

For KCC Use: 11-4-07  
Effective Date: \_\_\_\_\_  
District # 1  
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 KCC five (5) days prior to commencing well

Expected Spud Date 11/10/2007  
month day year

OPERATOR: License# 32864  
Name: XTO Energy, Inc.  
Address: 210 Park Ave., Ste. 2350  
City/State/Zip: Oklahoma City, OK 73102  
Contact Person: Ashley Lane  
Phone: 405-319-3268

CONTRACTOR: License# 33784  
Name: Cherokee Drilling, LP Trinidad Drilling Limited Partnership

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

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 #: \_\_\_\_\_

Spot  East  
SW NE NE Sec. 9 Twp. 25 S. R. 36  West  
1250 feet from  N /  S Line of Section  
1250 feet from  E /  W Line of Section  
Is SECTION  Regular  Irregular?

(Note: Locate well on the Section Plat on reverse side)

County: Kearny  
Lease Name: Miller Well #: 1-3-9  
Field Name: Hugoton/ Panoma

Is this a Prorated / Spaced Field?  Yes  No  
Target Formation(s): Krider, Winfield, Towanda, Ft. Riley, Council Grove, Funston, Middleburg

Nearest Lease or unit boundary: 1250'  
Ground Surface Elevation: 3010 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: 340'  
Depth to bottom of usable water: 820'

Surface Pipe by Alternate:  1  2  
Length of Surface Pipe Planned to be set: 360'

Length of Conductor Pipe required: none  
Projected Total Depth: 3000'

Formation at Total Depth: Neva Limestone

Water Source for Drilling Operations:  
 Well  Farm Pond Other Hauled in

DWR Permit #: \_\_\_\_\_  
(Note: Apply for Permit with DWR )

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

PRORATED & SPACED: HUGOTON-PANOMA

**AFFIDAVIT**

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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:

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CONSERVATION DIVISION  
WICHITA, KS

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: 10/24/07 Signature of Operator or Agent: Ashley Lane Title: Regulatory Analyst

**For KCC Use ONLY**  
API # 15 - 093-21814-0000  
Conductor pipe required None feet  
Minimum surface pipe required 360 feet per Alt. X2  
Approved by: 10-30-07  
This authorization expires: 10-30-08  
(This authorization void if drilling not started within 12 months of approval 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: \_\_\_\_\_

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

9  
25  
36W

**IN ALL CASES PLOT THE INTENDED WELL ON THE PLAT BELOW**

*Plat of acreage attributable to a well in a prorated or spaced field*

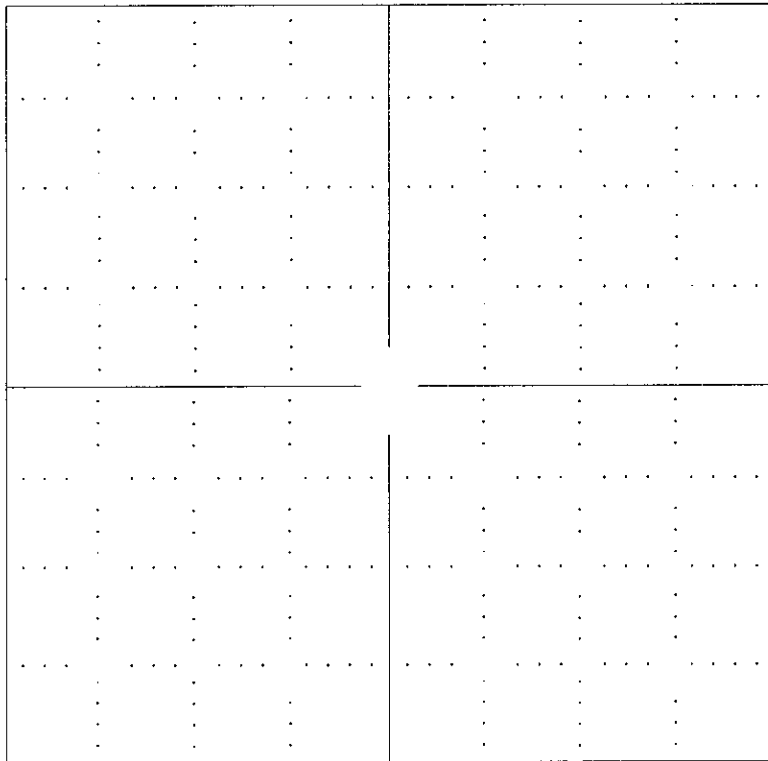
**If the intended well is in a prorated or spaced field, please fully complete this side of the form.** If the intended well is in a prorated or spaced field complete the plat below showing that the well will be properly located in relationship to other wells producing from the common source of supply. 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 - 093-21814-0000  
 Operator: XTO Energy, Inc.  
 Lease: Miller  
 Well Number: 1-3-9  
 Field: Hugoton/ Panoma  
 Number of Acres attributable to well: 640  
 QTR / QTR / QTR of acreage: SW - NE - NE

