

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Application of HB Energy) Docket No. 25-CONS-3300-CWLE
LLC for Well Location Exceptions for Two)
Wells Upon the Gardner Holdings Lease) License No. 34817
Located in Section 28, Township 14 South,)
Range 22 East in Johnson County Kansas.) Conservation Division

AMENDED APPLICATION

HB Energy LLC, by and through its counsel, Keith A. Brock, Anderson & Byrd, LLP, hereby moves the Kansas Corporation Commission ("Commission") for well location exceptions for two wells upon the Gardner Holdings Lease located in Section 28, Township 14 South, Range 22 East in Johnson County, Kansas. In support of this Amended Application, HB Energy LLC states as follows:

1. HB Energy LLC is a Kansas limited liability company, with its correct mailing address being 3137 Virginia Road, Wellsville, Kansas 66092.

2. HB Energy LLC is the operator of the following oil and gas lease:

Gardner Holdings Lease

Lessor: Gardner Holdings, LLC

Lessee: Gardner Holdings, LLC

Date: December 4, 2008

Recorded: Book 200812, Page 00196

Covering: The Southwest Quarter of Section 28, Township 14, Range 22, Johnson County, Kansas, except that part in road, AND EXCEPT, a tract of land in the Southwest Quarter of Section 28, Township 14, Range 22, Johnson County, Kansas, described as follows:

Beginning at the Southeast corner of said Southwest Quarter; thence North 90 Degrees 00'00" West along the South Section Line of said Section 28, a distance of 1347.00 feet; thence North 00 Degrees 00'00" East, a distance of 433.00 feet; thence South 89 Degrees 45'56" East, a distance of 1345.05 feet to a point on the East line of the said Southwest Quarter; thence South 00 Degrees 15'39" East, along the said East line of the Southwest Quarter, a distance of 427.51 feet to the point of beginning, except that part in road.

(the "Lease").

3. HB Energy LLC desires to drill two oil wells upon the Lease, both of which will be drilled to total depths of less than 2,000 feet and will be located less than 165 feet from the nearest lease or unit boundary line (the "Planned Wells"). HB1 will be located approximately 4,880 feet from the East line of Section 28 and 70 feet from the South line of said Section. HB2 will be located approximately 4,430 feet from the East line of Section 28 and 70 feet from the South line of said Section.

4. K.A.R. 82-3-108(a) prescribes a 165' setback from any lease or unit boundary for any well drilled to a total depth of less than 2,000' in Johnson County, Kansas. K.A.R. 82-3-108(c) provides that a well location exception may be granted to permit drilling a well within the prescribed setback if necessary to prevent waste or to protect correlative rights.

6. HB Energy LLC requests a well location exception pursuant to K.A.R. 82-3-108(c) because HB Energy LLC desires to drill the Planned Wells at locations that are approximately 70' from the southern boundary line of the Subject Lease.

7. Drilling the Planned Wells at the proposed locations is necessary to prevent waste of the oil reserves. The drilling pattern places the existing producing wells too far from the southern lease boundary to adequately recover the reserves along said southern boundary line. Yet, there is insufficient room to add additional producers in order to recover said reserves without obtaining the well location exceptions requested herein. HB Energy LLC requests an order approving the location of the Planned Wells. Due to the nature and characteristics of the producing formation beneath the Lease and also the viscosity of the oil found therein, it is necessary for the Planned Wells to be drilled less than 165 feet from the nearest lease or unit boundary line in order to efficiently produce the oil reserves therefrom without committing undue waste. An exception to the well location restrictions in K.A.R. 82-3-108 is necessary in order for the Planned Wells to be in compliance with all applicable rules and regulations,

therefore HB Energy LLC requests an exception to said well location restrictions.

6. The granting of this Application will prevent waste and will not violate correlative rights.

7. The well locations for the Planned Wells are depicted on the maps accompanying this Amended Application and marked as **Exhibit A**.

9. There are no offset operators whose lease line is located less than the required distance from the proposed well locations.

