

15-009-25027-0000

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: <u>Hupfer Operating, Inc.</u>		License Number: <u>30380</u>
Operator Address: <u>P.O. Box 216 Hays, KS 67601</u>		
Contact Person: <u>Dennis D. Hupfer</u>		Phone Number: <u>(785) 628-8666</u> <u>Cell (785) 623-8813</u>
Lease Name & Well No.: <u>Berry #2</u>		Pit Location (QQQQ): <u>145' N & 200' East</u> <u>SE SE SE</u>
Type of Pit: <input type="checkbox"/> Emergency Pit <input type="checkbox"/> Workover Pit <input type="checkbox"/> Settling Pit <input checked="" type="checkbox"/> Drilling Pit <input type="checkbox"/> Burn Pit <input checked="" type="checkbox"/> Haul-Off Pit (If WP Supply API No. or Year Drilled)	Pit is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Existing If Existing, date constructed: Pit capacity: <u>800</u> (bbls)	Sec. <u>17</u> Twp. <u>16</u> R. <u>13</u> <input type="checkbox"/> East <input checked="" type="checkbox"/> West <u>478</u> Feet from <input type="checkbox"/> North / <input checked="" type="checkbox"/> South Line of Section <u>150</u> Feet from <input checked="" type="checkbox"/> East / <input type="checkbox"/> West Line of Section <u>Barton</u> County
Is the pit located in a Sensitive Ground Water Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Chloride concentration: _____ mg/l (For Emergency Pits and Settling Pits only)
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? <u>Clay bottom & sides</u>
Pit dimensions (all but working pits): <u>60</u> Length (feet) <u>60</u> Width (feet) _____ N/A: Steel Pits Depth from ground level to deepest point: <u>4</u> (feet) <u>working pits will be steel</u>		
If the pit is lined give a brief description of the liner material, thickness and installation procedure. <u>Transfer pit behind steel pit will be 8' wide & 15' long & 3' deep, lined with a 20 mls. plastic liner</u>		Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring. <u>Let dry natural & backfill</u>
Distance to nearest water well within one-mile of pit <u>over (1) mile</u> <u>389</u> feet Depth of water well <u>214</u> <u>110</u> feet		Depth to shallowest fresh water <u>202</u> <u>85</u> feet. Source of information: <u>(S) - Drilled</u> _____ measured <input checked="" type="checkbox"/> well owner _____ electric log _____ 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 water mud</u> Number of working pits to be utilized: <u>Steel (2)</u> Abandonment procedure: <u>Reserve pit - let dry natural & backfill</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>2.27.07</u> Date	<u>Dennis D. Hupfer</u> Signature of Applicant or Agent	RECEIVED KANSAS CORPORATION COMMISSION MAR 01 2007 CONSERVATION DIVISION WICHITA, KS <u>RFAE</u>
KCC OFFICE USE ONLY		
Date Received: <u>3/1/07</u>	Permit Number: <u>15-009-25027-0000</u>	Permit Date: <u>3/15/07</u> Lease Inspection: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

15-009-25027-4



KANSAS

CORPORATION COMMISSION

KATHLEEN SEBELIUS, GOVERNOR

BRIAN J. MOLINE, CHAIR

ROBERT E. KREHBIEL, COMMISSIONER

MICHAEL C. MOFFET, COMMISSIONER

March 5, 2007

Mr. Dennis D. Hupfer
Hupfer Operating, Inc.
PO Box 216
Hays, KS 67601

Re: Haul-Off Pit Application
Berry Lease Well No. 2
SE/4 Sec. 17-16S-13W
Barton County, Kansas

Dear Mr. Hupfer:

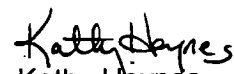
District staff has inspected the above referenced location and has determined that the haul-off pit shall be constructed **without slots**, the bottom shall be flat and reasonably level, and the free fluids must be removed. The fluids are to be removed from the haul-off pit after drilling operations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

If production casing is set all completion fluids shall be removed from the working pits daily. NO completion fluids or non-exempt wastes shall be placed in the reserve 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: H Deines



February 27, 2007

Kansas Corp. Commission
c/o Ms Kathy Haynes
130 S. Market Room 2078
Wichita, KS 67202

Subject: Pits - Berry #2 - 148' North & 200' East of SE/SE/SE
Sec 17-16-13W, Barton Co. - API #15-009-25027-0000

Dear Ms. Haynes,

Due to recent snow melts and rain falls we are going to have to utilize steel pits and relocate our reserve pit. Mr. Deines of District #4 advises I should submit a new CDP-1 form which is herewith attached.

