NOTICE OF INTENT TO DRILL

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

For KCC Use: 5-3-04

Effective Date:

District #

SGA? Yes No

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

OPERATOR: License# 31191 Name: R & B OIL & GAS

Address: P. O. Box 195 Attica, Kansas 67009-0195

City/State/Zip: Contact Person: Randy Newberry Phone: 620/254-7251

CONTRACTOR: License# 5929

Name: DUKE DRILLING CO., INC.

Well Drilled For: Oil Gas OWWO Other

Well Class: Enh. Rec Infield Other

Type Equipment: X Mud Rotary X Air Rotary

X Gas X Storage Pool Ext.

OWO: X Disposal X Wildcat

Seismic: X # of Holes Other

If OWWO: old well information as follows:

Operator: 

Well Name: 

Original Completion Date: 

Original Total Depth: 

Directional, Deviated or Horizontal well? Yes X No

If Yes, true vertical depth:

Bottom Hole Location: 

KCC DKT #: 

RECEIVED KANSAS CORPORATION COMMISSION APR 1-5-2004

CONSERVATION DIVISION WICHITA, KS

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: 4/15/04 Signature of Operator or Agent: Title: Agent

Sally A. Byers

For KCC Use ONLY

API # 15 - 077-21481.00.00

Conductor pipe required: NONE feet

Minimum surface pipe required: 200 feet per Alt. 1

Approved by: 02/04/28.04

This authorization expires: 10/28/04

This authorization void if drilling not started within 6 months of effective 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: ________________________________
Lease: __________________________________
Well Number: ____________________________
Field: ___________________________________
Number of Acres attributable to well: ________
QTR / QTR / QTR of acreage: ____________

Location of Well: County: _______________________
feet from N / S Line of Section
feet from E / W Line of Section
Sec. ______ Twp. _______ S. R. ________
East _______ 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.)

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

HARPER COUNTY

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).
April 28, 2004

Mr. Randy Newberry
R & B Oil & Gas
PO Box 195
Attica, KS 67009-0195

Re: Drilling Pit Application
Dirks Lease Well No. 1
SW/4 Sec. 33-31S-09W
Harper County, Kansas

Dear Mr. Newberry:

District staff has inspected the above referenced location and has determined that the reserve 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 reserve pit as soon as the Hutchinson Salt section has been drilled through and displacement of the fluids into the reserve pit has occurred. The fluids should be removed again within 72 hours after drilling operations have ceased.

If production casing is set all completion fluids shall be removed on a daily basis.

The fluids should be taken to an authorized disposal well. Please call the District Office at (316) 337-6231 when the fluids have been removed. Also, please file the enclosed CDP-5, Surface Pond Waste Transfer, within 30 days of fluid removal.

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,

[Signature]

Kathleen Haynes
Environmental Protection and Remediation Department

cc: Doug Louis