

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: 1515 BROADWAY, SUITE 700 DENVER, CO 80202	
Contact Person: TOM FERTAL	Phone Number: (303) 831-4673
Permit Number (API No. if applicable): 15-159-22559-0000	Lease Name & Well No.: ORTH 2-5
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>SE</u> - <u>NW</u> Sec. <u>5</u> Twp. <u>19</u> R. <u>10</u> <input type="checkbox"/> East <input checked="" type="checkbox"/> West <u>1980</u> Feet from <input checked="" type="checkbox"/> North / <input type="checkbox"/> South Line of Section <u>1980</u> Feet from <input type="checkbox"/> East / <input checked="" type="checkbox"/> West Line of Section _____ <u>RICE</u> _____ County

Date of closure: 7/28/2009

Was an artificial liner used? Yes No

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

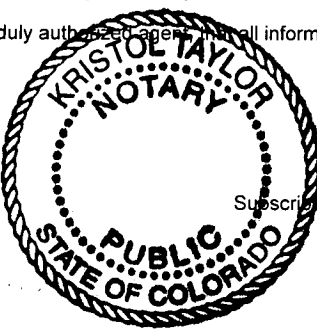
NATIVE CLAY

Abandonment procedure of pit:

ALLOWED TO DRY, THEN BACKFILLED

**RECEIVED
 AUG 03 2009
 KCC WICHITA**

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

 Subscribed and sworn to me on this 29TH day of JULY, 2009

Thomas Fertal
 Signature of Applicant or Agent

Kristol Taylor
 Notary Public

My Commission Expires **05/11/2013**

My Commission Expires: _____