



April 20, 2009

CERTIFIED MAIL

Dust & Dirt Excavating LLC  
699 N 1<sup>st</sup> Ave  
Greeley, CO 80631-9536

Re: Notice of Intent to Conduct Surface Operations  
DERR 17-4 DERR 21-4 DERR 34-4  
Township 05N, Range 65W  
Section 4, SE/4NE/4  
Weld County, Colorado

Gentlemen:

The Colorado Oil and Gas Conservation Commission ("COGCC") has adopted guidelines and procedures regarding oil and gas activities affecting the surface. These rules stipulate that an affected surface owner must be given advance notice in writing by an operator at least thirty (30) days prior to drilling an oil and gas well.

Kerr-McGee Oil and Gas OnShore LP ("KMG") intends to begin operations to drill the above captioned oil and gas well(s) upon approval of title, receipt of permits from the COGCC prior to April 30, 2010. As the surface owner, it is your responsibility to notify the tenant farmer, if applicable, of this proposed operation.

A site diagram of the proposed location of the well and any associated roads and production facilities is enclosed. Should you have any questions and/or concerns, please contact me at (303) 655-4350 or my cell at (970) 590-6249.

Very truly yours,  
**KERR-McGEE OIL AND GAS ONSHORE LP**

A handwritten signature in black ink that reads 'David Bell'.

David Bell  
Landman

I/we waive the 30 day notice referenced above and approve of the operations commencing upon KMG's receipt of the drilling permit.

\_\_\_\_\_  
:cl  
Enclosures

| SENDER: COMPLETE THIS SECTION  |  | COMPLETE THIS SECTION ON DELIVERY  |                            |
|--|--|--|----------------------------|
| <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> |  | <p>A. Signature<br/> X <i>Doug Derr</i> <span style="float: right;"><input type="checkbox"/> Agent<br/><input type="checkbox"/> Addressee</span></p>   |                            |
| <p>1. Article Addressed to:</p> <p>Dust &amp; Dirt Excavating LLC<br/> 699 N 1<sup>st</sup> Ave<br/> Greeley, CO 80631-9536</p>  |  | <p>B. Received by (Printed Name)<br/> <i>Doug Derr</i></p>   | <p>C. Date of Delivery</p> |
|  |  | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br/> If YES, enter delivery address below: <input type="checkbox"/> No</p>   |                            |
|  |  | <p>3. Service Type<br/> <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail<br/> <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise<br/> <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> |                            |
|  |  | <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>  |                            |
| <p>2. Article Number<br/> (Transfer from service label)</p>  |  | <p>7008 2810 0000 6598 2093</p>  |                            |
| PS Form 3811, February 2004  |  | Domestic Return Receipt  |                            |
|  |  | 102595-02-M-1540   |                            |

| U.S. Postal Service <sup>TM</sup>  |  |
|--|--|
| CERTIFIED MAIL <sup>TM</sup> RECEIPT   |  |
| (Domestic Mail Only; No Insurance Coverage Provided)   |  |
| For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a> |  |
| OFFICIAL USE   |  |
| Postage \$   | <p><i>Anna</i></p> <p>Postmark Here</p> <p>APR 21 2008</p> <p>GREELY DIRT EXCAVATING LLC</p> |
| Certified Fee  |  |
| Return Receipt Fee (Endorsement Required)  |  |
| Restricted Delivery Fee (Endorsement Required)   |  |
| Total Postage  |  |
| Sent To  | Dust & Dirt Excavating LLC   |
| Street, Apt. No., or PO Box No.  | 699 N 1 <sup>st</sup> Ave  |
| City, State, ZIP+  | Greeley, CO 80631-9536   |
| PS Form 3800, August 2006  |  |
| See Reverse for Instructions   |  |

7008 2810 0000 6598 2093