



For KCC Use:  
 Effective Date: \_\_\_\_\_  
 District # \_\_\_\_\_  
 SGA?  Yes  No

KANSAS CORPORATION COMMISSION 1151098  
 OIL & GAS CONSERVATION DIVISION

Form C-1  
 March 2010

Form must be Typed  
 Form must be Signed  
 All blanks must be Filled

**NOTICE OF INTENT TO DRILL**

**Must be approved by KCC five (5) days prior to commencing well**

**Form KSONA-1, Certification of Compliance with the Kansas Surface Owner Notification Act, MUST be submitted with this form.**

Expected Spud Date: \_\_\_\_\_  
month day year

OPERATOR: License# \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Address 1: \_\_\_\_\_  
 Address 2: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ + \_\_\_\_\_  
 Contact Person: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 CONTRACTOR: License# \_\_\_\_\_  
 Name: \_\_\_\_\_

Well Drilled For:	Well Class:	Type Equipment:
<input type="checkbox"/> Oil	<input type="checkbox"/> Enh Rec	<input type="checkbox"/> Infield
<input type="checkbox"/> Gas	<input type="checkbox"/> Storage	<input type="checkbox"/> Pool Ext.
	<input type="checkbox"/> Disposal	<input type="checkbox"/> Wildcat
<input type="checkbox"/> Seismic ; _____ # of Holes	<input type="checkbox"/> Other	<input type="checkbox"/> Mud Rotary
<input type="checkbox"/> Other: _____		<input type="checkbox"/> Air Rotary
		<input type="checkbox"/> Cable
<input type="checkbox"/> If OWWO: old well information as follows:		

Operator: \_\_\_\_\_  
 Well Name: \_\_\_\_\_  
 Original Completion Date: \_\_\_\_\_ Original Total Depth: \_\_\_\_\_

Directional, Deviated or Horizontal wellbore?  Yes  No  
 If Yes, true vertical depth: \_\_\_\_\_  
 Bottom Hole Location: \_\_\_\_\_  
 KCC DKT #: \_\_\_\_\_

Spot Description: \_\_\_\_\_  
 \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Sec. \_\_\_\_\_ Twp. \_\_\_\_\_ S. R. \_\_\_\_\_  E  W  
(Q/Q/Q/Q)  
 \_\_\_\_\_ feet from  N /  S Line of Section  
 \_\_\_\_\_ feet from  E /  W Line of Section  
 Is SECTION:  Regular  Irregular?  
 (Note: Locate well on the Section Plat on reverse side)

County: \_\_\_\_\_  
 Lease Name: \_\_\_\_\_ Well #: \_\_\_\_\_  
 Field Name: \_\_\_\_\_  
 Is this a Prorated / Spaced Field?  Yes  No  
 Target Formation(s): \_\_\_\_\_  
 Nearest Lease or unit boundary line (in footage): \_\_\_\_\_  
 Ground Surface Elevation: \_\_\_\_\_ feet MSL  
 Water well within one-quarter mile:  Yes  No  
 Public water supply well within one mile:  Yes  No  
 Depth to bottom of fresh water: \_\_\_\_\_  
 Depth to bottom of usable water: \_\_\_\_\_  
 Surface Pipe by Alternate:  I  II  
 Length of Surface Pipe Planned to be set: \_\_\_\_\_  
 Length of Conductor Pipe (if any): \_\_\_\_\_  
 Projected Total Depth: \_\_\_\_\_  
 Formation at Total Depth: \_\_\_\_\_  
 Water Source for Drilling Operations:  
 Well  Farm Pond  Other: \_\_\_\_\_  
 DWR Permit #: \_\_\_\_\_  
 (Note: Apply for Permit with DWR )  
 Will Cores be taken?  Yes  No  
 If Yes, proposed zone: \_\_\_\_\_

**AFFIDAVIT**

The undersigned hereby affirms that the drilling, completion and eventual plugging of this well will comply with K.S.A. 55 et. seq.

It is agreed that the following minimum requirements will be met:

1. Notify the appropriate district office **prior** to spudding of well;
2. A copy of the approved notice of intent to drill **shall be** posted on each drilling rig;
3. The minimum amount of surface pipe as specified below **shall be set** by circulating cement to the top; in all cases surface pipe **shall be set** through all unconsolidated materials plus a minimum of 20 feet into the underlying formation.
4. If the well is dry hole, an agreement between the operator and the district office on plug length and placement is necessary **prior to plugging**;
5. The appropriate district office will be notified before well is either plugged or production casing is cemented in;
6. If an ALTERNATE II COMPLETION, production pipe shall be cemented from below any usable water to surface within **120 DAYS** of spud date. Or pursuant to Appendix "B" - Eastern Kansas surface casing order #133,891-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**

**For KCC Use ONLY**

API # 15 - \_\_\_\_\_

Conductor pipe required \_\_\_\_\_ feet

Minimum surface pipe required \_\_\_\_\_ feet per ALT.  I  II

Approved by: \_\_\_\_\_

**This authorization expires:** \_\_\_\_\_  
(This authorization void if drilling not started within 12 months of approval date.)

