

| For KCC Us   | se: |
|--------------|-----|
| Effective Da | te: |
| District #   |     |
| 0040         | 1v  |

Spud date:

Agent:

# KANSAS CORPORATION COMMISSION OIL & GAS CONSERVATION DIVISION

1039505

Form C-1
October 2007
Form must be Typed
Form must be Signed

|   | ITENT TO DRILL  All blanks must be Filled  (5) days prior to commencing well   |  |  |
|---|--|--|--|
| Expected Spud Date:   | Spot Description:  |  |  |
| month day year  |  |  |  |
|   | Sec Twp S. R E W   |  |  |
| OPERATOR: License#  | feet from E / W Line of Section  |  |  |
| Name:   | Is SECTION: Regular Irregular?   |  |  |
| Address 1:  |  |  |  |
| Address 2: State: Zip: +  | (Note: Locate well on the Section Plat on reverse side)  |  |  |
| Contact Person:   | County:  |  |  |
| Phone:  | Lease Name: Well #:  |  |  |
| CONTRACTOR: License#  | Field Name:  |  |  |
| CONTRACTOR: License# Name:  | Is this a Prorated / Spaced Field?   |  |  |
| ivanie.   | Target Formation(s):   |  |  |
| Well Drilled For: Well Class: Type Equipment:   | Nearest Lease or unit boundary line (in footage):  |  |  |
| Oil Enh Rec Infield Mud Rotary  |  |  |  |
| Gas Storage Pool Ext. Air Rotary  | Water well within one-quarter mile:  Public water supply well within one mile:  Yes No   |  |  |
| Disposal Wildcat Cable  | ,  |  |  |
| Seismic ;# of Holes Other   | Depth to bottom of fresh water:  |  |  |
| Other:  | Depth to bottom of usable water:  Surface Pipe by Alternate: I II  |  |  |
| If OWWO: old well information as follows:   | Length of Surface Pipe Planned to be set:  |  |  |
| <u> </u>  | Length of Conductor Pipe (if any):   |  |  |
| Operator:   | Projected Total Depth:   |  |  |
| Well Name: Original Completion Date: Original Total Depth:  | Formation at Total Depth:  |  |  |
| Original Completion Date Original Total Deptil  | Water Source for Drilling Operations:  |  |  |
| Directional, Deviated or Horizontal wellbore?   | Well Farm Pond Other:  |  |  |
| If Yes, true vertical depth:  | DWR Permit #:  |  |  |
| Bottom Hole Location:   | ( <b>Note:</b> Apply for Permit with DWR )   |  |  |
| KCC DKT #:  | Will Cores be taken?   |  |  |
|   | If Yes, proposed zone:   |  |  |
| AFF   | FIDAVIT  |  |  |
| The undersigned hereby affirms that the drilling, completion and eventual plu   | igging of this well will comply with K.S.A. 55 et. seq.  |  |  |
| It is agreed that the following minimum requirements will be met:   |  |  |  |
| Notify the appropriate district office <i>prior</i> to spudding of well;  |  |  |  |
| <ol> <li>A copy of the approved notice of intent to drill <i>shall be</i> posted on each</li> </ol>   | drilling rig;  |  |  |
| 3. The minimum amount of surface pipe as specified below shall be set   |  |  |  |
| through all unconsolidated materials plus a minimum of 20 feet into the   | , 0  |  |  |
| <ol> <li>If the well is dry hole, an agreement between the operator and the dist</li> <li>The appropriate district office will be notified before well is either plugg</li> </ol> |  |  |  |
| The appropriate district office will be notified before well is either plugg     If an ALTERNATE II COMPLETION, production pipe shall be cemented                                 |  |  |  |
|   | 33,891-C, which applies to the KCC District 3 area, alternate II cementing   |  |  |
| must be completed within 30 days of the spud date or the well shall be  | plugged. In all cases, NOTIFY district office prior to any cementing.  |  |  |
|   |  |  |  |
|   |  |  |  |
| Submitted Electronically  |  |  |  |
|   | Remember to:   |  |  |
| For KCC Use ONLY  | - File Drill Pit Application (form CDP-1) with Intent to Drill;  |  |  |
| API # 15  | - File Completion Form ACO-1 within 120 days of spud date;   |  |  |
| Conductor pipe requiredfeet   | - File acreage attribution plat according to field proration orders;   |  |  |
|   | Notify appropriate district office 48 hours prior to workover or re-entry;  Submit plugging report (CR 4) offer plugging is completed (within 60 days);                    |  |  |
| Minimum surface pipe requiredfeet per ALT. I II   | <ul> <li>Submit plugging report (CP-4) after plugging is completed (within 60 days);</li> <li>Obtain written approval before disposing or injecting salt water.</li> </ul> |  |  |
| Approved by:  | - If this permit has expired (See: authorized expiration date) please  |  |  |
| This authorization expires:   | check the box below and return to the address below.   |  |  |
| (This authorization void if drilling not started within 12 months of approval date.)  | Well Not Drilled - Permit Expired Date:  |  |  |

