

**353.050 Plat, showing well, to be filed if well is to extend through coal-bearing strata -- Copies to certain persons.**

- (1) Before a permit may be issued to drill a well on any tract known to be underlaid with coal-bearing strata the well operator shall have a plat prepared showing the exact location of the proposed well utilizing latitudes and longitudes and the Carter coordinate system.
- (2) If the location of any well proposed to be drilled, deepened, or reopened is known to be underlaid by a coal-bearing stratum, which is not in operation, owned by a person other than the oil and gas lessor or lessee then, simultaneously with the filing of an application for a permit, the applicant shall send by registered or certified mail a copy of the required plat to the record coal owner or owners, and record coal lessee.
- (3) If the coal-bearing stratum is under operation, a copy of the required plat shall also be sent by the applicant by registered or certified mail to each coal operator operating any stratum as designated on the current license issued by the department and at the address stated thereon.
- (4) If the address of any record owner is unknown to the applicant and cannot upon diligent inquiry within the county be ascertained, or if there are more than five (5) record owners then, if the applicant shall file with the department an affidavit that either condition exists, the department may prescribe some different method of notifying the record owner in lieu of sending a copy of the plat as required by this section, or may dispense with the requirements of this section.
- (5) The plat shall be filed and become a permanent record, subject to inspection at any time by any interested person. Any agent of the coal operator or any superintendent in actual charge of the mine may be considered as a coal operator, and any process agent or other agent or person in charge of the coal for him may be considered the owner, for the purposes of mailing the required copy of the plat.

**Effective:** July 14, 1992

**History:** Amended 1992 Ky. Acts ch. 348, sec. 4, effective July 14, 1992. -- Amended 1974 Ky. Acts ch. 315, sec. 77. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 3766b-6.