KANSAS CORPORATION COMMISSION OR IGINAL OIL & GAS CONSERVATION DIVISION

Form ACO-1 September 1999 Form Must Be Typed

CONSERVATION DIVISION

WICHITA, KS

WELL COMPLETION FORM WELL HISTORY - DESCRIPTION OF WELL & LEASE

Operator: License #	API No. 15 - 051-25,774-00-00
Name: Black Diamond Oil, Inc.	County: Ellis
Address: P.O. Box 641	CNE_Sec. 21 Twp. 11 S. R. 19 East V West
City/State/Zip: Hays, KS 67601	1310 feet from S (N) (circle one) Line of Section
Purchaser: Coffeyfille Resources	1220 feet from E / W (circle one) Line of Section
Operator Contact Person: Kenneth Vehige	Footages Calculated from Nearest Outside Section Corner:
Phone: (_ ⁷⁸⁵) _625-5891	(circle one) (NE) SE NW SW
Contractor: Name: Discovery Drilling Co., Inc.	Lease Name: Solomon Well #: 4
License: 31548	Field Name: Solomon
Wellsite Geologist: Tony Richardson	Producing Formation: Arbuckle
Designate Type of Completion:	Elevation: Ground: 1943 Kelly Bushing: 1951
New Well Re-Entry Workover	Total Depth: 3390 Plug Back Total Depth:
✓ Oil SWD SIOW Temp. Abd.	Amount of Surface Pipe Set and Cemented at 222.89 Feet
Gas ENHR SIGW	Multiple Stage Cementing Collar Used? Yes ✓ No
Dry Other (Core, WSW, Expl., Cathodic, etc)	If yes, show depth set Feet
if Workover/Re-entry: Old Well Info as follows:	If Alternate II completion, cement circulated from 3490
Operator:	feet depth to Surface w/ 470 sx cmt.
Well Name:	(15sks in rathole) (10sks in mouse hole)
Original Comp. Date:Original Total Depth:	Drilling Fluid Management Plan (Data must be collected from the Reserve Pit)
Deepening Re-perf Conv. to Enhr./SWD	12-17-08
Plug BackPlug Back Total Depth	
Commingled Docket No	Dewatering method used Evaporation
Dual Completion Docket No	Location of fluid disposal if hauled offsite:
Other (SWD or Enhr.?) Docket No	Operator Name:
	Lease Name: License No.:
5/13/08 5/18/08 5/19/08 Spud Date or Date Reached TD Completion Date or	Quarter Sec. Twp. S. R. East West
Recompletion Date Recompletion Date	County: Docket No.:
Kansas 67202, within 120 days of the spud date, recompletion, workown Information of side two of this form will be held confidential for a period of	th the Kansas Corporation Commission, 130 S. Market - Room 2078, Wichita, wer 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 s. Submit CP-111 form with all temporarily abandoned wells.
requirements of the statutes, rules and regulations promulgated to regulerein are complete and correct to the best of my knowledge.	late the oil and gas industry have been fully complied with and the statements
ignature 2000 May 100	KCC Office Use ONLY
itle: President Date: 10-16-2008	Letter of Confidentiality Received
subscribed and sworn to before me this 16th day of October	If Denied, Yes Date:
	Wireline Log Received RECEIVED
0.08.	Geologist Report Received KANSAS CORPORATION COMMISS
lotary Public: 41 (lussay . Wundholy	
lets Commission Survivor 5/21/2011 APRIVATION WELISSAL.	WINDHOLK