Signature of Operator or Agent:



### IN ALL CASES PLOT THE INTENDED WELL ON THE PLAT BELOW

Plat of acreage attributable to a well in a prorated or spaced field

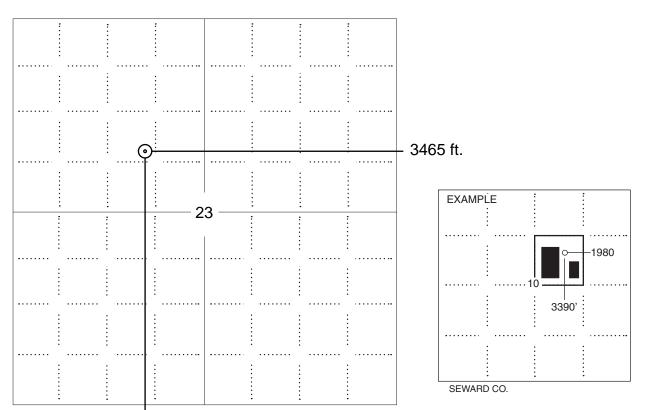
If the intended well is in a prorated or spaced field, please fully complete this side of the form. If the intended well is in a prorated or spaced field complete the plat below showing that the well will be properly located in relationship to other wells producing from the common source of supply. Please show all the wells and within 1 mile of the boundaries of the proposed acreage attribution unit for gas wells and within 1/2 mile of the boundaries of the proposed acreage attribution unit for oil wells.

| API No. 15                            |  |  |  |
|---------------------------------------|--|--|--|
| Operator:                             | Location of Well: County:  |  |  |
| Lease:                                | feet from N / S Line of Section  |  |  |
| Well Number:                          | feet from E / W Line of Section  |  |  |
| Field:                                | Sec Twp S. R   |  |  |
| Number of Acres attributable to well: | Is Section: Regular or Irregular   |  |  |
|                                       | If Section is Irregular, locate well from nearest corner boundary.  Section corner used: NE NW SE SW |  |  |

#### **PLAT**

(Show location of the well and shade attributable acreage for prorated or spaced wells.)

(Show footage to the nearest lease or unit boundary line.)



NOTE: In all cases locate the spot of the proposed drilling locaton.

## 3465 ft.

#### In plotting the proposed location of the well, you must show:

- 1. The manner in which you are using the depicted plat by identifying section lines, i.e. 1 section, 1 section with 8 surrounding sections, 4 sections, etc.
- 2. The distance of the proposed drilling location from the south / north and east / west outside section lines.
- 3. The distance to the nearest lease or unit boundary line (in footage).
- 4. If proposed location is located within a prorated or spaced field a certificate of acreage attribution plat must be attached: (C0-7 for oil wells; CG-8 for gas wells).



