

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

ORIGINAL

Form ACO-1
September 1999
Form Must Be Typed

WELL COMPLETION FORM AMENDED
WELL HISTORY - DESCRIPTION OF WELL & LEASE

Operator: License # 32778
Name: Cat Energy, LLC.
Address: PO Box 507
City/State/Zip: Galva, Kansas 67443-0507
Purchaser: NCRA
Operator Contact Person: Duane Purser
Phone: (620) 945-9091
Contractor: Name: Duke Drilling Co. Inc.
License: 5929
Wellsite Geologist: Mike Hadix
Designate Type of Completion:
 New Well Re-Entry Workover
 Oil SWD SLOW Temp. Abd.
 Gas ENHR SIGW
 Dry Other (Core, WSW, Expl., Cathodic, etc)
If Workover/Re-entry: Old Well Info as follows:
Operator: N/A
Well Name: _____
Original Comp. Date: _____ Original Total Depth: _____
 Deepening Re-perf. Conv. to Enhr./SWD
 Plug Back _____ Plug Back Total Depth _____
 Commingled _____ Docket No. _____
 Dual Completion _____ Docket No. _____
 Other (SWD or Enhr.?) _____ Docket No. _____
04-01-02 04-05-02 03-23-04
Spud Date or Date Reached TD Completion Date or
Recompletion Date Recompletion Date

API No. 15 - 009-24735-00-00
County: Barton County, Kansas
SANDEWASE
C-1/2 NE SE Sec. 10 Twp. 20 S. R. 11 East West
3170' ENL feet from S / N (circle one) Line of Section
330' FEL feet from E / W (circle one) Line of Section
Footages Calculated from Nearest Outside Section Corner:
(circle one) NE SE NW SW
Lease Name: Panning Well #: 1
Field Name: Chase-Silica
Producing Formation: Arbuckle
Elevation: Ground: 1757' Kelly Bushing: 1765'
Total Depth: 3500' Plug Back Total Depth: N/A
Amount of Surface Pipe Set and Cemented at 312' Feet
Multiple Stage Cementing Collar Used? Yes No
If yes, show depth set N/A Feet
If Alternate II completion, cement circulated from N/A
feet depth to _____ w/ _____ sx cmt.
ALT I WITH 4-20-06
Drilling Fluid Management Plan
(Data must be collected from the Reserve Pit)
Chloride content _____ ppm Fluid volume _____ bbis
Dewatering method used _____
Location of fluid disposal if hauled offsite: _____
Operator Name: _____
Lease Name: _____ License No.: _____
Quarter _____ Sec. _____ Twp. _____ S. R. _____ East West West
County: _____ Docket No. _____

RECEIVED
APR 19 2006
KCC WICHITA

INSTRUCTIONS: An original and two copies of this form shall be filed with the Kansas Corporation Commission, 130 S. Market - Room 2078, Wichita, Kansas 67202, within 120 days of the spud date, recompletion, workover or conversion of a well. Rule 82-3-130, 82-3-106 and 82-3-107 apply. Information of side two of this form will be held confidential for a period of 12 months if requested in writing and submitted with the form (see rule 82-3-107 for confidentiality in excess of 12 months). One copy of all wireline logs and geologist well report shall be attached with this form. ALL CEMENTING TICKETS MUST BE ATTACHED. Submit CP-4 form with all plugged wells. Submit CP-111 form with all temporarily abandoned wells.

All requirements of the statutes, rules and regulations promulgated to regulate the oil and gas industry have been fully complied with and the statements herein are complete and correct to the best of my knowledge.

