NOTICE OF INTENT TO DRILL

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

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

Exercised Spud Date: February 14, 2005

Property Name:

OPERATOR: License#: 33074
Name: Diamond Creek Basin Operating Co. LLC
Address: 3341 County Rd S4600
City/State/Zip: Independence KS 67301
Contact Person: Tony Williams
Phone: 520-331-7870

CONTRACTOR: License#: 5675
Name: McPherson Drilling

Well Drilled For:
- Oil
- Gas
- Water
- Oil Rec
- Gas Rec
- Water Rec
- Storage
- Disposal
- Without

Well Class:
- Wildcat
- Pad Drilling
- Air Rotary
- Other

Wildcat Rec

Well Rotary

Well Hole

No. of Holes

Other:

If OWO/100 old well information as follows:

Operator:
Name:
Well:
Original Completion Date:
Original Total Depth:
Directional, Deviated or horizontal well?
Yes/No
If Yes, true vertical depth:
Bottom Hole Location:
KCC DKT:

AFFIDAVIT

The undersigned hereby affirms that the drilling, completion and eventual plugging of this well shall 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 cementing 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 other plugged or production casing is cemented;
6. If an alternate II COMPLETION production pipe shall be conveyed to the nearest surface within 120 days of spud date.

Or pursuant to Appendix "B" - Eastern Kansas surface casing order #133,919-C, which applies to the KCC District 3 area, alternate II cementing must be completed within 38 days of the spud date or the well shall be plugged. In all cases, NOTFY 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: February 4, 2005
Signature of Operator or Agent:

Remember to:
- File Dril Pt Application (form COP-1) with Intent to Drill;
- File Completion Form ACO-1 within 120 days of spud date;
- File average attribution plz according to lease position; or;
- Submit plugging report (CP-2) after plugging is completed;
- Obtain written approval before disposing or injecting well water;
- If the permit has expired (see authorized expiration date) please check the box below and return to the address below.

Mail to: KCC - Conservation Division, 130 S. Market - Room 207, Wichita, Kansas 67202

RECEIVED
FEB 7, 2005

KCC WICHITA
**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: Fields
- Well Number: A3-36
- Field: Cherokee Basin Coal Gas Area

**Location of Well**
- County: Montgomery
- Location: 4620 FSL
- Last from: N / S Line of Section
- Sec: 36
- Twp: 34
- R. P. / SE / NE
- Line of Section
- East / West
- In Section: Regular or Irregular

If the 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. (CO-7 for oil wells; CO-8 for gas wells).