Spud date: \_\_\_\_\_ Agent: \_\_\_\_\_

**Remember to:**

- File Certification of Compliance with the Kansas Surface Owner Notification Act (KSONA-1) with Intent to Drill;
- File Drill Pit Application (form CDP-1) with Intent to Drill;
- File Completion Form ACO-1 within 120 days of spud date;
- File acreage attribution plat according to field proration orders;
- Notify appropriate district office 48 hours prior to workover or re-entry;
- Submit plugging report (CP-4) after plugging is completed (within 60 days);
- Obtain written approval before disposing or injecting salt water.
- If well will not be drilled or permit has expired (See: authorized expiration date) please check the box below and return to the address below.

**Well will not be drilled or Permit Expired** Date: \_\_\_\_\_  
 Signature of Operator or Agent: \_\_\_\_\_

E  
 W

For KCC Use ONLY

API # 15 - \_\_\_\_\_

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

In all cases, please fully complete this side of the form. Include items 1 through 5 at the bottom of this page.

Operator: \_\_\_\_\_

Lease: \_\_\_\_\_

Well Number: \_\_\_\_\_

Field: \_\_\_\_\_

Number of Acres attributable to well: \_\_\_\_\_

QTR/QTR/QTR/QTR of acreage: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Location of Well: County: \_\_\_\_\_

\_\_\_\_\_ feet from  N /  S Line of Section

\_\_\_\_\_ feet from  E /  W Line of Section

Sec. \_\_\_\_\_ Twp. \_\_\_\_\_ S. R. \_\_\_\_\_  E  W

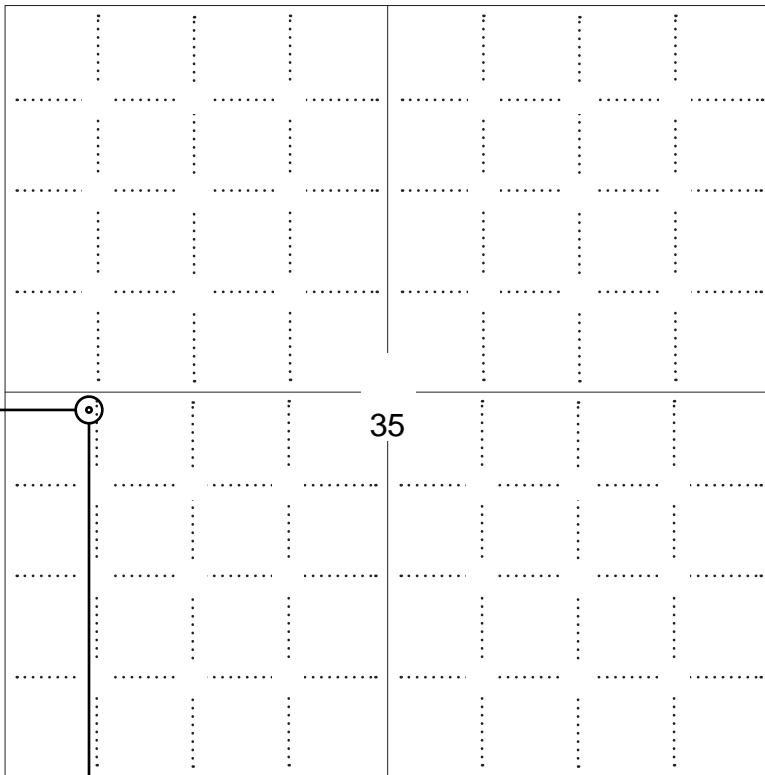
Is Section:  Regular or  Irregular

**If Section is Irregular, locate well from nearest corner boundary.**

Section corner used:  NE  NW  SE  SW

### PLAT

Show location of the well. Show footage to the nearest lease or unit boundary line. Show the predicted locations of lease roads, tank batteries, pipelines and electrical lines, as required by the Kansas Surface Owner Notice Act (House Bill 2032). You may attach a separate plat if desired.