Signature: Duane H Purser
Title: Prod. Supt. Date: 4-17-06
Subscribed and sworn to before me this 17th day of April
2006
Notary Public: Tina A. Woolley
Date Commission Expires: 8/31/06

KCC Office Use ONLY
 Letter of Confidentiality Received
If Denied, Yes Date: _____
 Wireline Log Received
 Geologist Report Received
 UIC Distribution

TINA A. WOOLLEY
Notary Public - State of Kansas
My Appt. Expires 8/31/06

Operator Name: Cat Energy LLC. Lease Name: Panning Well #: 1
 Sec. 10 Twp. 20 S. R. 11 East West County: Barton County, Kansas

INSTRUCTIONS: Show important tops and base of formations penetrated. Detail all cores. Report all final copies of drill stems tests giving interval tested, time tool open and closed, flowing and shut-in pressures, whether shut-in pressure reached static level, hydrostatic pressures, bottom hole temperature, fluid recovery, and flow rates if gas to surface test, along with final chart(s). Attach extra sheet if more space is needed. Attach copy of all Electric Wireline Logs surveyed. Attach final geological well site report.

Drill Stem Tests Taken <i>(Attach Additional Sheets)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Log	Formation (Top), Depth and Datum	<input type="checkbox"/> Sample
Samples Sent to Geological Survey	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Name	Top	Datum
Cores Taken	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Anh	490	+1271
Electric Log Run <i>(Submit Copy)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Chase	1398	+312
List All E. Logs Run:		B/FF	1689	+71
		Amer	2104	-330
		Top	2612	-840
		Heeb	2875	-1101
		Br Lm	2998	-1224
		Lans-KC	3020	-1246
		Arb	3270	-1496

Comp Den/Neu porosity + GR/SP/RXO-RT

CASING RECORD <input type="checkbox"/> New <input type="checkbox"/> Used							
Report all strings set-conductor, surface, intermediate, production, etc.							
Purpose of String	Size Hole Drilled	Size Casing Set (In O.D.)	Weight Lbs. / Ft.	Setting Depth	Type of Cement	# Sacks Used	Type and Percent Additives
Surface	12-1/4"	8-5/8"	23#	312'	65/35 Common	100 100	3%cc 2%gel
Production	7-7/8"	5-1/2"	17#	3474'	50/50Poz	250sks	10%salt

ADDITIONAL CEMENTING / SQUEEZE RECORD				
Purpose:	Depth Top Bottom	Type of Cement	#Sacks Used	Type and Percent Additives
Perforate				
Protect Casing	N/A			
Plug Back TD	N/A			
Plug Off Zone				

Shots Per Foot	PERFORATION RECORD - Bridge Plugs Set/Type Specify Footage of Each Interval Perforated		Acid, Fracture, Shot, Cement Squeeze Record (Amount and Kind of Material Used)	
				Depth
4shs per/ft	3274'-3281'		300gals 15% MCA	
			1500gals 15% NE/FE	

TUBING RECORD		Size	Set At	Packer At	Liner Run	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		2-7/8"	3238'	N/A		
Date of First, Resumerd Production, SWD or Enhr.			Producing Method			
3-31-04			<input type="checkbox"/> Flowing <input checked="" type="checkbox"/> Pumping <input type="checkbox"/> Gas Lift <input type="checkbox"/> Other (Explain)			
Estimated Production Per 24 Hours	Oil Bbls.	Gas Mcf	Water Bbls.	Gas-Oil Ratio	Gravity	
	18bbls	Small amount	180bbls		42	

Disposition of Gas: Vented Sold Used on Lease *(If vented, Submit ACO-18.)*

METHOD OF COMPLETION: Open Hole Perf. Dually Comp. Commingled Other (Specify) _____

Production Interval: _____

RECEIVED
APR 19 2006
KCC WICHITA

WELL COMPLETION FORM
WELL HISTORY - DESCRIPTION OF WELL & LEASE

Operator: License # 32778
Name: CAT Energy, LLC
Address: PO Box 507
City/State/Zip: Galva, Kansas 67443-0507
Purchaser:
Operator Contact Person: Delmar Nightingale
Phone: (620) 654-3262
Contractor: Name: Duke Drilling Co., Inc.
License: 5929
Wellsite Geologist: J.M. Hadix