STATE OF KANSAS AS My Appt. Exp. 5/21/20

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		Repo		RECOR conductor		ew Used ermediate, produ	ction, etc.		
Purpose of String	Size Hole Drilled		e Casing (In O.D.)		Weight bs. / Ft.	Setting Depth	Type of Cement	# Sacks Used	Type and Percent Additives
Surface Pipe	12 1/4	8 5/8		20		222.89	Common	150	2%Gel&3%CC
Production St.	7 7/8	5 1/2		14		3490	SMDC	470	
· - · · · ·			ADDITIONAL	CEMEN	ITING / SO	UEEZE RECOR	<u> </u>		
Purpose: Perforate Protect Casing Plug Back TD Plug Off Zone	Depth Top Bottom	Туре	of Cement		cks Used			Percent Additives	3
Shots Per Foot	PERFORAT	TON RECOR	D - Bridge Plug	gs Set/Ty _l	pe	Acid, Fra	acture, Shot, Cemer	nt Squeeze Reco	rd
	Specify 3481-85	Footage of E	ach Interval Per	forated		1	mount and Kind of N	laterial Used)	Depth
						250 gals 15%	NICA	KA	RECEIVED NSAS CORPORATION CO
									OCT 2 2 2008
									CONSERVATION DIVISI WICHITA, KS
UBING RECORD 27	Size 7/8	Set At 3480		Packe	er At	Liner Run	Yes ✓ No)	
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CUSTOMER ACCEPTANCE OF MATERIALS AND SERVICES The customer hereby acknowledges receipt of the materials and services listed on this ticket.

SWIFT OPERATOR

APPROVAL

Thank You!

SWIFT Services, Inc. WELL NO. 4, 4 Diamend Oil PRESSURE (PSI) PUMPS VOLUME (BBD) (GAL) DESCRIPTION OF OPERATION AND MATERIALS TUBING 0530 0950 "5, "7, "10, "14, "51 11:00 12 207 28 1300 RECEIVED KANSAS CORPORATION COMMISSION OCT 2 2 2008 CONSERVATION DIVISION WICHITA, KO

