

3rd Amended- Moved Location 1-4-08

CORRECTED

Form C-1
November 2002

For KCC Use: 11-4-07
Effective Date: _____
District # _____
SGA? Yes No

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

NOTICE OF INTENT TO DRILL

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

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

Expected Spud Date 1/5/2008
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: 405-232-4011

CONTRACTOR: License# 33784
Name: Trinidad Drilling Ltd

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

1-4-08 KCC DKT #: _____
* WAS: 400' FML; 1150' FEL, NLUB: 400'
IS: 517' FML; 1227' FEL, NLUB 517'

Spot _____ East
NW NE NE Sec. 9 Twp. 25S S. R. 36 West
* 517 feet from N / S Line of Section
* 1227 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: 517'
Ground Surface Elevation: 3012 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: _____

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:

JAN 04 2008

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: 1/2/2008 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. YO 2
Approved by: Paul 10-30-07/WJM 11-21-07/WJM 12-27-07/Paul 1-4-08
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

9-25-3000

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/ Panama
 Number of Acres attributable to well: 640
 QTR / QTR / QTR of acreage: NW - NE - NE

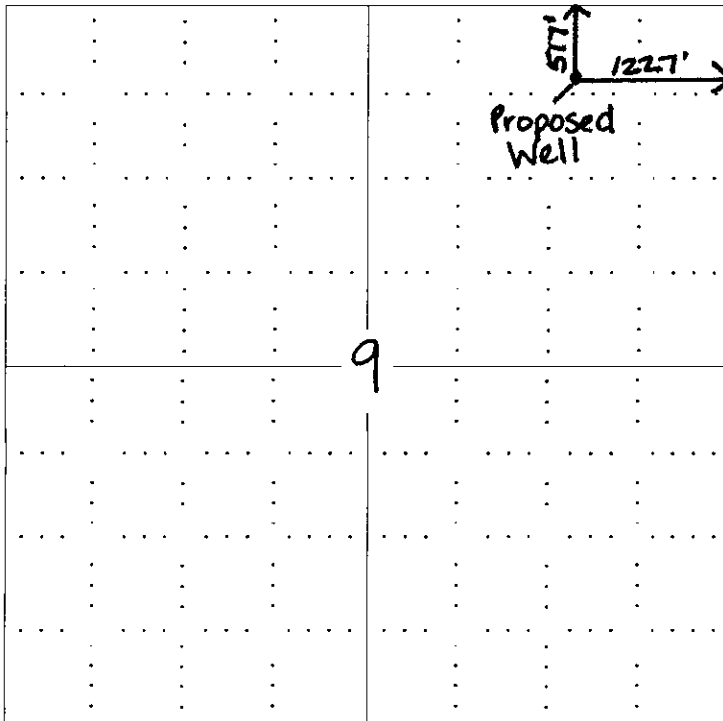
Location of Well: County: Kearny
 517 feet from N / S Line of Section
 1227 feet from E / W Line of Section
 Sec. 9 Twp. 25S S. R. 36 East West

Is Section: Regular or Irregular

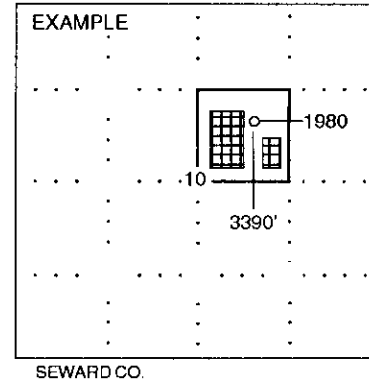
If Section is Irregular, locate well from nearest corner boundary.
 Section corner used: NE NW SE SW

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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 WICHITA, KS



