


**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: S&W OIL & GAS LLC		License Number: 34229
Operator Address: 3540 W DOUGLAS, STE 3, WICHITA, KS 67203		
Contact Person: DAVE WERTZ		Phone Number: 316-729-5964
Lease Name & Well No.: #1 LUTTERS		Pit Location (QQQQ): E/2 SESW
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 <small>(If WP Supply API No. or Year Drilled)</small>	Pit is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Existing If Existing, date constructed: _____ Pit capacity: 4,000 (bbls)	Sec. 24 Twp. 15 R. 24 <input type="checkbox"/> East <input checked="" type="checkbox"/> West 716 Feet from <input type="checkbox"/> North / <input checked="" type="checkbox"/> South Line of Section 2,952 Feet from <input type="checkbox"/> East / <input checked="" type="checkbox"/> West Line of Section TREGO County
Is the pit located in a Sensitive Ground Water Area? <input checked="" type="checkbox"/> Yes <input checked="" 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	How is the pit lined if a plastic liner is not used? NATIVE CLAY SOIL
Pit dimensions (all but working pits): <u>75</u> Length (feet) <u>50</u> Width (feet) <input type="checkbox"/> N/A: Steel Pits Depth from ground level to deepest point: <u>5</u> (feet) <input type="checkbox"/> No Pit		
If the pit is lined give a brief description of the liner material, thickness and installation procedure.		Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring. PIT WILL HAVE FLUIDS REMOVED UNTIL DRY.
Distance to nearest water well within one-mile of pit <u>N/A</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 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>DRILLING MUD</u> Number of working pits to be utilized: <u>1</u> Abandonment procedure: <u>FLUIDS HAULED OFF TO SWD, WINDOWS CUT TO DRY, PITS PUSHED IN, LOCATION BACK TO NATURAL GRADE</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.		KANSAS CORPORATION COMMISSION
<u>05/08/2009</u> Date	 Signature of Applicant or Agent	MAY 08 2009 RECEIVED

KCC OFFICE USE ONLY		Steel Pit <input type="checkbox"/>	RFAC <input checked="" type="checkbox"/>	RFAS <input type="checkbox"/>
Date Received: <u>5/8/09</u>	Permit Number: <u>15-195-22610-0000</u>	Permit Date: <u>5/8/09</u>	Lease Inspection: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

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



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

May 8, 2009

S & W Oil & Gas LLC
3540 W Douglas Ste 3
Wichita, KS 67203

Re: Haul-Off Pit Application
Lutters Lease Well No. 1
SW/4 Sec. 24-15S-24W
Trego County, Kansas

Dear Sirs or Madam:

District staff has inspected the above referenced location and has determined that the haul-off pit shall be constructed **without slots**, the bottom shall be flat and reasonably level, and the free fluids must be removed. The fluids are to be removed from the haul-off pit after drilling operations have ceased.

NO completion fluids or non-exempt wastes shall be placed in the haul-off pit.

The fluids should be taken to an authorized disposal well. Please call the District Office at (785) 625-0550 when the fluids have been removed. Please file form CDP-5, Exploration and Production Waste Transfer, within 30 days of fluid removal. Conservation division forms are available through our office and on the KCC web site: www.kcc.state.ks.us/conservation/forms.

A copy of this letter should be posted in the doghouse along with the approved Intent to Drill.

If you have any questions or concerns please feel free to contact the undersigned at the above address.

Sincerely,

Kathy Haynes
Environmental Protection and Remediation Department

cc: district



Kathleen Sebelius, Governor
Thomas E. Wright, Chairman
Michael C. Moffet, Commissioner
Joseph F. Harkins, Commissioner

HAUL-OFF PIT APPLICATION
FILING REQUIREMENTS

82-3-607. DISPOSAL OF DIKE AND PIT CONTENTS.

- (a) Each operator shall perform one of the following when disposing of dike or pit contents:
- (1) Remove the liquid contents to a disposal well or other oil and gas operation approved by the commission or to road maintenance or construction locations approved by the department;
 - (2) dispose of reserve pit waste down the annular space of a well completed according to the alternate I requirements of K.A.R. 82-3-106, if the waste to be disposed of was generated during the drilling and completion of the well; or
 - (3) dispose of the remaining solid contents in any manner required by the commission. The requirements may include any of the following:
 - (A) Burial in place, in accordance with the grading and restoration requirements in K.A.R. 82-3-602 (f);
 - (B) removal and placement of the contents in an on-site disposal area approved by the commission;
 - (C) removal and placement of the contents in an off-site disposal area on acreage owned by the same landowner or to another producing lease or unit operated by the same operator, if prior written permission from the landowner has been obtained; or
 - (D) removal of the contents to a permitted off-site disposal area approved by the department.
- (b) Each violation of this regulation shall be punishable by the following:
- (1) A \$1,000 penalty for the first violation;
 - (2) a \$2,500 penalty for the second violation; and
 - (3) a \$5,000 penalty and an operator license review for the third violation.

KANSAS CORPORATION COMMISSION

MAY 08 2009

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Complete and return with Haul-Off Pit Application, Form CDP1(2004)

Haul-off pit will be located in an on-site disposal area: Yes No

Haul-off pit is located in an off-site disposal area on acreage owned by the same landowner:

Yes No If yes, written permission from the landowner must be obtained. Attach written permission to haul-off pit application.

Haul-off pit is located in an off-site disposal area on another producing lease or unit operated by the same operator: Yes No If yes, written permission from the landowner must be obtained. Attach permission and a copy of the lease assignment that covers the acreage where the haul-off pit is to be located, to the haul-off pit application.

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/>

(No Subject)

From: **Chuck Lutters** (chucklutters210@hotmail.com)

Sent: Thu 5/07/09 1:53 PM

To: kim8824@hotmail.com

To whom it may concern;

I Ronald Lutters grant S&W Oil & Gas LLC permission to Dig a Haul off pit on the SW 1\4 of section 24-15-24w of Trego co. Ks.

With the pit being retured to original condition , when said services are completed.

Sincerely
Ronald "Chuck" Lutters
626w9th
Goodland,Ks. 67735

Hotmail® goes with you. Get it on your BlackBerry or iPhone.

KANSAS CORPORATION COMMISSION

MAY 08 2009

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RECEIVED

JUN 26 2009

From: chucklutters210@hotmail.com
To: kim8824@hotmail.com
Subject:
Date: Thu, 7 May 2009 12:53:08 -0600

KCC WICHITA

To whom it may concern;

I Ronald Lutters grant S&W Oil & Gas LLC permission to Dig a Haul off pit on the SW 1\4 of section 24-15-24w of Trego co. Ks.

With the pit being retured to original condition , when said services are completed.

Sincerely
Ronald "Chuck" Lutters
626w9th
Goodland,Ks. 67735

