

**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-<sup>3085</sup>-CEXC  
an exception to the Pit Closure time limitation of K.A.R. 82- )  
3-602 at its Finney #1 located in the NE/4 of Section 6, ) CONSERVATION DIVISION  
Township 17 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 Finney #1 well, API #15-111-20535 (the subject well), which is located 1850 feet from the north line and 1670 feet from the east line of the NE/4 of Section 6, Township 17 South, Range 10 East of the 6<sup>th</sup> P.M., Lyon County, Kansas. The subject pit is located on Applicant's Finney #1 oil and gas lease covering the NW/4 and the NE/4 of Section 6, Township 17 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, has been unable to complete closure of the drilling pit.

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 the E. Clayton Finney Revocable Living Trust dated 9/5/2009, 280 Road 300, Council Grove, Kansas 66846 and John C. Finney, 3017 Road B, Council Grove, Kansas 66846. 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 Finney #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. 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.  
**Finney #1**  
1850' FNL & 1670' FEL  
Sec. 6-17S-10E  
Lyon County, Kansas

Sec. 31-16S-10E  
SW/4

Carl N. Peterson Trust  
1607 S 700 Rd  
Council Grove, KS 66846

Mull Drilling Company, Inc.  
1700 N Waterfront Pkwy, Bldg 1200  
Wichita, KS 67206-6637  
**(offset operator)**

SE/4

Matthew & Stacie Horton  
2863 Road D  
Council Grove, KS 66846

Sec. 32-16S-10E  
SW/4 (less tract)

Dean & Mary Horton  
412 Road 280  
Americus, KS 66835

Tract in SW/4

Richard Cobb & Reginald Cobb  
208 Road 310  
Council Grove, KS 66846

Sec. 5-17S-10E  
W/2 NW/4

E. Clayton Finney Revocable Living Trust  
280 Road 300  
Council Grove, KS 66846

SW/4

E. Clayton Finney Revocable Living Trust  
280 Road 300  
Council Grove, KS 66846

Sec. 6 – 17S-10E  
SW/4

Wright Creek Ltd.  
280 Road 300  
Council Grove, KS 66846

SE/4 SE/4

John Finney  
3017 Road B  
Council Grove, KS 66846

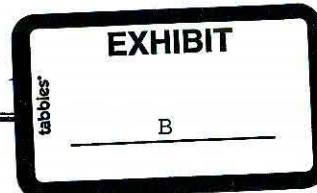
SW/4 SE/4 & N/2 SE/4

E. Clayton Finney Revocable Living Trust  
280 Road 300  
Council Grove, KS 66846

John Finney  
3017 Road B  
Council Grove, KS 66846



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



Date 2-9-18

Invoice Number 0205181

JOHN O. FARMER, INC.