### LEGEND

- Well Location
- Tank Battery Location
- Pipeline Location
- Electric Line Location
- Lease Road Location



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

2513 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).
5. The predicted locations of lease roads, tank batteries, pipelines, and electrical lines.

**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: <input type="checkbox"/> Emergency Pit <input type="checkbox"/> Burn Pit <input type="checkbox"/> Settling Pit <input type="checkbox"/> Drilling Pit <input type="checkbox"/> Workover Pit <input type="checkbox"/> Haul-Off Pit <i>(If WP Supply API No. or Year Drilled)</i>		Pit is: <input type="checkbox"/> Proposed <input type="checkbox"/> Existing If Existing, date constructed: _____ Pit capacity: _____ (bbls)	
Is the pit located in a Sensitive Ground Water Area? <input type="checkbox"/> Yes <input type="checkbox"/> No		Chloride concentration: _____ mg/l <i>(For Emergency Pits and Settling Pits only)</i>	
Is the bottom below ground level? <input type="checkbox"/> Yes <input type="checkbox"/> No		Artificial Liner? <input type="checkbox"/> Yes <input type="checkbox"/> No	
How is the pit lined if a plastic liner is not used?			
Pit dimensions (all but working pits):    _____ Length (feet)    _____ Width (feet) <input type="checkbox"/> N/A: Steel Pits Depth from ground level to deepest point: _____ (feet) <input type="checkbox"/> No Pit			
If the pit is lined give a brief description of the liner material, thickness and installation procedure.		Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring.	
Distance to nearest water well within one-mile of pit: _____ feet    Depth of water well _____ feet		Depth to shallowest fresh water _____ feet. Source of information: <input type="checkbox"/> measured <input type="checkbox"/> well owner <input type="checkbox"/> electric log <input type="checkbox"/> KDWR	
<b>Emergency, Settling and Burn Pits ONLY:</b> Producing Formation: _____ Number of producing wells on lease: _____ Barrels of fluid produced daily: _____ Does the slope from the tank battery allow all spilled fluids to flow into the pit? <input type="checkbox"/> Yes <input type="checkbox"/> No		<b>Drilling, Workover and Haul-Off Pits ONLY:</b> Type of material utilized in drilling/workover: _____ Number of working pits to be utilized: _____ Abandonment procedure: _____ _____ Drill pits must be closed within 365 days of spud date.	
Submitted Electronically			

**KCC OFFICE USE ONLY**

Liner     Steel Pit     RFAC     RFAS

Date Received: \_\_\_\_\_ Permit Number: \_\_\_\_\_ Permit Date: \_\_\_\_\_ Lease Inspection:     Yes     No



**Form Must Be Typed**  
**Form must be Signed**  
**All blanks must be Filled**

### CERTIFICATION OF COMPLIANCE WITH THE KANSAS SURFACE OWNER NOTIFICATION ACT

*This form must be submitted with all Forms C-1 (Notice of Intent to Drill); CB-1 (Cathodic Protection Borehole Intent); T-1 (Request for Change of Operator Transfer of Injection or Surface Pit Permit); and CP-1 (Well Plugging Application). Any such form submitted without an accompanying Form KSONA-1 will be returned.*

Select the corresponding form being filed:  C-1 (Intent)  CB-1 (Cathodic Protection Borehole Intent)  T-1 (Transfer)  CP-1 (Plugging Application)

OPERATOR: License # \_\_\_\_\_  
Name: \_\_\_\_\_  
Address 1: \_\_\_\_\_  
Address 2: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ + \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Phone: ( \_\_\_\_\_ ) \_\_\_\_\_ Fax: ( \_\_\_\_\_ ) \_\_\_\_\_  
Email Address: \_\_\_\_\_

Well Location:  
\_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_ Sec. \_\_\_\_ Twp. \_\_\_\_ S. R. \_\_\_\_  East  West  
County: \_\_\_\_\_  
Lease Name: \_\_\_\_\_ Well #: \_\_\_\_\_

*If filing a Form T-1 for multiple wells on a lease, enter the legal description of the lease below:*

**Surface Owner Information:**

Name: \_\_\_\_\_  
Address 1: \_\_\_\_\_  
Address 2: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ + \_\_\_\_\_

*When filing a Form T-1 involving multiple surface owners, attach an additional sheet listing all of the information to the left for each surface owner. Surface owner information can be found in the records of the register of deeds for the county, and in the real estate property tax records of the county treasurer.*

*If this form is being submitted with a Form C-1 (Intent) or CB-1 (Cathodic Protection Borehole Intent), you must supply the surface owners and the KCC with a plat showing the predicted locations of lease roads, tank batteries, pipelines, and electrical lines. The locations shown on the plat are preliminary non-binding estimates. The locations may be entered on the Form C-1 plat, Form CB-1 plat, or a separate plat may be submitted.*