10. The only unleased offset mineral owners whose property boundary is located less than the minimum distance required by K.A.R. 82-3-108(b) from the proposed well locations is, Gale Eugene Norris and Mary Kathleen Norris Rankin, as co-trustees of the Second Restated Declaration of Trust of Mayrene Norris, a/k/a Myrene Norris, dated November 28, 1998, made the 6th of August, 2014 and HB Energy LLC has consulted with such unleased mineral owner and they are not opposed to the granting of the Application.

11. HB Energy LLC does not operate any lease that will be situated less than the minimum distance required by K.A.R. 82-3-108(b) from the proposed well locations.

12. Each of the Existing Wells and the Planned Wells will have 2.5 acres attributable to said well.

13. HB Energy LLC requests and allowable of 100 bbls of oil per day from each of the Existing Wells and each of the Planned Wells.

14. The notices of intention to drill for the Planned Wells are attached hereto.

15. The accompanying documents required by K.A.R. 82-3-108(e) are enclosed herewith.

16. Notice of this Application for well location exceptions will be published once in both the *Wichita Eagle* newspaper and *The Legal Record* a newspaper in Johnson County, Kansas.

WHEREFORE, HB Energy LLC prays that the Application be docketed by the Commission and that, if no interested party files a timely and proper protest, the Commission enter an order administratively granting the Application and authorizing the drilling of the Subject Well at the location proposed and assigning it a full allowable without incurring the time and expense of an evidentiary hearing. In the event a valid protest is timely filed, Applicant requests that the Commission set the Application for hearing and, upon such hearing, grant the requested order, and afford such other and further relief as the Commission deems necessary and proper.




Keith A. Brock, #24130
ANDERSON & BYRD, LLP
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Ottawa, Kansas 66067
(785) 242-1234, telephone
(785) 242-1279, facsimile
kbrock@andersonbyrd.com
Attorneys for Applicant

VERIFICATION

STATE OF KANSAS
COUNTY OF FRANKLIN, ss:

Keith A. Brock, of lawful age, being first duly sworn on oath, states: That he is the attorney for the Applicant named above, and is duly authorized to make this affidavit; that he has read the foregoing Amended Application, knows the contents thereof; and that the facts set forth therein are true and correct to the best of his knowledge, information and belief.



Keith A. Brock

SUBSCRIBED AND SWORN to before me this 11th day of March, 2025.



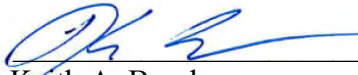


Notary Public

Appointment/Commission Expires:

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing Amended Application was sent via U.S. Mail, postage prepaid, this 11th day of March, 2025, addressed to: Gale Eugene Norris and Mary Kathleen Norris Rankin, as Co-Trustees of the Second Restated Declaration of Trust of Mayrene Norris dated November 28, 1998, made the 6th of August, 2014, 200 S. Montclair Dr., Olathe, KS 66061.



Keith A. Brock

EXHIBIT A

INTENTS
TO
DRILL

For KCC Use:
Effective Date: _____
District # 3
SGA? Yes No

DRAFT
KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

Form C-1
March 2010

Form must be Typed
Form must be Signed
All blanks must be Filled

NOTICE OF INTENT TO DRILL

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

Form KSONA-1, Certification of Compliance with the Kansas Surface Owner Notification Act, MUST be submitted with this form.

Expected Spud Date: 03/10/2025
month day year

OPERATOR: License# 34817
Name: HB Energy LLC
Address 1: 3137 VIRGINIA RD
Address 2: _____
City: WELLSVILLE State: KS Zip: 66092 + 9103
Contact Person: Isaac Burbank
Phone: 785-979-9493

CONTRACTOR: License# _____
Name: Advise on ACO-1 -- Must be licensed by KCC

Well Drilled For:	Well Class:	Type Equipment:
<input checked="" type="checkbox"/> Oil	<input type="checkbox"/> Enh Rec	<input checked="" type="checkbox"/> Mud Rotary
<input type="checkbox"/> Gas	<input type="checkbox"/> Storage	<input type="checkbox"/> Air Rotary
	<input type="checkbox"/> Disposal	<input type="checkbox"/> Cable
<input type="checkbox"/> Seismic ; _____ # of Holes	<input type="checkbox"/> Wildcat	
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other	
<input type="checkbox"/> If OWWO: 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 Description: _____
SE - SW - SW - SW Sec. 28 Twp. 14 S. R. 22 E W
(Q/Q/Q/Q) 70 feet from N / S Line of Section
4880 feet from E / W Line of Section

Is SECTION: Regular Irregular?

