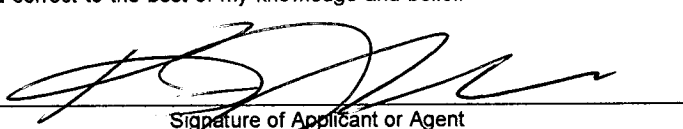


**KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION
APPLICATION FOR SURFACE PIT**

Form CDP-1
April 2004
Form must be Typed

Submit in Duplicate

Operator Name: Apollo Energies, Inc		License Number: <u>30481</u>
Operator Address: 10378 N. 281 Hwy Pratt, KS 67124		
Contact Person: Kevin Fischer		Phone Number: 620-672-9001
Lease Name & Well No.: Bird #1		Pit Location (QQQQ): NW SW SE Sec. <u>13</u> Twp. <u>22</u> R. <u>18</u> <input type="checkbox"/> East <input checked="" type="checkbox"/> West <u>2,310</u> ⁹⁹⁰ Feet from <input checked="" type="checkbox"/> North / <input checked="" type="checkbox"/> South Line of Section <u>2,310</u> Feet from <input checked="" type="checkbox"/> East / <input checked="" type="checkbox"/> West Line of Section Pawnee 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)</small>	Pit is: <input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Existing If Existing, date constructed: <u>12-3-09</u> 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	How is the pit lined if a plastic liner is not used? 7 Mill plastic liner
Pit dimensions (all but working pits): <u>20</u> Length (feet) <u>8</u> Width (feet) <input type="checkbox"/> N/A: Steel Pits Depth from ground level to deepest point: <u>4</u> (feet) <input type="checkbox"/> No Pit		
If the pit is lined give a brief description of the liner material, thickness and installation procedure. 7 Mill plastic liner with gravel on the edges to hold down	Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring. fluid removal daily and inspect liner <div style="text-align: right;">RECEIVED JAN 07 2010 KCC WICHITA</div>	
Distance to nearest water well within one-mile of pit <u>1/4 Mile</u> feet Depth of water well _____ feet	Depth to shallowest fresh water _____ feet. Source of information: <input type="checkbox"/> measured <input type="checkbox"/> well owner <input type="checkbox"/> electric log <input 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: _____ Number of working pits to be utilized: _____ Abandonment procedure: _____ 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>1/4/10</u>  Date Signature of Applicant or Agent		

KCC OFFICE USE ONLY

Steel Pit RFAC RFAS

Date Received: 1-7-10 Permit Number: 15-145-30125-000 ^{VerB} Permit Date: 12-1-09 Lease Inspection: Yes No

Mail to: KCC - Conservation Division, 130 S. Market - Room 2078, Wichita, Kansas 67202

WORKOVER PIT APPLICATION
VERBAL AUTHORIZATION

DATE: Dec 1, 2009 TIME: 11:32
OPERATOR: Apollo Energy CONTACT PERSON: Jim Byers
LEASE NAME: Bind #1
NW SW SE SEC. 13 TWP. 22 RANGE 18 W COUNTY: Pawnee

CONSTRUCTION:
SIZE: WIDTH 8 LENGTH 20 DEPTH 4
ESTIMATED CAPACITY 80 BBLs

BEST. DEPTH TO GROUNDWATER (if known): _____
TYPE OF FLUID: Saltwater Workover Fluids
 Cement Drilling Mud/Cuttings

DOES OPERATOR PLAN TO LINE PIT: YES NO
ESTIMATED TIME BEFORE PIT WILL BE CLOSED: _____ Days
ANY KNOWN WATER WELLS WITHIN 1/4 MILE OF PIT: YES NO
irrigation middle of Section

K.C.C. INFORMATION: IS PIT IN SGA? YES NO

- K.C.C. DISTRICT #1 RECOMMENDATION (Check One):
- 1. Authorization granted with no liner.
 - 2. Authorization granted, if pit is lined.
 - 3. Authorization granted, no liner necessary, but free fluids must be removed within _____ hours of completion of workover/plugging operations.
 - 4. No verbal authorization will be given without on-site inspection.

js
*Remind operator that pit permit form must be filed within five (5) days after verbal authorization.

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DEC 04 2009
KCC WICHITA

RESULTS OF INSPECTION:
None

Jerry Stapleton / ES Agent Date 12-2-09



Mark Parkinson, Governor
Thomas E. Wright, Chairman
Michael C. Moffet, Commissioner
Joseph F. Harkins, Commissioner

December 24, 2009

Apollo Energy, Inc.
10378 N 281 Hwy
Pratt, KS 67124

RE: Verbal on Workover Pit
Bird Lease Well No. 1
SE/4 Sec. 13-22S-18W
Pawnee County, Kansas

Dear Sir or Madam:

According to our files we do not have an application for the above referenced workover pit, district staff gave verbal approval on 12/01/2009. According to K.A.R. 82-600(b) workover pits may be permitted through verbal authorization from the appropriate district office subject to the filing of a surface pond application within five days after the verbal authorization.

Please complete surface pond application form (CDP-1) and return to this office within 14 days of the date of this letter. If this pit has been closed please complete the closure of surface pit form (CDP-4). Conservation division forms are available through our office and on the KCC web site: www.kcc.state.ks.us/conservation/forms.

If you have any questions please feel free to call me at (316) 337-6243.

Sincerely,

A handwritten signature in black ink that reads "Kathy Haynes".

Kathy Haynes
Environmental Protection and Remediation Department

CONSERVATION DIVISION

Finney State Office Building, 130 S. Market, Room 2078, Wichita, KS 67202-3802
(316) 337-6200 • Fax: (316) 337-6211 • <http://kcc.ks.gov/>