**Select one of the following:**

- I certify that, pursuant to the Kansas Surface Owner Notice Act (House Bill 2032), I have provided the following to the surface owner(s) of the land upon which the subject well is or will be located: 1) a copy of the Form C-1, Form CB-1, Form T-1, or Form CP-1 that I am filing in connection with this form; 2) if the form being filed is a Form C-1 or Form CB-1, the plat(s) required by this form; and 3) my operator name, address, phone number, fax, and email address.
- I have not provided this information to the surface owner(s). I acknowledge that, because I have not provided this information, the KCC will be required to send this information to the surface owner(s). To mitigate the additional cost of the KCC performing this task, I acknowledge that I am being charged a \$30.00 handling fee, payable to the KCC, which is enclosed with this form.

*If choosing the second option, submit payment of the \$30.00 handling fee with this form. If the fee is not received with this form, the KSONA-1 form and the associated Form C-1, Form CB-1, Form T-1, or Form CP-1 will be returned.*

I Submitted Electronically



State of Kansas - Ness County  
Book: 364 Page: 476  
Receipt #: 43982 Recording Fee: \$16.00  
Pages Recorded: 3  
Cashier Initials: CS  
Date Recorded: 5/31/2013 3:00:00 PM

## POOLING DECLARATION AND AGREEMENT

**WHEREAS** the **Hembree Family Trust, dated November 18, 2005, Robert F. Hembree and Phyllis M. Hembree, Co-Trustees**, is the owner of the oil and gas leasehold estate under and by virtue of the oil and gas lease set forth and described as follows:

Oil and gas lease dated June 1, 2011 by and between The Jane Schwarzkopf Trust dated December 4, 1997, by Jane Schwarzkopf, Trustee, as Lessor and The Hembree Family Trust, dated November 18, 2005 as Lessee, recorded July 25, 2011 at 4:25 P.M. in Book 343, Page 85 of the records of the office of the Register of Deeds, Ness County, Kansas, and covering the following described real estate in Ness County, Kansas:

The Northwest Quarter (NW/4) of Section Thirty-five (35), Township Eighteen (18) South, Range Twenty-four (24) West of the 6th P.M.; and

**WHEREAS** the **Hembree Family Trust, dated November 18, 2005, Robert F. Hembree and Phyllis M. Hembree, Co-Trustees**, is the owner of the oil and gas leasehold estate under and by virtue of the oil and gas lease set forth and described as follows:

Oil and gas lease dated August 16, 2012 by and between the Kirk W. Schwarzkopf and Robin Schwarzkopf, husband and wife, whose correct spelling of last name is Schwarzkopf, as Lessors and The Hembree Family Trust, dated November 18, 2005 as Lessee, recorded August 15, 2012, at 10:05 A.M. in Book 357, Page 298 of the records of the office of the Register of Deeds, Ness County, Kansas, and covering the following described real estate in Ness County, Kansas:

The Southwest Quarter (SW/4) of Section Thirty-five (35), Township Eighteen (18) South, Range Twenty-four (24) West of the 6th P.M.; and

**WHEREAS**, the respective lease and the Lessors have delegated the power to pool the royalty and leasehold interests covered by the aforementioned leases in accordance with the terms and provisions of the Leases; and

**WHEREAS**, it is the judgment of the lessees and their assigns that the pooling and consolidation of certain lands covered by the leases will result in efficient and economical location and spacing of wells,

**NOW THEREFORE**, in consideration of the premises, the lessees and their assigns do hereby establish and designate as a single pooled and consolidated unit and area (the "Pooled Area") for the exploration, development and production of oil, and do hereby declare that the mineral, royalty and leasehold interests in the Leases are hereby pooled, consolidated and combined, insofar as the leases cover the following described lands, to wit:

The S/2 S/2 S/2 NW/4 Section 35, Township 18 South, Range 24 West of the 6th P.M.; and

The N/2 N/2 N/2 SW/4 Section <sup>35B MW</sup>35, Township 18 South, Range 24 West of the 6th P.M.

