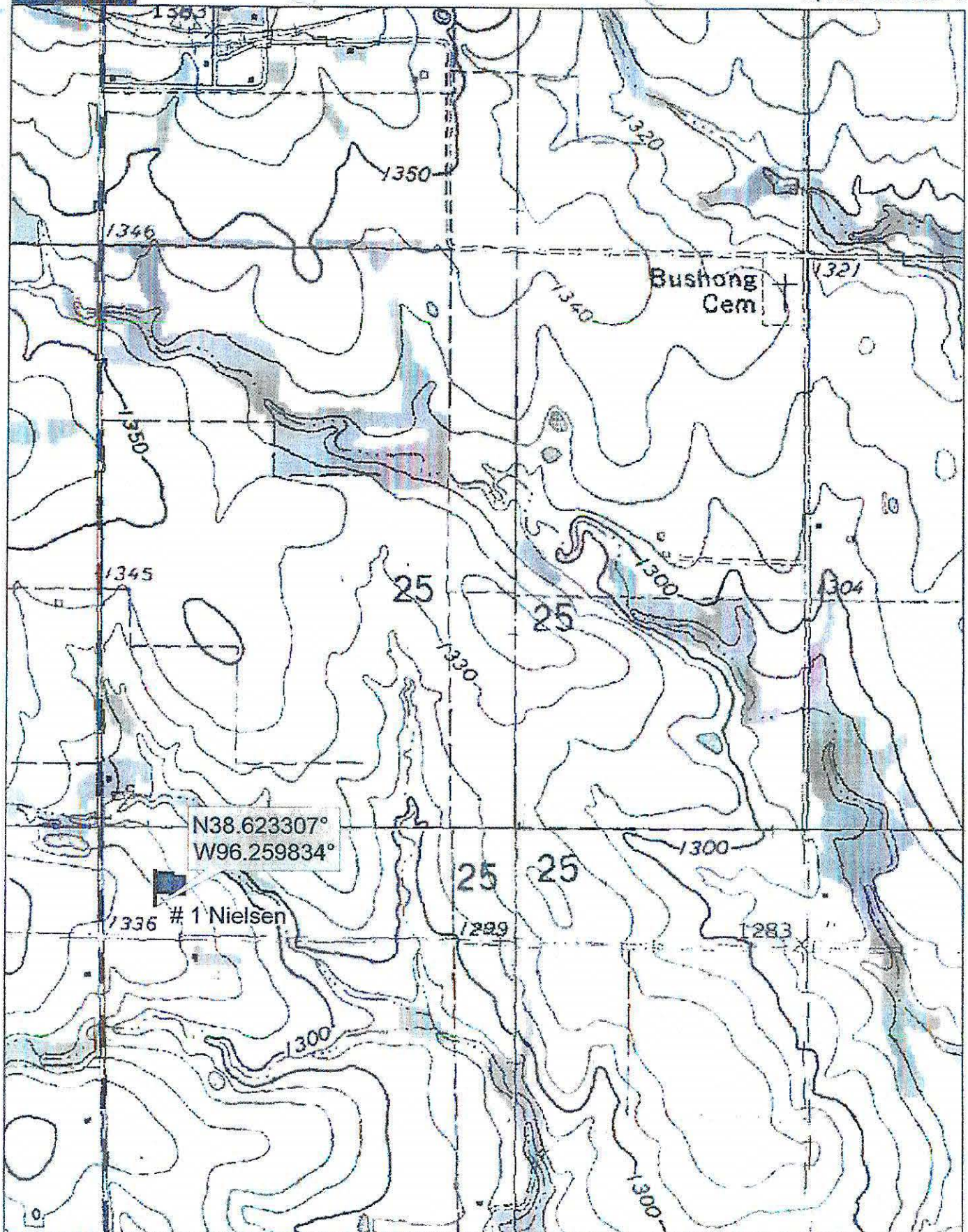
Location

John O. Farmer, Inc.
370 W. Wichita Ave.
P.O. Box 352
Russell, KS. 67665

Elevation 1332 Gr.Ordered By: Matt

Scale 1"=1000'





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