

* UPDTD. FORMS 10/05/12 DIST. 1

* KSONA-1 FORM MGG. SURF. OWNER. INFO + NO K. PMT. RGT'D TO OPER.

KANSAS CORPORATION COMMISSION OIL & GAS CONSERVATION DIVISION

Form CP-1 March 2010

WELL PLUGGING APPLICATION

Form KSONA-1, Certification of Compliance with the Kansas Surface Owner Notification Act, MUST be submitted with this form.

OPERATOR: License # 33984 Name: Scott Lutz Trust, Thomas G Lutz, Trustee- Address 1: 1645 W Sunrise Mountain Rd Address 2: Post Office Box 1766 City: Fayetteville State: AR Zip: 72702 + 1766 Contact Person: Lisa Morgan Lutz Phone: (479) 582-4114

API No. 15 - 135-23137-00-00 If pre 1967, supply original completion date: Evel 'A' 1 Spot Description: NE SWSW Sec. 13 Twp. 16 S. R. 26 Feet from 990 Feet from 4290 Feet from 990 Feet from 4290 Footages Calculated from Nearest Outside Section Corner: NE NW SE SW County: Ness Lease Name: Evel 'A' Well #: 1

Check One: Oil Well Gas Well OG D&A Cathodic Water Supply Well Other: SWD Permit #: ENHR Permit #: Gas Storage Permit #:

Conductor Casing Size: 8 5/8 Set at: 324 Cemented with: Sacks Surface Casing Size: 5 1/2 Set at: 4601 Cemented with: 200 Sacks Production Casing Size: 5 1/2 Set at: 4601 Cemented with: 200 Sacks

List (ALL) Perforations and Bridge Plug Sets: Elevation: 2592 Condition of Well: Good Poor Junk in Hole Casing Leak at: Proposed Method of Plugging (attach a separate page if additional space is needed):

RECEIVED SEP 26 2012 RECEIVED SEP 13 2012 KCC WICHITA KCC WICHITA

Is Well Log attached to this application? Yes No Is ACO-1 filed? Yes No If ACO-1 not filed, explain why:

Plugging of this Well will be done in accordance with K.S.A. 55-101 et. seq. and the Rules and Regulations of the State Corporation Commission Company Representative authorized to supervise plugging operations: Ken Rupp Address: 4790 US Highway 283 City: Ness City State: KS Zip: 67560 Phone: (785) 798-5260 Plugging Contractor License #: Same Name: Address 1: Address 2: City: State: Zip: Proposed Date of Plugging (if known): as soon as possible

* KSONA FEE NOT PAID New pd. per Legal's updt. on 10/03/12 RECEIVED

Payment of the Plugging Fee (K.A.R. 82-3-118) will be guaranteed by Operator or Agent Date: 9/6/12 Authorized Operator / Agent: [Signature]

* KSONA NOTIF. LTR., DTD. 10/04/12, MLD. 10/05/12. KCC DOGUE CITY docket no 13-CONS-060-CPEN

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

Form KSONA-1
July 2010
Form Must Be Typed
Form must be Signed
All blanks must be Filled

**CERTIFICATION OF COMPLIANCE WITH THE
KANSAS SURFACE OWNER NOTIFICATION ACT**

This form must be submitted with all Forms C-1 (Notice of Intent to Drill); CB-1 (Cathodic Protection Borehole Intent); T-1 (Request for Change of Operator Transfer of Injection or Surface Pit Permit); and CP-1 (Well Plugging Application).
Any such form submitted without an accompanying Form KSONA-1 will be returned.

Select the corresponding form being filed: C-1 (Intent) CB-1 (Cathodic Protection Borehole Intent) T-1 (Transfer) CP-1 (Plugging Application)

OPERATOR: License # 33984
Name: Lutz, Scott Lutz Trust / Thomas C Lutz, Trustee
Address 1: 1645 W Sunrise Mountain Rd
Address 2: Post Office Box 1766
City: Fayetteville State: AR Zip: 72702 + 1766
Contact Person: _____
Phone: (____) _____ Fax: (____) _____
Email Address: _____

Well Location: NE SV SV Sec. 13 Twp. 16 S. R. 26 East West
County: Ness
Lease Name: Evel 'A' Well #: 1

If filing a Form T-1 for multiple wells on a lease, enter the legal description of the lease below:

RECEIVED

RECEIVED

SEP 26 2012

SEP 13 2012

KCC WICHITA KCC WICHITA

Surface Owner Information:

Name: GARY D EVEL
Address 1: RR 1
Address 2: _____
City: USTICA State: KS Zip: 67984 9802

When filing a Form T-1 involving multiple surface owners, attach an additional sheet listing all of the information to the left for each surface owner. Surface owner information can be found in the records of the register of deeds for the county, and in the real estate property tax records of the county treasurer.