We plan to have a lined pit to transfer fluids from the steel pits to the reserve pit since this is within 75' of a farm pond.

Should you have question or comments please contact the undersigned.

Sincerely yours,


Dennis Hupfer

cc: KS. Corp. Comm., c/o Mr. Herb Deines, 2301 East 13th, Hays, KS 67601
Sterling Drilling Co., P.O. Box 1006, Pratt, KS 67124

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MAR 01 2007

CONSERVATION DIVISION
WICHITA, KS

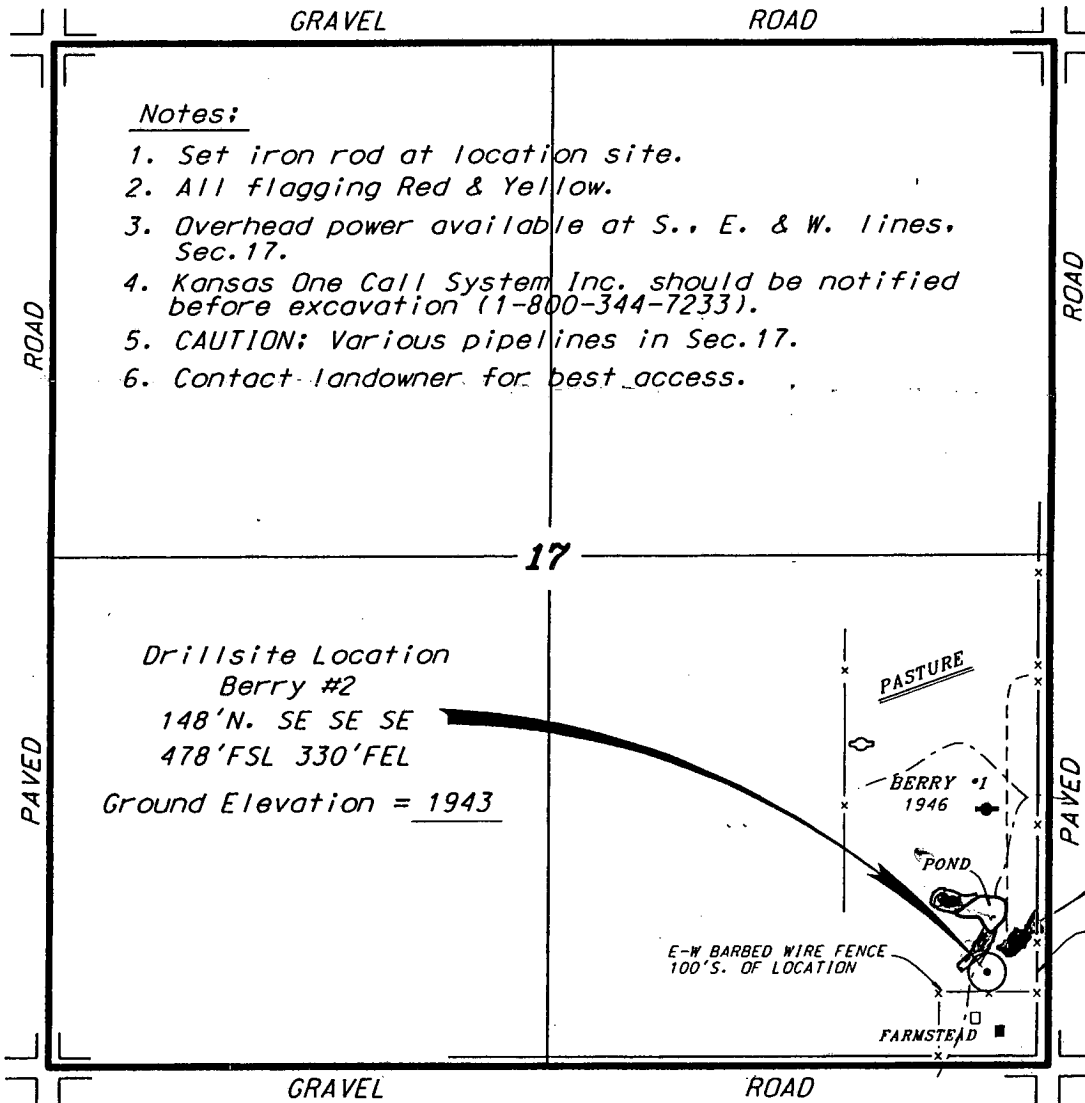
P.O. BOX 216

HAYS, KANSAS 67601-0216

785/628-8666

HUPFER OPERATING, INC.
 BERRY LEASE
 SE. 1/4, SECTION 17, T16S, R13W
 BARTON COUNTY, KANSAS

*Ingress and egress to location as shown on this plat is per usage only and may not be legally opened for public use. Contact landowner, tenant and county road department for access.



