

CORRECTED

For KCC Use:
Effective Date: 11-12-05
District #: 4
SGA? Yes No

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

Form C-1
December 2002

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

Expected Spud Date 12/01/05
month day year

Spnt East
 West
* SW NW NW SE Sec. 24 Twp. 6 S. R. 40
2054.0' feet from N / S Line of Section
2473.6' feet from E / W Line of Section
Is SECTION Regular Irregular?

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 x827

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

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

(Note: Locate well on the Section Plat on reverse side)
County: Sherman
Lease Name: P. Helman Well #: 33-24 6S40W
Field Name: Wildcat
Is this a Prorated / Spaced Field? Yes No
Target Formation(s): Niobrara
Nearest Lease or unit boundary: 2054.0' (Pooling Agreement Attached)
Ground Surface Elevation: 3593' 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: 350 325
Depth to bottom of usable water: 350 325
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
Water Source for Drilling Operations:
 Well Farm Pond Other City of Goodland
DWR Permit #: N/A

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 #: _____

*Unit information 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:

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: 11/02/05 Signature of Operator or Agent: Loni Davis Title: Operations Accounting and Regulatory

RECEIVED
KANSAS CORPORATION COMMISSION
NOV 07 2005
CONSERVATION DIVISION
WICHITA, KS

*WAS: SW SW NW SE
IS: SW NW SE

For KCC Use ONLY
API # 15 - 181- 20389.00-00
Conductor pipe required NONE feet
Minimum surface pipe required 375 feet per Alt.
Approved by: RJP 11-7-05/RJP 12-22-05
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