

353.620 Variance from requirements of KRS 353.610 -- Review under KRS 353.700.

- (1) Notwithstanding KRS 353.610, if an application is submitted for a permit to drill, deepen, or reopen a well closer to a boundary or to another well than prescribed in KRS 353.610 and the application is accompanied by the written consent of all owners of oil and gas interests within the distance prescribed in KRS 353.610, which will be offset by the proposed well, the department shall issue a permit for the well.
- (2) Notwithstanding KRS 353.610, if an application is submitted for a permit to drill, deepen, or reopen a well closer to a boundary or to another well than prescribed in KRS 353.610, and the director determines after notice to all owners of oil and gas interests within the distance prescribed in KRS 353.610 that topographical or other factors delineated by subsurface geologic mapping or reservoir analytical data make compliance with the requirements of KRS 353.610 unduly burdensome, or in conflict with reasonably prudent methods and practices for the production of oil or gas, the department may issue a permit for the well. The application may include but not be limited to core analysis, geophysical or electric log data, reservoir pressure analysis, or other information demonstrating to the satisfaction of the director that such relief is warranted.
- (3) Notwithstanding KRS 353.610, the department shall issue a permit for a well to be drilled, deepened, or reopened closer to a boundary than prescribed in KRS 353.610 if a pooling order has been issued pursuant to KRS 353.630.
- (4) If a permit is issued to drill, deepen, or reopen a well under subsection (1) or (2) of this section at a location closer to a well or boundary than prescribed in KRS 353.610, the department shall permit a like variance from the requirements of KRS 353.610 on all premises offset and adversely affected by the well.
- (5) Any order or final determination of the department under this section shall be subject to review in accordance with KRS 353.700 and any administrative regulations promulgated thereunder.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 94, sec. 7, effective July 14, 2018. -- Amended 2003 Ky. Acts ch. 150, sec. 13, effective June 24, 2003. -- Amended 2000 Ky. Acts ch. 268, sec. 1, effective July 14, 2000. -- Created 1960 Ky. Acts ch. 103, sec. 14, effective June 16, 1960.