The Pooled Area created hereby shall be operated as an entirety for the exploration, development and production of Pooled Substances ("Pooled Substances" being defined for the purpose as all oil within or produced from the Pooled Area), rather than as separate tracts, in accordance with the following provisions:

Drilling or reworking operations on or production obtained from any portion of the Pooled Area shall constitute drilling or reworking operations on or production from each of the separate tracts within the Pooled Area;

All production of Pooled Substances shall be allocated to the separate tracts in the proportion that the number of surface acres in each tract bears to the total number of surface acres within the entire Pooled Area;

That portion of the production of Pooled Substances so allocated to each separate tract shall, when produced, be deemed for all purposes to have been produced from such tract by a well location thereon;

All rights to the production of Pooled Substances, including royalties and other payments for production, shall be determined by the Leases based on the above allocation, and in lieu of the actual production of Pooled Substances for each separate tract.

If any of the leases covering lands within the Pooled Area contain a provision which requires the filing of a written designation or declaration instrument of record in order to effectuate unitization, consolidation or pooling, the filing of this instrument of record in Ness County, Kansas shall satisfy the requirement; provided however, that the filing of this instrument shall not thereby exhaust any pooling or unitization rights and powers of the undersigned which were granted and delegated in the Leases, or any of them. The right to correct, amend or revise this Declaration of Pooling from time to time if the undersigned may deem necessary or advisable is hereby expressly reserved, in accordance with the specific provisions contained in the leases. This instrument shall not be considered a cross-conveyance of the title to the leases and lands in the Pooled Area.

This Declaration of Pooling shall continue in force and effect as long as any of the Leases are continued in force in accordance with their respective terms, unless sooner terminated or modified in writing by the undersigned.

Declaration of Pooling  
Schwarzkopf/Schwarzkopf  
Page 3

This Declaration of Pooling may be executed in any number off counterparts, each of which shall be considered an original.

The terms and conditions of this instrument shall be binding upon and shall inure to the benefit of the undersigned and those parties on behalf of whom the undersigned has executed this instrument, as well as their respective successors and assigns.

**IN WITNESS WHEREOF**, the undersigned has set their hand as of the date set out in the notary acknowledgments.

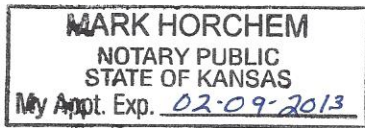
*Robert F. Hembree Co-Trustee*  
**Robert F. Hembree, Co-Trustee of the Hembree Family Trust, dated November 18, 2005,**

*Phyllis M. Hembree Co-Trustee*  
**Phyllis M. Hembree, Co-Trustee of the Hembree Family Trust, dated November 18, 2005,**

STATE OF KANSAS )  
 ) ss.  
COUNTY OF *Ness* )

Before me, the undersigned, a Notary Public in and for said County and State, on the 31<sup>st</sup> day of May, 2013, personally appeared Robert F. Hembree and Phyllis M. Hembree, Co-Trustees of the Hembree Family Trust, dated November 18, 2005, to me personally known and known to me to be the identical persons who subscribed their names to the foregoing instrument, and they being by me duly sworn did say that they signed the above and foregoing, and acknowledges to me that they executed the same as their free and voluntary act and deed, for the uses and purposes set forth and specified therein.