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

County: Johnson
Lease Name: Gardner Holdings Well #: HB1
Field Name: Gardner South

Is this a Prorated / Spaced Field? Yes No

Target Formation(s): Bartlesville

Nearest Lease or unit boundary line (in footage): 70

Ground Surface Elevation: 993 Estimated _____ feet MSL

Water well within one-quarter mile: Yes No

Public water supply well within one mile: Yes No

Depth to bottom of fresh water: 100

Depth to bottom of usable water: 300

Surface Pipe by Alternate: II

Length of Surface Pipe Planned to be set: 20

Length of Conductor Pipe (if any): _____

Projected Total Depth: 950

Formation at Total Depth: Bartlesville

Water Source for Drilling Operations:

Well Farm Pond Other: _____

DWR Permit #: _____

(Note: Apply for Permit with DWR)

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: _____ Signature of Operator or Agent: _____ Title: _____

For KCC Use ONLY

API # 15 - _____

Conductor pipe required _____ feet

Minimum surface pipe required _____ feet per ALT. I II

Approved by: _____

This authorization expires: _____
(This authorization void if drilling not started within 12 months of approval date.)

Spud date: _____ Agent: _____

Remember to:

- File Certification of Compliance with the Kansas Surface Owner Notification Act (KSONA-1) with Intent to Drill;
- 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 (within 60 days);
- Obtain written approval before disposing or injecting salt water.
- If well will not be drilled or permit has expired (See: authorized expiration date) please check the box below and return to the address below.

Well will not be drilled or Permit Expired Date: _____
Signature of Operator or Agent: _____

28 14 22 E W

For KCC Use ONLY

API # 15 - _____

IN ALL CASES PLOT THE INTENDED WELL ON THE PLAT BELOW

In all cases, please fully complete this side of the form. Include items 1 through 5 at the bottom of this page.

Operator: HB Energy LLC
 Lease: Gardner Holdings
 Well Number: HB1
 Field: Gardner South

Number of Acres attributable to well: _____
 QTR/QTR/QTR/QTR of acreage: SE - SW - SW - SW

Location of Well: County: Johnson
70 feet from N / S Line of Section
4880 feet from E / W Line of Section
 Sec. 28 Twp. 14 S. R. 22 E W

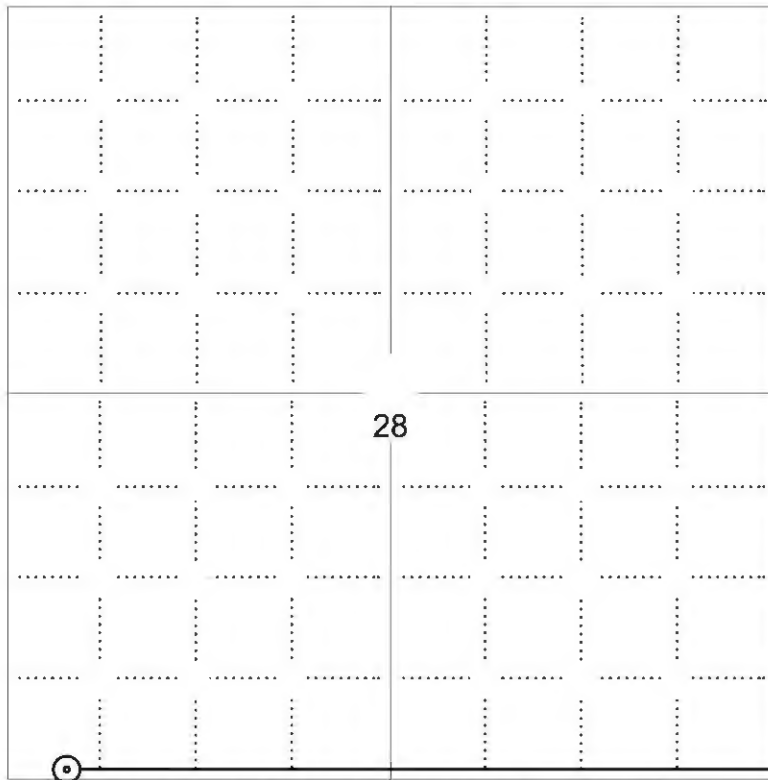
Is Section: Regular or Irregular

If Section is Irregular, locate well from nearest corner boundary.