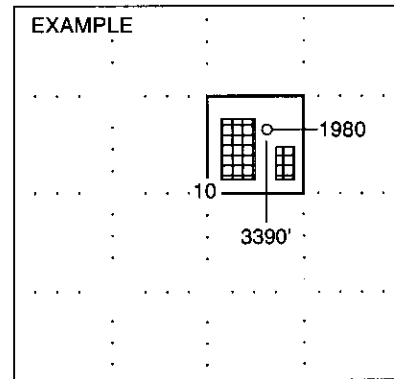
Location of Well: County: Kearny  
1250 feet from  N /  S Line of Section  
1250 feet from  E /  W Line of Section  
 Sec. 9 Twp. 25 S. R. 36  East  West  
 Is Section:  Regular or  Irregular  
 If Section is Irregular, locate well from nearest corner boundary.  
 Section corner used:  NE  NW  SE  SW

**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.)*



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**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).

# PLAT AND CERTIFICATION OF ACREAGE ATTRIBUTABLE TO A GAS WELL

Kansas Corporation Commission, Conservation Division  
 Finney State Office Building, 130 South Market, Room 2078  
 Wichita, Kansas 67202

API NUMBER 15- 093-21814-0000  
 OPERATOR XTO Energy, Inc.  
 LEASE Miller  
 WELL NUMBER 1-3-9  
 FIELD Hugoton / Panoma

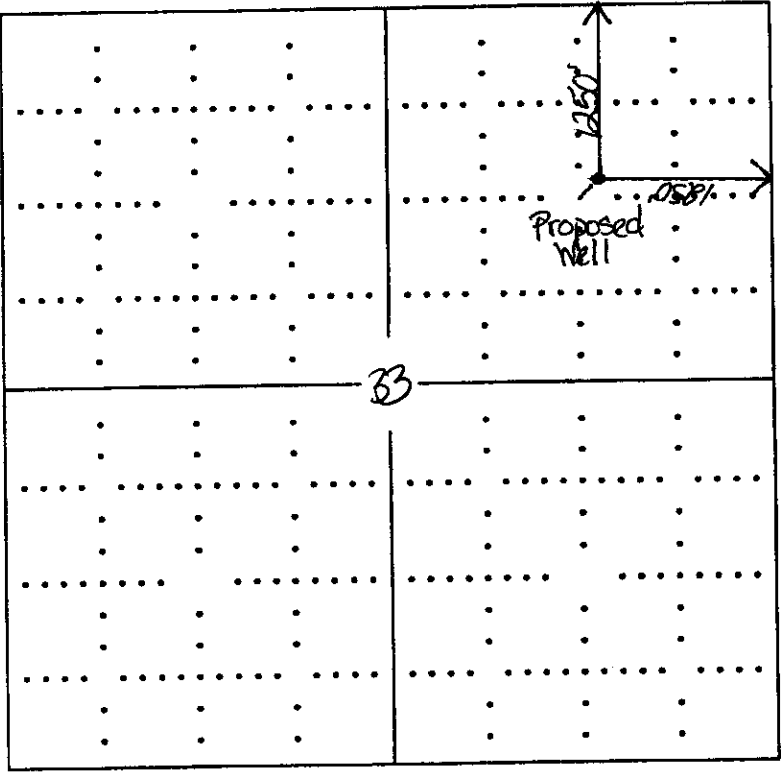
LOCATION OF WELL: COUNTY Kearny

1250 feet from south/north line of section  
1250 feet from east / west line of section

