KANSAS CORPORATION COMMISSION OIL & GAS CONSERVATION DIVISION

Form CDP-4 April 2004 Form must be Typed

CLOSURE OF SURFACE PIT

| 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): 15-125-31540-00-00 | Lease Name & Well No.: Biller Family Trust B 2007 C1-3 |
| Type of Pit: | Pit Location (QQQQ): |
| Emergency Pit Burn Pit | W2 NW SW |
| Settling Pit ✓ Drilling Pit | Sec. 3 Twp. 33S R. 15 ✓ East ☐ West |
| ☐ Workover Pit ☐ Haul-Off Pit | 1980 Feet from North / South Line of Section |
| | 4770 Feet from 🗸 East / West Line of Section |
| | Montgomery County |
| 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: | RECEIVED KANSAS CORPORATION COMMISSION |
| Air Dry and Backfill | JUL 1 7 2008 |
| | CONSERVATION DIVISION WICHITA, KS |
| The undersigned hereby certifies that he / she is Operations Manage | orfor _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. | |
| willing Banks | |
| Signature of Applicant or Agent | |
| Subscribed and sworn to me on this <u>16th</u> day of | July , 2008 |
| JENNIFER CLINES Notary Public - State of Kansas My Appt. Expires 12-05-03 My Commission Expires: | |