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UN NO.			WEIGH	r .		DRILLING			SIZE O. P.		
HZE			VISC.	oss-c.c.		DATES		1	SIZE COLL.	,	FT.
ERIAL NO.			FILTER			106 Te 2	+	7	KELLY DOWN		FT.
BEPTH IN			PH.			TROP			COLLAR	5	FT
QURS RUN			i	ADDED (REMARI					roral.		FT.
MARKS.	1100- 15	ue ont myton	01-1500	-215 IN	TC	215		BOTEIL	515-700 PU	17es	Γ
FROM	то	FO	RMATION	HOTAR					NAME	XX-X2	HRS.
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NAME	72/) Y	VISC.	.oss.c.c.			7	14,	JTS. D	P.	
		<i>→ Y</i>				REPAIRS		142	JTS, D KELLY DOWN	P.	FT.
HARE	PK 186	7	WTR. L FILTER PH.	CAKE		REPAIRS TRIP			KELLY DOWN COLLAR		FT.
HARE SERIAL NO. DEPTH IN	PK 184	7	WTR. L FILTER PH. MTL.	ADDED (REMAR		REPAIRS THIP		W34	COLLAR TOTAL	3	FT.
GARE ERIAL NO. BEPTH IN	PX 186 223 5930	7 15 Try 200	WTR. L FILTER PH. MTL.	ADDED (REMAR	· , \$	REPAIRS THIP		W34	KELLY DOWN COLLAR	3	FT.
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IZE IAAE ERIAL NO. EPTH IN OURS RUN IE MARKS	PK 181 223 5934 7,00708	7 (c T, y, 27)	WIR. L FILTER PH. MTL. 2 70: //2070 3:00	ADDED (REMAR 3 8 145 D)	RY WEIG	REPARS THIP 100-200		W34 C1:0 3x	KELLY DOWN COLLAR TOTAL	3	FT. FT. FT. HRS.
IZE IAAE ERIAL NO. EPTH IN OURS RUN IE MARKS	PK 184 223 5934 7100708	7 16 Try 201 3 Try 201	WIR. L FILTER PH. MTL. 2 70: //2070 3:00	ADDED (REMAR 3 8 145 D)	RY WEIG	REPARS THIP 100-200	E	W34	KELLY DOWN COLLAR TOTAL	3	FT. FT. FT. HRS.
IZE IAAE ERIAL NO. EPTH IN OURS RUN IE MARKS	PK 181 223 5934 7,00708	7 (c T, y, 27)	WIR. L FILTER PH. MTL. 2 70: //2070 3:00	ADDED TREMAR 38:45 D. 01: w 7-4 HOTAL SPEE	RY WEIG	REPARS THIP 100-200		W34 C1:0 3x	KELLY DOWN COLLAR TOTAL	3	PT. PT. PT. HRS.
ARE EPHAL NO. EPTH IN OURS RUN E_MARKS: 1 ' FROM	7:00 7 0 8 100 TO GAL	Arbnelle	WIR. L. FILTER PH. MTL. 250: 110070 3000 DRMATION	ADDED TREMAR 38:45 D. 02: w/4-4 BOTA SPEE	RY WEIG D ON E	REPAIRS TRIP TO THE PUMP PRES.	E	W34 C1:0 3x	KELLY DOWN COLLAR TOTAL	3	FT. FT. FT. HRS.
MARE MARE MERIAL NO. MEPTH IN MOURS RUN 1 ' FROM 24-Q2	PK 181 223 5934 7,00708	7 (c T, y, 27)	WIR. L. FILTER PH. MTL. 250: 110070 3000 DRMATION	ADDED TREMAR 38:15 D. 02: w/s	WEICHER ON E	REPAIRS TRIP TO THE PUMP PRES.	E	W34 C1:0 3x	KELLY DOWN COLLAR TOTAL	3	PT. PT. PT. HRS.
IARE EMIAL NO. EPTH IN HOURS RUN I ' FROM	7:00 7 0 8 100 TO GAL	ACCIDENT: D	WIR. L. FILTER PH. MTL. 2 50: 1:0010 3:00 DRMATION 3 HUS 1 ST 3 1	ADDED TREMAR 38:45 D. 02: w/4-4 BOTA SPEE	WEICHER ON E	REPAIRS TRIP TO THE PUMP PRES.	E	D'IUSTEN CORD CHAB	KELLY DOWN COLLAR TOTAL	3	PT. PT. PT. HRS.