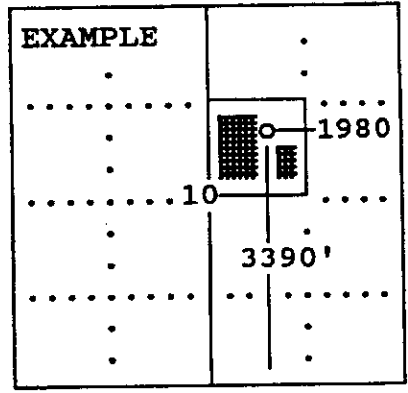
NUMBER OF ACRES ATTRIBUTABLE TO WELL 640  
 QTR/QTR/QTR OF ACREAGE SW - NE - NE

SECTION 33 TWP 25 (S) RG 36 E/W  
 IS SECTION X REGULAR or IRREGULAR  
 IF SECTION IS IRREGULAR, LOCATE WELL FROM  
 NEAREST CORNER BOUNDARY. (check line below)  
 Section corner used: NE NW SE SW

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



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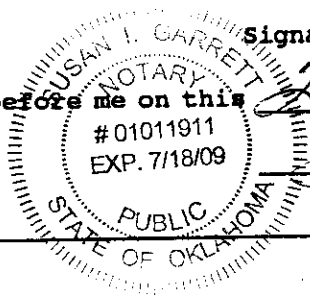
SEWARD CO.

The undersigned hereby certifies as Regulatory Analyst (title) for

XTO Energy, Inc (Co.), a duly authorized agent, that all

information shown hereon is true and correct to the best of my knowledge and belief, that all acreage claimed attributable to the well named herein is held by production from that well and hereby make application for an allowable to be assigned to the well upon the filing of this form and the State test, whichever is later.

Subscribed and sworn to before me on this 24th day of October, 2007  
 Signature Ashley Lane  
Susan J. Garrett  
 Notary Public

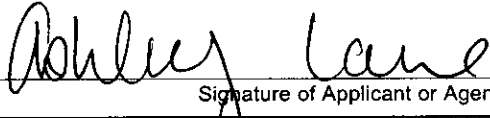


My Commission expires \_\_\_\_\_

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

Form CDP-1  
April 2004  
Form must be Typed

*Submit in Duplicate*

Operator Name: <b>XTO Energy, Inc.</b>		License Number: <b>32864</b>
Operator Address: <b>210 Park Ave., Ste. 2350</b>		
Contact Person: <b>Ashley Lane</b>		Phone Number: ( <b>405</b> ) <b>319 - 3268</b>
Lease Name & Well No.: <b>Miller #1-3-9</b>		Pit Location (QQQQ): <b>SW SW NE NE</b> Sec. <b>9</b> Twp. <b>25</b> R. <b>36</b> <input type="checkbox"/> East <input checked="" type="checkbox"/> West <b>1250</b> Feet from <input checked="" type="checkbox"/> North / <input type="checkbox"/> South Line of Section <b>1250</b> Feet from <input checked="" type="checkbox"/> East / <input type="checkbox"/> West Line of Section <b>Kearny</b> County
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: _____ (bbls)	
Is the pit located in a Sensitive Ground Water Area? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> <del>No</del>		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>Earthen</b>
Pit dimensions (all but working pits): <b>150</b> Length (feet) <b>150</b> Width (feet) <b>N/A: Steel Pits</b> Depth from ground level to deepest point: <b>6</b> (feet)		
If the pit is lined give a brief description of the liner material, thickness and installation procedure. <b>Earthen</b>		Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring. <b>RECEIVED KANSAS CORPORATION COMMISSION OCT 26 2007 CONSERVATION DIVISION WICHITA, KS</b>
Distance to nearest water well within one-mile of pit <b>1601</b> <b>+/- 2500</b> feet    Depth of water well <b>292</b> feet		Depth to shallowest fresh water <b>340 208</b> feet. Source of information: _____ measured    _____ well owner    _____ electric log <input checked="" type="checkbox"/> 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>Native Soil</b> Number of working pits to be utilized: <b>1</b> Abandonment procedure: <b>Evaporation &amp; close</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>10/24/07</b> Date		 Signature of Applicant or Agent

<b>KCC OFFICE USE ONLY</b>		<i>Normal</i>
Date Received: <b>10/26/07</b>	Permit Number: _____	Permit Date: <b>10/30/07</b> Lease Inspection: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

15093-2184-000