

805 KAR 1:030. Well location and as-drilled location plat, preparation, form and contents.

RELATES TO: KRS 349.015, 349.115, 353.550, 353.590, 353.737

STATUTORY AUTHORITY: KRS 349.015, 353.540, 353.550, 353.590(6)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 353.590(6) authorizes the department to promulgate administrative regulations concerning the preparation and filing of reports and plats. KRS 349.015 requires a plat to be filed with the department before a permit can be issued for a coal bed methane well. This administrative regulation establishes requirements for uniformity and clarity in well locations and identity.

Section 1. Applicability. This administrative regulation shall apply only to the oil- and gas-producing industry and shall not apply to transmission and distribution systems or to product storage facilities.

Section 2. General Information.

- (1) Location plats for wells proposed to be drilled pursuant to the provisions of KRS Chapter 353 or KRS Chapter 349 and the as-drilled location plat to be submitted after a well is drilled shall be prepared and certified in accordance with KRS 353.590(6).
- (2) If the location of the well is known to be underlain by coal bearing stratum, the location plat for the well proposed to be drilled shall be:
 - (a) Prepared in accordance with KRS 353.737; and
 - (b) Certified by an engineer, as defined by KRS 322.010(2), registered in Kentucky.
- (3) If any plat submitted by an applicant is determined to be materially inaccurate or incomplete, the department shall require that a new plat be prepared and submitted.

Section 3. Waiver.

- (1) A person shall not drill a well for oil, gas, or coal bed methane within 150 feet, measured horizontally, from the surface location of the well bore to any occupied building, unless:
 - (a) A waiver of objection to the drilling is obtained in accordance with this section; or
 - (b) The department, after notice and a hearing, determines that the drilling and production of the well is not violative of the public policy set out in KRS 353.500 or 349.005.
- (2) The surveyor preparing the plat for a permit shall indicate the location of a proposed well site relative to all buildings within 150 feet of the well site.
- (3) If an owner of a building located within 150 feet of a proposed well site waives objection to locating a well closer than 150 feet to the building, then a copy of the executed agreement of waiver shall accompany the application for permit.
- (4) A waiver shall not be transferable unless it contains an express provision that it is transferable.

Section 4.

- (1) A separate location plat shall be submitted with each application to drill, deepen, or reopen a well.
- (2) To ensure the division has accurate information regarding the location of a well drilled through a workable coal bed, a plat with the as-drilled location and elevation of the well shall be submitted to the division pursuant to KRS 353.737 in addition to the well location plat submitted to drill a proposed well.
- (3) For coal bed methane wells, a copy of the plat shall be attached to the Application for Permit, OG-1, incorporated by reference in 805 KAR 1:010, and submitted to the relevant parties pursuant to KRS 349.015(2), (3), (4), or (7).

Section 5. Plat Preparation. Location plats for wells proposed to be drilled pursuant to the provisions of KRS Chapter 353 or KRS Chapter 349 shall be prepared as established in subsections (1) through (6) of this section.

(1) All plats shall be clearly legible and submitted on a sheet eight and one-half (8 1/2) by fourteen (14) inches. This sheet may be:

- (a) Bond paper;
- (b) Tracing cloth; or
- (c) Tracing paper.

(2) The well location plat shall:

- (a) Show the location of the proposed well relative to the two (2) nearest boundaries of oil and gas ownership, including any subdivision of the lease;
- (b) Indicate all producing wells and permitted well sites within 1,000 feet of the proposed well site or sites within 1,500 feet for a coal bed methane well; and
- (c) Clearly display all distances in feet.

(3) The location of the proposed well shall be shown on the plat, by bearing and distance, relative to two (2) permanent points or monuments that appear on the applicable USGS seven and one half (7 1/2) minute; topographic quadrangle map, which permanent points or monuments include, for example, road intersections, bench marks, and buildings. A photocopy of a portion of the topographic quadrangle map showing the proposed well site shall be acceptable in lieu of identifying the points or monuments on the plat.

(4) The location of the well site shall be prepared with reference to either the Carter coordinate system, latitude and longitude, or the Kentucky coordinate system.

(5) The elevation of the well site shall be determined by instrument and calculation. Estimated topographic elevations shall not be acceptable.

(6) The plat shall be prepared to a scale of one (1) inch equals 100, 200, 300, 400, 500, 600, or 800 feet.

Section 6. As-Drilled Plat Location. Location plats for as-drilled wells shall be prepared as established in subsections (1) through (7) of this section.

(1) All plats shall be clearly legible and submitted on a sheet eight and one-half (8 1/2) by fourteen (14) inches. This sheet may be:

- (a) Bond paper;
- (b) Tracing cloth; or
- (c) Tracing paper.

(2) The well location plat shall:

- (a) Show the location of the as-drilled well relative to the two (2) nearest boundaries of oil and gas ownership, including any subdivision of the lease;
- (b) Identify all producing wells and permitted well sites within 1,000 feet of the as-drilled well site or sites within 1,500 feet for a coal bed methane well; and
- (c) Clearly display all distances in feet.

(3) The as-drilled well location plat shall provide coordinates in feet, using the "NAD 83", with "Single Zone Projection" as the terms are defined by KRS 353.010.

(4) The location of the as-drilled well shall be shown on the as-drilled well location plat, by bearing and distance, relative to two (2) permanent points or monuments that appear on the applicable USGS seven and one-half (7 1/2) minute; topographic quadrangle map, which permanent points or monuments include, for example, road intersections, bench marks, and buildings. A photocopy of a portion of the topographic quadrangle map showing the proposed well site shall be acceptable in lieu of identifying the points or monuments on the plat.

(5) In addition to the requirements of subsection (3) of this section, the location of the well site shall be prepared with reference to either the Carter coordinate system, latitude and longitude, or the Kentucky coordinate system.

(6) The elevation of the well site shall be determined by instrument and calculation. Estimated topographic elevations shall not be acceptable.

(7) The plat shall be prepared to a scale of one (1) inch equals 100, 200, 300, 400, 500, 600, or 800 feet.

Section 7. Additional Requirements. In addition to the data required in Section 5 of this administrative regulation, well location plats shall include the:

- (1) Operator;
- (2) Farm or lease name;
- (3) Well number;
- (4) County;
- (5) Scale at which the plat is drawn;
- (6) North direction;
- (7) Legend:

- - Proposed well site;
- - Oil well;
- ☼ - Gas well;
- ⊕ - Coal bed methane well;
- ⊙ - Injection well;
- ⊠ - Plugged well; and
- ∅ - Abandoned well, not plugged;

(8) Date of preparation of plat;

(9) Name of the topographic quadrangle map on which the well site may be located;

(10) Owners, lessors and lessees of oil and gas on tracts that are offset by the proposed well;

(11) Certification in the following form: "I hereby certify that the above plat is accurate and correct and satisfies the requirements of 805 KAR 1:030 to the best of my knowledge and belief"; and

(12) Certification, which shall be followed by the written signature of the person preparing the plat, the preparer's mailing address, registration number, and telephone number.

(OAG-Rg-1; 1 Ky.R. 89; eff. 11-13-1975; 11 Ky.R. 1894; eff. 7-9-1985; 36 Ky.R. 186; 624; 784; eff. 10-23-2009; Crt eff. 6-27-2018.; 46 Ky.R. 663, 2052; eff. 2-3-2020)