

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



CDP4D

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

Mark Sievers, Chairman  
Ward Loyd, Commissioner  
Thomas E. Wright, Commissioner

Sam Brownback, Governor

December 12, 2011

Orca Operating Company LLC  
427 S. Boston Ste 929  
Tulsa, OK 74103

Re: Canton SWD 1  
NWNWNW Sec. 36-19S-01W  
McPherson County, Kansas  
API # 15-113-21342-00-00

Dear Sir or Madam:

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 Canton SWD #1 well.

The original 365 days for closure expired on 09/04/2011. This extension will expire 03/12/2012. 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(a). 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 Kathy Haynes at (316) 337-6243.

Very sincerely yours,

Doug Louis  
Director

Cc: File  
District

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Search Well Inventory

Sec Twp Rgn

Company  Fin  API Number

API #  15-113-21342-00-00 Well  CANTON SWD 1 City  MCPHERSO Dist  D30613.0

Oper  ##### ORCA OPERATING COMPANY LLC A Lgcy Oper

Work Oper  C-1 Oper  ORCA OPERATING COMPANY LLC

WL Type  SWD WL Stat  AI Status Source:  UICDF Status Dt:  01/31/2011

Location  36-19S-1W NWNWNWNW, 5141 FSL 5065 FEL District #  02

Dates

Intent Apprv:  08/30/2010 Compl:  01/20/2011

Permit Expire:  08/30/2011 Compl Rpt Rec:  01/27/2011

ACO-1 Spud:  09/05/2010 Plugged:

District Spud:  09/04/2010

Drilling

SC Int:  200 Spud Ltr:  CP 1:

PIT Cls EXT:  03/12/2012 SGWA:  CP 2.3:  Date CP-2/3 Rec'd:

Pit Cls:  RFAC:  CP 4:  Date CP-4 Rec'd:

PIT Status:  Active Extension/Closure Dela RFA:  CDP 5:

Dewater:  BBLS PitLiner:  Steel:

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Mark Sievers, Chairman  
Ward Loyd, Commissioner  
Thomas E. Wright, Commissioner

Sam Brownback, Governor

November 28, 2011

Jason Andrews  
Orca Operating Company LLC  
427 S. BOSTON, STE 929  
TULSA OK 74103

RE: NOTICE OF VIOLATION - 82-3-602

Dear Jason Andrews:

K.A.R. 82-3-602(a) states that drilling pits shall be closed within a maximum of 365 calendar days after the spud date of a well. Any pit permit may be extended upon written request by the operator and with the approval of the director. Failure to close any pit or to file an extension within the prescribed time limits shall be punishable by a \$250 penalty.

K.A.R. 82-3-602(c) states "Each operator of a pit shall file a pit closure form ... within 30 days after the closure of the pit. Failure to file the pit closure form in accordance with this subsection shall be punishable by a \$100 penalty".

According to our records a Closure of Surface Pit, form CDP-4 (April 2004), or a request for an extension has not been filed and is past due for the following well:

<u>API NO.</u>	<u>WELL</u>	<u>LOCATION</u>	<u>COUNTY</u>	<u>SPUDDATE</u>
15113213420000	Canton SWD 1	36-19-1W	MCPHERSON	9/5/2010

This requested information must be submitted by **December 20, 2010**. Failure to submit the requested information by this date may subject **Orca Operating Company LLC** to the assessment of the above referenced penalty(s). Extension requests are to be mailed to the above referenced address. As a KOLAR operator, please file the Closure of Surface Pit, form CDP-4 form electronically through KOLAR.

Should you have any questions or concerns please contact Kathy Haynes at (316) 337-6243.

Sincerely,

Jonelle Rains, Supervisor  
Department of Environmental Protection and Remediation

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KCC WICHITA

3/12/11