



KANSAS CORPORATION COMMISSION 1024097
OIL & GAS CONSERVATION DIVISION

Form CDP-1
April 2004
Form must be Typed

APPLICATION FOR SURFACE PIT

Submit in Duplicate

Operator Name: R & B Oil & Gas, Inc.		License Number: 31191	
Operator Address: 904 N LOGAN		PO BOX 195 ATTICA KS 67009	
Contact Person: Randy Newberry		Phone Number: 620-254-7972	
Lease Name & Well No.: HRENCHER "A" 1		Pit Location (QQQQ): NW - SE - SW - SE	
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 <i>(If WP Supply API No. or Year Drilled)</i>		Pit is: <input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Existing If Existing, date constructed: 8/14/2008 Pit capacity: 4,800 (bbls)	
Is the pit located in a Sensitive Ground Water Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Chloride concentration: _____ mg/l <i>(For Emergency Pits and Settling Pits only)</i>	
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 mud and clay			
Pit dimensions (all but working pits): _____ Length (feet) _____ Width (feet) _____ N/A: Steel Pits Depth from ground level to deepest point: _____ (feet) _____ 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.	
Distance to nearest water well within one-mile of pit 5093 feet Depth of water well 35 feet		Depth to shallowest fresh water 20 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: Fresh _____ Number of working pits to be utilized: 1 _____ Abandonment procedure: Dry then backfill _____ Drill pits must be closed within 365 days of spud date.	
Submitted Electronically			

KCC OFFICE USE ONLY		Steel Pit <input type="checkbox"/>	RFAC <input checked="" type="checkbox"/>	RFAS <input checked="" type="checkbox"/>
Date Received: 11/14/2008	Permit Number: 15-007-23398-00-00	Permit Date: 11/14/2008	Lease Inspection: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	



*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 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.

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.

ASSIGNMENT OF OIL AND GAS LEASE

KNOW ALL PERSONS BY THESE PRESENTS:

That the undersigned, John O. Farmer, Inc.; John O. Farmer IV; John O. Farmer IV, Trustee of the Farmer Family Trust; Fisher Family Partnership; Betty Ann Furseth, Trustee of the Betty Ann Furseth Revocable Trust; Janke Family Trust; Ring Investments Corporation; Schiller Family Partnership and Patricia Ann Ryan, hereinafter called "Assignors," for and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby sell, assign, transfer and set over unto R & B Oil & Gas, Inc., Assignee, all of Assignors' interest in and to the following described oil and gas lease, to-wit:

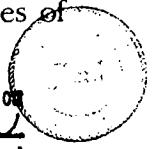
An oil and gas lease dated December 20, 1946, from Alice A. DeWitt, a widow, lessor, to Harry Mellor, lessee, recorded in Book 43 at page 417 in the office of the register of deeds of Barber County, Kansas, insofar, and only insofar, as said lease covers the following described lands, to-wit:

- (a) The South Half of the Southeast Quarter (S/2 SE/4) of Section Thirty-six (36), Township Thirty-two (32) South, Range Eleven (11) West of the 6th P.M., Barber County, Kansas, and
- (b) The North Half of the Southwest Quarter (N/2 SW/4) of Section Thirty-one (31), Township Thirty-two (32) South, Range Ten (10) West of the 6th P.M., Barber County, Kansas;

together with the rights incident thereto and the personal property thereon, appurtenant thereto, or used or obtained in connection therewith.

The above assigned interest is subject, however, to overriding royalties of record.

State of Kansas, Barber Co., SS
This instrument was filed for record on
the 13 day of December
2007 at 9:27 o'clock A. M., and
duly recorded in book 317 on page 327
Betty J. Warden
Register of Deeds
Fees \$44.00



* No page 5 at time of recording

R & B Oil & Gas, Inc.

P.O. Box 195

Attica, Kansas 67009

Phone: 620-254-7251 ~ Fax: 620-254-7281

Email: R&B@RNB.COM

November 4, 2008

Joe H. Hunter
5860 SE Cedar Hills Rd
Sharon, KS 67138

Dear Mr. Joe Hunter:

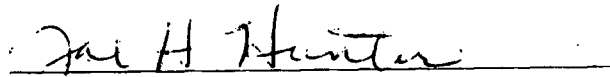
This letter is to acknowledge that Joe H. Hunter, does hereby grant R & B Oil & Gas, Inc. permission to utilize a drilling pit located in the Southwest Quarter of Southeast Quarter of Section Thirty-Six, Township Thirty-Two South, Range Eleven West (SW SE 36-32S-11W), Barber County, Kansas, (API # 15-007-23348-00-00) as an off-site haul-off pit for R & B Oil & Gas, Inc.'s drilling operation of the Hrencher A1 (API # 15-007-23398-00-00), located in the Southeast of the Southwest of the Southeast Quarter of Section Nineteen, Township Thirty-Two South, Range Ten West (SE SW SE 19-32S-10W), Barber County, Kansas. R & B Oil & Gas, Inc. shall be responsible for the closing of said pit.

Please sign and return as soon as possible so that we may forward on to the state.

Sincerely,



Jane Swingle



Joe H. Hunter

R & B Oil & Gas, Inc.

P.O. Box 195

Attica, Kansas 67009

Phone: 620-254-7251 ~ Fax: 620-254-7281

Email: rbog@attica.net

November 4, 2008

John Dean Hunter
PO Box 4007
Wichita, KS 67204

Dear Mr. John Hunter:


This letter is to acknowledge that John Dean Hunter, does hereby grant R & B Oil & Gas, Inc. permission to utilize a drilling pit located in the Southwest Quarter of Southeast Quarter of Section Thirty-Six, Township Thirty-Two South, Range Eleven West (SW SE 36-32S-11W), Barber County, Kansas, (API # 15-007-23348-00-00) as an off-site haul-off pit for R & B Oil & Gas, Inc.'s drilling operation of the Hrencher A1 (API # 15-007-23398-00-00), located in the Southeast of the Southwest of the Southeast Quarter of Section Nineteen, Township Thirty-Two South, Range Ten West (SE SW SE 19-32S-10W), Barber County, Kansas. R & B Oil & Gas, Inc. shall be responsible for the closing of said pit.

Please sign and return as soon as possible so that we may forward on to the state.

Sincerely,



Jane Swingle



John Dean Hunter



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

November 14, 2008

Randy Newberry
R & B Oil & Gas, Inc.
904 N LOGAN
PO BOX 195
ATTICA, KS67009-9217

Re: Haul-Off Pit Application
HRENCHER "A" Lease Well No. 1
Sec.36-32S-11W
Barber County, Kansas

Dear Randy Newberry:

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 as soon as the Hutchinson Salt section has been drilled through and displacement of the fluids into the Haul-Off pit has occurred. The fluids should be removed again as soon as practical 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 (620) 225-8888 when the fluids have been removed. Please file form CDP-5 (August 2004), 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:
kcc.ks.gov/conservation/forms/

If you have any questions or concerns please feel free to contact the District Office at (620) 225-8888.