

For KCC Use:

Effective Date: 2-23-2009

District #

SGA? ☐ Yes ☒ NoKANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

NOTICE OF INTENT TO DRILL

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

Form C-1

October 2007

Form must be Typed

Form must be Signed

All blanks must be Filled

Expected Spud Date: February 24, 2009
month day yearOPERATOR: License# 33365Name: Layne Energy Operating, LLCAddress 1: 1900 Shawnee Mission Parkway

Address 2:

City: Mission Woods State: KS Zip: 66205 + 2001Contact Person: Timothy H. WrightPhone: 913-748-3960CONTRACTOR: License# 33606Name: Thornton Air

Well Drilled For:

☐ Oil
☒ Gas☐ Enh Rec
☐ Storage
☐ Disposal

Well Class:

☒ Infield
☐ Pool Ext.
☐ Wildcat
☐ Other

Type Equipment:

☐ Mud Rotary
☒ Air Rotary
☐ 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:

KCC DKT #:

Spot Description:

N2 - NW - NW Sec. 28 Twp. 30 S. R. 13 ☒ E ☐ W
(a a a a) 332 feet from ☒ N / ☐ S Line of Section
794 feet from ☐ E / ☒ W Line of SectionIs SECTION: ☒ Regular ☐ Irregular?

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

County: ElkLease Name: Thomas Well #: 4-28Field Name: Cherokee Basin CoalIs this a Prorated / Spaced Field? ☐ Yes ☒ NoTarget Formation(s): Cherokee CoalsNearest Lease or unit boundary line (in footage): 332'Ground Surface Elevation: 1012 feet MSLWater well within one-quarter mile: ☐ Yes ☒ NoPublic water supply well within one mile: ☐ Yes ☒ NoDepth to bottom of fresh water: 150'Depth to bottom of usable water: 225'Surface Pipe by Alternate: ☐ I ☒ IILength of Surface Pipe Planned to be set: 40'Length of Conductor Pipe (if any): NoneProjected Total Depth: 1500'Formation at Total Depth: Mississippian

Water Source for Drilling Operations:

☐ Well ☐ Farm Pond ☒ Other:

DWR Permit #:

(Note: Apply for Permit with DWR ☐)Will Cores be taken? ☐ Yes ☒ No

If Yes, proposed zone:

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 correct to the best of my knowledge and belief.

Date: February 17, 2009 Signature of Operator or Agent: [Signature]Title: Project Engineer

For KCC Use ONLY

API # 15 - 049-22530-00-00Conductor pipe required None feetMinimum surface pipe required 40 feet per ALT. ☐ I ☒ IIApproved by: [Signature] 2-18-2009This authorization expires: 2-18-2010
(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 (within 60 days);
- 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 Date: _____
Signature of Operator or 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.

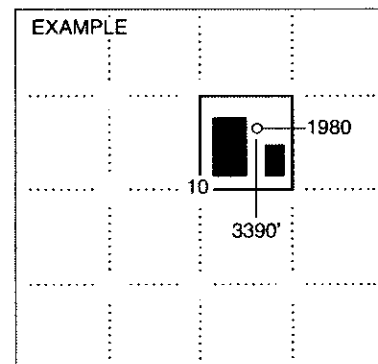
API No. 15 - 049-22530-00-00Operator: Layne Energy Operating, LLCLease: ThomasWell Number: 4-28Field: Cherokee Basin Coal

Number of Acres attributable to well: _____

QTR/QTR/QTR/QTR of acreage: _____ - N2 - NW - NW

Location of Well: County: Elk332 feet from ☒ N / ☐ S Line of Section794 feet from ☐ E / ☒ W Line of SectionSec. 28 Twp. 30 S. R. 13 ☒ E ☐ WIs 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.)*
NOTE: In all cases locate the spot of the proposed drilling location.

RECEIVED
KANSAS CORPORATION COMMISSION
FEB 18 2009
CONSERVATION DIVISION
WICHITA, KS



SEWARD CO.

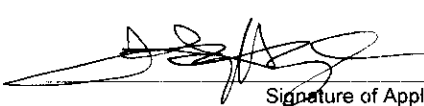
In plotting the proposed location of the well, you must show:

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 south / north and east / west outside section lines.
3. The distance to the nearest lease or unit boundary line (in footage).
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).

**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: Layne Energy Operating, LLC		License Number: 33365	
Operator Address: 1900 Shawnee Mission Parkway		Mission Woods KS 66205	
Contact Person: Timothy H. Wright		Phone Number: 913-748-3960	
Lease Name & Well No.: Thomas 4-28		Pit Location (QQQQ): N2 NW NW Sec. 28 Twp. 30 R. 13 <input checked="" type="checkbox"/> East <input type="checkbox"/> West 332 Feet from <input checked="" type="checkbox"/> North / <input type="checkbox"/> South Line of Section 794 Feet from <input type="checkbox"/> East / <input checked="" type="checkbox"/> West Line of Section Elk 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 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? made of clay			
Pit dimensions (all but working pits): 30 Length (feet) 20 Width (feet) <input type="checkbox"/> N/A: Steel Pits Depth from ground level to deepest point: 3 (feet) <input type="checkbox"/> No Pit			
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.	
Distance to nearest water well within one-mile of pit None ⁴⁵³⁷ feet Depth of water well 60 feet		Depth to shallowest fresh water 40 feet. Source of information: <input type="checkbox"/> measured <input type="checkbox"/> well owner <input type="checkbox"/> electric log <input checked="" type="checkbox"/> 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: fresh water mud Number of working pits to be utilized: 2 Abandonment procedure: Let evaporate until dry, then backfill and restore 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.			
February 17, 2009 Date		 Signature of Applicant or Agent	
RECEIVED KANSAS CORPORATION COMMISSION FEB 18 2009 CONSERVATION DIVISION WICHITA, KS			
KCC OFFICE USE ONLY Steel Pit <input type="checkbox"/> RFAC <input type="checkbox"/> RFAS <input type="checkbox"/>			
Date Received: 2/18/09 Permit Number: _____ Permit Date: 2/18/09 Lease Inspection: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

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

15-049-22530-00-00