

KANSAS CORPORATION COMMISSION  
OIL & GAS CONSERVATION DIVISION

Form CDP-1  
April 2004  
Form must be Typed

**APPLICATION FOR SURFACE PIT**

"OFFSITE RESERVE PIT"  
Submit in Duplicate

Operator Name: <b>R &amp; B Oil &amp; Gas, Inc.</b>		License Number: <b>31191</b>
Operator Address: <b>PO Box 195, Attica, KS 67009</b>		
Contact Person: <b>Randy Newberry</b>		Phone Number: ( <b>620</b> ) <b>254 - 7251</b>
Lease Name & Well No.: <b>Henry #1</b>		Pit Location (QQQQ): <b>(Friesen Ground) NW</b> <b>NE SW</b>
Type of Pit: <input type="checkbox"/> Emergency Pit <input type="checkbox"/> Burn Pit <input type="checkbox"/> Settling Pit <input type="checkbox"/> Drilling Pit <input type="checkbox"/> Workover Pit <input checked="" 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: <b>1,200</b> (bbls)	Sec. <b>13</b> Twp. <b>28S</b> R. <b>6</b> <input type="checkbox"/> East <input checked="" type="checkbox"/> West <b>3745</b> Feet from <input type="checkbox"/> North / <input checked="" type="checkbox"/> South Line of Section <b>4489</b> Feet from <input checked="" type="checkbox"/> East / <input type="checkbox"/> West Line of Section <b>Kingman</b> County
Is the pit located in a Sensitive Ground Water Area? <input 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 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? <b>Bentonite</b>
Pit dimensions (all but working pits): <b>100</b> Length (feet) <b>100</b> Width (feet) <b>N/A: Steel Pits</b> Depth from ground level to deepest point: <b>4</b> (feet)		
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.
		RECEIVED KANSAS CORPORATION COMMISSION <b>SEP 19 2007</b> CONSERVATION DIVISION WICHITA, KS
Distance to nearest water well within one-mile of pit <b>800</b> feet    Depth of water well <b>54</b> feet	Depth to shallowest fresh water <b>25</b> feet. Source of information: _____ measured    _____ well owner    _____ electric log <b>①</b> KDWR	
<b>Emergency, Settling and Burn Pits ONLY:</b> 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	<b>Drilling, Workover and Haul-Off Pits ONLY:</b> Type of material utilized in drilling/workover: <b>Fresh Water/Drig Mud</b> Number of working pits to be utilized: <b>1</b> Abandonment procedure: <b>evaporate then backfill</b> 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.		
<b>9-18-07</b> Date	<i>Jane Swingle</i> Signature of Applicant or Agent	

15-095-22090

<b>KCC OFFICE USE ONLY</b>		Line w/ Bent. RFAC 724RS
Date Received: <b>9/19/07</b>	Permit Number: <b>15-095-22090-00-00</b>	Permit Date: <b>9/24/07</b> Lease Inspection: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

**R & B Oil & Gas, Inc.**

P.O. Box 195

Attica, Kansas 67009

Phone: 620-254-7251 ~ Fax: 620-254-7281

Email: [rboil@attica.net](mailto:rboil@attica.net)

**ORIGINAL**

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September 18, 2007

Mr. Henry Friesen

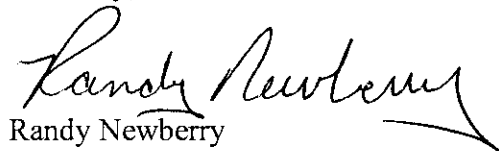
Dear Mr. Friesen:

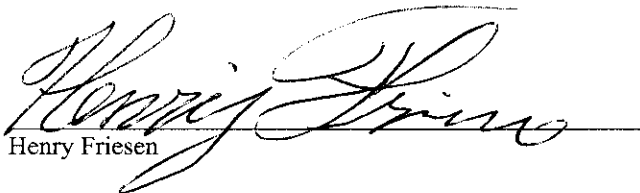
This letter is to acknowledge that Henry Friesen does hereby grant R & B Oil & Gas, Inc. permission to construct a drilling pit located in the Northwest Quarter of Section 13, Township Twenty-Eight South, Range Six West (NW/4 13-28S-6W), Kingman County, Kansas, as an off-site haul-off pit for R & B Oil & Gas, Inc.'s drilling operation of the Henry #1 (API# 15-095-22090-0000), located in the Southeast Northwest Northeast of Section Fourteen, Township Twenty-Eight South, Range Five West (SE NW NE 14-28S-5W), Kingman County, Kansas. R & B Oil & Gas, Inc. shall be responsible for the closing of said pit.

Please sign and return as soon as possible so that we can send to the state.

Becky and I thank you very much for allowing us to do this.

Sincerely,

  
Randy Newberry

  
Henry Friesen

RECEIVED  
KANSAS CORPORATION COMMISSION

SEP 19 2007

CONSERVATION DIVISION  
WICHITA, KS



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

September 24, 2007

Mr. Randy Newberry  
R & B Oil & Gas, Inc.  
PO Box 195  
Attica, KS 67009

Re: Haul-Off Pit Application  
Henry Lease Well No. 1  
NW/4 Sec. 13-28S-06W  
Kingman County, Kansas

Dear Mr. Newberry:

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 lined with bentonite**. The free fluids must be removed from the haul-off pit within 72 hours 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 (316) 630-4000 when the fluids have been removed. Please file form CDP-5, Exploration and Production Waster 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](http://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,

A handwritten signature in black ink that reads "Kathy Haynes".

Kathy Haynes  
Environmental Protection and Remediation Department

cc: D Louis