WELL HISTORY - DESCRIPTION OF WELL & LEASE

City/State/Zip: Wichita, KS 67278 Furchase: Operator Contact Person: Becky Middleton Phone: (3.16) 689=3520 Contractor: Name: Val Energy License: 5822 Contractor: SWD SIOW Less Name: Perry Well #: 1-32 Field Name: Hirt Total Depth: 4550 Plug Back Total Depth: 2400 Amount of Surface Pipe Set and Cemented at 285 Fee Multiple Stage Cementing Coller Used? Ves Sign If yes, show depth set if Alternate II completion, cement circulated from the Reserve Pill If yes, show depth set if Alternate II completion, cement circulated from Lest Stage Cementing Coller Used? Despending Re-perf. Conk to Enhir/SWD Despending Re-perf. Conk to Enhir/SWD Dual Completion Docken No. Doc	Operator: License # 504 /	API No. 15 - 151-22226-0000
Address: P.O. Box 783010 Clystator(Pir. Wichita, KS 67278 Clystator(Pir. Wichita, KS 67278 Operator Contact Person: Becky Middleton Phone: (316.) 68933520 Contractor: Name: Val Energy License: 5822 Williate Geologist: Jim Musgrove Designate Type of Compiletion: X New Well Re-Entry Workover X New Well Re-Entry Workover X New Well Re-Entry Workover X New Well S Re-Entry Workover X New Well S Re-Entry Workover X Dij SWD SIOW Temp. Abd. X Gas ENHR SIOW X Dry Other (Core, WSW, Expl., Cathodic, etc) If Workover/Re-entry: Old Wall Info as follows: Operator: Designate Orapidation Original Total Depth: Despening Re-perf Conv. Enhr/SWD Plug Back Dual Compiletion Docket No. Dual Compiletion Docket No. Dual Compiletion Docket No. Dotke (SWD or Enhr.?) Docket No. Dotke (SWD or Enhr.?) Dotke No. Dotke No. Dotke (SWD or Enhr.?) Dotke No. Dotke No. Dotke (SWD or Enhr.?) Dotke No. No. No. No. TERESA WENDENNALL No. No. No. No. No. TERESA WENDENNALL No. No. No. No. No.	Name: Rupe Oil Company, INc.	County: Pratt
City/State/Zip: Wichita, KS 67278 Furchase: Operator Contact Person: Becky Middleton Phone: (3.16) 689=3520 Contractor: Name: Val Energy License: 5822 Contractor: SWD SIOW Less Name: Perry Well #: 1-32 Field Name: Hirt Total Depth: 4550 Plug Back Total Depth: 2400 Amount of Surface Pipe Set and Cemented at 285 Fee Multiple Stage Cementing Coller Used? Ves Sign If yes, show depth set if Alternate II completion, cement circulated from the Reserve Pill If yes, show depth set if Alternate II completion, cement circulated from Lest Stage Cementing Coller Used? Despending Re-perf. Conk to Enhir/SWD Despending Re-perf. Conk to Enhir/SWD Dual Completion Docken No. Doc		C NW NW Sec. 32 Twp. 29Ss. R. 12 East West
Purchaser: Operator Contact Parson: Becky Middleton Specific Contactor Name: Val Energy Section Contactor Name: Val	City/State/Zip: Wichita, KS 67278	feet from S (N)(circle one) Line of Section
Operator Contact Porson. Becky Middleton Phone: (316-) 689-3520 Contractor: Name: Val Energy License: 5822 Wellste Geologist: Jim Musgrove Designate Type of Completion: X New Well Re-Entry Workover X Oil SWD SIOW Temp. Abd. X Gas ENHR SIGW Dry Other (Core, WSW, Expl., Cathodic, etc) If WorkoverRe-entry: Old Well Info as follows: Operator: Operator: Original Comp. Date: Original Total Depth: Commingled Docket No. Dual Completion Dotte No. Other (SWD or Enhr.?) Dual Completion Dotte No. Other (SWD or Enhr.?) Date Reached TD Completion Date or Recompletion Date Notary Public: Completion Date No. INSTRUCTIONS: An original and