HARE HERHAL NO. BEPTH IN GOURS RUN HEMARKS: FROM 3492	70 Ab	ACCIDENT: COIVE NAME: D. 128' HC4	WIR. L. FILTER PH. MTL. 2 50: 1:0010 3:00 DRMATION 3 HUS 1 ST 3 1	ADDED TREMAR 38:US DI DI WITH HOTA SPEE CLOVELY CLOVELY CLOVELY CLOVELY CLOVELY	WEICH ON E	REPAIRS THE DIAMETER OF THE PRES.	E	Justin Cord Cord CHAS	NAME NAME ADAM SON MAYFIELD LOVELADY	7:00 1	PT. PT. PT. HRS.
IZE IARE EHIAL NO. ECTH IN OURS RUN I ' FROM 24-QZ SLOF	70 GA	ACCIDENT: COIVE NAME: D. 128' HC4	# WTR. L FILTER PH. MTL. 2 700 300 SEMATION 3 H/S ST 3 1 ST 3 1 ST 3 1 ST 3 1	ADDED TREMAR 38:45 D. 02: w. 7 HOTAL SPEE CLYLLY CLOVELY CLOVELY MUD RECO	WEICH ON E	HEPAIRS THIP THE PUNP BIT PRES.		D JUSTEN CORD	NAME NAME ADAM SON MAYFIELD LOVELADY DRILL SYE	3	PT. PT. PT. HRS.
HARE EMAL NO. EMAL NO. EMAL NO. EMAL NO. EMARKS: 1 ' FROM 24422 SLOF	70 GA	ACCIDENT: DI 123' HCG	WIR. L. FILTER PH. MTL. 2:50: 1:0010 3:00 ORMATION ST 3 1 ST 3 1 ST 0.1	ADDED TREMAR 38:45 D. 02: w. 7 HOTAL SPEE CLYLLY CLOVELY CLOVELY MUD RECO	WEICH ON E	HEPARS TRIP DOWN TO THE ORIGINAL		Justin Cord Cord CHAS	NAME NAME ADAM SON MAYFIELD LOVELADY	7:00 1	PT. PT. PT. HRS.
HARE HERRAL NO. BEPTH IN ROURS RUN FROM 24-02 SLOP # # # # # # # # # # # # #	70 GA	ACCIDENT: DI 123' HCG	WITH LEFELTER PH. MTL. 2:70: 1:00:03:00 DRMATION 3 HKS L ST 3 A WEIGHTLY O WEIGHTLY O	ADDED TREMAR 38:45 D. 02: w. 7 HOTAL SPEE CLYLLY CLOVELY CLOVELY MUD RECO	WEICH ON E	HEPAIRS THIP THE PUNP BIT PRES.	(S) =	DETAN	NAME NAME ADAM SON MAYFILLI LOVELADY DRILL STE	7 100 d	PT. PT. PT. HRS.
SLOP GUN NO SIZE SEMAL NO. SEPTH IN GUIES RUN FROM SLOP GUN NO SIZE SEMAL NO.	70 GA	ACCIDENT: DI 123' HCG	WITH LEFT TO THE PRICE OF THE P	ADDED TREMAR 38:45 D. DIENTER HOTAL SPEE CLOULLY CLOULLY CLOULLY MUD RECO	WEICH ON E	HEPAIRS THP DOWN THE PRES. WHATH ORILLIES CORING DST OTHER WO REPAIRS	(S) =	DETAN	NAME TOTAL NAME ADAM SON MAYFILLI LOVELADY SIZE O.F. SIZE COLL. JTS. D. KELLY DOWN	7 is is at a second	FT. FT. FT. FT. FT.
EPHAL NO.	70 GA	ACCIDENT: DI 123' HCG	WITE LEFT TO THE PHILE P	ADDED TREMAR 38,05 D; 02 m/y m POTA POTA SPEE CLOULLY CLOULLY CLOULLY MUD RECO TT. COSS C.C. CAKE	WEICE ON E	HEPAIRS THUP THUP THUP FRES. WASTE ORILLINGS CORING DST OTHER W 0	(S) =	DETAN	NAME TOTAL ADAM SON MAYFILLI LOVELADY SIZE O. F. SIZE COLL. JYS. O. KELLY DOWN COLLAR COLLAR	7 is is at a second	FT. FT. FT. FT. FT. FT.
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728			57		<u> </u>	2	1 1/2	SIZE COLL.	ļ	FT.
