

For KCC Use: 4-23-05  
 Effective Date: 4-23-05  
 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 the K.C.C. five (5) days prior to commencing well*

Expected Spud Date APRIL 22 2005  
month day year

Spot 120' EAST OF CENTER  
N/2 - N/2 - NE Sec. 21 Twp. 18 S. R. 9  
330 feet from  N /  S Line of Section  
1200 feet from  E /  W Line of Section  
 Is SECTION X Regular  Irregular?  
 East  West

OPERATOR: License # 3882  
 Name: SAMUEL GARY JR. & ASSOCIATES, INC.  
 Address: 1670 BROADWAY, SUITE 3300  
 City/State/Zip: DENVER, CO 80202  
 Contact Person: TOM FERTAL  
 Phone: (303) 831-4673

(Note: Locate well on the Section Plat on Reverse Side)  
 County: RICE  
 Lease Name: BEHNKE Well #: 1-21  
 Field Name: WILDCAT

CONTRACTOR: License 33323  
 Name: PETROMARK DRILLING

Is this a Prorated / Spaced Field?  Yes  No  
 Target Formation(s): ARBUCKLE  
 Nearest Lease or unit boundary: 330'  
 Ground Surface Elevation: EST 1713 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: 150'  
 Depth to bottom of usable water: 260  
 Surface Pipe by Alternate:  1  2  
 Length of Surface Pipe Planned to be set: 280'  
 Length of Conductor pipe required: NONE  
 Projected Total Depth: 3400'  
 Formation at Total Depth: ARBUCKLE  
 Water Source for Drilling Operations:  
 Well  Farm Pond Other X  
 DWR Permit #: \_\_\_\_\_  
 Will Cores Be Taken?  Yes  No  
 If yes, proposed zone: \_\_\_\_\_  
 (Note: Apply for Permit with DWR )

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

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#: \_\_\_\_\_

**AFFIDAVIT**

The undersigned hereby affirms that the drilling, completion and eventual plugging of this well will comply with K.S.A. 55-101, 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 a 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 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: MARCH 23, 2005 Signature of Operator or Agent: Thomas H Fertal Title: SR. GEOLOGIST

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 MAR 24 2005

CONSERVATION DIVISION  
 WICHITA, KS

**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: \_\_\_\_\_

**For KCC use ONLY**  
 API # 15 - 159-22454-00-00  
 Conductor pipe required NONE feet  
 Minimum surface pipe required 280 feet per Alt. 1  
 Approved by: RJP 4-18-05  
 This authorization expires 10-18-05  
 (This authorization void if drilling not started within 6 months of effective date.)  
 Spud date: \_\_\_\_\_ Agent: \_\_\_\_\_

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

21  
 18  
 mb 9w

**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: SAMUEL GARY JR & ASSOCIATES, INC.

Lease: BEHNKE

Well Number: 1-21

Field: WILDCAT

Location of Well: County: RICE

330 feet from  N /  S Line of Section

1200 feet from  E /  W Line of Section

Sec. 21 Twp. 18 S. R. 9  East  West

Is Section:  Regular or  Irregular

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

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

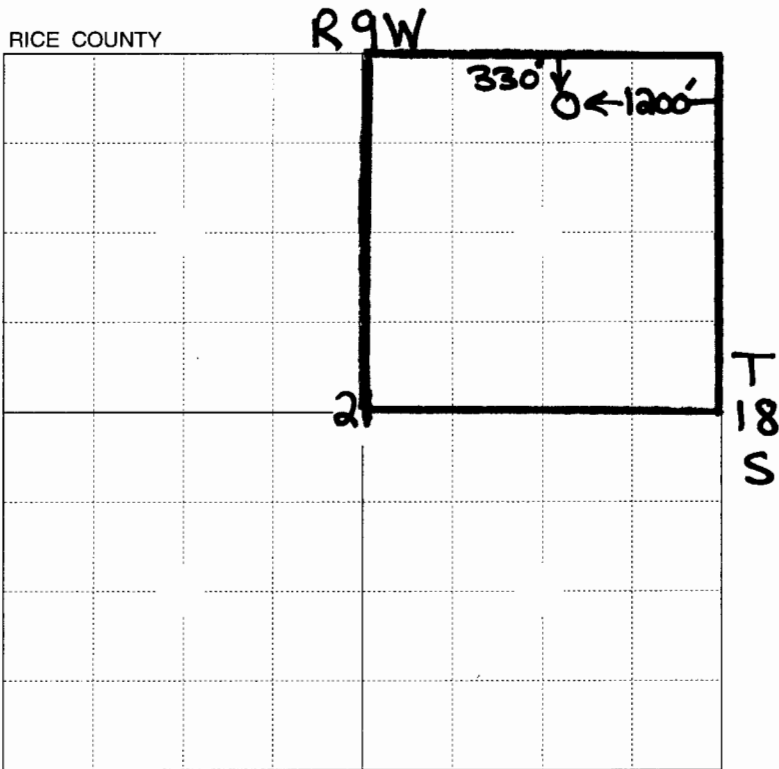
**If Section is Irregular, locate well from nearest corner boundary.**

Section corner used:  NE  NW  SE  SW

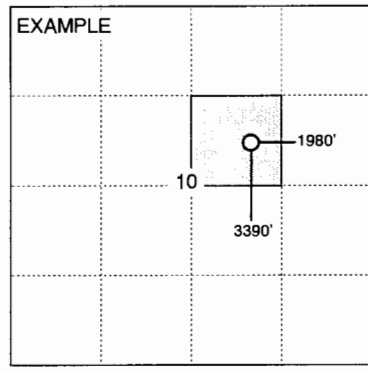
**PLAT**

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

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



*330' from the nearest lease boundary*



SEWARD CO.

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**MAR 24 2005**  
**CONSERVATION DIVISION**  
**WICHITA, KS**

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

**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 section's south / north and east / west.
3. The distance to the nearest lease or unit boundary line.
4. If proposed location is located within a prorated or spaced field a certificate of acreage attribution plat must be attached: (CO-7 for oil wells; CG-8 for gas wells).

# KANSAS

CORPORATION COMMISSION

KATHLEEN SEBELIUS, GOVERNOR  
BRIAN J. MOLINE, CHAIR  
ROBERT E. KREHBIEL, COMMISSIONER  
MICHAEL C. MOFFET, COMMISSIONER

April 18, 2005

Tom Fertal  
Samuel Gary Jr. & Associates, Inc.  
1670 Broadway, Ste 3300  
Denver CO 80202

Re: Drilling Pit Application  
Behnke Lease Well No. 1-21  
NE/4 21-18S-09W  
Rice County, Kansas

Dear Mr. Fertal:

District staff has inspected the location and has determined that an unsealed condition will present a pollution threat to water resources.

District staff has instructed that no earthen pits are to be used at this location. Steel pits are to be used. Please inform the Commission in writing as to which disposal well you utilized to dispose of the contents in the steel pits and the amount of fluid that was disposed. The enclosed Exploration and Production Waste Transfer, form CDP-5, must be filed within 30 days of fluid transfer.

Should a haul-off pit be necessary, please complete the enclosed CDP-1. This location will have to be inspected prior to approval of the haul-off pit application.

Sincerely,



Jonelle Rains, Supervisor  
Environmental Protection and Remediation Department

Cc: Doug Louis  
File