two copies of this form shall be filed with the Kansas Corporation Commission, 130 S. Market - Room 2078, Wichina, Kansas 67202, within 120 days of the spud date, recompletion, workover or conversion of a well. Rule 823-130, 82-3-106 and 82-0-107 apply, Information of side two of this form with be held confidential for a period of 12 months; ir requested in writing and submitted with the form (see rule 823-107 for confidentially in excess of 12 months). One copy of all wireline logs and geologist wireless of the statutor, rules and regulations prohulgated to regulate the oil and gas industry have been fully complied with and the statemenherein are complete on Submit President Notary Public: Was and regulations prohulgated to regulate the oil and gas industry have been fully complied with and the statemenherein are complete and order this 20 day of 11 or 12 o	Purchaser:	
Leese Name: Val Energy Leese Name: Perry Well #: 1-32	Operator Contact Person: Becky Middleton	_
Leese Name: Val Energy Leese Name: Perry Well #: 1-32		(circle one) NE SE NW SW
Wellstee Geologies:		
Waltsite Geologist: Jim Musgrove Designate Type of Completion: X New Well Re-Entry Workover X S Gas S ENHR SIGW X Dry Other (Core, WSW, Expl., Cathodic, etc) If WorkoverRe-entry: Old Well Info as follows: Organial Comp. Date: Original Comp. Date: Original Comp. Date: Original Comp. Date: Original Total Depth: Obsepaning Repert. Comv. to Entr./SWD Plug Back Total Depth Set and Comental at 285 Fe Multiple Stage Cementing Collar Used? If WorkoverRe-entry: Old Well Info as follows: Organial Comp. Date: Original Comp. Date: Original Comp. Date: Original Total Depth: Obsepaning Repert. Comv. to Entr./SWD Plug Back Depth Docket No. Dould Completion Docket No. Dould Completion Docket No. Other (SWD or Entr.?) Docket No. 9/9/05 Spud Date or Recompletion Date Date Reached TD Completion Date or Recompletion Date Notary Bublic: Stage Cementing Collar Used? If yes, show depth set I Reasewing Collar Used? If All Reached Internations of the Collector from the Reserve Pil) If All Reached Internations of the Collector from the Reserve Pil) Chloride content ppm Fluid volume bb Dowatering method used Dowatering method used Docket No: Operator Name: Lease Name: License No: Quarter Sec. Twp. S. R. Bast Well-Well-Reached No: Outlet's Sec. Twp. S. R. Bast Well-Well-Reached No: Outlet's Sec. Twp. S. R. Bast Well-Well-Reached No: Outlet's Must Be AltaCheto. Submit CP-4 form with all plugged wells. Submit CP-111 form with all temporarily abandoned wells. All requirements of the statutes, rules and regulations profulgated to regulate the oil and gas industry have been fully complied with and the statemen herein are complete and porting the best of Mry Knowledge. Notary Public: Just be test of Mry Knowledge. I Control States Plansas Convertation States Plansas Convertation Commission Well-Received If Denied, Yes Date: Wildline Log Received Geologial Report Received Geologial Report Received Wildline Log	License: 5822	