If this form is being submitted with a Form C-1 (Intent) or CB-1 (Cathodic Protection Borehole Intent), you must supply the surface owners and the KCC with a plat showing the predicted locations of lease roads, tank batteries, pipelines, and electrical lines. The locations shown on the plat are preliminary non-binding estimates. The locations may be entered on the Form C-1 plat, Form CB-1 plat, or a separate plat may be submitted.

Select one of the following:

I certify that, pursuant to the Kansas Surface Owner Notice Act (House Bill 2032), I have provided the following to the surface owner(s) of the land upon which the subject well is or will be located: 1) a copy of the Form C-1, Form CB-1, Form T-1, or Form CP-1 that I am filing in connection with this form; 2) if the form being filed is a Form C-1 or Form CB-1, the plat(s) required by this form; and 3) my operator name, address, phone number, fax, and email address.

I have not provided this information to the surface owner(s). I acknowledge that, because I have not provided this information, the KCC will be required to send this information to the surface owner(s). To mitigate the additional cost of the KCC performing this task, I acknowledge that I am being charged a \$30.00 handling fee, payable to the KCC, which is enclosed with this form.

If choosing the second option, submit payment of the \$30.00 handling fee with this form. If the fee is not received with this form, the KSONA-1 form and the associated Form C-1, Form CB-1, Form T-1, or Form CP-1 will be returned.

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

Date: 9/25/12 Signature of Operator or Agent: [Signature] Title: Owner/Operator

9.25.12

RECEIVED

* REFER TO LEGAL'S LTR. OF STIPULATIONS DTD. 9/27/12 (ATTACHED) * NO KSONA FEE PMT. RECEIVED. * KSONA FEE NOT PAID * KSONA FEE NOW PAID BY LEGAL'S 9/10/12 * 10/05/12

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

SEP 10 2012

KCC DUBUQUE CITY

Additional Owner for Evel A 1:

Kellie L Hagans Acker
172 Creekside Lane
Colorado Springs, CO 80906-3230

KSONA FEE
NOT PAID

RECEIVED
SEP 26 2012
KCC WICHITA



Mark Sievers, Chairman
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

Corporation Commission

Sam Brownback, Governor

NOTICE OF RECEIPT OF WELL PLUGGING APPLICATION (CP-1)

LUTZ, SCOTT T. TRUST
1645 W. SUNRISE MOUNTAIN RD
PO BOX 1766
FAYETTEVILLE, AR 72702

September 27, 2012

Re: EVEL A #1
API 15-135-23137-00-00
13-16S-26W, 990 FSL 4290 FEL
NESS COUNTY, KANSAS

Dear Operator:

This letter is to notify you that the Conservation Division has received your plugging proposal, form CP-1, for the above well and has reviewed the proposal for completeness. The central office will now forward your CP-1 to the district office listed below for review of the proposed plugging method. **Please contact the district office for approval of your proposed plugging method at least five (5) days before plugging the well, pursuant to K.A.R. 82-3-113(b). If a workover pit will be used during the plugging of the well it must be permitted. A CDP-1 form must be filed and approved prior to the use of the pit in accordance with K.A.R. 82-3-600.**

The Conservation Division's review of form CP-1, either in the central or district office, does not include an inquiry into well ownership or the filing operator's legal right to plug the well. This notice in no way constitutes authorization to plug the above well by persons not having legal rights of ownership or interest in the well.

This notice is void after March 26, 2013. The CP-1 filing does not bring the above well into compliance with K.A.R. 82-3-111 with regard to the Commission's temporary abandonment requirements.

Sincerely,

Steve Bond
Production Department Supervisor

District: #1
210 E Frontview, Suite A
Dodge City, KS 67801
(620) 225-8888

PIUCA

Conservation Division
Finney State Office Building
130 S. Market, Rm. 2078
Wichita, KS 67202-3802



Phone: 316-337-6200
Fax: 316-337-6211
<http://kcc.ks.gov/>

Mark Sievers, Chairman
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

Sam Brownback, Governor

October 4, 2012

Mr. Gary D. Evel
RR 1
Utica, KS 67584-9802

RE: Kansas Surface Owners Notification Act
Lease Name: EVEL Well No.: 5
Location: 13-16S-26W, SWNWSW, NESS CTY

Dear Mr. Evel:

The 2009 Legislature passed *House Bill 2032*, known as the *Kansas Surface Owners Notice Act*. This Act requires the KCC to provide copies of drilling intents, operator transfers and well plugging applications to the surface owner if they are not provided by the lease operator. The *Operator of Record* has advised us that they have not provided you with a copy of the attached Well Plugging Application (CP-1) and Certification of Compliance with the Kansas Surface Owner Notification Act (KSONA-1) forms. Therefore, this letter and the attached forms shall serve as notice of the operator's action(s) in relation to the above-referenced well.

You do not need to respond to the KCC. Please contact the operator listed on these forms if you have any questions.

Very truly yours,

Steve Bond
Production Department Supervisor

Encls. (CP-1; KSONA-1 forms)