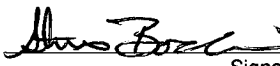


**KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION
APPLICATION FOR SURFACE PIT**

Form CDP-1
April 2004
Form must be Typed

Submit in Duplicate

Operator Name: DAYSTAR PETROLEUM, INC.		License Number: 30931	
Operator Address: PO BOX 360, VALLEY CENTER, KANSAS 67147-0360			
Contact Person: STEVE BODINE		Phone Number: 620-792-6702	
Lease Name & Well No.: ACRES #3		Pit Location (QQQQ): _____ - SW - NW - NE Sec. <u>21</u> Twp. <u>32</u> R. <u>18</u> <input type="checkbox"/> East <input checked="" type="checkbox"/> West <u>1,000</u> Feet from <input checked="" type="checkbox"/> North / <input type="checkbox"/> South Line of Section <u>2,310</u> Feet from <input checked="" type="checkbox"/> East / <input type="checkbox"/> West Line of Section COMANCHE County	
Type of Pit: <input type="checkbox"/> Emergency Pit <input type="checkbox"/> Burn Pit <input type="checkbox"/> Settling Pit <input type="checkbox"/> Drilling Pit <input checked="" type="checkbox"/> Workover Pit <input type="checkbox"/> Haul-Off Pit <small>(If WP Supply API No. or Year Drilled) 15-033-21,045-00-00</small>		Pit is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Existing If Existing, date constructed: _____ Pit capacity: <u>80</u> (bbls)	
Is the pit located in a Sensitive Ground Water Area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Chloride concentration: _____ mg/l <small>(For Emergency Pits and Settling Pits only)</small>	
Is the bottom below ground level? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Artificial Liner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Pit dimensions (all but working pits): <u>8</u> Length (feet) <u>10</u> Width (feet) <input type="checkbox"/> N/A: Steel Pits Depth from ground level to deepest point: <u>6</u> (feet) <input type="checkbox"/> No Pit			
If the pit is lined give a brief description of the liner material, thickness and installation procedure. Poly liner - 6 mil, draped in pit, over lapped on surface.		Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring. Monitor pit level daily for loss.	
Distance to nearest water well within one-mile of pit <u>2954</u> feet Depth of water well <u>125</u> feet		Depth to shallowest fresh water <u>80</u> feet. Source of information: <input type="checkbox"/> measured <input type="checkbox"/> well owner <input type="checkbox"/> electric log <input checked="" type="checkbox"/> KDWR	
Emergency, Settling and Burn Pits ONLY: Producing Formation: _____ Number of producing wells on lease: _____ Barrels of fluid produced daily: _____ Does the slope from the tank battery allow all spilled fluids to flow into the pit? <input type="checkbox"/> Yes <input type="checkbox"/> No		Drilling, Workover and Haul-Off Pits ONLY: Type of material utilized in drilling/workover: <u>Fresh Water</u> Number of working pits to be utilized: <u>1</u> Abandonment procedure: <u>Empty and back fill</u> Drill pits must be closed within 365 days of spud date.	
I hereby certify that the above statements are true and correct to the best of my knowledge and belief.			
<u>9/11/2009</u> Date		 Signature of Applicant or Agent	
KCC OFFICE USE ONLY			
Date Received: <u>9/14/09</u>		Permit Number: <u>15-033-21045002</u> Permit Date: <u>9/15/09</u>	
		Lease Inspection: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**RECEIVED
SEP 14 2009
KCC WICHITA**