Designate Type of Completion: X New Well Re-Entry Workover X Oil SWD SIOW Temp. Abd. X Gas ENHR SIGW X Dry Other (Core, WSW, Expl., Cathodic, etc) If Workover/Re-entry: Old Well Info as follows: Operator: Operator: Operator: Original Comp. Date: Original Total Depth: Original Comp. Date: Original Comp. Date: Original Total Depth: Operator: Despening Re-perf. Conv. to Enhr/SWD Plug Back Total Depth Commingled Docket No. Dual Completion Docket No. Other (SWD or Enhr.?) Sylud Date or Recompletion Date INSTRUCTIONS: An original and two copies of this form shall be filed with the Kansas Corporation Commission, 130 S. Market - Room 2078, Wichita, Kansas 67202, within 120 days of the spud date, recompletion on the statement of the statutes, rules and regulgitions profutigated to regulate the original and state of this form with all plugged wells. All requirements of the statutes, rules and regulgitions profutigated to regulate the original and sworn to before me this 20 day of 12 2 2 0 0 7 Notary Public: Notary Public: Notary Public: Notary Publi	Wellsite Geologist: Jim Musgrove	Producing Formation: Indian Cave
X New Well Ro-Entry Workover X Oil SWD SIOW Temp. Abd. Amount of Surface Pipe Set and Cemented at 2.8.5 Fe Fe Willips Stage Cementing Collar Used? Yes State Yes Yes State Yes Yes State Yes	Designate Type of Completion:	Elevation: Ground: 1875 Kelly Bushing: 1885
Amount of Surface Pipe Set and Cemented at 285 Fe Multiple Stage Cementing Collar Used? Yes \(\frac{1}{2} \) Notary Public: Date Reached TD Date Reached TD Date Reached TD Date Recompletion Date or Recompletion Date of 12 North Public: Date Revenue of 12 North Public: Date Statutes of 12 nonths) one copy of all wireline logs and geologist Report shall be attached with the form. (See Note) Submit CP-11 form with all temporarily abandoned wells. Notary Public: Date: Da	X New Well Re-Entry Workover	
Multiple Stage Cementing Collar Used? Yes	X Oil SWD SIOW Temp. Abd.	Amount of Surface Pipe Set and Cemented at 285 Feet
If yes, show depth set	X Gas ENHR SIGW	
If Atternate II completion, cement circulated from	X Dry Other (Core, WSW, Expl., Cathodic, etc)	If yes, show depth setFeet
Well Name: Original Comp. Date: Original Comp. Date: Original Total Depth: Deepening Re-perf. Conv. to Enhr/SWD Plug Back Plug Back Total Depth Commingled Docket No. Double Compiletion Docket No. Other (SWD or Enhr.?) Docket No. 9/9/05 Spud Date or Recompletion Date Reached TD Completion Date Name: Ocuption Date or Recompletion Date or Recompletion Date or Recompletion of State of Kansas 67202, within 120 days of the spud date, recompletion, workover or conversion of a well. Rule 82-3-130, 82-3-106 and 82-3-107 apply. Information of side two of this form will be held confidential for a period of 12 months if requested in writing and submitted with the form (see rule 82-3-107 for confidentiality in excess of 12 months). One copy of all wireline logs and geologist well report shall be attached with this form. ALL CEMENTING TICKETS MUST BE ATTACHED. Submit CP-4 form with all plugged wells. Submit CP-111 form with all temporarily abandoned wells. All requirements of the statutes, rules and regulations prohulgated to regulate the oil and gas industry have been fully complied with and the statemen herein are complete and portice to the best of my knowledge. Signature: President Date: 2/20/07 Notary Public: Date Comministers Expires: All 2008 TERESA U MENDENHALL All 2008 TERESA U MENDENHALL TERESA U MENDENH		If Alternate II completion, cement circulated from
Original Comp. Date:Original Total Depth:	Operator:	feet depth tow/sx cmt.