Section corner used: NE NW SE SW

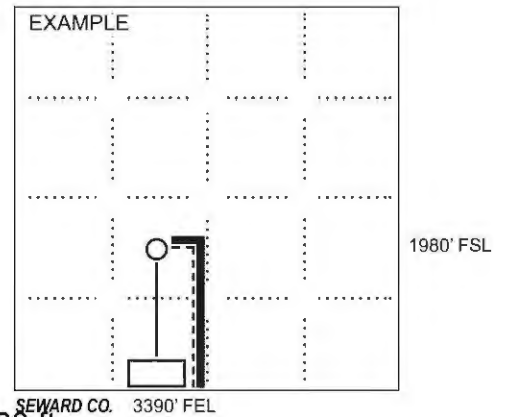
PLAT

Show location of the well. Show footage to the nearest lease or unit boundary line. Show the predicted locations of lease roads, tank batteries, pipelines and electrical lines, as required by the Kansas Surface Owner Notice Act (House Bill 2032). You may attach a separate plat if desired.



LEGEND

- Well Location
- Tank Battery Location
- Pipeline Location
- Electric Line Location
- Lease Road Location



NOTE: In all cases locate the spot of the proposed drilling location.

70 ft.

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 south / north and east / west outside section lines.
3. The distance to the nearest lease or unit boundary line (in footage).
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).
5. The predicted locations of lease roads, tank batteries, pipelines, and electrical lines.

DRAFT
 KANSAS CORPORATION COMMISSION
 OIL & GAS CONSERVATION DIVISION
APPLICATION FOR SURFACE PIT

Form CDP-1
 May 2010
Form must be Typed

Submit in Duplicate

Operator Name: HB Energy LLC		License Number: 34817	
Operator Address: 3137 VIRGINIA RD		WELLSVILLE KS 66092	
Contact Person: Isaac Burbank		Phone Number: 785-979-9493	
Lease Name & Well No.: Gardner Holdings HB1		Pit Location (QQQQ): SE - SW - SW - SW	
Type of Pit: <input type="checkbox"/> Emergency Pit <input type="checkbox"/> Burn Pit <input type="checkbox"/> Settling Pit <input checked="" type="checkbox"/> Drilling Pit <input type="checkbox"/> Workover Pit <input type="checkbox"/> Haul-Off Pit <i>(If WP Supply API No. or Year Drilled)</i>		Pit is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Existing If Existing, date constructed: _____ Pit capacity: 120 (bbls)	
Is the pit located in a Sensitive Ground Water Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Chloride concentration: _____ mg/l <i>(For Emergency Pits and Settling Pits only)</i>	
Is the bottom below ground level? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Artificial Liner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
How is the pit lined if a plastic liner is not used? Native Clay			
Pit dimensions (all but working pits): 14 Length (feet) 10 Width (feet) <input type="checkbox"/> N/A: Steel Pits Depth from ground level to deepest point: 5 (feet) <input type="checkbox"/> No Pit			
If the pit is lined give a brief description of the liner material, thickness and installation procedure.		Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring.	
Distance to nearest water well within one-mile of pit: 1254 feet Depth of water well 217 feet		Depth to shallowest fresh water 50 feet. Source of information: <input type="checkbox"/> measured <input type="checkbox"/> well owner <input type="checkbox"/> electric log <input checked="" type="checkbox"/> KDWR	
Emergency, Settling and Burn Pits ONLY: Producing Formation: _____ Number of producing wells on lease: _____ Barrels of fluid produced daily: _____ Does the slope from the tank battery allow all spilled fluids to flow into the pit? <input type="checkbox"/> Yes <input type="checkbox"/> No		Drilling, Workover and Haul-Off Pits ONLY: Type of material utilized in drilling/workover: Drilling Mud Number of working pits to be utilized: 2 Abandonment procedure: Remove fluids, backfill. Drill pits must be closed within 365 days of spud date.	
I hereby certify that the above statements are true and correct to the best of my knowledge and belief.			
_____ Date		_____ Signature of Applicant or Agent	

