NOTICE OF INTENT TO DRILL

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

Expected Spud Date: October 5, 2005

OPERATOR: Licensee: 33074
Name: Dirty Cherokee Basin Operating Co., LLC
Address: 2-1/4 W. Myrtle
City/County: Independence KB 67301
Contact Person: Tony Williams
Phone: 820-318-7873

CONTRACTOR: Licensee: 5675
Name: McPherson Drilling

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API # 15
Conductor pipe required.
Minimum surface pipe required:
Approved

This authorization expires: (This authorization void if drilling not started within 6 months of issue date.)

Spud date: Agent

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<table>
<thead>
<tr>
<th>Well Class</th>
<th>Type Equipment</th>
<th>Water Source for Drilling Operations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil</td>
<td>Storage</td>
<td>Well (2)</td>
</tr>
<tr>
<td>Gas</td>
<td>Well</td>
<td>Farm Pond (2)</td>
</tr>
<tr>
<td>Oil</td>
<td>Well</td>
<td>Other</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Spot SW 4410 FSL</th>
<th>NE Sec 35</th>
<th>S 14E</th>
</tr>
</thead>
<tbody>
<tr>
<td>West</td>
<td>NE</td>
<td>East</td>
</tr>
</tbody>
</table>

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County: Wilson
Lease Number: H E Housel Trust
Field Name: Cherokee Basin Coal Gas Area
Is this a Prolated / Spaced Field?: Yes
Target Information (Mississippi):

- Nearest Lease or unit boundary: 570 feet
- Ground Surface Elevation: 817 feet
- Water well within one-quarter mile: Yes
- Public water supply well within one mile: No
- Ground Surface Pipe planned to be set: 401 AIN
- Water to bottom of drill hole: Yes
- Depth to bottom of drill hole: 1000 feet
- Surface Pipe by Alternate: 1 / 2
- Length of Surface Pipe planned to be set: 401 AIN
- Length of Conductor pipe required: 1000 feet
- Projected Total Depth: 1500 feet
- Formation at Total Depth (Mississippi): Wells

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DWR Permit #: (Apply for Permit with DWR)
Will Core be taken? Yes
If Yes, proposed zone: Other

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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 #135,891-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: September 23, 2005
Signature of Operator or Agent: [Signature]

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

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Remember to:
- File Dril Pi Application (form COP-1) with Intent to Drill;
- File Completion Form ACD-1 within 120 days of spud date;
- Follow water usage allotment of 100 acres as stated on lease/LM-3;
- Notify appropriate district office 48 hours prior to re-entry;
- Submit plugging report (CP-3) after plugging is completed;
- Obtain written approval before disposing or inactivating salt water.
- If this permit has expired (See: authorized expiration DJV) please check the box below and return to the address below.

[Check box] Well Not Drilled - Permit Expires
Signature of Operator or Agent: [Signature]
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
Operation: Dart Cherokee Basin Operating Co. LLC
Lease: H & E Houser Trust
Well Number: A4-35
Field: Cherokee Basin Coal Gas Area

Location of Well: County: Wilson
4410 FSL. feet from W N 750 FEL. feet from W S
Sec.: 35 Two 30 S r. 14E
W Line of Section
Is Section: □ Regular or □ Irregular
W Line of Section
If Section is Irregular, locate well from nearest corner boundary. Section corner used: □ NE □ NW □ SE □ SW

DTR / QTR / QTR of acreage: □ SW □ NE □ NE

NOTE: In all cases locate the spot of the proposed drilling location. (W) 112.5

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 line 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).