API No. 15 - 009-24735-0000
County: Barton County, Kansas
E/2 NE/4 SE/4 Sec. 10 Twp. 20 S. R. 11 East West
3300 feet from S / (N) (circle one) Line of Section
330 feet from (E) W (circle one) Line of Section

Designate Type of Completion:
 New Well Re-Entry Workover
 Oil SWD SIOW Temp. Abd.
 Gas ENHR SIGW Other (Core, WSW, Expl., Cathodic, etc)

Footages Calculated from Nearest Outside Section Corner:
(circle one) NE SE NW SW
Lease Name: Panning Well #: 1
Field Name: Chase-Silica
Producing Formation: Kansas City / Arbuckle
Elevation: Ground: 1757 Kelly Bushing: 1765

If Workover/Re-entry: Old Well Info as follows:
Operator:
Well Name:
Original Comp. Date: Original Total Depth:
 Deepening Re-perf. Conv. to Enhr./SWD
 Plug Back Plug Back Total Depth
 Commingled Docket No.
 Dual Completion Docket No.
 Other (SWD or Enhr.?) Docket No.

Total Depth: 3500 Plug Back Total Depth:
Amount of Surface Pipe Set and Cemented at 312 Feet
Multiple Stage Cementing Collar Used? Yes No
If yes, show depth set _____ Feet
If Alternate II completion, cement circulated from _____
feet depth to _____ w/ _____ sx cmt.

01-04-2002 05-04-2002 (April)
Spud Date or Date Reached TD Completion Date or Recompletion Date

Drilling Fluid Management Plan
(Data must be collected from the Reserve Pit)
Chloride content 20,000 ppm Fluid volume 1,000 bbls
Dewatering method used hauled
Location of fluid disposal if hauled offsite:
Operator Name: Rob's Oil Service, Inc.
Lease Name: Sieker Disposal License No.: 32408
Quarter NW Sec. 35 Twp. 19 S. R. 11 East West
County: Barton Docket No.: D-26,497

INSTRUCTIONS: An original and two copies of this form shall be filed with the Kansas Corporation Commission, 130 S. Market - Room 2078, Wichita, Kansas 67202, within 120 days of the spud date, recompletion, workover or conversion of a well. Rule 82-3-130, 82-3-106 and 82-3-107 apply. Information of side two of this form will be held confidential for a period of 12 months if requested in writing and submitted with the form (see rule 82-3-107 for confidentiality in excess of 12 months). One copy of all wireline logs and geologist well report shall be attached with this form. ALL CEMENTING TICKETS MUST BE ATTACHED. Submit CP-4 form with all plugged wells. Submit CP-111 form with all temporarily abandoned wells.

All requirements of the statutes, rules and regulations promulgated to regulate the oil and gas industry have been fully complied with and the statements herein are complete and correct to the best of my knowledge.

Signature: Delmar Nightingale Agent
Title: Agent Date: August 27, 2002
Subscribed and sworn to before me this 11th day of October, 2002
19
Notary Public: Gary W. Howard
Date Commission Expires: 8/28/14

KCC Office Use ONLY
 Letter of Confidentiality Attached Dpw
If Denied, Yes Date: 10-23-02 (2)
 Wireline Log Received
 Geologist Report Received
 UIC Distribution

Operator Name: CAT Energy, LLC Lease Name: Panning Well #: 1
 Sec. 10 Twp. 20 S. R. 11 East West County: Barton County, Kansas

INSTRUCTIONS: Show important tops and base of formations penetrated. Detail all cores. Report all final copies of drill stems tests giving interval tested, time tool open and closed, flowing and shut-in pressures, whether shut-in pressure reached static level, hydrostatic pressures, bottom hole temperature, fluid recovery, and flow rates if gas to surface test, along with final chart(s). Attach extra sheet if more space is needed. Attach copy of all Electric Wireline Logs surveyed. Attach final geological well site report.

