

KANSAS CORPORATION COMMISSION  
OIL & GAS CONSERVATION DIVISION

Form CDP-4  
April 2004  
Form must be Typed

**CLOSURE OF SURFACE PIT**

Operator Name: <b>Canary Operating Corporation</b>	License Number: <b>33677</b>
Operator Address: <b>7230 W. 162nd Street, Suite A, Stilwell, KS 66085</b>	
Contact Person: <b>Steve Allee</b>	Phone Number: ( <b>913</b> ) <b>239</b> - <b>8960</b>
Permit Number (API No. if applicable): <b>15-121-28505 8800</b>	Lease Name & Well No.: <b>Eberting #38-18-16-25</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	Pit Location (QQQQ): _____ NW    NW    SW Sec. <b>18</b> Twp. <b>16</b> R. <b>25</b> <input checked="" type="checkbox"/> East <input type="checkbox"/> West <b>2310</b> Feet from <input type="checkbox"/> North / <input checked="" type="checkbox"/> South Line of Section <b>1650</b> Feet from <input type="checkbox"/> East / <input checked="" type="checkbox"/> West Line of Section _____ <b>Miami</b> County

Date of closure: 4/28/2008

Was an artificial liner used?  Yes  No

If no, how were the sides and bottom sealed to prevent downward migration of the pit contents?

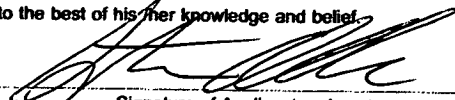
**Native clay(s) in soil**

Abandonment procedure of pit:

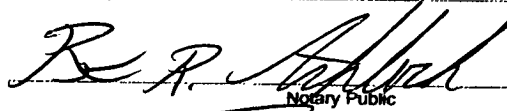
**Let fresh water evaporate, then back fill pit(s) with soil. Grade surface and re-seed with grass.**

RECEIVED  
KANSAS CORPORATION COMMISSION  
MAY 09 2008  
CONSERVATION DIVISION  
WICHITA, KS

The undersigned hereby certifies that he / she is Sr. VP of Operations for Canary Operating Corporation (Co.),  
a duly authorized agent, that all information shown hereon is true and correct to the best of his / her knowledge and belief.


  
Signature of Applicant or Agent

Subscribed and sworn to me on this 6 day of May, 2008

  
Notary Public

My Commission Expires: 1/10/2009

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

 **REX R. ASHLOCK**  
Notary Public - State of Kansas  
My Appt. Exp. 1/10/09