For KCC Use: 8-16-04

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION
NOTICE OF INTENT TO DRILL

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

RECEIVED
AUG 12 2004
KCC WICHITA

Expected Spud Date: August 19, 2004

OPERATOR: License#: 33074
Name: Dart Cherokee Basin Operating Co, LLC
Address: 3541 County Rd 5400
City/State/Zip: Independence KS 67301
Contact Person: Tony Williams
Phone: 620-331-7870

CONTRACTOR: License#: 5675
Name: McPherson Drilling

Well Drilled For: [Oil, Gas, Storage, Qualitative, # of Holes, Other]
Well Class: [Infield, Pool Ext., Wildcat, Cable, Other]
Type: [Mud Rotary, Air Rotary, Other]

Spot:

662 FSL feet from N / S Line of Section
3300 FEL feet from E / W Line of Section

Is SECTION: [Regular, Irregular]
(Note: Locate well on the Section Plat on reverse side)

County: Wilson
Lease Name: Porter et al
Field Name: Cherokee Basin Coal Gas Area

Is this a Prorated / Spaced Field? [Yes / No]
Target Information(s): [Mississippian]
Nearest Lease or unit boundary: 660 Feet
Ground Surface Elevation: 973 Feet
Water well within one-quarter mile: [Yes / No]
Public water supply well within one mile: [Yes / No]
Depth to bottom of fresh water: 100 ft
Depth to bottom of usable water: 200 ft
Surface Pipe by Alternates: [1 / 2]
Length of Surface Pipe Planned to be set: 20 ft
Length of Conductor Pipe required: None
Projected Total Depth: 1506 Feet
Formation at Total Depth: Mississippian
Water Source for Drilling Operations: [Well, Farm Pond, Other]

DWR Permit #: [Note: Apply for Permit with DWR]
Will Cores be taken? [Yes / No]
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: August 9, 2004 Signature of Operator or Agent: Tony Williams Title: Sr Regulatory & Safety Compliance Specialist

For KCC Use ONLY

API #15 - 205-25 834/000
Conductor pipe required: None feet
Minimum surface pipe required: 20 feet per Alt.
Approved by: RPS 3.11.04
This authorization expires: 2-21-05
(This authorization void if drilling not started within 6 months of effective date.)
Spud date: 9-30-04

Mall to: KCC - Conservation Division, 130 S. Market - Room 2076, 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: Dart Cherokee Basin Operating Co. LLC
Lease: Porter et al
Well Number: D2-9
Field: Cherokee Basin Coal Gas Area
Number of Acres attributable to well: 40

QTR / QTR / QTR of acreage: N2 - SE - SW

Location of Well: County: Wilson
662 FSL feet from □ N / □ S Line of Section
3300 FEL feet from □ E / □ W Line of Section
Sec. 9 Twp. 30 S. R. 15E □ 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.

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).