Drill Stem Tests Taken Yes No
 (Attach Additional Sheets)

Samples Sent to Geological Survey Yes No

Cores Taken Yes No

Electric Log Run Yes No
 (Submit Copy)

List All E. Logs Run:

Log-Tech digital

**Dual Compensated Porosity Log
 Dual Induction Log**

Log Formation (Top), Depth and Datum Sample

Name	Top	Datum
B/Flo flint	1690	+75
Topeka	2602	-837
Heebner	2875	-1110
Brown Lime	2998	-1233
Lans-Kans City	3020	-1255
B/Kansas City	3253	-1488
Arbuckle	3271	-1506
RTD	3500	-1735
5 1/2" prod csg	3474	-1709

(203' in)

CASING RECORD New Used

Report all strings set-conductor, surface, intermediate, production, etc.

Purpose of String	Size Hole Drilled	Size Casing Set (In O.D.)	Weight Lbs. / Ft.	Setting Depth	Type of Cement	# Sacjs Used	Type and Percent Additives
Surface	12 1/4"	8 5/8"	23#	312	65/35 Common	100 100	3%cc 2%gel
Production	7-7/8"	5 1/2"	17#	3474	50/50 Poz	250	10% salt

ADDITIONAL CEMENTING / SQUEEZE RECORD

Purpose:	Depth Top Bottom	Type of Cement	#Sacks Used	Type and Percent Additives
<input type="checkbox"/> Perforate				
<input type="checkbox"/> Protect Casing				
<input type="checkbox"/> Plug Back TD				
<input type="checkbox"/> Plug Off Zone				

Shots Per Foot	PERFORATION RECORD - Bridge Plugs Set/Type Specify Footage of Each Interval Perforated	Acid, Fracture, Shot, Cement Squeeze Record (Amount and Kind of Material Used)	Depth
	At the current time (10-11-2002) this strat test has not yet been perforated-JMH		

TUBING RECORD	Size	Set At	Packer At	Liner Run
				<input type="checkbox"/> Yes <input type="checkbox"/> No

Date of First, Resumerd Production, SWD or Enhr.	Producing Method
	<input type="checkbox"/> Flowing <input type="checkbox"/> Pumping <input type="checkbox"/> Gas Lift <input type="checkbox"/> Other (Explain)

Estimated Production Per 24 Hours	Oil Bbls.	Gas Mcf	Water Bbls.	Gas-Oil Ratio	Gravity

Disposition of Gas **METHOD OF COMPLETION**

Vented Sold Used on Lease (If vented, Sumit ACO-18.)

Open Hole Perf. Dually Comp. Commingled Other (Specify)



TREATMENT REPORT

Customer ID		Date	
Customer <i>CAT ENERGY LLC</i>		<i>4-1-02</i>	
Lease <i>PANNING</i>		Lease No.	Well # <i>1</i>
Field Order # <i>4597</i>	Station <i>PRATT, KS.</i>	Casing <i>8 5/8</i>	Depth <i>312'</i>
Type Job <i>SURFACE - NEW WELL</i>		County <i>BARTON</i>	State <i>KS</i>
Formation		Legal Description <i>10-21-11</i>	

PIPE DATA		PERFORATING DATA		FLUID USED		TREATMENT RESUME		
Casing Size <i>8 5/8</i>	Tubing Size	Shots/Ft		Acid <i>100 SL. A-SERV. LITE</i>		RATE	PRESS	ISIP
Depth <i>312'</i>	Depth	From	To	Pre-Pad <i>3% C.C.</i>		Max		5 Min.
Volume	Volume	From	To	Pad <i>100 SL. COMMON</i>		Min		10 Min.
Max Press	Max Press	From	To	Frac <i>3% C.C.</i>		Avg		15 Min.
Well Connection	Annulus Vol.	From	To			HHP Used		Annulus Pressure
Plug Depth	Packer Depth	From	To	Flush		Gas Volume		Total Load