KCC OFFICE USE ONLY			
		<input type="checkbox"/> Liner <input type="checkbox"/> Steel Pit <input type="checkbox"/> RFAC <input type="checkbox"/> RFAS	
Date Received: _____	Permit Number: _____	Permit Date: _____	Lease Inspection: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

CERTIFICATION OF COMPLIANCE WITH THE KANSAS SURFACE OWNER NOTIFICATION ACT

This form must be submitted with all Forms C-1 (Notice of Intent to Drill); CB-1 (Cathodic Protection Borehole Intent); T-1 (Request for Change of Operator Transfer of Injection or Surface Pit Permit); and CP-1 (Well Plugging Application). Any such form submitted without an accompanying Form KSONA-1 will be returned.

Select the corresponding form being filed: C-1 (Intent) CB-1 (Cathodic Protection Borehole Intent) T-1 (Transfer) CP-1 (Plugging Application)

OPERATOR: License # 34817
Name: HB Energy LLC
Address 1: 3137 VIRGINIA RD
Address 2: _____
City: WELLSVILLE State: KS Zip: 66092 + 9103
Contact Person: Isaac Burbank
Phone: (785) 979-9493 Fax: (_____) _____
Email Address: _____

Well Location:
SE SW SW SW Sec. 28 Twp. 14 S. R. 22 East West
County: Johnson
Lease Name: Gardner Holdings Well #: HB1

If filing a Form T-1 for multiple wells on a lease, enter the legal description of the lease below:

Surface Owner Information:

Name: Sonleo LLC
Address 1: 125 North Market St
Address 2: Suite 1250
City: Wichita State: KS Zip: 67202 + _____

When filing a Form T-1 involving multiple surface owners, attach an additional sheet listing all of the information to the left for each surface owner. Surface owner information can be found in the records of the register of deeds for the county, and in the real estate property tax records of the county treasurer.

If this form is being submitted with a Form C-1 (Intent) or CB-1 (Cathodic Protection Borehole Intent), you must supply the surface owners and the KCC with a plat showing the predicted locations of lease roads, tank batteries, pipelines, and electrical lines. The locations shown on the plat are preliminary non-binding estimates. The locations may be entered on the Form C-1 plat, Form CB-1 plat, or a separate plat may be submitted.

Select one of the following:

- I certify that, pursuant to the Kansas Surface Owner Notice Act (see Chapter 55 of the Kansas Statutes Annotated), I have provided the following to the surface owner(s) of the land upon which the subject well is or will be located: 1) a copy of the Form C-1, Form CB-1, Form T-1, or Form CP-1 that I am filing in connection with this form; 2) if the form being filed is a Form C-1 or Form CB-1, the plat(s) required by this form; and 3) my operator name, address, phone number, fax, and email address.
- I have not provided this information to the surface owner(s). I acknowledge that, because I have not provided this information, the KCC will be required to send this information to the surface owner(s). To mitigate the additional cost of the KCC performing this task, I acknowledge that I must provide the name and address of the surface owner by filling out the top section of this form and that I am being charged a \$30.00 handling fee, payable to the KCC, which is enclosed with this form.

If choosing the second option, submit payment of the \$30.00 handling fee with this form. If the fee is not received with this form, the KSONA-1 form and the associated Form C-1, Form CB-1, Form T-1, or Form CP-1 will be returned.

I hereby certify that the statements made herein are true and correct to the best of my knowledge and belief.

Date: _____ Signature of Operator or Agent: _____ Title: _____



For KCC Use:
Effective Date: _____
District # 3
SGA? Yes No

DRAFT
KANSAS CORPORATION COMMISSION
OIL & GAS CONSERVATION DIVISION

Form C-1
March 2010

Form must be Typed
Form must be Signed
All blanks must be Filled

NOTICE OF INTENT TO DRILL

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

Form KSONA-1, Certification of Compliance with the Kansas Surface Owner Notification Act, MUST be submitted with this form.

