

SENATE BILL No. 83

By Committee on Commerce

1-27

1 AN ACT concerning oil and gas; relating to surface owner property rights;
2 distance and spacing requirements; amending K.S.A. 2014 Supp. 55-
3 151 and repealing the existing section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2014 Supp. 55-151 is hereby amended to read as
7 follows: 55-151. (a) Prior to the drilling of any well, every operator shall
8 file an application of intent to drill with the commission. Such application
9 shall include such information as required by the commission, including
10 the name and address of the surface owner, and shall be on a form
11 prescribed by the commission. Such application shall also include non-
12 binding preliminary estimates of the location of roads of ingress or egress,
13 any tank battery and any pipeline or electrical line. The commission shall,
14 upon receipt of such application, send a copy of such application to the
15 named surface owner, as well as the contact information, including name,
16 address, phone number, fax or email address, for a designated
17 representative of the applicant. The commission need not send such
18 information if the operator verifies that the application filed with the
19 commission has been delivered to the surface owner.

20 (b) No change in the use of a well shall be made without express
21 approval of the commission. The state corporation commission shall have
22 the authority to adopt rules and regulations to fix, charge and collect a fee
23 for an application of intent to drill a well, except that such fee for an
24 application of intent to drill a well shall not exceed \$300. No drilling shall
25 be commenced until the authorized agents of the commission have
26 approved the application. The agent, in giving approval, shall determine
27 that the proposed construction of the well will protect all usable waters.
28 Such approval shall include the amount of pipe necessary to protect all
29 usable water, plugging requirements upon abandonment and such other
30 requirements deemed appropriate by the commission. The commission
31 may refuse to process any application submitted pursuant to this section
32 unless the applicant has been in compliance with all rules and regulations
33 adopted pursuant to this act.

34 (c) (1) *Notwithstanding any other provisions of this section, no well*
35 *shall be drilled within 500 feet of any structure constructed prior to the*
36 *drilling activity without consent of the surface owner.*

1 (2) *Nothing in this section shall alter or abridge the terms of any*
2 *contract entered into prior to July 1, 2015.*

3 (d) The commission shall make available to the secretary of the
4 department of health and environment information related to all
5 notifications of intents to drill. The commission shall make available to the
6 clerk of any county in which a well will be drilled information related to
7 the intent to drill for such well.

8 Sec. 2. K.S.A. 2014 Supp. 55-151 is hereby repealed.

9 Sec. 3. This act shall take effect and be in force from and after its
10 publication in the statute book.