**WITNESS** my hand and seal the day and year last above written.

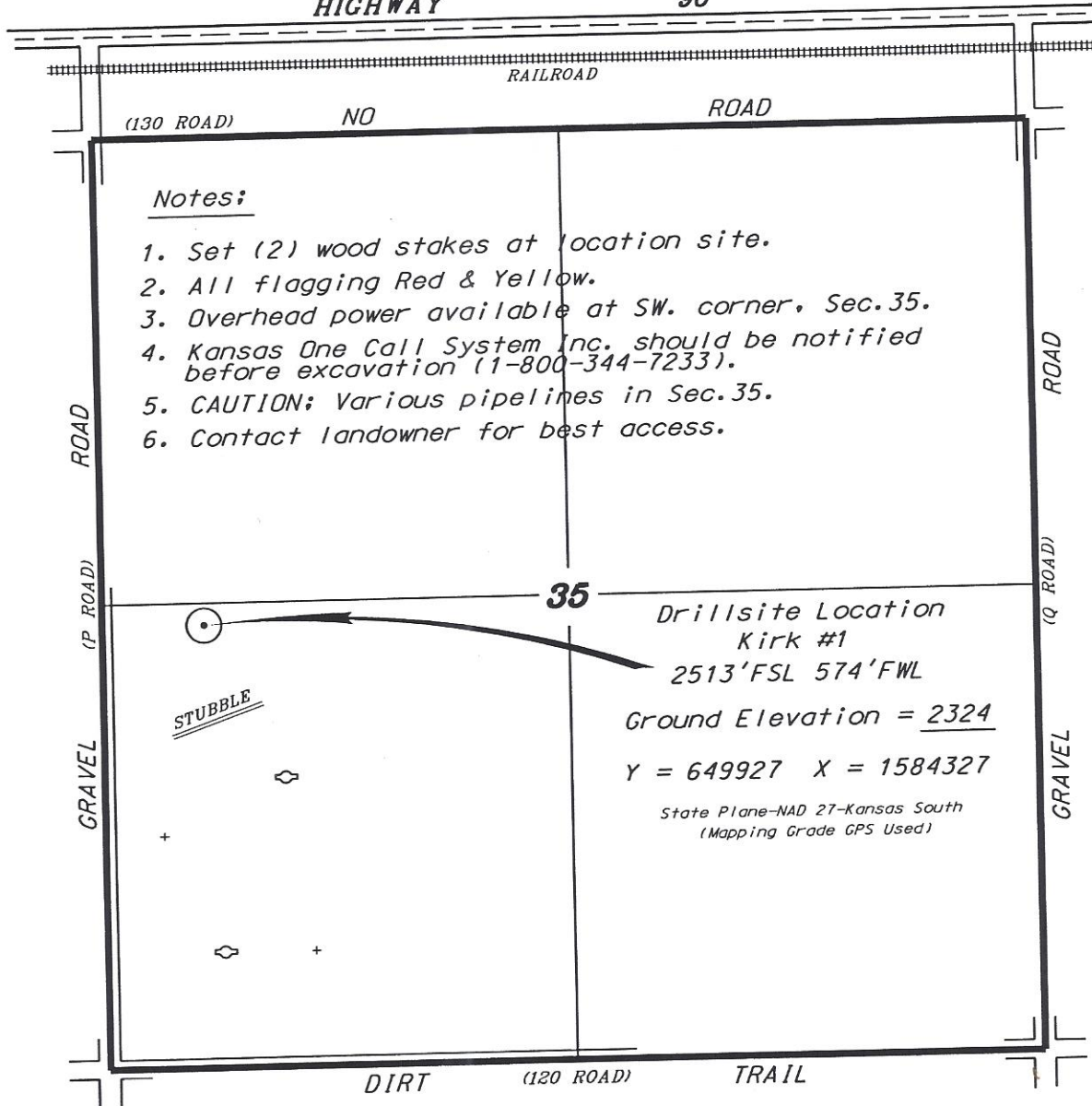


*Mark Horchem*  
\_\_\_\_\_  
Notary Public

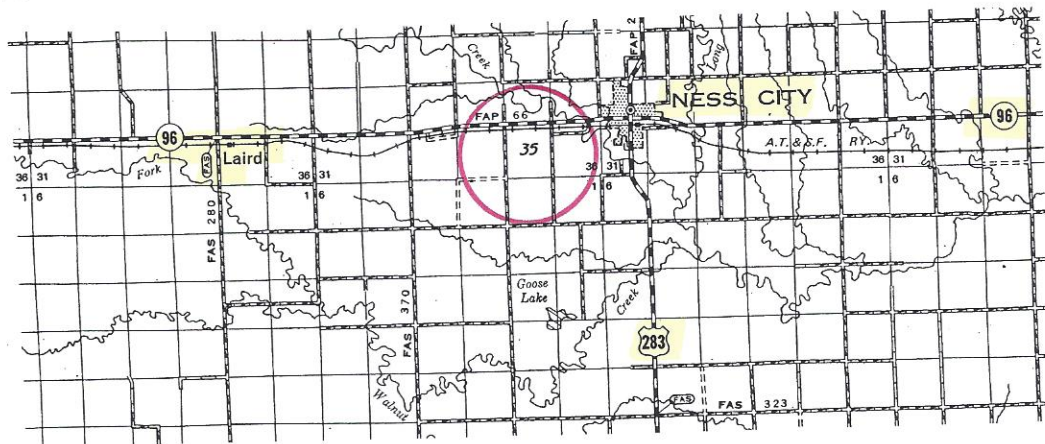
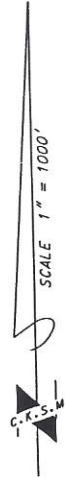
My Term Expires:

