

KANSAS CORPORATION COMMISSION  
 OIL & GAS CONSERVATION DIVISION  
**CLOSURE OF SURFACE PIT**

Form CDP-4  
 April 2004  
 Form must be Typed

Operator Name: SAMUEL GARY JR & ASSOCIATES, INC	License Number: 3382
Operator Address: 1560 BROADWAY, SUITE 2100 DENVER, CO 80202	
Contact Person: TOM FERTAL	Phone Number: (303) 831-4673
Permit Number (API No. if applicable): 15-159-22535-0000	Lease Name & Well No.: BENEKE 1-17
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): _____ - <u>SW</u> - <u>NE</u> - <u>SW</u> Sec. <u>17</u> Twp. <u>18</u> R. <u>9</u> <input type="checkbox"/> East <input checked="" type="checkbox"/> West <u>1620</u> Feet from <input type="checkbox"/> North / <input checked="" type="checkbox"/> South Line of Section <u>1870</u> Feet from <input type="checkbox"/> East / <input checked="" type="checkbox"/> West Line of Section _____ RICE _____ County

Date of closure: 5/7/2008

Was an artificial liner used?     Yes     No

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

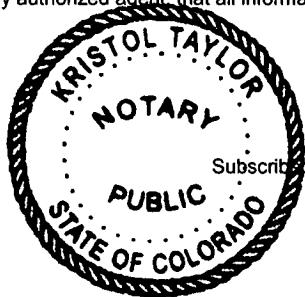
NATIVE CLAY

Abandonment procedure of pit:

ALLOWED TO DRY, THEN BACKFILLED

RECEIVED  
 KANSAS CORPORATION COMMISSION  
**JUN 06 2008**  
 CONSERVATION DIVISION  
 WICHITA, KS

The undersigned hereby certifies that he / she is SAMUEL GARY JR & ASSOCIATES, SR. GEOLOGIST for INC. (Co.),  
 a duly authorized agent, that all information shown hereon is true and correct to the best of his / her knowledge and belief.



My Commission Expires 5/05/2009

My Commission Expires: \_\_\_\_\_

Thomas J Fertal  
 Signature of Applicant or Agent

Subscribed and sworn to me on this 4 TH day of JUNE, 2008

Mistal Ahlman  
 Notary Public