Deepening Re-perf	Well Name:	
Deepening Re-perf	Original Comp. Date: Original Total Depth:	Drilling Fluid Management Plan (Data must be collected from the Reserve Pit) Output Drilling Fluid Management Plan (Data must be collected from the Reserve Pit)
Plug Back Plug Back Total Depth Dewatering method used	Deepening Re-perf Conv. to Enhr./SWD	
Commingled Docket No. Dual Completion Docket No. Other (SWD or Enhr.?) Docket No. 9/9/05 Spud Date or Recompletion Date Recompletion Date Notary Public: Date Reached TD Docket No. Operator Name: License No.: Quarter Sec. Twp. S. R. License No.: Quarter Sec. Twp. S. R. East We County: Docket No. Docket No. Operator Name: License No.: Quarter Sec. Twp. S. R. East We County: Docket No. Docket No. Docket No. Operator Name: Location of fluid disposal if hauled offsite: Operator Name: License No.: Quarter Sec. Twp. S. R. East We County: Docket No. Docket No. Docket No. INSTRUCTIONS: An original and two copies of this form shall be filed with the Kansas Corporation Commission, 130 S. Market - Room 2078, Wichita, Kansas 67202, within 120 days of the spud date, recompletion, workover or conversion of a well. Rule 82-3-130, 82-3-106 and 82-3-107 apply. Information of side two of this form will be held confidential for a period of 12 months if requested in writing and submitted with the form (see rule 82-3-107 for confidentiality in excess of 12 months). One copy of all wireline logs and geologist well report shall be attached with this form. ALL CEMENTING TICKETS MUST BE ATTACHED. Submit CP-4 form with all plugged wells. Submit CP-111 form with all temporarily abandoned wells. All requirements of the statutes, rules and regulations prohulgated to regulate the oil and gas industry have been fully complied with and the statemen wherein are complete and professors to the knowledge. KCC Office Use ONLY Notary Public: Wireline Log Received Geologist Report Received UIC Distribution FEB 2 1 2007 CONSERVATION DIVISION WICHTA, KS	Plug Back Plug Back Total Depth	1
Other (SWD or Enhr.?) Docket No. 9/9/05 Spud Date or Recompletion Date Notary Public: Docket No. 9/18/05 Spud Date or Recompletion Date Operator Name: Lease Name: License No.: Quarter Sec. Twp. Sec. Twp. Sec. Twp. Sec. Twp. Sec. Twp. Docket No.: Docket No.: Docket No.: Docket No.: Docket No.: INSTRUCTIONS: An original and two copies of this form shall be filed with the Kansas Corporation Commission, 130 S. Market - Room 2078, Wichita, Kansas 67202, within 120 days of the spud date, recompletion, workover or conversion of a well. Rule 82-3-130, 82-3-106 and 82-3-107 apply. Information of side two of this form will be held confidential for a period of 12 months if requested in writing and submitted with the form (see rule 82-3-107 for confidentiality in excess of 12 months). One copy of all wireline logs and geologist well report shall be attached with this form. ALL CEMENTING TICKETS MUST BE ATTACHED. Submit CP-4 form with all plugged wells. Submit CP-111 form with all temporarily abandoned wells. All requirements of the statutes, rules and regulations prohulgated to regulate the oil and gas industry have been fully complied with and the statementherein are complete and officed to the best of my knowledge. Signature: Wireline Log Received Geologist Report Received Wireline Log Received RECEIVED Geologist Report Received RECEIVED Geologist Report Received RECEIVED Geologist Report Received RECEIVED CONSERVATION DIVISION WICHTA, KS	Commingled Docket No	
Spud Date or Recompletion Date Date Reached TD Spud Date or Recompletion Date or Recompletion Date Date Reached TD Date Recompletion Date or Recompletion Date Docket No.:	Dual Completion Docket No	Location of fluid disposal if hauled offsite:
