NOTICE OF INTENT TO DRILL

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

Expected Spud Date: December 13, 2004

OPERATOR: License# 31191 (4305)
Name: R & B OIL & GAS
Address: P. O. Box 195
City/State/Zip: Attica, Kansas 67009-0195
Contact Person: Randy Newberry
Phone: 620/254-7731

CONTRACTOR: License# 5929 (6305)
Name: DUKE DRILLING CO., INC.

Well Drilled For: Oil
Well Class: Infill
Type Equipment: Mud Rotary

If OWWO: old well information as follows:
Operator:
Well Name:
Original Completion Date:
Original Total Depth:
Directional, Deviated or Horizontal wellbore?
Yes
No

Well Location:
KCC DKT #:

Spot

SW

N

S

Twp

Sec

R

feet from

E

W

Is SECTION Regular
Irregular

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

County:
Kingman

Field Name:
Alma

Is this a Prorated / Spaced Field?
Yes
No

Target Information:
Mississippi Chert

Nearest Lease or unit boundary:
330

Ground Surface Elevation:
est. 1680'

feet MSL

Public water supply well within one mile:
Yes
No

Depth to bottom of fresh water:
120'

Depth to bottom of usable water:
180'

Surface Pipe by Alternate:


Length of Surface Pipe Planned to be set:
200+

Length of Conductor Pipe required:
None

Projected Total Depth:
4500'

Formation at Total Depth:
Mississippi Chert

Water Source for Drilling Operations:
Well
Farm Pond
Other

DWR Permit #:

(Note: Apply for Permit with DWR)

Will Cores be taken?

Yes
No

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 surfce 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.

OUr 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:
11/30/04
Signature of Operator or Agent:
Sally R Bevans
Title:
Agent

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 of 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:

Mailing 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: ____________________________  Location of Well: County: ____________________________
Operator: ____________________________  Location feet from __ N / S Line of Section
Lease: ____________________________  Location feet from __ E / W Line of Section
Well Number: ____________________________  Sec. _______ Twp. _______ S. R. _______  __ East __ West
Field: ____________________________
Number of Acres attributable to well: ____________________________
QTR / QTR / QTR of acreage: _______ _______ _______

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.)

EXAMPLE

SEWARD CO.

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).
December 16, 2004

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

Re: Drilling Pit Application
    Henning Lease Well No. 1
    SW/4 35-30S-10W
    Kingman County, Kansas

Dear Mr. Newberry:

District staff has inspected the location and has determined that an unsealed condition will present a pollution threat to water resources.

District staff has instructed that no earthen pits are to be used at this location. Steel pits are to be used. Please inform the Commission in writing as to which disposal well you utilized to dispose of the contents in the steel pits and the amount of fluid that was disposed. The enclosed Exploration and Production Waste Transfer, form CDP-5, must be filed within 30 days of fluid transfer.

Should a haul-off pit be necessary, please complete the enclosed CDP-1. This location will have to be inspected prior to approval of the haul-off pit application.

Sincerely,

Jonelle Rains, Supervisor
Environmental Protection and Remediation Department

Cc: Doug Louis
    File