NOTICE OF INTENT TO DRILL

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

KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

Expected Spud Date: February 18, 2005

OPERATOR: Licensed 33076
Name: Earl Cherokee Basin Operating Co., LLC
Address: 3514 County Rd 5400
City/State/Zip: Independence KS 67301
Contact Person: Tony Williams
Phone: 620-331-7870

CONTRACTOR: Licensed 5975
Name: McPherson Drilling

Well Ordered For: Oil
Well Class: Mud Rotary
Type Equipt.: 200'x

If OWO, old well information as follows:

Operator:
Well Name:
Original Completion Date:
Original Total Depth:
Directional, Deviated or Horizontal well? Yes
Yes / No

If Yes, true vertical depth:
Bottom Hole Location:
KCC DKT #:

SW NW SE
9 30 158
1860 FSL
2200 FEL
W

West
East

Target Information:
Nearest Lease or unit boundary: 500 feet

Well water within one-quarter mile: 

Radio water supply well within one mile: 

Depth to bottom of fresh water: 

Surface Pipe by Alternate: 

Length of Surface Pipe Planned to be set: 

Formation at"top" depth:
Water Source for Drilling Operations: 

KCC - Conservation Division, 130 S. Market - Room 207B, Wichita, Kansas 67202

RECEIVED
FEB 09 2005
KCC WICHITA

FORM: O-1
December 31
Form must be typed
All blanks must be filled

January 2005

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 30-60-90 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 in below casing shoe within 120 days of spud date.

Or pursuant to Appendix 86 - Eastern Kansas Surface casing order #136891-C, which applies to the KCC District 9 area, alternate II cementing must be completed within 30 days of the spud date or the well must be plugged. In all cases, NOYDP discredits 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.

Day: February 8, 2005

Signature of Operator or Agent:

Remember to:

- File DRI Plt application (form CDP-5) withistrict to drill;
- File Completion Form ACM-1 within 120 days of spud date;
- File acreage attribution plot according to net oil/2nd interest;
- Notify appropriate district office 48 hours prior to workover or re-entry;
- Submit plugging report (CP-6) after plugging is completed;
- Obtain written approval before disposing or reusing salt water.

If this permit has expired (See authorized expiration dates) please check the box below and return to the address below.

Yes / No

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

For KCC Use Only
API # 15
Conductor pipe required: Yes
Minimum survey data required: 20 feet per Alt. 4

This authorization expires: 8-9-05

This authorization will not spiral until within 6 months of effective date.

Spud date: Agent:
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 relation 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: C3-9
Field: Cherokee Basin Coal Gas Area
Number of Acres attributable to well: 40
QTR / QTR / QTR of acreage: SW, NW, SE

Location of Well: County: Wilson
1880 FSL feet from R 5 E / W Line of Section
2200 FEL feet from R 5 E / W Line of Section
Sec. 9, Twp. 30, S, R. 15 E
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 acreage attributable 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. W 150 ft. Cw.

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.)