Spud Date or Recompletion Date Date Reached TD Completion Date or Recompletion Date County: Docket No.: Docket No.: INSTRUCTIONS: An original and two copies of this form shall be filed with the Kansas Corporation Commission, 130 S. Market - Room 2078, Wichita, Kansas 67202, within 120 days of the spud date, recompletion, workover or conversion of a well. Rule 82:3-130, 82:3-106 and 82:3-107 apply. Information of side two of this form will be held confidential for a period of 12 months if requested in writing and submitted with the form (see rule 82:3-107 for confidentiality in excess of 12 months). One copy of all wireline logs and geologist well report shall be attached with this form. ALL CEMENTING TICKETS MUST BE ATTACHED. Submit CP-4 form with all plugged wells. Submit CP-111 form with all temporarily abandoned wells. All requirements of the statutes, rules and regulations prohulgated to regulate the oil and gas industry have been fully complied with and the statemen herein are complete and professional prohulgated to regulate the oil and gas industry have been fully complied with and the statemen herein are complete and professional prohulgated to regulate the oil and gas industry have been fully complied with and the statemen herein are complete and professional prohulgated to regulate the oil and gas industry have been fully complied with and the statemen herein are complete and professional prohulgated to regulate the oil and gas industry have been fully complied with and the statemen herein are complete and professional prohulgated to regulate the oil and gas industry have been fully complied with and the statemen herein are complete and professional prohulgated to regulate the oil and gas industry have been fully complied with and the statemen herein are complete and professional prohulgated to regulate the oil and gas industry have been fully complied with and the statemen herein are complete and professional prohulgated to regulate the oil and gas industry have been fully complie	Other (SWD or Enhr.?) Docket No	Operator Name:
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INSTRUCTIONS: An original and two copies of this form shall be filled with the Kansas Corporation Commission, 130 S. Market - Room 2078, Wichita, Kansas 67202, within 120 days of the spud date, recompletion, workover or conversion of a well. Rule 82-3-130, 82-3-106 and 82-3-107 apply. Information of side two of this form will be held confidential for a period of 12 months if requested in writing and submitted with the form (see rule 82-3-107 for confidentiality in excess of 12 months). One copy of all wireline logs and geologist well report shall be attached with this form. ALL CEMENTING TICKETS MUST BE ATTACHED. Submit CP-4 form with all plugged wells. Submit CP-111 form with all temporarily abandoned wells. All requirements of the statutes, rules and regulations promulgated to regulate the oil and gas industry have been fully complied with and the statemen herein are complete and correct to the best of my knowledge. Signature: Title: President Date: 2/20/07 Subscribed and sworn to before me this 20 day of 1 brugry Ontary Public: Date Commission, 130 S. Market - Room 2078, Wichita, Room 2078, Wichita, Room 2078, Wichita, Room 2078, Wichita, Room 2079, Wichita	Spud Date or Date Reached TD Completion Date or	Quarter Sec TwpS. R East West
Kansas 67202, within 120 days of the spud date, recompletion, workover or conversion of a well. Rule 82-3-130, 82-3-106 and 82-3-107 apply. Information of side two of this form will be held confidential for a period of 12 months if requested in writing and submitted with the form (see rule 82-3-107 for confidentiality in excess of 12 months). One copy of all wireline logs and geologist well report shall be attached with this form. ALL CEMENTING TICKETS MUST BE ATTACHED. Submit CP-4 form with all plugged wells. Submit CP-111 form with all temporarily abandoned wells. All requirements of the statutes, rules and regulations prorhulgated to regulate the oil and gas industry have been fully complied with and the statemen herein are complete and original to the best of my knowledge. Signature: President Date: 2/20/07 Subscribed and sworn to before me this 20 day of 32 by u.g., wireline Log Received If Denied, Yes Date: Wireline Log Received Geologist Report Received Wireline Log Received Wireline Log Received Geologist Report Received UIC Distribution FEB 2 1 2007 CONSERVATION DIVISION WICHITA, KS	Recompletion Date Recompletion Date	County: Docket No.:
