

For KCC Use:  
 Effective Date: 8-26-06  
 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 OCTOBER 13 2006  
month day year

20' S & 50' <sup>E</sup> of CENTER  East  
W/2 - SE - NW 5 Twp. 19 S. R. 10  West  
2000 feet from  N /  S Line of Section  
1700 feet from  E /  W Line of Section

OPERATOR: License # 3882 ✓  
 Name: SAMUEL GARY JR. & ASSOCIATES, INC.  
 Address: 1670 BROADWAY, SUITE 3300  
 City/State/Zip: DENVER, CO 80202  
 Contact Person: TOM FERTAL

Is SECTION x Regular Irregular?  
 (Note: Locate well on the Section Plat on Reverse Side)  
 County: RICE

Phone: (303) 831-4673

Lease Name: ORTH Well #: 1-5

CONTRACTOR: License 8273 ✓  
 Name: EXCELL SERVICES INC

Field Name: WILDCAT

Is this a Prorated / Spaced Field?  Yes  No

Target Formation(s): ARBUCKLE

Nearest Lease or unit boundary: 640'

Ground Surface Elevation: Est. 1745 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: not

Depth to bottom of usable water: 280

Surface Pipe by Alternate:  1  2

Length of Surface Pipe Planned to be set: 320'

Length of Conductor pipe required: NONE

Projected Total Depth: 3500'

Formation at Total Depth: ARBUCKLE

Water Source for Drilling Operations:

Well  Farm Pond Other X

DWR Permit #: N/A

(Note: Apply for Permit with DWR )

Will Cores Be Taken?  Yes  No

If yes, proposed zone: N/A

Well Drilled For:	Well Class:	Type Equipment:
<input checked="" type="checkbox"/> Oil ✓	<input type="checkbox"/> Infield	<input checked="" type="checkbox"/> Mud Rotary ✓
<input type="checkbox"/> Gas	<input type="checkbox"/> Pool Ext.	<input type="checkbox"/> Air Rotary
<input type="checkbox"/> OWWO	<input checked="" type="checkbox"/> Wildcat ✓	<input type="checkbox"/> Cable
<input type="checkbox"/> Seismic; # of Holes	<input type="checkbox"/> Other	
<input type="checkbox"/> Other		

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: AUGUST 18, 2006 Signature of Operator or Agent: Thomas H Fertal Title: SR. GEOLOGIST

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 AUG 21 2006  
 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: \_\_\_\_\_

5  
19  
10W

**For KCC use ONLY**  
 API # 15 - 159-22498-0000  
 Conductor pipe required None feet  
 Minimum surface pipe required 300 feet per Alt. 1  
 Approved by: TH 8-21-06  
 This authorization expires: 2-21-07  
 (This authorization void if drilling not started within 6 months of effective date.)  
 Spud date: \_\_\_\_\_ Agent: \_\_\_\_\_

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 - 159-22498-0000
Operator: SAMUEL GARY JR & ASSOCIATES, INC.
Lease: ORTH
Well Number: 1-5
Field:

Location of Well: County: RICE
2000 feet from [X] N / [ ] S Line of Section
1700 feet from [ ] E / [X] W Line of Section
Sec. 5 Twp. 19 S. R. 10 [ ] East [X] West

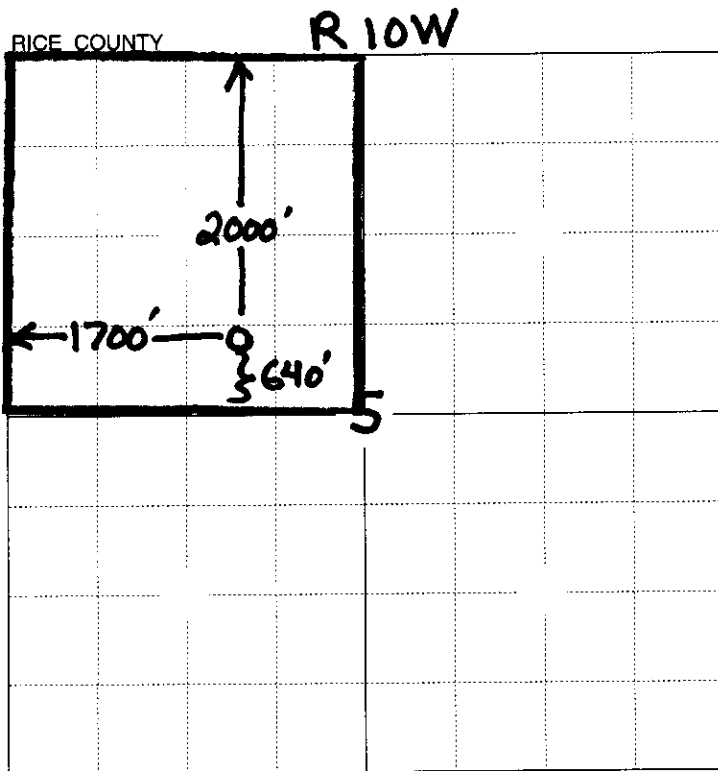
Is Section: [X] Regular or [ ] Irregular