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

1-4-08
CORRECTED

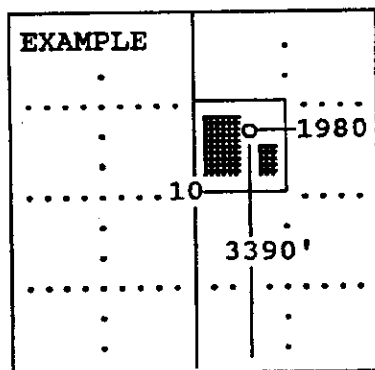
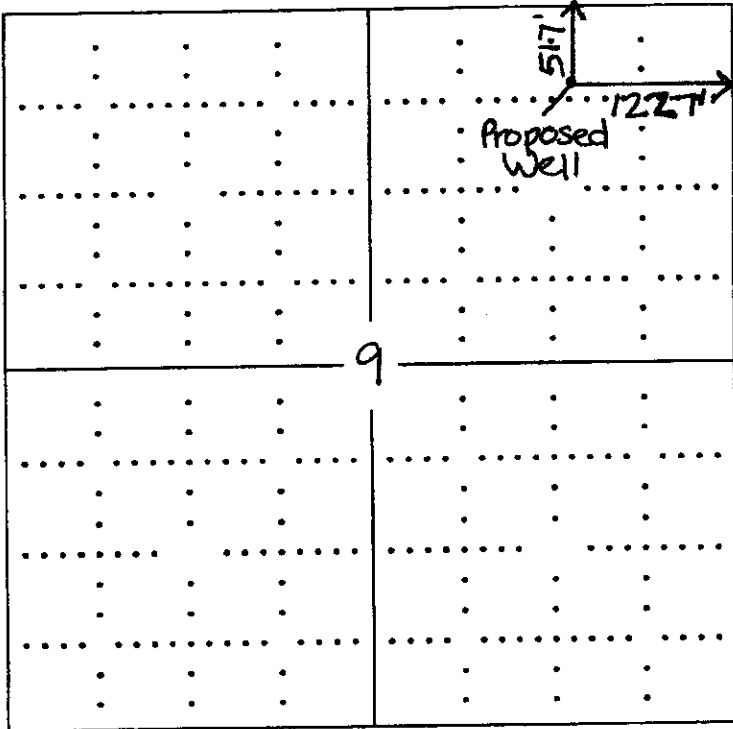
API NUMBER 15- 093-21814-0000
 OPERATOR XTO Energy, Inc.
 LEASE Miller
 WELL NUMBER 1-3-9
 FIELD Hugoton / Panoma

LOCATION OF WELL: COUNTY Kearny
517 feet from south/north line of section
1227 feet from east / west line of section

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

SECTION 9 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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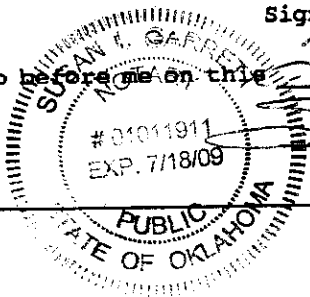
SEWARD CO.

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.

Signature Ashley Lane
 day of January, 2008

Subscribed and sworn to before me on this 1st day of January, 2008



Susan L. Garrett
 Notary Public

My Commission expires _____

FORM CG-8 (12/94)

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

CORRECTED

Form CDP-1
April 2004
Form must be Typed

Submit in Duplicate

Operator Name: XTO Energy, Inc.		License Number: 32864	
Operator Address: 210 Park Ave., Ste. 2350 OKC, OK 73102			
Contact Person: Ashley Lane		Phone Number: (405) 232 - 4011	
Lease Name & Well No.: Miller #1-3-9		Pit Location (QQQQ): NW - NE - NE -	
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 (If WP Supply API No. or Year Drilled)		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"/> No		Chloride concentration: _____ mg/l (For Emergency Pits and Settling Pits only)	
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? Earthen			
Pit dimensions (all but working pits): 150 Length (feet) 150 Width (feet) _____ N/A: Steel Pits Depth from ground level to deepest point: 6 (feet)			
If the pit is lined give a brief description of the liner material, thickness and installation procedure. Earthen		Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring. RECEIVED KANSAS CORPORATION COMMISSION JAN 04 2008 CONSERVATION DIVISION WICHITA, KS	
Distance to nearest water well within one-mile of pit +/- 2500 feet Depth of water well 292 ⁶² feet		Depth to shallowest fresh water 340 ²⁸ feet. Source of information: _____ measured _____ well owner _____ electric log <input checked="" type="checkbox"/> ² KDWR	
Emergency, Settling and Burn Pits ONLY: 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		Drilling, Workover and Haul-Off Pits ONLY: Type of material utilized in drilling/workover: Native Soil Number of working pits to be utilized: 1 Abandonment procedure: Evaporation & close 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. _____ Date 1/2/2008 Signature of Applicant or Agent Ashley Lane			
KCC OFFICE USE ONLY			
Date Received: 1/4/08 Permit Number: _____ Permit Date: 1/4/08 Lease Inspection: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			