NOTICE OF INTENT TO DRILL

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

For KCC Use: 11-29-03

Effective Date: 11-29-03

District # 3

SGA? Yes No

KANSAS CORPORATION COMMISSION

OIL & GAS CONSERVATION DIVISION

NOTICE OF INTENT TO DRILL

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

Expected Spud Date December 3, 2003

OPERATOR: License# 33239
Name: River Gas Chanute, LLC
Address: 509 Energy Center Blvd Suite 804
Northport, AL 35473
Contact Person: Cal Hurtt
Phone: 303-309-5267

CONTRACTOR: License# 32980
Name: Pense Bros. Drilling Co., Inc.

Well Drilled For: Oil
Well Class: Gas
Type Equipment: Enh Rec

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

Directional, Deviated or Horizontal well: No
If Yes, true vertical depth:

Bottom Hole Location:

KCC DKT #:

CONSERVATION DIVISION
WICHITA, KS

SPOT

SE.  SE. SE. Sec. 5

Twp. 26 S. R. 20

W 428' feet from N  240' feet from

E 428' feet from

S 428' feet from

Is SECTION Regular Irregular? Yes No

(Note: Locate well on the Section Plat on reverse side)

County: Allen

Lease Name: Heisler
Well #: D4-5

Field Name: Cherokee Basin Coal Gas Area

Is this a Prorated / Spaced Field? Yes No

Target Formation(s): Cherokee Coals

Nearest Lease or unit boundary: 428'

Ground Surface Elevation: 1018 feet MSL

Water well within one-quarter mile: Yes No

Public water supply well within one mile: Yes No

Depth to bottom of fresh water:

Depth to bottom of usable water:

Surface Pipe by Alternate: 2

Length of Surface Pipe Planned to be set: 40'

Length of Conductor Pipe required: NONE

Projected Total Depth: 1200'

Formation at Total Depth: Mississippian

Water Source for Drilling Operations:

Will Cores be taken? Yes No

DWR Permit #: 8

(Note: Apply for Permit with DWR)

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:

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 or 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: 11/29/03 Signature of Operator or Agent: Randy Allen Title:

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.
- If this permit has expired (See: authorized expiration date) please check the box below and return to the address below.

Well Not Drilled - Permit Expired

Signature of Operator or Agent:

Date:

Mail to: KCC - Conservation Division, 130 S. Market - Room 2078, Wichita, Kansas 67202
IN ALL CASES PLOT THE INTENDED WELL ON THE PLAT BELOW

*Plat of acreage attributable to a well in a prorated or spaced field*

If the intended well is in a prorated or spaced field, please fully complete this side of the form. If the intended well is in a prorated or spaced field, complete the plat below showing that the well will be properly located in relationship to other wells producing from the common source of supply. Please show all the wells and within 1 mile of the boundaries of the proposed acreage attribution unit for gas wells and within 1/2 mile of the boundaries of the proposed acreage attribution unit for oil wells.

API No. 15 -
Operator: River Gas Chanute, LLC
Lease: Heisler
Well Number: D4-5
Field: Cherokee Basin Coal Gas Area

| Number of Acres attributable to well: |  |
| QTR / QTR / QTR of acreage: | E/2 - SE - SE |

Location of Well: County: Allen

| 506' feet from | N / S Line of Section |
| 428' feet from | E / W Line of Section |

Sec. 5 Twp. 26 S. R. 20
East or West

Is Section: ✓ Regular or □ Irregular

If Section is Irregular, locate well from nearest corner boundary.
Section corner used: NE NW SE SW

PLAT

(Show location of the well and shade attributable acreage for prorated or spaced wells.)
(Show footage to the nearest lease or unit boundary line.)

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NOV 24 2003
CONSERVATION DIVISION
WICHITA, KS

NOTE: In all cases locate the spot of the proposed drilling location.

In plotting the proposed location of the well, you must show:

1. The manner in which you are using the depicted plat by identifying section lines, i.e. 1 section, 1 section with 8 surrounding sections, 4 sections, etc.
2. The distance of the proposed drilling location from the section’s south / north and east / west.
3. The distance to the nearest lease or unit boundary line.
4. If proposed location is located within a prorated or spaced field a certificate of acreage attribution plat must be attached: (C0-7 for oil wells; CG-8 for gas wells).