

Jim Hemmen

15-185-23762-00-00

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Before Commissioners: Mark Sievers, Chairman  
Thomas E. Wright

In the Matter of the Application of Empire ) Docket No. 12-CONS-295-CWLE  
Energy E&P, LLC for an order authorizing a )  
well location exception in the NE/4 of ) CONSERVATION DIVISION  
Section 3 - T22S - R12W, Stafford County, )  
Kansas. )  
\_\_\_\_\_ ) License No.: 34506

**ORDER GRANTING APPLICATION**

Now, the above captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas ("Commission" or "KCC").

An application was filed on June 27, 2012, by Empire Energy E&P, LLC ("Empire" or "Applicant"), for a well location exception and the assignment of a full allowable for the Siefkes "A" #13 well in Stafford County, Kansas. Notice was published at least fifteen (15) days prior to the granting of this application in *The Wichita Eagle* newspaper and in *The St. Johns News* newspaper, stating that this matter would be granted without a hearing if no protests were received within fifteen (15) days from publication; there were no protests. The Commission, after giving consideration to the records and files, makes the following findings and conclusions:

1. Empire is a Pennsylvania limited liability company that can be served through its resident agent, the Corporation Service Company, at 200 S.W. 30th St., Topeka, Kansas 66611. KCC records indicate the operator is currently licensed to conduct oil and gas activities in Kansas pursuant to K.S.A. 55-155.

2. The application in this docket was filed pursuant to the rules and regulations of the State Corporation Commission and the Kansas Statutes, thus fulfilling all regulatory and statutory requirements.

3. Notice was proper in every respect and was published as prescribed by the Commission's rules and regulations; notice was furnished at least fifteen (15) days prior to the granting of the application to all interested parties. There were no protests.

4. The Applicant's Siefkes "A" #13 is to be located:

1,520 feet from the North line and 2,350 feet from the East line of Section 3, Township 22 South, Range 12 West, Stafford County, Kansas.

5. According to K.A.R. 82-3-108, wells shall not be drilled closer than 330 feet from any lease or unit boundary. Exceptions may be granted to the regulation to prevent waste or to protect correlative rights.

6. Applicant's Siefkes "A" #13 well is to be located approximately 290 feet from the nearest unit or boundary line instead of the required 330 feet. Applicant has selected the described well site to re-open and develop reserves in order to effectively drain the Arbuckle formation.

7. The acreage to be attributed to the Siefkes "A" #13 well is ten (10) acres in:

The Northwest Quarter of the Northwest Quarter of Southwest Quarter of the Northeast Quarter of Section 3, Township 22 South, Range 12 West, Stafford County, Kansas.

8. The Commission finds that an exception to the well location restrictions under K.A.R. 82-3-108 should be granted and the Applicant should receive the full allowable of production from the Siefkes "A" #13 to prevent waste and to protect correlative rights.

9. The application should be granted in accordance with the above findings.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED:** That the application of Empire Energy E&P, LLC ("Empire"), for a well location exception for the Siefkes "A" #13

well is granted, the acreage attribution unit is hereby assigned regarding the applicant's Siefkes "A" #13 well, and that a full allowable pursuant to K.A.R. 82-3-207 is assigned to said well.

Any party affected by this Order may file with the Commission a petition for reconsideration pursuant to K.S.A. 77-529(a). Such petition shall be filed within fifteen (15) days after service of this Order and must state the specific grounds upon which relief is requested. This petition for reconsideration shall be filed with the Executive Director of the Conservation Division, Finney State Office Building, 130 S. Market, Room 2078, Wichita, Kansas 67202-3802.

The Commission retains jurisdiction of the subject matter and the parties for the purpose of entering such further Order or Orders as from time-to-time it may deem proper.

**BY THE COMMISSION IT IS SO ORDERED.**

Sievers, Chmn.; Wright, Com.

Date: AUG 01 2012

  
\_\_\_\_\_  
Patrice Petersen-Klein  
Executive Director

Date Mailed: 08-01-2012

RAH

I CERTIFY THE ORIGINAL  
COPY IS ON FILE WITH  
The State Corporation Commission

AUG 01 2012



**CERTIFICATE OF SERVICE**

I hereby certify that on 8/1/2012, I caused a true and correct copy of the foregoing "Order Granting Application" to be served by placing the same in the United States mail, postage prepaid, to the following parties:

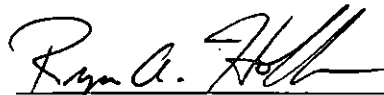
Bill Waller  
Empire Energy E&P, LLC  
380 Southpointe Blvd #130  
Canonsburg PA 15917-0561

J. Scott Pohl, Casey Jones  
Hinkle Law Firm LLC  
8621 E. 21<sup>st</sup> St. N., Ste. 200  
Wichita, Kansas 67206-2991  
*Attorneys for Empire Energy E&P, LLC*

Richard Lacey  
KCC District #1 Office  
210 E. Frontview, Suite A  
Dodge City, Kansas 67801

And by hand delivery to:

Jim Hemmen, Research Analyst  
Production Department, Central Office

  
\_\_\_\_\_  
Ryan A. Hoffman  
Litigation Counsel  
Kansas Corporation Commission