Notes:

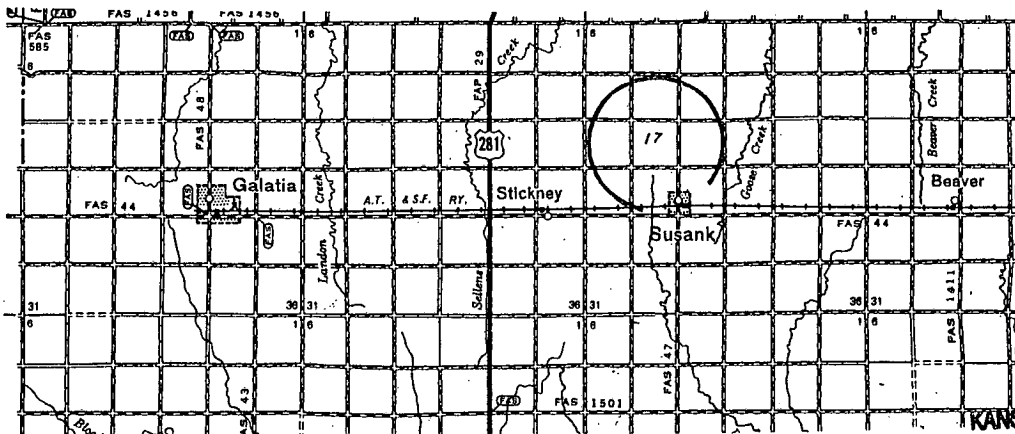
1. Set iron rod at location site.
2. All flagging Red & Yellow.
3. Overhead power available at S., E. & W. lines, Sec. 17.
4. Kansas One Call System Inc. should be notified before excavation (1-800-344-7233).
5. CAUTION: Various pipelines in Sec. 17.
6. Contact landowner for best access.

Drillsite Location
 Berry #2
 148' N. SE SE SE
 478' FSL 330' FEL
 Ground Elevation = 1943

PASTURE Slopes NE FROM PIT

PURCHASED PIT

FLAGGED ROAD OPPOSITE LOC.



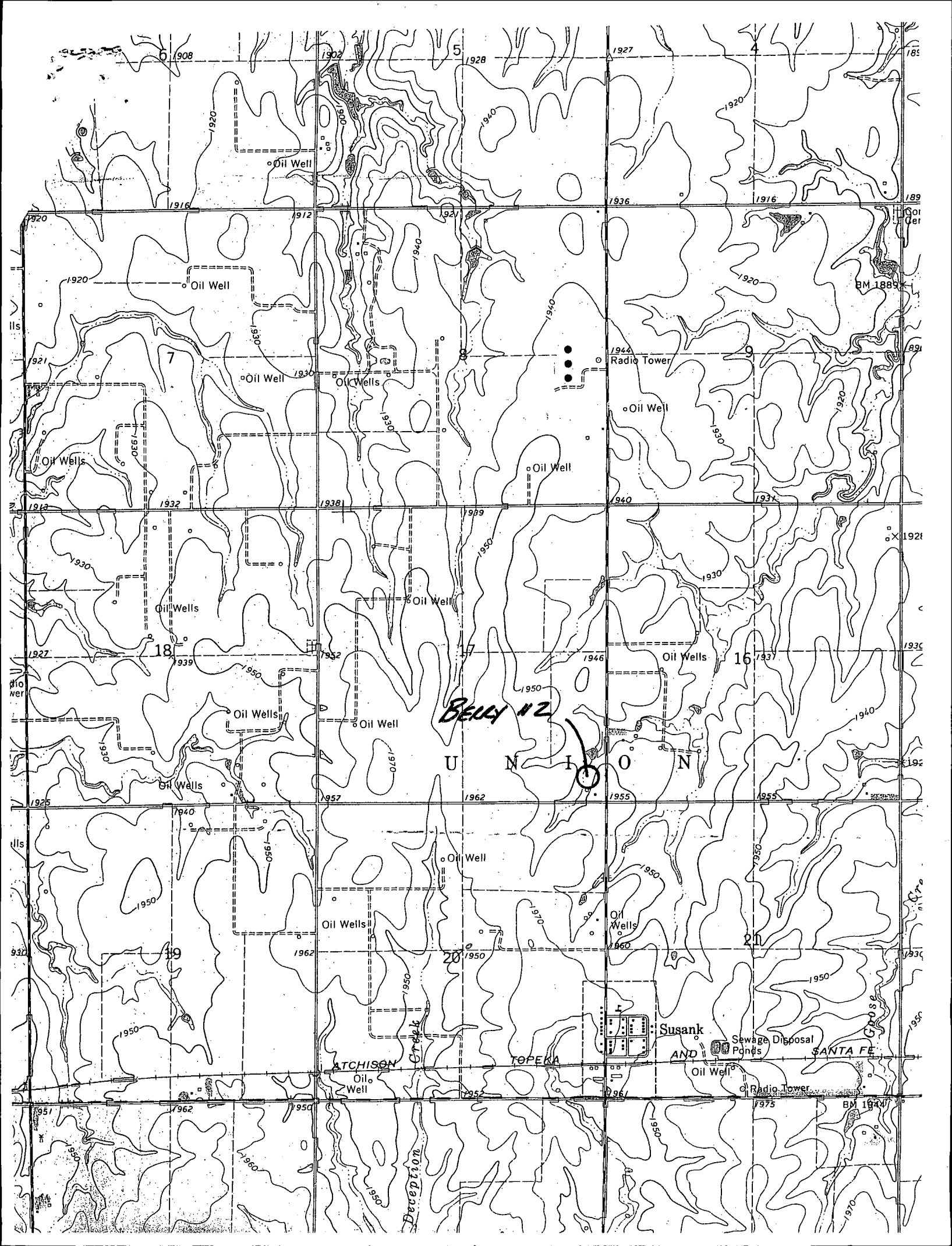
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CONSERVATION DIVISION
 WICHITA, KS