Expected Spud Date: 03/12/2025
month day year

OPERATOR: License# 34817
Name: HB Energy LLC
Address 1: 3137 VIRGINIA RD
Address 2: _____
City: WELLSVILLE State: KS Zip: 66092 + 9103
Contact Person: Isaac Burbank
Phone: 785-979-9493

CONTRACTOR: License# _____
Name: Advise on ACO-1 -- Must be licensed by KCC

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

If OWWO: 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 Description: _____
SW - SE - SW - SW Sec. 28 Twp. 14 S. R. 22 E W
(Q/Q/Q/Q) 70 feet from N / S Line of Section
4430 feet from E / W Line of Section

Is SECTION: Regular Irregular?

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

County: Johnson
Lease Name: Gardner Holdings Well #: HB2
Field Name: Gardner South

Is this a Prorated / Spaced Field? Yes No

Target Formation(s): Bartlesville

Nearest Lease or unit boundary line (in footage): 70

Ground Surface Elevation: 1008 Estimated _____ feet MSL

Water well within one-quarter mile: Yes No

Public water supply well within one mile: Yes No

Depth to bottom of fresh water: 100

Depth to bottom of usable water: 300

Surface Pipe by Alternate: II

Length of Surface Pipe Planned to be set: 20

Length of Conductor Pipe (if any): _____

Projected Total Depth: 950

Formation at Total Depth: Bartlesville

Water Source for Drilling Operations: Well Farm Pond Other: _____

DWR Permit #: _____

(Note: Apply for Permit with DWR)

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: _____ Signature of Operator or Agent: _____ Title: _____

For KCC Use ONLY
API # 15 - _____
Conductor pipe required _____ feet
Minimum surface pipe required _____ feet per ALT. I II
Approved by: _____
This authorization expires: _____
(This authorization void if drilling not started within 12 months of approval date.)
Spud date: _____ Agent: _____

Remember to:

- File Certification of Compliance with the Kansas Surface Owner Notification Act (KSONA-1) with Intent to Drill;
- 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 (within 60 days);
- Obtain written approval before disposing or injecting salt water.
- If well will not be drilled or permit has expired (See: authorized expiration date) please check the box below and return to the address below.

Well will not be drilled or Permit Expired Date: _____
Signature of Operator or Agent: _____

28
14
22
 E W

For KCC Use ONLY

API # 15 - _____

IN ALL CASES PLOT THE INTENDED WELL ON THE PLAT BELOW

In all cases, please fully complete this side of the form. Include items 1 through 5 at the bottom of this page.

Operator: HB Energy LLC
 Lease: Gardner Holdings
 Well Number: HB2
 Field: Gardner South

Number of Acres attributable to well: _____
 QTR/QTR/QTR/QTR of acreage: SW - SE - SW - SW

Location of Well: County: Johnson
70 feet from N / S Line of Section
4430 feet from E / W Line of Section
 Sec. 28 Twp. 14 S. R. 22 E W

