

CORRECTION  
AUGUST 17, 2009

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): 15-159-22576 -0000		Lease Name & Well No.: ORTH-HADDON 1-5	
Type of Pit: <input type="checkbox"/> Emergency Pit <input type="checkbox"/> Burn Pit <input type="checkbox"/> Settling Pit <input type="checkbox"/> Drilling Pit <input type="checkbox"/> Workover Pit <input checked="" type="checkbox"/> Haul-Off Pit		Pit Location (QQQQ): _____ - SW - SW - NW Sec. <u>5</u> Twp. <u>19</u> R. <u>10</u> <input type="checkbox"/> East <input checked="" type="checkbox"/> West <u>3090</u> Feet from <input type="checkbox"/> North / <input checked="" type="checkbox"/> South Line of Section <u>4810</u> Feet from <input checked="" type="checkbox"/> East / <input type="checkbox"/> West Line of Section _____ RICE _____ County	

Date of closure: 3/13/2009

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:

HAULED OFF FREE FLUIDS, ALLOWED TO DRY, THEN BACKFILLED

RECEIVED  
AUG 20 2009  
KCC WICHITA

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

*Thomas A Fertal*  
\_\_\_\_\_  
Signature of Applicant or Agent

*Kristol Taylor*  
\_\_\_\_\_  
Notary Public

Subscribed and sworn to me on this 17<sup>TH</sup> day of AUGUST, 2009

My Commission Expires: \_\_\_\_\_