February 8, 2007

* Controlling data is based upon the best maps and photographs available to us and upon a regular section of land containing 640 acres.
 * Approximate section lines were determined using the normal standard of care of oilfield surveyors practicing in the state of Kansas. The section corners, which establish the precise section lines, were not necessarily located, and the exact location of the drillsite location in the section is not guaranteed. Therefore, the operator securing this service and accepting this plat and all other parties relying thereon agree to hold Central Kansas Oilfield Services, Inc., its officers and employees harmless from all losses, costs and expenses and said entities released from any liability from incidental or consequential damages.
 * Elevations derived from National Geodetic Vertical Datum.



For KCC Use: 2-19-07
 Effective Date: 4
 District #: 4
 SGA? Yes No

KANSAS CORPORATION COMMISSION
 OIL & GAS CONSERVATION DIVISION
NOTICE OF INTENT TO DRILL

625-0550

Form C-1
 December 2002
 Form must be Typed
 Form must be Signed
 All blanks must be Filled

Must be approved by KCC five (5) days prior to commencing well

Expected Spud Date March 28 07
month day year

Spot 148' N of East
SE - SE - SE Sec. 17 Twp. 16 S. R. 13 West
478 feet from N / S Line of Section
330 feet from E / W Line of Section
 Is SECTION Regular Irregular?

OPERATOR: License# 30380
 Name: Hupfer Operating, Inc.
 Address: P.O. Box 216
 City/State/Zip: Hays, KS 67601
 Contact Person: Dennis D. Hupfer
 Phone: (785) 628-8666

(Note: Locate well on the Section Plat on reverse side)
 County: Barton
 Lease Name: Berry Well #: 2
 Field Name: Trapp

CONTRACTOR: License# 5142
 Name: Sterling Drilling Co.

Is this a Prorated / Spaced Field? Yes No
 Target Information(s): Arbuckle

Well Drilled For: Oil Gas OWWO Seismic; # of Holes Other
 Well Class: Infield Pool Ext. Wildcat Other
 Type Equipment: Mud Rotary Air Rotary Cable

Nearest Lease or unit boundary: 330'
 Ground Surface Elevation: -1943 feet MSL

If OWWO: old well information as follows:
 Operator: _____
 Well Name: _____
 Original Completion Date: _____ Original Total Depth: _____

Water well within one-quarter mile: Yes No
 Public water supply well within one mile: Yes No

Directional, Deviated or Horizontal wellbore? Yes No
 If Yes, true vertical depth: _____
 Bottom Hole Location: _____
 KCC DKT #: _____

Depth to bottom of fresh water: 280'
 Depth to bottom of usable water: 380'
 Surface Pipe by Alternate: 1 2

Length of Surface Pipe Planned to be set: 450
 Length of Conductor Pipe required: none
 Projected Total Depth: 3400
 Formation at Total Depth: Arbuckle

Water Source for Drilling Operations:
 Well Farm Pond Other _____
 DWR Permit #: _____

(Note: Apply for Permit with DWR)
 Will Cores be taken? Yes No
 If Yes, proposed zone: _____

