

  
**KANSAS**  
CORPORATION COMMISSION

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

October 15, 2008

KENNETH A NORTON  
K & B NORTON OIL & INVESTMENTS LLC  
510 W 36<sup>TH</sup> ST  
HAYS KS 67601

RE: LEASE: BENDER 2  
LEGAL: 2310'FSL-330'FEL 21-15S-14W  
COUNTY: RUSSELL  
API NO: 15167234610000

Dear Mr. Norton:

This letter is to inform you that you have been granted an extension of time in which to close the drilling pits associated with the drilling of the Bender 2 well.

The original 365 days for closure expired October 11, 2008. This extension will expire December 11, 2008. We urge you to make every effort to close these pits within this time frame. In the event there is water standing in these pits, please dewater and dispose of fluids in an authorized disposal facility to expedite closure. Extension of this time frame automatically extends the time period for filing the Closure of Surface Pit form.

*Failure to close the pit or request an additional extension prior to the expiration date may result in a fine in accordance with K.A.R. 82-3-602(c). An additional extension will only be granted for good cause and after K.C.C. field staff has made an inspection of the site. Should field staff discover that said pit has been closed before the date of extension request, an administrative penalty may be assessed to you through K.C.C. invoice.*

If you have any questions in this regard, please do not hesitate to contact Jonelle Rains at (316) 337-6226.

Very sincerely yours,

  
Doug Louis  
Director

cc: Jonelle Rains  
District # 4



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

K & B Norton Oil & Investments, LLC  
510 W 36TH ST  
HAYS KS 67601

October 7, 2008

Re: Closure of Drilling Pits  
BENDER Lease Well No. 2  
NENESE 21-15S-14W  
RUSSELL County, Kansas  
API No. 15167234610000

Dear Sirs:

The above referenced well was spudded on 10/11/2007. According to K.A.R. 82-3-602, "Drilling pits ... shall be closed within a maximum of 365 calendar days after the spud date of a well". The subject drilling pits must be closed by 10/10/2008. A Closure of Surface Pit, form CDP-4 (April 2004), should be filed within 30 days after the drilling pits are closed. **Conservation division forms are available through our office and on the KCC web site: <http://kcc.ks.gov/conservation/forms/>**

Should an extension be warranted, it must be received by 10/10/2008. **TO FILE FOR AN EXTENSION, PLEASE SEND A COPY OF THIS LETTER WITH THE FOLLOWING INFORMATION COMPLETED:**

Date of location inspection by operator/agent: October 6/2008

Reason for extension: Excessive rainfall continues to hit this area over and over again. K&B Norton

Estimated period of time until pit closure: 60 Days

**Failure to timely close the pit, file a request for an extension or file the closure form within the allotted time periods may result in assessment of an administrative penalty.**

Your cooperation in this process is appreciated. If you have any questions or concerns, please call **Sammy Flaharty** at (316) 337-6227.

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KANSAS CORPORATION COMMISSION

OCT 09 2008

CONSERVATION DIVISION  
WICHITA, KS

10/1/07

October 8, 2008

Kansas Corporation Commission  
Conservation Division  
Attn: Sammy Flaharty  
130 S. Market, Room #2078  
Wichita, KS 67202-3802

Re: Pit Closure; Bender #2; API #15-167-23461 00 00; Russell Co., KS  
NE/NE/SE Section 21-15S-14W

Ms. Flaharty:

The purpose of this letter is to request an extension to close our drilling pits on the above referenced well. We've made some progress over the summer in reaching this goal, within the 12 month time frame, but the weather in August and September made completing the task impossible. As I mentioned some of the pits are closed, but with 8+ inches of rain falling in August, followed by another 4 to 6 inches in September we just can't get the job done. What made the situation even worse was the extremely wet winter and spring we had in throughout our area as well; I actually documented some of these facts in a previous extension request. We check the location on a fairly regular basis, especially since we knew the deadline was fast approaching. but the weather just hasn't cooperated over the course of the past few months. We will continue to keep our eye on it and get it taken care of just as quickly as possible. Ray Dinkel, from the local District #4 office, here in Hays, mentioned to us about a month ago that he anticipated the Wichita office would be receiving near record numbers of pit extension requests, especially from certain, hard hit areas. If the local KCC officials are aware of it, then obviously it is indeed a problem.

In closing, I have attached a copy of your letter as requested, if you need any additional information please feel free to contact me. Thank you for your time and once again your patience regarding the pit closures.

Sincerely,



Kenneth A. Norton  
K. & B. Norton Oil & Investments, L.L.C.  
510 W. 36<sup>th</sup> Street  
Hays, KS 67601-1508  
785-628-3422

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KANSAS CORPORATION COMMISSION  
OCT 09 2008  
CONSERVATION DIVISION  
WICHITA, KS