NO. PHI DA		WTR. LOSS C.C			REWINDO) -		3-4	JTS, D. P.		FY.
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1UN 59/2		MTL. ADDED	REMARKS	5)	Lossing		34	TOTAL	<u> </u>	FT.
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м то		FORMATION	ROTARY	WEIGHT ON BIT				NAME		HRS.
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νψ.		FILTER CAKE			HEPAIRS			KELLY DOWN		PT
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ing 300-5:4	15 Loggin	, 5:45-730 WOT	(2:2)	- 4	The say	7	1345-8	TNUTSOL 8	45-10:	1000° 1
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76TF -17.	LING REPORT -5 BOX 800 TOUS 1-800 331 7290	JA OK 74151	DISCOUERY LEASE	. Da	ullin	e Co.	INC.	5-16-09	Z	
Ğ,			- 1	6	to mo	†		WELL NO.	RIG NO.	
BU	ACK DIA	AMMD DIZ	Υ .	/٥٠	STATI			D. P. STRING NO.	SIZE	
			Ellis			<u> KS</u>				
*ROM	то	FORM	ATION	ROTARY	ON BI		,	NAME		HRS.
754	2970	SHALE.	+ LIME	80	40,00	00 700	Just	in BUNTING		8
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Œ	FH124	y	WTR. LOSS 9,0			OTHER RIGI	<u> </u>	JTS. D. P.	12	LIGNIT
TH IN	PK 186	2	PH. 1/10	<u></u>		TRIP CWG	yr_	KELLY DOWN	1/2 6	Soon F
RS KUN	39 1/	4	MTL. ADDED IN	REMARKS	;,	JET	1/4	TOTAL	16	- Huce
ARKS:	11:00-11	:45 Dela	11:45-12:00	Jer	2,0	2784	Aug up Ar	MP/ETE 12:00 -	1:00 1	DRIG
		,								
			15-5:30 DR	19, 2	,30-	6.00 CM	me pism	m HEAD Bullu	HELL	3. DE
	3 6:00-			ROTARY	WEIGH			NAME	 	HRS.
ROM	то		MATION	SPEED	ON B	IT PRES.				
770	3202	Shel-+/in	tor v.C.	80	10_00		Vasen	Showalter		8
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(i.»	Ff									
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·5m	725		VISC.			OTHER L	12/11	SIZE COLL. JTS. O. P.	17 5/	FT.
AL NO.	FHI24 PIX1862	<i></i>	FILTER CAKE			REPAIRS	+	KELLY DOWN	22	FΤ.
H IN	ودحر		PH.			THID CT.	14	COLLARS	11/1/1	
HS RUN	4530	297	MTL. ADDED IF			PUPM	بع	TOTAL	8 Ma	//S FT.
	unu 1 .	12 F 2 12 1	7.1410 11:30	Det	4 11	30 10/11/15	· por many 11	1' 45th 2115 to	- 11 2	150
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ARKS:	0 Je #	103194. 2	13070				and the same of th		هر _{(ا} ، ، ،	
1ARKS:)	1 7-60 TO 7:	1e3194. 2	13070							
MARKS:	7.00 TO	16.314M. D	13070 MATION	ROTARY SPEED	WEIGI ON B	HT PUMP		NAME		HRS.
FROM	TO TO	FORM	MATION	SPEED	ONB	HT PUMP		NAME		HRS.
FROM	3 5-65 32	16.314M. D	MATION			PUMP PRES.	and Just		3	HRS.
TROM	TO TO	FORM	MATION	SPEED	ONB	HT PUMP HIT PHES.	M Cory	NAME	3	HRS.
том У <u>2</u>	то 3367	FORM Slale +/ IME	MATION	SPEED	ONB	HT PUMP HIT PHES.	and Just	NAME	· · · / ,	HRS.