Customer Representative <i>DEUMAR</i>	Station Manager <i>D. ATRY</i>	Treater <i>K. GORDLEY</i>
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Service Units		107	26	44	71				
Time	Casing Pressure	Tubing Pressure	Bbls. Pumped	Rate	Service Log				
<i>1630</i>					<i>ON LOCATION</i>				
					<i>RUN 312' 8 5/8" CASING</i>				
					<i>BREAK. CERC.</i>				
<i>1915</i>	<i>200</i>		<i>0</i>	<i>6</i>	<i>START MIX CEMENT</i>				
			<i>28</i>	<i>6</i>	<i>100 SL. A-SERV LITE 3% C.C.</i>				
			<i>21</i>	<i>6</i>	<i>100 SL. COMMON 3% C.C.</i>				
	<i>100</i>		<i>49</i>	<i>6</i>	<i>FINISH MIX CEMENT</i>				
					<i>SHUT DOWN - RELEASE WOOD PUL</i>				
	<i>0</i>		<i>0</i>	<i>6</i>	<i>START DISP.</i>				
<i>1945</i>	<i>200</i>		<i>19.0</i>	<i>2</i>	<i>PLUG DOWN</i>				
					<i>CERC. 20 SL. CEMENT TO BIT</i>				
<i>2000</i>					<i>JOB COMPLETE</i>				
					<i>THANKS - KEVIN</i>				

RECEIVED
 KANSAS CORPORATION COMMISSION
 OCT 11 2002
 CONSERVATION DIVISION
 WICHITA, KS



INVOICE NO.
Date **4-1-02**
Customer ID

Subject to Correction
Lease **PANNING**
County **BARTON**
Well # **1**
State **K.S.**
Legal **10-21-11**
Station **PRATT, K.S.**

FIELD ORDER 4597

CHARGE

CAT ENERGY LLC

Depth Formation Shoe Joint
Casing **8 5/8** Casing Depth **312** TD Job Type **SURFACE - NEW WELL**
Customer Representative **DERMOT KUCHTARCA** Treater **KEVIN CORALEY**

AFE Number PO Number

Materials Received by *[Signature]*

Product Code	QUANTITY	MATERIAL, EQUIPMENT and SERVICES USED	UNIT PRICE	AMOUNT	ACCOUNTING	
					CORRECTION	AMOUNT
B200	100 SL.	COMMON CEMENT	✓			
B206	100 SL.	A-SERV LITE CEMENT	✓			
C310	543 lb.	CALCIUM CHLORIDE	✓			
F143	1 EA.	8 5/8 WOOD PLUG	✓			
<p>RECEIVED KANSAS CORPORATION COMMISSION OCT 11 2002 CONSERVATION DIVISION WICHITA, KS</p>						
E107	200 SL.	CEMENT SERV. CHARGE				
E100	55 mile	UNITS MILES				
E104	498 TM	TONS MILES				
R201	1 EA.	EA. 312' PUMP CHARGE				
		DISCOUNT PRICE =		2560.25		
		PLUS TAX				

PAID BY CHECK #510 \$2560.25



TREATMENT REPORT

Customer ID	Date	
Customer	4-6-02	
Lease	Lease No.	Well #
PRATT NO. 6		1

Field Order #	Station	Casing	Depth	County	State
4733	Pratt, KS	5 1/2	3474'	BARTON	KS
Type Job	Formation	Legal Description			
LOWESTRING - NEW WELL	TD-3500'	10-21-11			

PIPE DATA		PERFORATING DATA		FLUID USED		TREATMENT RESUME		
Casing Size	Tubing Size	Shots/Ft		Acid		RATE	PRESS	ISIP
5 1/2				150 SL. 50/50 POL				
Depth	Depth	From	To	Pre-Pad		Max		5 Min.
3474'				10% SMT, .8% FUA 322				
Volume	Volume	From	To	Pad		Min		10 Min.
				125 SL. 50/50 POL				
Max Press	Max Press	From	To	Frag		Avg		15 Min.
				10% SMT, .8% FUA 322				
Well Connection	Annulus Vol.	From	To	Flush		HHP Used		Annulus Pressure
				5# CEMENT				
Plug Depth	Packer Depth	From	To			Gas Volume		Total Load
3461'				5# CEMENT				