## KANSAS CORPORATION COMMISSION OIL & GAS CONSERVATION DIVISION

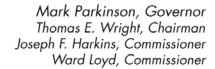
1039505

Form CDP-1
April 2004
Form must be Typed

# **APPLICATION FOR SURFACE PIT**

## Submit in Duplicate

| Operator Name:   |   |   | License Number:  |                               |  |  |
|--|---|---|--|-------------------------------|--|--|
| Operator Address:  |   |   |  |                               |  |  |
| Contact Person:  |   |   | Phone Number:  |                               |  |  |
| Lease Name & Well No.:   |   |   | Pit Location (QQQQ):                                       |                               |  |  |
| Type of Pit:   | Pit is:   |   |  |                               |  |  |
| Emergency Pit Burn Pit   | Proposed Existing   |   | SecTwp   | R East West                   |  |  |
| Settling Pit Drilling Pit  | If Existing, date co  | onstructed:   | Feet from  | North / South Line of Section |  |  |
| Workover Pit Haul-Off Pit  (If WP Supply API No. or Year Drilled)                                  | Pit capacity: (bbls)  |   | Feet from East / West Line of Section County               |                               |  |  |
| Is the pit located in a Sensitive Ground Water   | Area? Yes   | No  | Chloride concentration:                                    | ,                             |  |  |
| is the pit located in a Sensitive Ground water   | ] NO  | Chloride concentration: mg/l  (For Emergency Pits and Settling Pits only) |  |                               |  |  |
| Is the bottom below ground level?  Yes No  | Artificial Liner?   |   | How is the pit lined if a plastic liner is not used?       |                               |  |  |
| Pit dimensions (all but working pits):   | Length (feet)   |   | Width (feet)   | N/A: Steel Pits               |  |  |
| Depth fro  | om ground level to de                                       | epest point:  | (feet)   | No Pit                        |  |  |
| If the pit is lined give a brief description of the material, thickness and installation procedure |   | •   | dures for periodic maintena<br>ncluding any special monito |                               |  |  |
| Distance to nearest water well within one-mile   | Depth to shallowest fresh waterfeet. Source of information: |   |  |                               |  |  |
| feet Depth of water wellfeet   |   | measu   | redwell owner  | electric logKDWR              |  |  |
| Emergency, Settling and Burn Pits ONLY:  |   | Drilling, Work  | over and Haul-Off Pits Of                                  | NLY:                          |  |  |
| Producing Formation:   | Type of material utilized in drilling/workover:             |   |  |                               |  |  |
| Number of producing wells on lease:  | Number of working pits to be utilized:                      |   |  |                               |  |  |
| Barrels of fluid produced daily:   |   | Abandonment procedure:  |  |                               |  |  |
| Does the slope from the tank battery allow all spilled fluids to flow into the pit?   Yes   No     |   | Drill pits must be closed within 365 days of spud date.                   |  |                               |  |  |
| Submitted Electronically   |   |   |  |                               |  |  |
| KCC OFFICE USE ONLY Steel Pit RFAC RFAS  |   |   |  |                               |  |  |
| Date Received: Permit Num  | ber:  | Permi   | t Date: L  | ease Inspection: Yes No       |  |  |





June 17, 2010

Brian L Birk Birk, Brian L. dba Birk Petroleum 874 12TH RD SW BURLINGTON, KS 66839-9255

Re: Drilling Pit Application Gilbert 23 NW/4 Sec.23-22S-16E Coffey County, Kansas

## Dear Brian L Birk:

District staff has inspected the above referenced location and has determined that the reserve pit shall be constructed **without slots**, the bottom shall be flat and reasonably level, and the free fluids must be removed. The fluids are to be removed from the reserve pit as soon as practical after drilling operations have ceased.

If production casing is set all completion fluids shall be removed from the working pits daily. NO completion fluids or non-exempt wastes shall be placed in the reserve pit.

The fluids should be taken to an authorized disposal well. Please call the District Office at (620) 432-2300 when the fluids have been removed. Please file form CDP-5 (August 2008), Exploration and Production Waste Transfer, through SOLAR within 30 days of fluid removal.

A copy of this letter should be posted in the doghouse along with the approved Intent to **Drill**. If you have any questions or concerns please feel free to contact the District Office at (620) 432-2300.