HOM UZ SLOP	TO 3.36.7	FORM Slale + Lime	MATION	SPEED	ONB	NT PUMP PRES.	M Cory	NAME	2	HRS.
TROM UZ	то 3367	FORM Slale +/ IME	MATION	SPEED	ONB	HT PUMP HT PHES.	Justi M Cory M Charl	NAME W. Sunting Alanson Marking	3	HRS.
SLOP	TO 3367 E TEST PI. DEG. OFF	FORM SLALD TLIME ACCIDENT: - IGIVE NAME)	AATION	SPERO SÚ	6000C	PUMP PHES.	Lusti Cory Chief	NAME IN BUNTING Alanson They find 8 Chown Her	1	HRS.
SLOP	TO 3367	FORM SLALD TLIME ACCIDENT: - IGIVE NAME)	4.300	SPEED GO	10000 10000	PUMP PHES.	Justi M Cory M Charl	NAME W. Sunting Alanson Marking	1	HRS.
SLOP	TO 3367 E TEST PI. DEG. OFF	FORM SLALD TLIME ACCIDENT: - IGIVE NAME)	4.300	SPEED SO	10000 10000	PUMP PHES.	M Justi M Cory M Charl M Charl M Charl M Charl M Charl	NAME NAME Sunting Alanson Marking Chouster ORILLSTEM	1	HRS.
SLOP	TO 3.367 E TEST P1. DEC. OFF T AND COREH	FORM SLE D + LIME ACCIDENT: - GIVE NAME:	4300 WEIGHT 9.0	SPEED SO	00 (C000	TIME CORING OTHER	M Justi M Cory M Charl M Charl M Charl M Charl M Charl	Show Her Size COLL.	1	HRS. B B FT.
SLOP BIT NO. E AAL NO.	TO 3367 E TEST PI. DEG. OFF	FORM SLE D + LIME ACCIDENT: - GIVE NAME:	WEIGHT 9.0 WISC. 5.2 WIR. LOSSIC.C. FILTER CAKE	SPEED SO	00 (C000	TIME DRILLING CORING COVIER HEPAIRS	M Justi M Cory M Charl M Charl M Charl M Charl M Charl	NAME IN SUNTING Alan SON TO Alio 9 Chone Her DRILL STEM SIZE COLL. MS. D. P. KELLY DOWN	RECORD	HRS. B B FT. FT.
FROM UZ SLOP	TO 3.367 E TEST P1. DEC. OFF T AND COREH	FORM SLE D + LIME ACCIDENT: - GIVE NAME:	4300 WEIGHT 9.0	RECONG	00 U C C C C C C C C C C C C C C C C C C	TIME CORING OTHER	M Justi M Cory M Charl M Charl M Charl M Charl M Charl	Show Her Size COLL.	RECORD	HRS. B B FT.
BIOP BIT	TO 3.367 E TEST P1. DEC. OFF T AND COREH 2.78 1.412.44 2.84 2.23 5.3	FORM SLA!O TIME ACCIDENT: - (GIVE NAME)	WEIGHT 9.0 VISC. 52 WTR. LOSS-C.C. FILTER CAKE PH MTL. ADDED 11	REC SHE	000 1000 00 05 +	TIME BRILLING CORING COU OTHER REPAIRS TRIP	Mastina Lastina Cory Mastina	NAME IN BUNTING Ala SON TO FIGURE STEP COLL. STEP COLL. STEP COLL KELLY DOWN COLLARS	RECORD	HRS.
SLOP BIT NO. LL NO. H IN ES RUN	TO 3.367 E TEST P1. DEC. OFF T AND COREH 2.78 1.412.44 2.84 2.23 5.3	FORM SLA!O TIME ACCIDENT: - (GIVE NAME)	WEIGHT 9.0 VISC. 5.2 WTR. LOSS-C.C. PILTER CARE PH	REC SHE	000 1000 00 05 +	TIME BRILLING CORING COU OTHER REPAIRS TRIP	Mastina Lastina Cory Mastina	NAME IN BUNTING Ala SON TO FIGURE STEP COLL. STEP COLL. STEP COLL KELLY DOWN COLLARS	RECORD	FT. FT.
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OCT 2 2 2008

