

FIRST CORRECTED

For KCC Use: Effective Date: 12.20.04 District #: 2 SGA? Yes No

KANSAS CORPORATION COMMISSION OIL & GAS CONSERVATION DIVISION NOTICE OF INTENT TO DRILL

Form C-1 December 2002

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

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

Expected Spud Date 12 month 16 day 04 year

* Spot NESENE Sec. 13 Twp. 21 S. R. 09 East West

OPERATOR: License# 5210 Name: Lebsack Oil Production Address: P. O. Box 489 City/State/Zip: Hays, KS 67601-0489 Contact Person: Rex Curtis Phone: (785) 625-5444

RECEIVED DEC 10 2004 KCC WICHITA

750' feet from N / S Line of Section 200' feet from E / W Line of Section Is SECTION Regular Irregular?

(Note: Locate well on the Section Plat on reverse side)

CONTRACTOR: License# 5142 Name: Sterling Drilling Company

County: Rice Lease Name: Axtell 'B' Well #: 1 Field Name: Fitzpatrick

Is this a Prorated / Spaced Field? Yes No Target Information(s): Mississippian

Well Drilled For: Oil Enh Rec Gas Storage QMWD Disposal Seismic; # of Holes Other Well Class: Infield Pool Ext. Wildcat Other Type Equipment: Mud Rotary Air Rotary Cable

* Nearest Lease or unit boundary: 230' min per pooling

Ground Surface Elevation: 1656' Actual GL 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: 100

Depth to bottom of usable water: 130

Surface Pipe by Alternate: 1 2

Length of Surface Pipe Planned to be set: 200

Length of Conductor Pipe required: Not Required

Projected Total Depth: 3400

Formation at Total Depth: Mississippian

Water Source for Drilling Operations: Well Farm Pond Other

DWR Permit #: SDC will apply for

(Note: Apply for Permit with DWR)

Will Cores be taken? Yes No

If Yes, proposed zone:

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 #:

* Pooling info received

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:

* WAS: NESENE IS: NESENE

- 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.

I hereby certify that the statements made herein are true and to the best of my knowledge and belief.

Date: 12/06/04 Signature of Operator or Agent: [Signature] Title: President - Steve McClain

For KCC Use ONLY API # 15 - 159-22445-00-00 Conductor pipe required NOVE feet Minimum surface pipe required 150 feet per Alt. 0 Approved by RJP 12.15.04 / RJP 11.2005 This authorization expires: 6.15.05 (This authorization void if drilling not started within 6 months of effective date.) Spud date: Agent:

Remember to:

- 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;
- Obtain written approval before disposing or injecting salt water.
- If this permit has expired (See: authorized expiration date) please check the box below and return to the address below.

Well Not Drilled - Permit Expired

Signature of Operator or Agent:

Date:

Mail to: KCC - Conservation Division, 130 S. Market - Room 2078, Wichita, Kansas 67202

13 21 90