

CORRECTED

For KCC Use: 10-21-06
Effective Date: _____
District #: _____
SGA? Yes No

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

Form C-1
December 2002

NOTICE OF INTENT TO DRILL

Corrected

Form must be Typed,
Form must be Signed
All blanks must be Filled

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

Expected Spud Date December 01, 2006
month day year

Spot NE SE NW Sec. 34 Twp. 17 S. R. 40 East West
1950' feet from N / S Line of Section
2300' feet from E / W Line of Section
Is SECTION Regular Irregular?

OPERATOR: License# 33094
Name: Cimarex Energy, Co.
Address: RR. 1 Box 83
City/State/Zip: Salanta, KS 67870
Contact Person: Melissa Imler
Phone: 620-276-3693 ext. 14

(Note: Locate well on the Section Plat on reverse side)
County: Greeley
Lease Name: Burgardt Well #: 3
Field Name: Byerly
Is this a Prorated / Spaced Field? Yes No

CONTRACTOR: License# 33375
Name: Cheyenne Drilling, LP

Target Formation(s): Towanda
Nearest Lease or unit boundary: 1950'

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

Ground Surface Elevation: 3572.2 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: 180
Depth to bottom of usable water: 1540

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

Surface Pipe by Alternate: 1 2
Length of Surface Pipe Planned to be set: 280'
Length of Conductor Pipe required: None
Projected Total Depth: 3000'
Formation at Total Depth: Towanda

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

Water Source for Drilling Operations:
 Well Farm Pond Other X
DWR Permit #: _____
(Note: Apply for Permit with DWR)
Will Cores be taken? Yes No
If Yes, proposed zone: _____

*WAS: T&T FM CHASE; IS: TOWANDA
WAS: ALT I, 1750' IS: ALT II, 280'*

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: 11-16-06 Signature of Operator or Agent: [Signature] Title: [Signature]

For KCC Use ONLY
API # 15 - 071-20853-00-00
Conductor pipe required NONE feet
Minimum surface pipe required 200 feet per Alt. (2)
Approved by: [Signature] 10-24-06 / 11-20-06
This authorization expires: 4-24-07
(This authorization void if drilling not started within 6 months of approval date.)
Spud date: _____ Agent: _____

Remember to:

- File Drill Pit Application (form CDP-1) with Intent to Drill;
 - File Completion Form ACC-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: _____

Mail to: KCC - Conservation Division, 130 S. Market - Room 207B, Wichita, Kansas 67202

RECEIVED
NOV 17 2006

KCC WICHITA

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17
40W