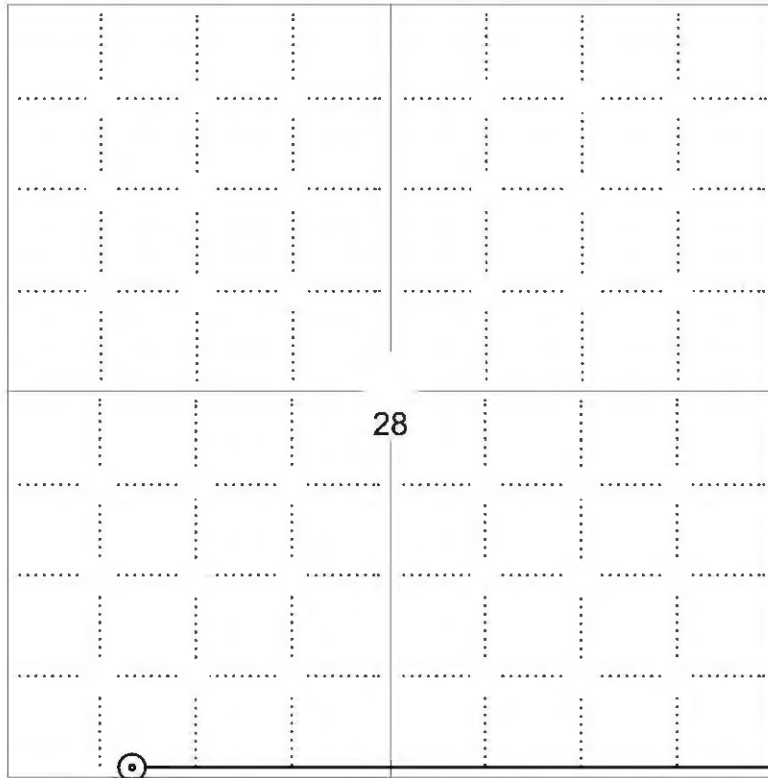
Is Section: Regular or Irregular

If Section is Irregular, locate well from nearest corner boundary.

Section corner used: NE NW SE SW

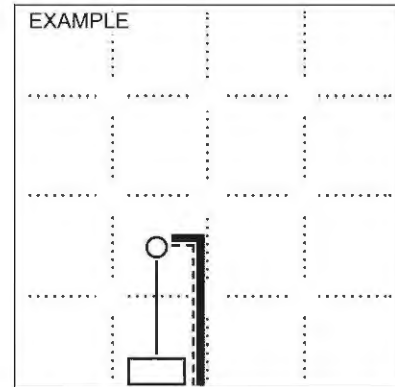
PLAT

Show location of the well. Show footage to the nearest lease or unit boundary line. Show the predicted locations of lease roads, tank batteries, pipelines and electrical lines, as required by the Kansas Surface Owner Notice Act (House Bill 2032). You may attach a separate plat if desired.



LEGEND

- Well Location
- Tank Battery Location
- Pipeline Location
- Electric Line Location
- Lease Road Location



NOTE: In all cases locate the spot of the proposed drilling location.

70 ft.

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 south / north and east / west outside section lines.
3. The distance to the nearest lease or unit boundary line (in footage).
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).
5. The predicted locations of lease roads, tank batteries, pipelines, and electrical lines.

DRAFT
 KANSAS CORPORATION COMMISSION
 OIL & GAS CONSERVATION DIVISION
APPLICATION FOR SURFACE PIT

Form CDP-1
 May 2010
Form must be Typed

Submit in Duplicate

Operator Name: HB Energy LLC		License Number: 34817
Operator Address: 3137 VIRGINIA RD		WELLSVILLE KS 66092
Contact Person: Isaac Burbank		Phone Number: 785-979-9493
Lease Name & Well No.: Gardner Holdings HB2		Pit Location (QQQQ): SW - SE - SW - SW
Type of Pit: <input type="checkbox"/> Emergency Pit <input type="checkbox"/> Burn Pit <input type="checkbox"/> Settling Pit <input checked="" type="checkbox"/> Drilling Pit <input type="checkbox"/> Workover Pit <input type="checkbox"/> Haul-Off Pit <i>(If WP Supply API No. or Year Drilled)</i>	Pit is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Existing If Existing, date constructed: _____ Pit capacity: 120 (bbls)	Sec. 28 Twp. 14 R. 22 <input checked="" type="checkbox"/> East <input type="checkbox"/> West _____ Feet from <input type="checkbox"/> North / <input checked="" type="checkbox"/> South Line of Section 4430 Feet from <input checked="" type="checkbox"/> East / <input type="checkbox"/> West Line of Section Johnson County
Is the pit located in a Sensitive Ground Water Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Chloride concentration: _____ mg/l <i>(For Emergency Pits and Settling Pits only)</i>
Is the bottom below ground level? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Artificial Liner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	How is the pit lined if a plastic liner is not used? Native Clay
Pit dimensions (all but working pits): 14 Length (feet) 10 Width (feet) <input type="checkbox"/> N/A: Steel Pits Depth from ground level to deepest point: 5 (feet) <input type="checkbox"/> No Pit		
If the pit is lined give a brief description of the liner material, thickness and installation procedure.		Describe procedures for periodic maintenance and determining liner integrity, including any special monitoring.
Distance to nearest water well within one-mile of pit: 1538 feet Depth of water well 217 feet		Depth to shallowest fresh water 50 feet. Source of information: <input type="checkbox"/> measured <input type="checkbox"/> well owner <input type="checkbox"/> electric log <input checked="" type="checkbox"/> KDWR
Emergency, Settling and Burn Pits ONLY: Producing Formation: _____ Number of producing wells on lease: _____ Barrels of fluid produced daily: _____ Does the slope from the tank battery allow all spilled fluids to flow into the pit? <input type="checkbox"/> Yes <input type="checkbox"/> No		Drilling, Workover and Haul-Off Pits ONLY: Type of material utilized in drilling/workover: Drilling Mud Number of working pits to be utilized: 2 Abandonment procedure: Remove fluids, backfill. _____ Drill pits must be closed within 365 days of spud date.
I hereby certify that the above statements are true and correct to the best of my knowledge and belief.		
_____ Date		_____ Signature of Applicant or Agent