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

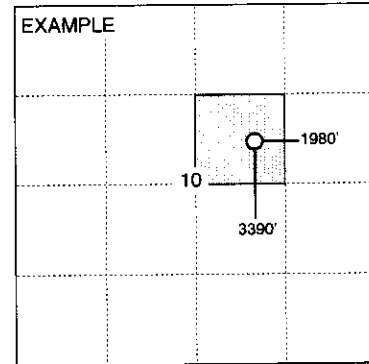
PLAT

(Show location of the well and shade attributable acreage for prorated or spaced wells.)
(Show footage to the nearest lease or unit boundary line.)



640' from nearest lease boundary

T 19 S



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

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AUG 21 2006

CONSERVATION DIVISION
WICHITA, KS

**KANSAS CORPORATION COMMISSION  
OIL & GAS CONSERVATION DIVISION  
APPLICATION FOR SURFACE PIT**

Form GDP-1  
April 2004  
Form must be Typed

*Submit in Duplicate*

Operator Name: <b>SAMUEL GARY JR. AND ASSOCIATES, INC.</b>		License Number: <b>3882</b>
Operator Address: <b>1670 BROADWAY, SUITE 3300 DENVER, CO 80202-4838</b>		
Contact Person: <b>TOM FERTAL</b>		Phone Number: ( <b>303</b> ) <b>831</b> - <b>4673</b>
Lease Name & Well No.: <b>ORTH 1-5</b>		Pit Location (QQQQ): <b>W/2 SE NW</b>
Type of Pit: <input type="checkbox"/> Emergency Pit <input type="checkbox"/> Burn Pit <input type="checkbox"/> Settling Pit <input checked="" type="checkbox"/> Drilling Pit <input type="checkbox"/> Workover Pit <input type="checkbox"/> Haul-Off Pit <small>(If WP Supply API No. or Year Drilled)</small>	Pit is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Existing If Existing, date constructed: _____ Pit capacity: <b>4000</b> (bbls)	Sec. <b>5</b> Twp. <b>19</b> R. <b>10</b> <input type="checkbox"/> East <input checked="" type="checkbox"/> West <b>2000</b> Feet from <input checked="" type="checkbox"/> North / <input type="checkbox"/> South Line of Section <b>1700</b> Feet from <input type="checkbox"/> East / <input checked="" type="checkbox"/> West Line of Section <b>RICE</b> County
Is the pit located in a Sensitive Ground Water Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Chloride concentration: _____ mg/l <small>(For Emergency Pits and Settling Pits only)</small>
Is the bottom below ground level? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Artificial Liner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	How is the pit lined if a plastic liner is not used? <b>NATIVE MUD AND CLAY</b>
Pit dimensions (all but working pits): <b>75</b> Length (feet) <b>75</b> Width (feet) <b>N/A: Steel Pits</b> Depth from ground level to deepest point: <b>4</b> (feet)		
If the pit is lined give a brief description of the liner material, thickness and installation procedure.		Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring.
		<b>RECEIVED</b> <b>KANSAS CORPORATION COMMISSION</b> <b>AUG 21 2006</b> <b>CONSERVATION DIVISION</b> <b>WICHITA, KS</b>
Distance to nearest water well within one-mile of pit <b>3082</b> feet    Depth of water well <b>58</b> feet	Depth to shallowest fresh water <b>S.L. 8</b> feet. Source of information: <b>KAKW</b> <input checked="" type="checkbox"/> electric log <input type="checkbox"/> KDWR _____ measured    _____ well owner    _____ electric log    _____ KDWR	
<b>Emergency, Settling and Burn Pits ONLY:</b> Producing Formation: _____ Number of producing wells on lease: _____ Barrels of fluid produced daily: _____ Does the slope from the tank battery allow all spilled fluids to flow into the pit? <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Drilling, Workover and Haul-Off Pits ONLY:</b> Type of material utilized in drilling/workover: <b>FRESH MUD</b> Number of working pits to be utilized: <b>3</b> Abandonment procedure: <b>ALLOW TO DRY, THEN BACKFILL</b> _____ Drill pits must be closed within 365 days of spud date.	
I hereby certify that the above statements are true and correct to the best of my knowledge and belief.		
<b>AUGUST 18, 2006</b> Date	 Signature of Applicant or Agent	

15-159-22498-0000

<b>KCC OFFICE USE ONLY</b>			
Date Received: <b>8/21/06</b>	Permit Number: _____	Permit Date: <b>8/21/06</b>	Lease Inspection: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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