

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): 15-159-22536-0000		Lease Name & Well No.: HABIGER ET AL 1-3
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>NW</u> - <u>NE</u> - <u>NE</u> Sec. <u>3</u> Twp. <u>19</u> R. <u>10</u> <input type="checkbox"/> East <input checked="" type="checkbox"/> West _____ 330 Feet from <input checked="" type="checkbox"/> North / <input type="checkbox"/> South Line of Section _____ 1010 Feet from <input checked="" type="checkbox"/> East / <input type="checkbox"/> West Line of Section _____ RICE _____ County

Date of closure: 3/10/2009

Was an artificial liner used?     Yes     No

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

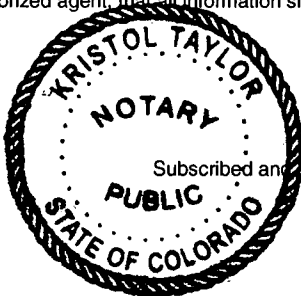
NATIVE CLAY

Abandonment procedure of pit:

HAULED OFF FREE FLUIDS, ALLOWED TO DRY, THEN BACKFILLED

**RECEIVED**  
**MAR 13 2009**  
**KCC WICHITA**

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



Thomas H Fertal  
 Signature of Applicant or Agent

Subscribed and sworn to me on this 11<sup>TH</sup> day of MARCH, 2009

Kristol Taylor  
 Notary Public

My Commission Expires 5/05/2009

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