Customer Representative	Station Manager	Treater
D. K. CHATFIELD	D. HARTZ	K. GORDON

Service Units	107	23	44	71
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Time	Casing Pressure	Tubing Pressure	Bbls. Pumped	Rate	Service Log
0730					RECEIVED KANSAS CORPORATION COMMISSION OCT 11 2002 CONSERVATION DIVISION WICHITA, KS
					ON LOCATION R/W 3474' 5 1/2 17" CASING R/W GUIDE SHOES, INSERT FLOAT IN 1" COLLAR. CWT. 1-3-5-7-9-26-30
0920					DROP BML, BREAK ODR.
0955	200		24	6	PUMP 24 BBL 2% KCL H ₂ O
	200		12	6	PUMP 12 BBL MUD FLUSH
	200		4	6	PUMP 4 BBL H ₂ O SPACER
					MIX CEMENT
	200		29	6	125 SL 50/50 POL 10% SMT, .8% FUA 322
	200		29	6	125 SL 50/50 POL 10% SMT, .8% FUA, 5# CEM.
					SHUT DOWN - WASH LINE - DROP PUG
	200		0	8	START DIST.
	300		54	8	START LEFT CEMENT
	1000		75	5	SLOW RATE
1030	1500		80.2	5	PUG DOWN RELEASE - FLOAT HELD
					PUG RH & WH.
1100					JOB COMPLETE - THANKS KEN

10244 NE Hiway 61 • P.O. Box 8613 • Pratt, KS 67124-8613 • Phone (620) 672-1201 • Fax (620) 672-5383



INVOICE NO.	
Date	4-6-02
Customer ID	

Subject to Correction

FIELD ORDER

4733

CHARGE

CAT ENERGY LLC		Depth	Formation	Shoe Joint
Casing	5 1/2	Casing Depth	3474'	TD
			3500	Job Type
				LONGSTON - NEW
Customer Representative		Treater		
D. HUSTON		K. CORDLEY		

AFE Number	PO Number
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Materials Received by **X** Cat Energy LLC *Repa*

Product Code	QUANTITY	MATERIAL, EQUIPMENT and SERVICES USED	UNIT PRICE	AMOUNT	ACCOUNTING	
					CORRECTION	AMOUNT
D204	125 SK.	50/50 POL CEMENT	✓			
D204	150 SK.	50/50 POL CEMENT	✓			
C196	185 lb.	FA322	✓			
C223	1237 lb.	SALT	✓			
C311	625 lb.	PAC SET	✓			
C322	625 lb.	GILSONITE	✓			
F101	7 EA.	5/2 CENTRALIZER	✓			
F131	1 EA.	5/2 TOP RUBBER PNC	✓			
F161	1 EA.	5/2 CALIIDE SHOE	✓			
F201	1 EA.	5/2 INSERT FLOAT	✓			
C141	2 gal.	CC-1	✓			
C302	500 gal.	WIND FLUSH	✓			
RECEIVED KANSAS CORPORATION COMMISSION OCT 11 2002 CONSERVATION DIVISION WICHITA, KS						
E107	775 SK.	CEMENT SERVICE CHARGE				
E100	55 mile	UNITS MILES				
E104	635 TM	TONS MILES				
R207	1 EA.	EA. 3474' PUMP CHARGE				
DISCOUNT PRICE =				5582.04		
PLUS TAX						

*PAYED BY CHECK
#517
\$5582.04*

10244 NE Hiway 61 · P.O. Box 8613 · Pratt, KS 67124-8613 · Phone (620) 672-1201 · Fax (620) 672-5383

TOTAL

As consideration, the Customer agrees:

