

CORRECTED

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NOV 28 2005

Form C-1
December 2002

For KCC Use:
Effective Date: 11-12-2005
District # 4
SGA? Yes No

**KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION**

NOTICE OF INTENT TO DRILL

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

KCC WICHITA Form must be Typed
Form must be Signed
Blanks must be Filled

Expected Spud Date 12/01/05
month day year

Spot SWSW NE SW Sec. 24 Twp. 6 S. R. 40
 East
 West

OPERATOR: License# 33116
Name: Berry Petroleum Company
Address: P. O. Box 250
City/State/Zip: Wray, Co 80758
Contact Person: Loni Davis
Phone: 970-332-3585

1489.8' feet from N / S Line of Section
1393.4' feet from E / W Line of Section
Is SECTION Regular Irregular?

CONTRACTOR: License# 8273
Name: Excell Services, Inc.

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

County: Sherman
Lease Name: P. Helman Well #: 23-24 6S40W
Field Name: Wildcat

Is this a Prorated / Spaced Field? Yes No
Target Formation(s): Niobrara

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

Nearest Lease or unit boundary: 1393.4' (Pooling Agreement Attached)
Ground Surface Elevation: 3676' 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: 375
Depth to bottom of usable water: 375

Surface Pipe by Alternate: 1 2
Length of Surface Pipe Planned to be set: 425' min

If OWWO: old well information as follows:
Operator: _____
Well Name: _____
Original Completion Date: _____ Original Total Depth: _____

Length of Conductor Pipe required: None
Projected Total Depth: 1480'

Formation at Total Depth: Smokey Hill - Niobrara

Directional, Deviated or Horizontal wellbore? Yes No

Water Source for Drilling Operations:
 Well Farm Pond Other City of Goodland

If Yes, true vertical depth: _____

DWR Permit #: N/A

Bottom Hole Location: _____

KCC DKT #: _____

*WAS: 1488 FSL, 1265 FWL, SWSWNE SW

IS: 1489 FSL, 1393 FWL, SWSWNE SW

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.

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

Date: 11/21/05 Signature of Operator or Agent: Loni Davis Title: Operations Accounting and Regulatory

For KCC Use ONLY
API # 15 - 181-20388-00-00
Conductor pipe required NONE feet
Minimum surface pipe required 425 feet per Alt. 1
Approved by RJP 11-7-05 / RJP 12-9-05
This authorization expires: 5-7-06
(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: _____

24
6
40W

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KCC WICHITA

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: Berry Petroleum Company
Lease: P. Helman
Well Number: 23-24 6S40W
Field: Wildcat

Location of Well: County: Sherman
1489.8' feet from [] N / [x] S Line of Section
1393.4' feet from [] E / [x] W Line of Section
Sec. 24 Twp. 6 S. R. 40 [] East [x] West

Number of Acres attributable to well: 10
QTR / QTR / QTR of acreage: SW - NE - SW

Is Section: [x] Regular or [] Irregular

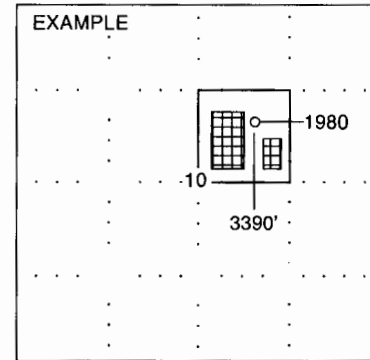
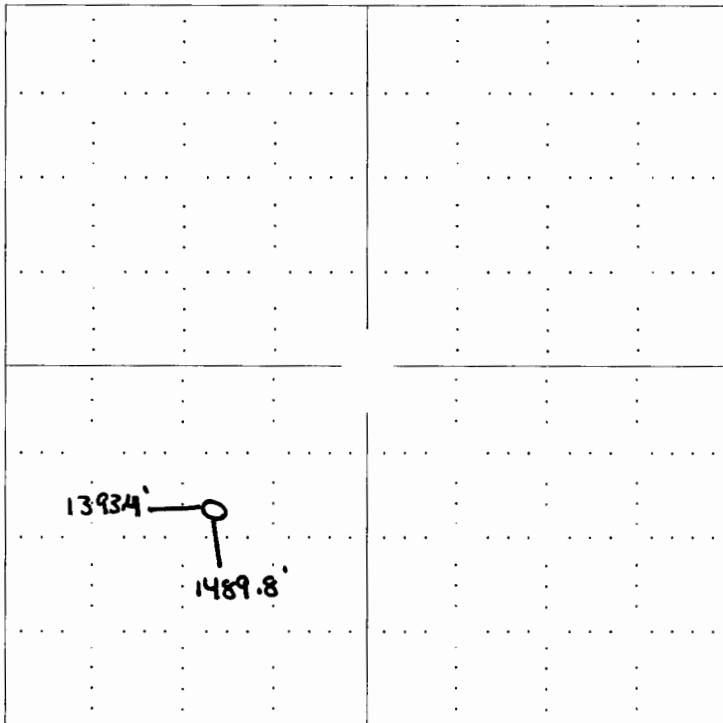
If Section is Irregular, locate well from nearest corner boundary.

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.)



SEWARD CO.

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: (C0-7 for oil wells; CG-8 for gas wells).