AFFIDAVIT

The undersigned hereby affirms that the drilling, completion and eventual plugging of this well will comply with K.S.A. 55 et. seq.
 It is agreed that the following minimum requirements will be met:

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 MAR 01 2007
 CONSERVATION DIVISION
 WICHITA, KS

1. Notify the appropriate district office *prior* to spudding of well;
2. A copy of the approved notice of intent to drill *shall be* posted on each drilling rig;
3. The minimum amount of surface pipe as specified below *shall be set* by circulating cement to the top; in all cases surface pipe *shall be set* through all unconsolidated materials plus a minimum of 20 feet into the underlying formation.
4. If the well is dry hole, an agreement between the operator and the district office on plug length and placement is necessary *prior to plugging*;
5. The appropriate district office will be notified before well is either plugged or production casing is cemented in;
6. If an ALTERNATE II COMPLETION, production pipe shall be cemented from below any usable water to surface within *120 days* of spud date. Or pursuant to Appendix "B" - Eastern Kansas surface casing order #133,891-C, which applies to the KCC District 3 area, alternate II cementing must be completed within 30 days of the spud date of the well shall be plugged. *In all cases, NOTIFY district office* prior to any cementing.

I hereby certify that the statements made herein are true and to the best of my knowledge and belief.

Date: Feb 12 07 Signature of Operator or Agent: Dennis D. Hupfer Title: President

For KCC Use ONLY
 API # 15 - 009-25027-0000
 Conductor pipe required None feet
 Minimum surface pipe required 400 feet per Alt. 1
 Approved by: 842-14-07
 This authorization expires: 8-14-07
 (This authorization void if drilling not started within 6 months of effective date.)
 Spud date: _____ Agent: _____

Remember to:

- File Drill Pit Application (form CDP-1) with Intent to Drill;
- File Completion Form ACO-1 within 120 days of spud date;
- File acreage attribution plat according to field proration orders;
- Notify appropriate district office 48 hours prior to workover or re-entry;
- Submit plugging report (CP-4) after plugging is completed;
- Obtain written approval before disposing or injecting salt water.

Well Not Drilled - Permit Expired
 Signature of Operator or Agent: _____
 Date: _____

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

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 FEB 14 2007
 CONSERVATION DIVISION
 WICHITA, KS

17
 16
 13W

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

Form CDP-1
April 2004
Form must be Typed

Submit in Duplicate

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Operator Address: <u>P.O. Box 216, Hays, KS 67601</u>		
Contact Person: <u>Dennis D. Hupfer</u>		Phone Number: <u>(785) 628-8666</u>
Lease Name & Well No.: <u>Berry #2</u>		Pit Location (QQQQ): <u>148 N of</u> <u>- SE - SE - SE</u>
Type of Pit: <input type="checkbox"/> Emergency Pit <input type="checkbox"/> Workover Pit <input type="checkbox"/> Settling Pit <input checked="" type="checkbox"/> Drilling Pit <input type="checkbox"/> Burn Pit <input type="checkbox"/> Haul-Off Pit (If WP Supply API No. or Year Drilled)	Pit is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Existing If Existing, date constructed: Pit capacity: <u>800</u> (bbls)	Sec. <u>17</u> Twp. <u>16</u> R. <u>13</u> <input type="checkbox"/> East <input checked="" type="checkbox"/> West <u>478</u> Feet from <input type="checkbox"/> North / <input checked="" type="checkbox"/> South Line of Section <u>330</u> Feet from <input checked="" type="checkbox"/> East / <input type="checkbox"/> West Line of Section <u>Barton</u> County
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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. <u>Let dry natural</u>
Distance to nearest water well within one-mile of pit over (1) mile <u>378</u> feet --- Depth of water well <u>110</u> ²⁶⁴ feet		Depth to shallowest fresh water <u>85</u> <u>202</u> feet ⁽⁵⁾ Source of information: _____ measured <input checked="" type="checkbox"/> well owner _____ electric log _____ 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 water mud</u> Number of working pits to be utilized: <u>3</u> Abandonment procedure: <u>Let dry natural & backfill</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>Feb 12 07</u> Date	<u>Dennis D. Hupfer</u> Signature of Applicant or Agent Dennis D. Hupfer	RECEIVED KANSAS CORPORATION COMMISSION FEB 14 2007 CONSERVATION DIVISION WICHITA, KS <u>Steel Pits</u>
KCC OFFICE USE ONLY		
Date Received: <u>2/14/07</u> Permit Number: _____ Permit Date: <u>2/14/07</u> Lease Inspection: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

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