All requirements of the statutes, rules and regulations proriulgated to regulate the oil and gas industry have been fully complied with and the statement herein are complete and correct to the best of my knowledge. Signature: President	Kansas 67202, within 120 days of the spud date, recompletion, workov Information of side two of this form will be held confidential for a period of 107 for confidentiality in excess of 12 months). One copy of all wireline logs	rer or conversion of a well. Rule 82-3-130, 82-3-106 and 82-3-107 apply. 12 months if requested in writing and submitted with the form (see rule 82-3-s and geologist well report shall be attached with this form. ALL CEMENTING
Title:	All requirements of the statutes, rules and regulations promulgated to regul	77 Plá
Title: President Date: 2/20/07 Subscribed and sworn to before me this 20 day of 2 brugy If Denied, Yes Date: Wireline Log Received Wireline Log Received Geologist Report Received CORPORATION COMMINISTRATES Light 2009 TERESA U MENDENHALL Notary Public: State of Kansas Notary Publi	Signature: Jan Jan	KCC Office Use ONLY
Subscribed and sworn to before me this 20 day of 12 bruary 20 1 Notary Public:	President 2/20/07	Ν
Wireline Log Received RECEIVED Geologist Report Register CORPORATION COMMIS Date Commission Expires: 1 2 2008 TERESA U MENDENHALL Notary Public - State of Kansas Wickita, KS	20th 11	_ ′
Notary Public: ————————————————————————————————————	Subscribed and sworn to before me this <u>AU'</u> day of <u>ILUYUQY</u>	,
Date Commission Expires: 1 14 200 \$ TERESA U MENDENHALL Notary Public - State of Kansas WICHITA, KS	20 07	RECEIVED
Date Commission Expires: 14 2009 TERESA U MENDENHALL Notary Public - State of Kansas CONSERVATION DIVISION WICKITA, KS	Notary Public: Illisa U. Mendenhall	UIC Distribution
TERESA U MENDENHALL Notary Public - State of Kansas WICKITA, KS	1/10/2000	FEB 2 1 2007
	A . TERESA U MENDENHALL	CONSERVATION DIVISION WICHITA, KS

Operator Name: Ru	pe Oil Co	mpany	, Inc.	Lease	Name:_	Perry		Well #:1	- 32			
Sec. 32 Twp. 2	9_s. R.12	East	X West	County	y: P :	ratt	·					
NSTRUCTIONS: Sho tested, time tool open a temperature, fluid recover Electric Wireline Logs s	and closed, flowing very, and flow rate	and shut- if gas to s	in pressures, surface test, a	whether sl long with f	hut-in pre	ssure reached	static level, hydr	ostatic pressu	res, bottom hole			
Drill Stem Tests Taken (Attach Additional St	neets)	X X Ye	s No		χLα	og Formatio	on (Top), Depth	and Datum	Sample			
Samples Sent to Geolo	gical Survey	∏Ye	s 🏝 No		Name			Тор	Datum			
Cores Taken		_ ☐ Ye X☐ Ye	Yes X No Top Yes No Lan			eka sing sissippi		3324 3892 4358	-1439 -2007 -2473			
Co	Dual Indu ompensate ual Recei	d Den	sity/Ne ement B				on Sand	4643	-2758			
		Report				mediate, product	ion, etc.					
Purpose of String	Size Hole Drilled		Casing (In O.D.)	Wei Lbs.		Setting Depth	Type of Cement	# Sacks Used	Type and Percen Additives			
Surface	12 1/4	8 5	5/8	15#		287	Common	250	60/40:3%			
Production		4	1/2			3834		160				
			ADDITIONAL	CEMENTI	NG / SOLI	FEZE BECORD						
Purpose: Perforate Protect Casing Plug Back TD Plug Off Zone	Depth Top Bottom	ADDITIONAL CEMENTIN Type of Cement #Sacks				Type and Percent Additives						
Shots Per Foot	Dts Per Foot PERFORATION RECORD - Bridge Plugs Set/Type Specify Footage of Each Interval Perforated						Acid, Fracture, Shot, Cement Squeeze Record (Amount and Kind of Material Used) Depth					
4	2802-06	India	n Cave									
		•										
TUBING RECORD 2	Size 7 / 8	Set At 2 7 9 8		Packer A	At	Liner Run	Yes No	· · · · · · · · · · · · · · · · · · ·				
Date of First, Resumerd F	Production, SWD or E	nhr.	Producing Met		X Flowing	Pumpir	ng 🔲 Gas Li	ift 🔲 Otl	ner <i>(Explain)</i>			
Estimated Production Per 24 Hours	Oil	Bbls.	Gas 71	Mcf	Wate	r B	bls.	Gas-Oil Ratio	Gravity			
Disposition of Gas	METHOD OF C	OMPLETIO	N Open Hole	Perf	:	Production Inter		RE	CEIVED			
(If vented, Subn			Other (Speci						2 1 2007			

No pipeline available, so abandoned.