QUALITY OILWELL CEMENTING, INC.

Phone 785-483-2025 Cell 785-324-1041 Home Office P.O. Box 32 Russell, KS 67665

No. 1957

Se	ec. Twp.	Range	Ca	lled Out	On Location	Job Start	Finish
Date 5-13-08 3	1 115 1	900					6.45 PM
Lease Soloman	Well No.	-	Location	nlowent	4120 10N /3WS	County	State KS
Contractor Discours	Righ			Owner [Black Di	amond C	ot c
Type Job Sur Face				To Quality Oil You are here	ilwell Cementing, Inc. by requested to rent	cementing equipmen	t and furnish
Hole Size	T.D.	<u> </u>		cementer and	d helper to assist ow		
Csg. D'/	Depth	<u> 222</u>		Charge To	Black Dia	mond OIL	<u> </u>
Tbg. Size	Depth	· · · · · · · · · · · · · · · · · · ·		Street			·
Drill Pipe 4 12 X hole	Depth	-)		City		State	
Tool	Depth			The above wa	s done to satisfaction ar	nd supervision of owner	agent or contractor.
Cement Left in Csg. 10-15 A	Shoe Joint				() () () ()		
Press Max.	Minimum				Ÿ.		
Meas Line	Displace	3317	123/	,	Ç.	EMENT	
Perf.				/			
	JIPMENT			Amount Ordered	_ 150 a	m 3300	27000
Pumptrk No. Cementer Helper	DAVELI			Consisting of	<u> </u>		
Bulktrk No. Driver Driver	राकारेग्से	<u></u>		Common /	50 712	30	1315.00
Bulktrk PU No. Driver B	rian			Poz. Mix			
Mays JOB SERVICE	CES & REMARK	S		Gel. 3	20 18 5		54.00
Pumptrk Charge Stav 4	a c e	860,	.00	Chloride	5-3 50		250,00
Mileage /5 > 7	24	105.	00	Hulls			
Footage	,			Salt			·
	Tota	1 966	5.00	Flowseal			
Remarks:							
<u> </u>						Sales Tax	-
				Handling /	58 P 2	2	3/6,00
	n			Mileage (ff porce	Dev 1000 4	543.52
				Russell !	43 V V	Sub Toral	965.00
				Punt ;	TRUCK GHAL	らま ノ Total	
				Floating Equi	pment & Plugs 🖇	Tr swage	
	* V\ * /シ <u></u>			Squeeze Mar	nifold		
	Mary 1			Rotating Hea	d RECEIVED	MANGGION	
				K	ANSAS CORPORATION CO	MMIGGION	
					OCT 2 2 200	8	
\					CONSERVATION DIVI		
					WICHITA, KS	Tax	112.31
	•					Discount	(394.00)
X Signature (4) my fe	of the				<u>.</u>	Total Charge	3661.83

GENERAL TERMS AND CONDITIONS

DEFINITIONS: In these terms and conditions, "Quality" shall mean Quality Oilwell Cementing, 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 "QUALITY" 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. Notwith-standing 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 "QUALITY," refunded directly to "CUSTOMER." For purposes of this paragraph, QUALITY 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 term of this Contract, the prevailing party shall be entitled to recover all expenses, including, but not limit to, a reasonable sum as and attorney's fees.
- PRICES AND TAXES: All merchandise listed in "QUALITY'S" current price shall schedule are F.O.B. QUALITY'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 QUALITY shall be added to the quoted prices charged to CUSTOMER.
- TOWING CHARGES: QUALITY will make a reasonable attempt to get to and from each job site using its own equipment. Should QUALITY 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 QUALITY, 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 QUALITY for the expenses incurred by QUALITY as a result of the cancellation.
- DEADHAUL, CHARGES: Unless otherwise specified on the front of this Contract, a deadhaul charges as set forth in QUALITY'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. QUALITY carries public liability and property damage insurance, but since there are so many uncertain and unknown conditions beyond QUALITY'S control, QUALITY 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 QUALITY, 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 QUALITY'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 QUALITY or its employees.
- 2. With respect to any of QUALITY'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 QUALITY at the landing, CUSTOMER shall either recover the lost item without cost to QUALITY or reimburse QUALITY the current replacement cost of the item unless the loss or damage results from the sole negligence of QUALITY or its employees.
- 3. QUALITY 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. QUALITY 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. QUALITY'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 QUALITY to be defective. THIS IS THE SOLE WARRANTY OF QUALITY 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 QUALITY 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 constructed as a warranty by QUALITY 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 QUALITY or any interpretation of test, meter readings, chart information, analysis or research, or recommendations made by QUALITY, unless the inaccuracy or incorrectness is caused by the willful misconduct or gross negligence of QUALITY or its employees in the preparation or furnishing of such facts, information or data.
- (C) Work done by QUALITY shall be under the direct supervision and control of the CUSTOMER or his agent and QUALITY will accomplish the job as an independent contractor and not as an employee or agent of the CUSTOMER.