

SECOND CORRECTED

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

RECEIVED

NOV 23 2005

Form C-1

December 2002

Form must be Typed

Form must be Signed

All Blanks must be Filled

For KCC Use: Effective Date: 11-15-05 District #: 4 SGA? Yes No

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

KCC WICHITA

Expected Spud Date 12/01/05 month day year

Spot NWNE NWSW Section 19 Twp. 6 S. R. 39 2508.2' feet from N/S Line of Section 681.3' feet from E/W Line of Section

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

County: Sherman Lease Name: Bratcher Well #: 13-19 6S39W Field Name: Wildcat

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

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

Well Drilled For: Oil Gas CWMO Seismic Other Well Class: Enh Rec Storage Disposal Wildcat Other Type Equipment: Mud Rotary Air Rotary Cable

Nearest Lease or unit boundary: 681.3' Ground Surface Elevation: 3603' 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: 325 Depth to bottom of usable water: 325 Surface Pipe by Alternate: 1 2 Length of Surface Pipe Planned to be set: 400' min Length of Conductor Pipe required: None Projected Total Depth: 1550 Formation at Total Depth: Smokey Hill - Niobrara

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

Water Source for Drilling Operations: Well Farm Pond Other City of Goodland DWR Permit #: N/A

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

Will Cores be taken? Yes No If Yes, proposed zone:

\*WAS: 2508 FSL, 556 FWL IS: 2508 FSL, 681 FWL

AFFIDAVIT

\*Unit info received

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: NENWNWSW IS: NWNENWSW

(12-22-05) SECOND CORR

- 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 - 181-20395-00-00 Conductor pipe required NONE feet Minimum surface pipe required 375 feet per Alt. 1 2 Approved by: RSP 11-10-05 / RJP 12-9-05 / JSP 12-22-05 This authorization expires: 5-10-06 (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:

19 4 39w