ROBERT F. HEMBREE  
KIRK LEASE  
SW.1/4, SECTION 35, T18S, R24W  
NESS COUNTY, KANSAS

HIGHWAY 96



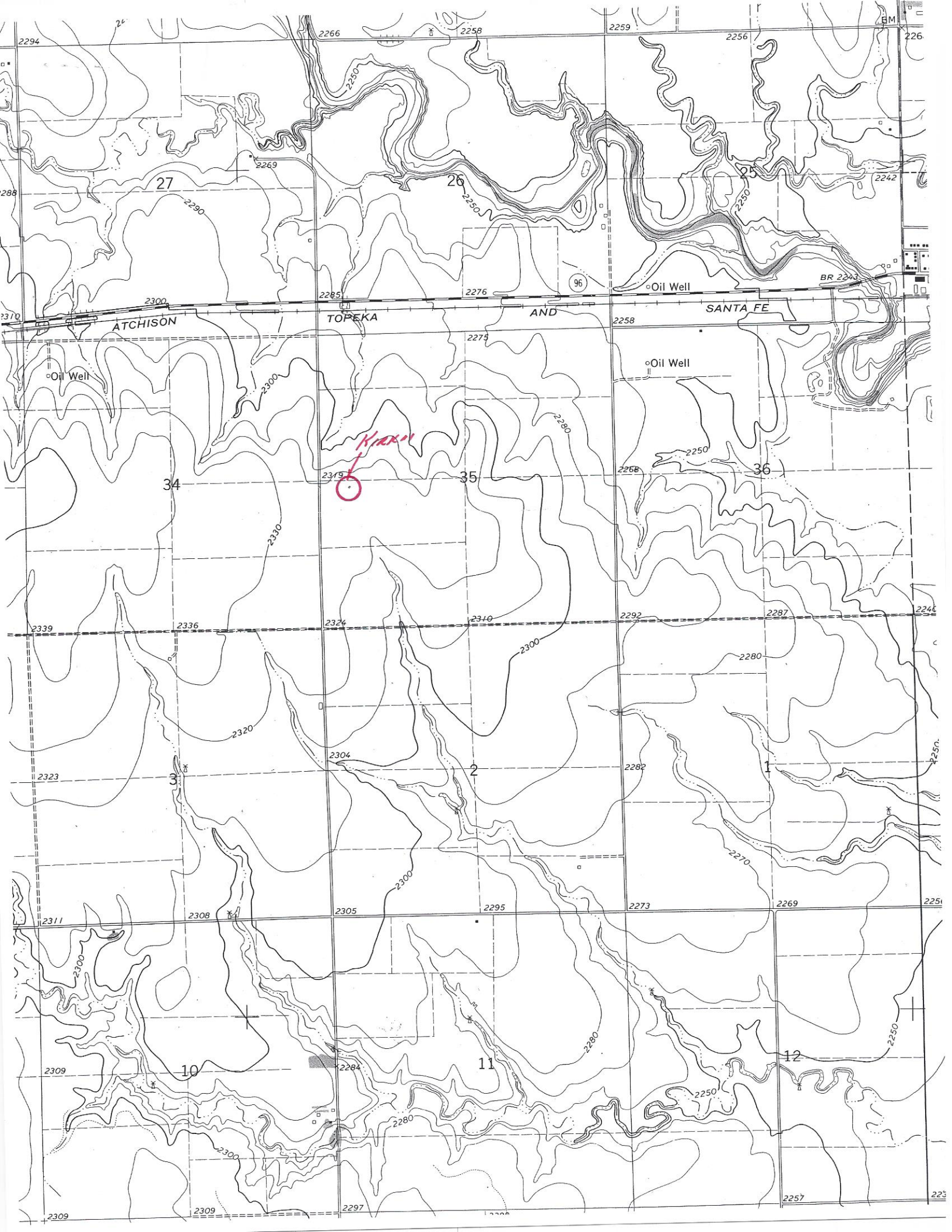
\*Ingress and egress to location as shown on this plat is per usage only and may not be legally opened for public use. Contact landowner, tenant and county road department for access.



\* Controlling data is based upon the best maps and photographs available to us and upon a regular section of land containing 640 acres.  
\* Approximate section lines were determined using the normal standard of care of oilfield surveyors practicing in the state of Kansas. The section corners, which establish the precise section lines, were not necessarily located, and the exact location of the drillsite location in the section is not guaranteed. Therefore, the operator securing this service and occupying this plat and all other parties relying thereon agree to hold Central Kansas Oilfield Services, Inc., its officers and employees harmless from all losses, costs and expenses and said entities released from any liability from incidental or consequential damages.  
\* Elevations derived from National Geodetic Vertical Datum.