KCC OFFICE USE ONLY					
		<input type="checkbox"/> Liner	<input type="checkbox"/> Steel Pit	<input type="checkbox"/> RFAC	<input type="checkbox"/> RFAS
Date Received: _____	Permit Number: _____	Permit Date: _____	Lease Inspection: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**CERTIFICATION OF COMPLIANCE WITH THE
KANSAS SURFACE OWNER NOTIFICATION ACT**

This form must be submitted with all Forms C-1 (Notice of Intent to Drill); CB-1 (Cathodic Protection Borehole Intent); T-1 (Request for Change of Operator Transfer of Injection or Surface Pit Permit); and CP-1 (Well Plugging Application). Any such form submitted without an accompanying Form KSONA-1 will be returned.

Select the corresponding form being filed: C-1 (Intent) CB-1 (Cathodic Protection Borehole Intent) T-1 (Transfer) CP-1 (Plugging Application)

OPERATOR: License # 34817
Name: HB Energy LLC
Address 1: 3137 VIRGINIA RD
Address 2: _____
City: WELLSVILLE State: KS Zip: 66092 + 9103
Contact Person: Isaac Burbank
Phone: (785) 979-9493 Fax: (_____) _____
Email Address: _____

Well Location:
SW SE SW SW Sec. 28 Twp. 14 S. R. 22 East West
County: Johnson
Lease Name: Gardner Holdings Well #: HB2

If filing a Form T-1 for multiple wells on a lease, enter the legal description of the lease below:

Surface Owner Information:

Name: Sonleo LLC
Address 1: 125 North Market St
Address 2: Suite 1250
City: Wichita State: KS Zip: 67202 + _____

When filing a Form T-1 involving multiple surface owners, attach an additional sheet listing all of the information to the left for each surface owner. Surface owner information can be found in the records of the register of deeds for the county, and in the real estate property tax records of the county treasurer.

If this form is being submitted with a Form C-1 (Intent) or CB-1 (Cathodic Protection Borehole Intent), you must supply the surface owners and the KCC with a plat showing the predicted locations of lease roads, tank batteries, pipelines, and electrical lines. The locations shown on the plat are preliminary non-binding estimates. The locations may be entered on the Form C-1 plat, Form CB-1 plat, or a separate plat may be submitted.

Select one of the following:

- I certify that, pursuant to the Kansas Surface Owner Notice Act (see Chapter 55 of the Kansas Statutes Annotated), I have provided the following to the surface owner(s) of the land upon which the subject well is or will be located: 1) a copy of the Form C-1, Form CB-1, Form T-1, or Form CP-1 that I am filing in connection with this form; 2) if the form being filed is a Form C-1 or Form CB-1, the plat(s) required by this form; and 3) my operator name, address, phone number, fax, and email address.
- I have not provided this information to the surface owner(s). I acknowledge that, because I have not provided this information, the KCC will be required to send this information to the surface owner(s). To mitigate the additional cost of the KCC performing this task, I acknowledge that I must provide the name and address of the surface owner by filling out the top section of this form and that I am being charged a \$30.00 handling fee, payable to the KCC, which is enclosed with this form.

If choosing the second option, submit payment of the \$30.00 handling fee with this form. If the fee is not received with this form, the KSONA-1 form and the associated Form C-1, Form CB-1, Form T-1, or Form CP-1 will be returned.

I hereby certify that the statements made herein are true and correct to the best of my knowledge and belief.

Date: _____ Signature of Operator or Agent: _____ Title: _____