Operator

1

Number

Finney

Farm Name

Lyon-KS

County-State

6

S

17S

T

10E

R

1850' FNL 1670' FEL

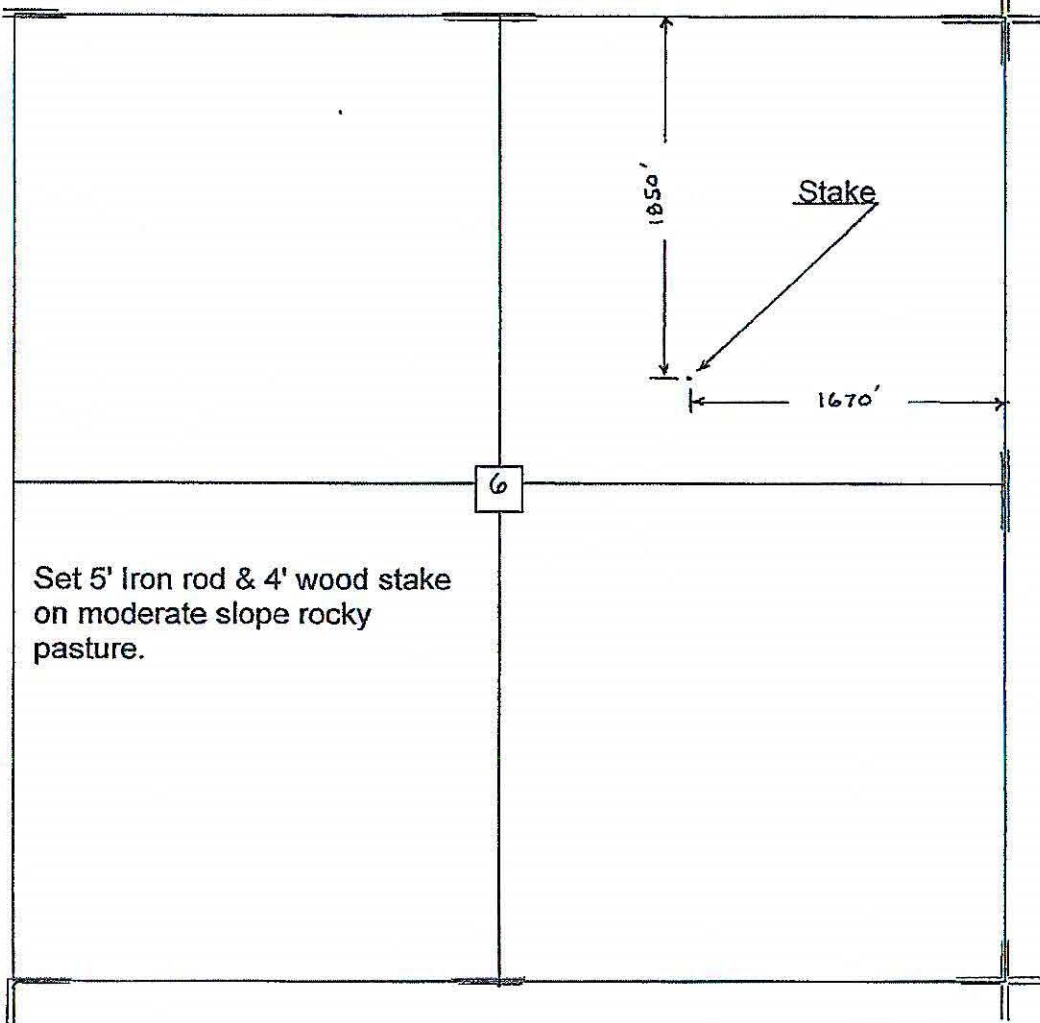
Location

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

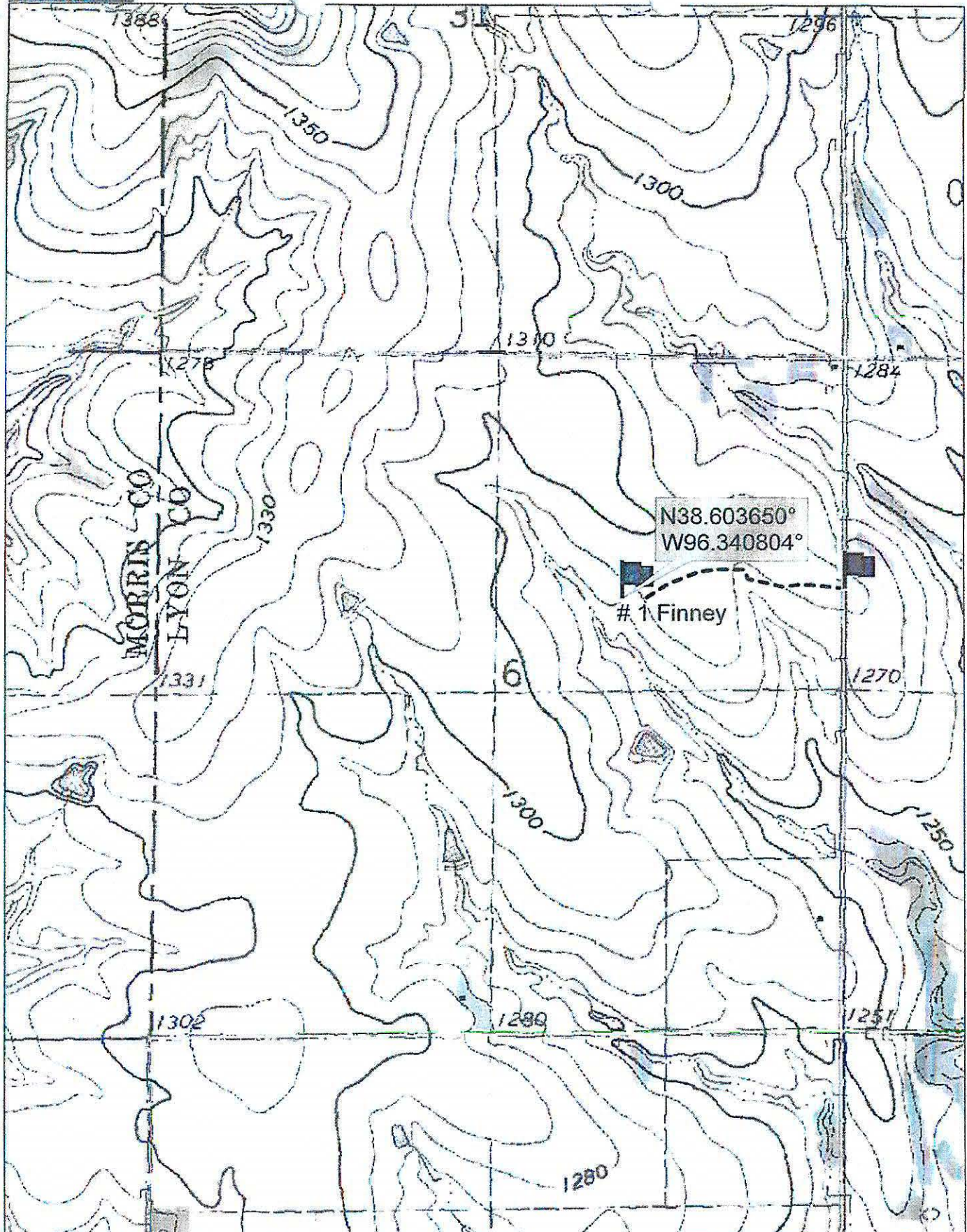
Elevation 1281 Gr.

Ordered By: Matt

Scale 1"=1000'







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