

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

Form CDP-4
April 2004
Form must be Typed

| | |
|---|---|
| Operator Name: Dart Cherokee Basin Operating Co. LLC | License Number: 33074 |
| Operator Address: 211 W. Myrtle, Independence, KS 67301 | |
| Contact Person: Bill Barks | Phone Number: (620) 331 - 7870 |
| Permit Number (API No. if applicable): 15-125-31550-00-00 | Lease Name & Well No.: Nitz Trust A2-36 SWD |
| 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>NE</u> _____ <u>NE</u> _____ <u>NW</u> Sec. <u>36</u> Twp. <u>31S</u> R. <u>15</u> <input checked="" type="checkbox"/> East <input type="checkbox"/> West <u>5135</u> Feet from <input type="checkbox"/> North / <input checked="" type="checkbox"/> South Line of Section <u>2787</u> Feet from <input checked="" type="checkbox"/> East / <input type="checkbox"/> West Line of Section <u>Montgomery</u> County |

Date of closure: 6/2/2008

Was an artificial liner used? Yes No

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

Natural Clay

Abandonment procedure of pit:

Air Dry and Backfill

RECEIVED
KANSAS CORPORATION COMMISSION

JUN 27 2008

CONSERVATION DIVISION
WICHITA, KS

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

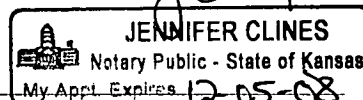
Bill Barks

Signature of Applicant or Agent

Subscribed and sworn to me on this 26th day of June, 2008

Jennifer Clines

Notary Public



My Commission Expires: _____