

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): 15-009-25245-0000	Lease Name & Well No.: BIRZER 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): _____ - SE - SE - NW Sec. <u>3</u> Twp. <u>19</u> R. <u>11</u> <input type="checkbox"/> East <input checked="" type="checkbox"/> West <u>2310</u> Feet from <input checked="" type="checkbox"/> North / <input type="checkbox"/> South Line of Section <u>2310</u> Feet from <input type="checkbox"/> East / <input checked="" type="checkbox"/> West Line of Section _____ BARTON County

Date of closure: 3/12/2009

Was an artificial liner used? Yes No

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

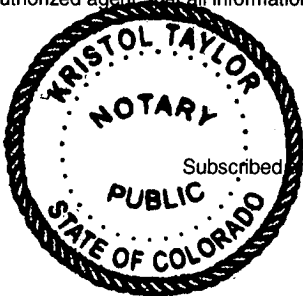
NATIVE CLAY

Abandonment procedure of pit:

ALLOWED TO DRY, THEN BACKFILLED

RECEIVED
 MAR 16 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 J Fertal
 Signature of Applicant or Agent

Subscribed and sworn to me on this 16TH day of MARCH, 2009

Kristol Taylor
 Notary Public

My Commission Expires 5/05/2009

My Commission Expires: _____