CONSERVATION DIVISION WICKITA, KB

ALLIED CEMENTING CO., INC. 20913

REMIT TO P.O. B RUSS		NSAS 6766	5				SERVI	MEd	CIAR
DATE 9-9-05	SEC. 32	TWP. 295	RANGE /2W	CALLED OU	J.M.	ON LOCA	TION M	JOB START	JOB FINISH
LEASE POPU	WELL#		LOCATION Say	<u>-</u>	13			COUNTY FIST	STATE
OLD OR VEW Cir	rcle one)						- "0	71=01	
CONTRACTOR (#3		OWNE	er F	We	0	:1 - Ce	entant
HOLE SIZE 12			281	_ CEME	ENT			,	•
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MEAS. LINE			E JOINT 15F7			100			470.00
<u>CEMENT LEFT IN</u> PERFS.	CSG. /	5-FT		_ GEL		_4_		@ <u>14,00</u>	
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# <u>364</u> I BULK TRUCK	DRIVER	Lany	· F.					@ WICHITA, KS	
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CHARGE TO: $__$	107	<u> </u>	1 ComPan	k					
STREET				_				TOTAL	830,00
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To Allied Cement	_			*****					
You are hereby real and furnish cemer	-		•					@	
		-	e above work was						
done to satisfaction								TOTAL	115,00
contractor. I have	read & i	ınderstand	the "TERMS ANI		**	er.			
CONDITIONS" li	isted on t	he\reverse	side ICARI-E 30	TAX	•				*
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GENERAL TERMS AND CONDITIONS

DEFINITIONS: In these terms and conditions, "Allied" shall mean Allied Cementing Co., Inc., and "Customer" shall refer to the party identified by that term on the front of this contract. As applicable, "Job" relates to the services described on the front side of this contract, "merchandise" refers to the material described on the front of this contract and to any other materials, products, or supplies used, sold, or furnished under the requirements of this contract.

- —TERMS: Unless satisfactory credit has been established, "CUSTOMER" must tender full cash payment to "ALLIED" before the job is undertaken or merchandise is delivered. If satisfactory credit has been established, the terms of payment for the job and/or merchandise, including bulk cement, are net cash, payable in 30 days from the completion of the job and/or delivery of the merchandise. For all past due invoices, "CUSTOMER" agrees to pay interest on amounts invoiced at a rate of 18 percent per annum until paid. Notwithstanding the foregoing, in no event shall this Contract provide for interest exceeding the maximum rate of interest that "CUSTOMER" may agree to pay under applicable law. If any such interest should be provided for, it shall be and hereby is deemed to be a mistake, and this contract shall be automatically reformed to lower the rate of interest to the maximum legal contract rate, any amounts previously paid as excess interest shall be deducted from the amounts owing from the "CUSTOMER" or at the option of "ALLIED," refunded directly to "CUSTOMER." For purposes of this paragraph, ALLIED and CUSTOMER agree that KANSAS law shall apply. Any discounts granted with this contract are null and void if the charges are not paid when due.
- —ATTORNEY FEES: In any legal action or proceeding between the parties to enforce any of the terms of this Service Contract, or in any way pertaining to the terms of this Contract, the prevailing party shall be entitled to recover all expenses, including, but not limited to, a reasonable sum as and for attorney's fees.
- —PRICES AND TAXES: All merchandise listed in "ALLIED'S" current price schedule are F.O.B. ALLIED'S local station and are subject to change without notice. All prices are exclusive of any federal, state, local, or special taxes for the sale or use of the merchandise or services listed. The amount of taxes required to be paid by ALLIED shall be added to the quoted prices charged to CUSTOMER.
