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 4, 2004

OPERATOR: License# 33074 (9-30-05)
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 (6-30-05)
Name: McPherson Drilling

Well Drilled For: ____________________________ Well Class: ____________________________ Type Equipment:
[ ] Oil [ ] Enh Rec [ ] Infield [ ] Mud Rotary
[ ] Gas [ ] Storage [ ] Pool Ext. [ ] Air Rotary
[ ] OWI [ ] Disposal [ ] Wildcat [ ] Cable
[ ] Seismic: [ ] # of Holes [ ] Other
[ ] Other

If OWI: old well information as follows:
Operator:
Well Name:
Original Completion Date: ____________________________ Original Total Depth: ____________________________
Directional, Deviated or Horizontal wellbore? [ ] Yes [ ] No
If Yes, true vertical depth:
Bottom Hole Location:
KCC DKT #: ____________________________

Spot
C. SE. NW. Sec. 35 Twp. 33 S. R. 14E [ ] East
3300 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: Montgomery
Lease Name: Posey
Well #: B2-35
Field Name: Cherokee Basin Coal Gas Area
Is this a Prorated / Spaced Field? [ ] Yes [ ] No
Target Information(s): Mississippian
Nearest Lease or unit boundary: 475 feet
Ground Surface Elevation: 868 feet
Water well within one-quarter mile: [ ] Yes [ ] No
Public water supply well within one mile: [ ] Yes [ ] No
Depth to bottom of fresh water: 150 feet
Depth to bottom of usable water: 200 feet
Surface Pipe by Alternate: [ ] 1 [ ] 2
Length of Surface Pipe Planned to be set: 20 feet
Length of Conductor Pipe required: ____________________________
Projected Total Depth: 1667 feet
Formation at Total Depth: Mississippian
Water Source for Drilling Operations:
[ ] Well [ ] Farm Pond [ ] Other
DWR Permit #: ____________________________

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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: November 24, 2004
Signature of Operator or Agent: ____________________________________________
Title: Sr Regulatory & Safety Compliance Specialist

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: Dart Cherokee Basin Operating Co. LLC
Lease: Posey
Well Number: B2-35
Field: Cherokee Basin Coal Gas Area
Number of Acres attributable to well: 40
QTR / QTR / QTR of acreage: C - SE - NW

Location of Well: County: Montgomery
3300 FSL feet from N / √ S Line of Section
3300 FEL feet from √ E / W Line of Section
Sec. 35 Twp. 33 S. R. 14E √ 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.)

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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: (CG-7 for oil wells; CG-8 for gas wells).