



waiver

Diversified Operating Corporation
15000 West 6th Ave. Suite 102
Golden, CO 80401
303-384-9611 Phone
303-384-9612 Fax



September 28, 2009

RE: Waiver to Rule 305.d.(1) and (2)
Form 2 Chalk 31-13
Location: SWSW, Section 31, T8N, R59W, 6th P.M.
Weld County, Colorado

Mr. Barker:

Please be advised that Diversified Operating Corporation has a lease obligation associated with the subject wells. In an effort to expedite the approval of the subject Form 2A and Form 2's we respectfully request that you waive your rights under Rule 305.d.(1) and (2). The aforementioned rule gives a "party with standing" the right to receive immediate notice of the Director's decision on Form 2A and/or Form 2 and any conditions of approval and gives the party ten (10) days to object to the Director's decision and request a hearing before the Commission. Specifically, the rule provides in part:

Pursuant to COGCC Rule 305.d.(1), "Upon making a decision on an Application for Permit-to-Drill, Form 2, or Oil and Gas Location Assessment, Form 2A, the Director shall promptly provide notification of the decision and any conditions of approval to the operator and to any party with standing to request a hearing before the Commission pursuant to Rule 503.b, unless such party has waived in writing its right to such notice and the Director has been provided a copy of such waiver." (Emphasis added)

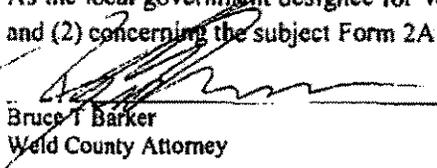
In June of 2009, you were provided with a copy of the subject permit application and attachments for your review and did not file any comments with the COGCC concerning the same. We would appreciate your consent to such waiver by executing this letter in the space provided below and faxing a copy of it to my attention at (303) 384-9612.

If you have any questions, please call me at (303) 383-9611.

Regards,

Bill Warburton
Petroleum Engineer

As the local government designee for Weld, Colorado, I hereby waive the designee's rights under Rule 305.d. (1) and (2) concerning the subject Form 2A and Form 2's.


Bruce T. Barker
Weld County Attorney

9/28/09
Date



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OPERATOR'S WAIVER TO RULE 305.d.(1) and (2)

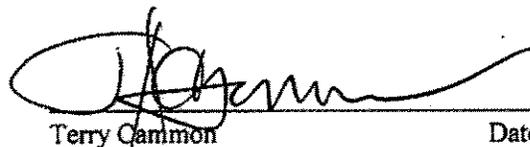
RE: Waiver to Rule 305.d.(1) and (2)
Form 2- Chalk 31-13
Location: SWSW, Section 31, T8N, R59W, 6th P.M.
Weld County, Colorado

Director:

Please be advised that Diversified Operating Corporation, as operator, waive our rights under Rule 305.d.(1) and (2). The aforementioned rule gives a "party with standing" the right to receive immediate notice of the Director's decision on Form 2A and/or Form 2 and any conditions of approval and gives the party ten (10) days to object to the Director's decision and request a hearing before the Commission. Specifically, the rule provides in part:

Pursuant to COGCC Rule 305.d.(1), "Upon making a decision on an Application for Permit-to-Drill, Form 2, or Oil and Gas Location Assessment, Form 2A, the Director shall promptly provide notification of the decision and any conditions of approval to the operator and to any party with standing to request a hearing before the Commission pursuant to Rule 503.b, unless such party has waived in writing its right to such notice and the Director has been provided a copy of such waiver." (Emphasis added)

As President of Diversified Operating Corporation, I hereby waive Diversified's rights under Rule 305.d.(1) and (2) concerning the subject Form 2A and Form 2's.

 9/25/2009
Terry Cannon Date

President