Date May 30, 2013





Robert F. Hembree

Kirk #1

SW/4 35-18S-24W

2513' FSL

574' FWL

Ness County, KS

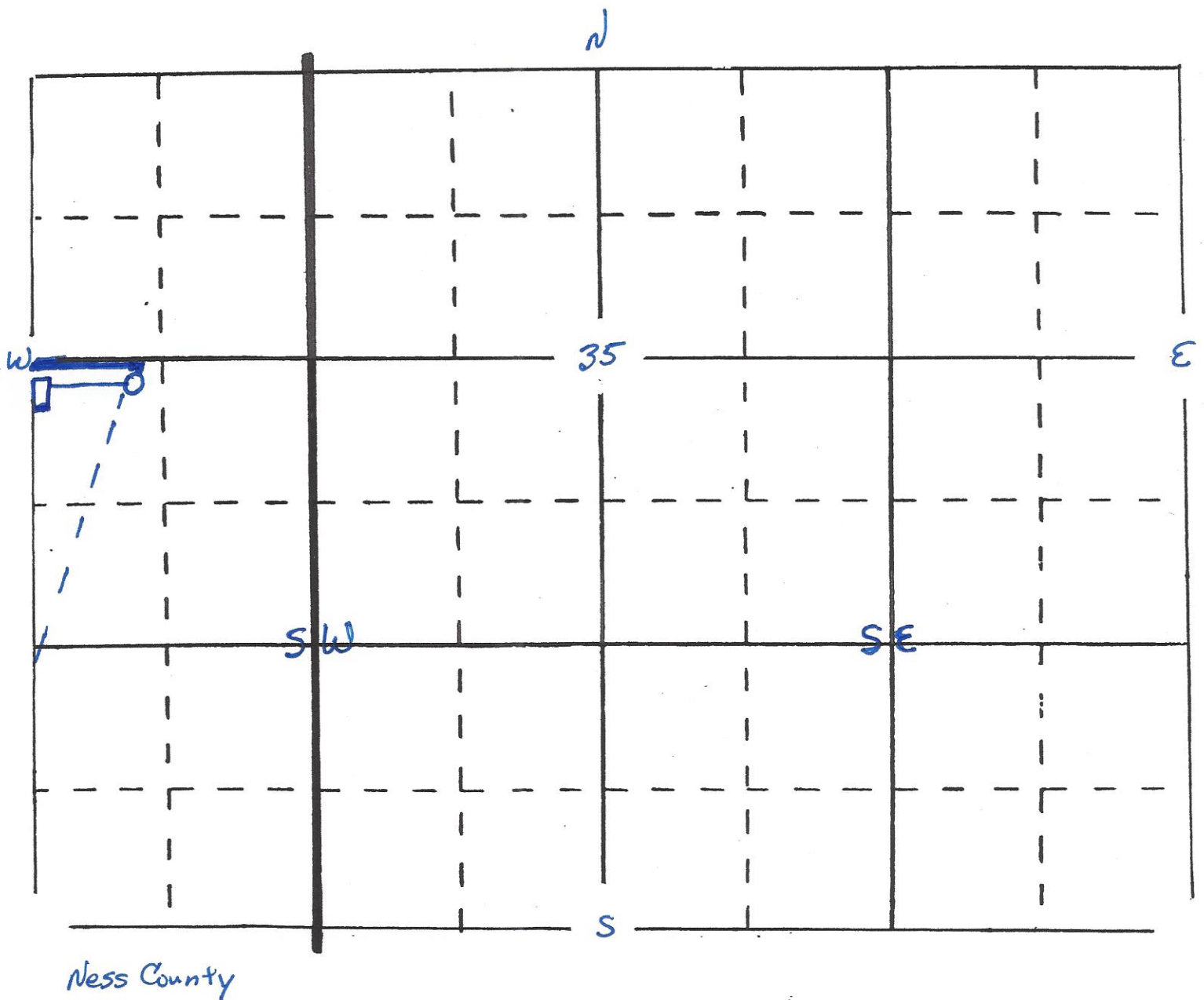
O - Well location

— - Flowline location

▬ - Lease road

□ - Tank Battery location

.... - Electric line buried



Conservation Division  
Finney State Office Building  
130 S. Market, Rm. 2078  
Wichita, KS 67202-3802



Phone: 316-337-6200  
Fax: 316-337-6211  
<http://kcc.ks.gov/>

Mark Sievers, Chairman  
Thomas E. Wright, Commissioner  
Shari Feist Albrecht, Commissioner

Sam Brownback, Governor

July 10, 2013

Fred J. Hembree  
Hembree, Robert F  
PO BOX 542  
NESS CITY, KS 67560-0542

Re: Drilling Pit Application  
Kirk 1  
SW/4 Sec.35-18S-24W  
Ness County, Kansas

Dear Fred J. Hembree:

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 within 96 hours of completion of drilling operations.

**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) 225-8888 when the fluids have been removed. Please file form CDP-5 (August 2008), Exploration and Production Waste Transfer, through KOLAR 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) 225-8888.