- —TOWING CHARGES: ALLIED will make a reasonable attempt to get to and from each job site using its own equipment. Should ALLIED be unable to do so because of poor or inadequate road conditions, and should it become necessary to employ a tractor or other pulling equipment to get to or from the job site, the tractor or pulling equipment will be supplied by CUSTOMER or, if furnished by ALLIED, will be charged to and paid by CUSTOMER.
- —PREPARATION CHARGES: If a job and/or merchandise is ordered and CUSTOMER cancels the order after preparation of a chemical solution or other material, CUSTOMER will pay ALLIED for the expenses incurred by ALLIED as a result of the cancellation.
- —DEADHAUL, CHARGES: Unless otherwise specified on the front of this Contract, a deadhaul charge as set forth in ALLIED'S current price book will be charged each way for each service unit which is ordered by CUSTOMER but not used.
- —SERVICE CONDITIONS AND LIABILITIES: 1. ALLIED carries public liability and property damage insurance, but since there are so many uncertain and unknown conditions beyond ALLIED'S control, ALLIED shall not be liable for injuries to property or persons or for loss or damage arising from the performance of the job or delivery of the merchandise. Customer shall be responsible for and indemnify, defend, and hold harmless ALLIED, its officers, agents and employees, from and against any and all claims or suits for:
- (A) Damage to property or for bodily injury, sickness, disease, or death, brought by any person, including CUSTOMER and/or the well owner; and:
- (B) Oil spills, pollution, surface or sub-surface damage, injury to the well, reservoir loss, or damage arising from a well blowout arising out of or in connection with ALLIED'S performance of the job or furnishing of merchandise in accordance with this contract, unless such loss or damage is caused by the willful misconduct or gross negligence of ALLIED or its employees.
- 2. With respect to any of ALLIED'S tools, equipment, or instruments which are lost in the well or damaged when performing or attempting to perform the job or, in the case of marine operations, are lost or damaged at any time after delivery to the landing for CUSTOMER and before return to ALLIED at the landing, CUSTOMER shall either recover the lost item without cost to ALLIED or reimburse ALLIED the current replacement cost of the item unless the loss or damage results from the sole negligence of ALLIED or its employees.
- 3. ALLIED does not assume any liability or responsibility for damages or conditions resulting from chemical action in cements caused by contamination of water or other fluids.
- WARRANTIES: 1. ALLIED warrants all merchandise manufactured or furnished by it to be free from defects in material and workmanship under normal use and service when installed, and used, and/or serviced in the manner provided and intended. ALLIED'S obligation under this warranty is expressly limited to repair, replacement, or allowance for credit, at its option, for any merchandise which is determined by ALLIED to be defective. THIS IS THE SOLE WARRANTY OF ALLIED AND NO OTHER WARRANTY IS APPLICABLE, EITHER EXPRESS OR OTHERWISE IMPLIED, IN FACT OR IN LAW, INCLUDING ANY WARRANTY AS TO MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE, CUSTOMER'S sole and only remedy with regard to any defective merchandise shall be the repair or replacement thereof or allowance for credit as herein provided, and ALLIED shall not be liable for any consequential, special, incidental, or punitive damages resulting from or caused by defective materials, products or supplies.
 - 2. More specifically:
- (A) Nothing in this contract shall be construed as a warranty by ALLIED of the success or the effectiveness of the result of any work done or merchandise used, sold, or furnished under this contract.
- (B) Nothing in this contract shall be construed as a warranty of the accuracy or correctness of any facts, information, or data furnished by ALLIED or any interpretation of tests, meter readings, chart information, analysis of research, or recommendations made by ALLIED, unless the inaccuracy or incorrectness is caused by the wilful misconduct or gross negligence of ALLIED or its employees in the preparation or furnishing of such facts, information or data.
- (C) Work done by ALLIED shall be under the direct supervision and control of the CUSTOMER or his agent and ALLIED will accomplish the job as an independent contractor and not as an employee or agent of the CUSTOMER.