- a) To pay ACID SERVICES, LLC in accord with the rates and terms stated in ACID SERVICES, LLC's current price list. Invoices are payable NET 30 after date of invoice. Upon Customers' default payment of Customer's account by the last day of the month following the month in which the invoice is dated, Customer agrees to pay interest thereon after default at the highest lawful contract rate applicable but never to exceed 18% per annum. In the event it becomes necessary to employ attorneys to enforce collection of said account, Customer agrees to pay all collection cost and attorney fees in the amount of the unpaid account.
- b) To defend, indemnify, release and hold harmless ACID SERVICES, LLC, its divisions, subsidiaries, parent and affiliated companies and the officers, directors, employees, agents and servants of all of them from and against any claims, liability, expenses, attorney's fees, and costs of defense to the extent permitted by law for:
1. Damage to property owned by, in the possession of, or leased by Customer, and/or the well owner (if different from Customer), including, but not limited to, surface and subsurface damage. The term "well owner" shall include working and royalty interest owners.
 2. Reservoir, formation, or well loss or damage, subsurface trespass or any action in the nature thereof.
 3. Personal injury of death or property damage (including, but not limited to, damage to the reservoir, formation or well), or any damages whatsoever, growing out of or in any way connected with or resulting from pollution, subsurface pressure, losing control of the well and/or a well blowout or the use of radioactive material. The amount of this invoice is due and payable at ACID SERVICES, LLC, Dept. No. 1131, Tulsa, Oklahoma 74182. All terms of the Service Order with customer are incorporated herein and made a part hereof by reference.

The defense, indemnity, release and hold harmless obligations of Customer provided for in this Section b) and Section c) below shall apply to claims or liability even if caused or contributed to by ACID SERVICES, LLC's negligence, strict liability, or operated, or furnished by ACID SERVICES, LLC or any defect in the data, products, supplies, materials, or equipment of ACID SERVICES, LLC whether the preparation, design, manufacture, distribution, or marketing thereof, or from a failure to warn any person of such defect. Such defense, indemnity, release and hold harmless obligations of Customer shall not apply where the claims or liability are caused by the gross negligence or willful misconduct of ACID SERVICES, LLC. The term "ACID SERVICES, LLC" as used in said Sections b) and c) shall mean ACID SERVICES, LLC, its divisions, subsidiaries, parent and affiliated companies, and the officers, directors, employees, agents and servants of all of them.

c) That because of the uncertainty of variable well conditions and the necessity of relying on facts and supporting services furnished by others, ACID SERVICES, LLC is unable to guarantee the effectiveness of the products, supplies, or materials, nor the results of any treatment or service, nor the accuracy of any chart interpretation, research analysis, job recommendation or other data furnished by ACID SERVICES, LLC. ACID SERVICES, LLC personnel will use their best efforts in gathering such information and their best judgment in interpreting it, but Customer agrees that ACID SERVICES, LLC shall not be liable for and Customer shall indemnify ACID SERVICES, LLC against any damages from the use of such information.

d) That ACID SERVICES, LLC warrants only title to the products, supplies, and materials and that the same are free from defects in workmanship and materials. THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED OF MERCHANTABILITY, FITNESS OR OTHERWISE WHICH EXTEND BEYOND THOSE STATED IN THE IMMEDIATELY PRECEDING SENTENCE. Acid Services LLC's liability and Customer's exclusive remedy in and cause of action (whether in contract, tort, breach of warranty or otherwise) arising out of the sale or use of any products, supplies or materials in expressly limited to the replacement of such products, supplies or materials on their return to ACID SERVICES, LLC or, at ACID SERVICES, LLC's option, to the allowance to the Customer of credit for the cost of such items. In no event shall ACID SERVICES, LLC be liable for special, incidental, indirect, punitive or consequential damages.

e) To waive the provisions of the Deceptive Trade Practices - Consumer Protection Act, to the extent permitted by law. We certify that the Fair Labor Standards Act of 1938, as amended, has been complied with in the production of goods and/or with respect to service furnished under this contract.

f) That this contract shall be governed by the law of the state where services are performed or materials are furnished.

g) That ACID SERVICES, LLC shall not be bound by any changes or modifications in this contract, except where such change or modification is made in writing by a duly authorized manager of ACID SERVICES, LLC.