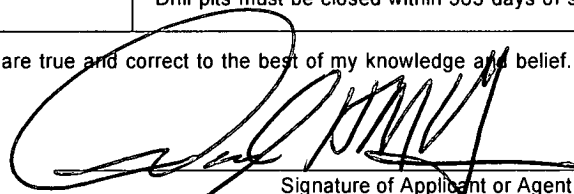


**KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION
APPLICATION FOR SURFACE PIT**

Form CDP-1
April 2004
Form must be Typed

Submit in Duplicate

Operator Name: CMX, Inc.		License Number: 3532
Operator Address: 1551 N. Waterfront Parkway, Suite 150		
Contact Person: Douglas H. McGinness II		Phone Number: 316-269-9052
Lease Name & Well No.: Martin #2		Pit Location (QQQQ): SE SW NE
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 checked="" type="checkbox"/> Proposed <input type="checkbox"/> Existing If Existing, date constructed: _____ Pit capacity: 100 (bbls)	Sec. 16 Twp. 10 R. 26 <input type="checkbox"/> East <input checked="" type="checkbox"/> West 2,970 Feet from <input type="checkbox"/> North / <input checked="" type="checkbox"/> South Line of Section 1,650 Feet from <input checked="" type="checkbox"/> East / <input type="checkbox"/> West Line of Section Sheridan 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 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? 9 mil plastic liner
Pit dimensions (all but working pits): <u>12</u> Length (feet) <u>8</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.		Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring.
Distance to nearest water well within one-mile of pit <u>3302</u> feet Depth of water well <u>65</u> feet		Depth to shallowest fresh water <u>32</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</u> Number of working pits to be utilized: <u>1</u> Abandonment procedure: <u>Allow fluid to evaporate and backfill when sufficiently dried.</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>4/9/09</u> Date	 Signature of Applicant or Agent	

KANSAS CORPORATION COMMISSION
APR 13 2009
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KCC OFFICE USE ONLY		Steel Pit <input type="checkbox"/>	RFAC <input type="checkbox"/>	RFAS <input type="checkbox"/>
Date Received: <u>4/13/09</u>	Permit Number: <u>15-179-205920001</u>	Permit Date: <u>4/15/09</u>	Lease Inspection: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<i>DIS</i>

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

Operator & Address: CMX Inc. 1551 N. Waterfront Pkwy Ste. 150, Wichita, KS 67206

Lic.# 3532 Contact Person: Jay Toos Phone # 785-731-5233

Lease Name & Well # Martin 2 SWD API # or Spud Date: 4-20-81

Location SE-SW-NE 1/4 Sec: 16 Twp: 10 Rge: 26 E W County: SD

2970 feet from the North South Line, 1650 feet from the East West Line of SE 1/4 section.

Purpose of Pit: nework Depth to Ground Water: 30'

Nature of Fluids: Brine

Construction: Earthen, Width: 8', Length: 12', Depth: 6' bbl capacity: 100

Liner Specifications: 9 mil Plastic

This lease produces from the following formation(s): SWD LKC

Date of Verbal Permit: 3-3-2009, KCC Agent: Darrel Pipman

To save paperwork, copy this form after completion of the first 11 lines. Use copy for closure form.

Dates Pit Used: From _____ To _____ Date Water Hauled: _____

Proposed Closing Procedure / Actual Closure information: _____

Pit must be closed in _____ days. _____ (signature) _____ (date)

***** KCC USE ONLY *****

Groundwater Sensitive Area YES () NO (); Field Inspection Date: _____, Agent: _____

Chloride of Water in Pit: _____, Date Collected: _____

_____ feet to nearest Water Well. Depth of Water Well: _____, Application Tabulated

RECEIVED
KANSAS CORPORATION COMMISSION

MAR 04 2009

CONSERVATION DIVISION
WICHITA, KS



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

March 31, 2009

CMX, Inc.
1551 N Waterfront Pkwy Ste 150
Wichita, KS 67206-4468

RE: Verbal on Workover Pit
Martin Lease Well No. 2
NE/4 Sec. 16-10S-26W
Sheridan 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 03/03/2009. 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 cursive script that reads "Kathy Haynes".

Kathy Haynes
Environmental Protection and Remediation Department