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December 9, 2009

Colorado Oil and Gas Conservation Commission
The Chancery Building
1120 Lincoln Street, Suite 801
Denver, CO 80203

Attn: Mr. David Neslin, Director

RE: **Request to the Director for 318A.a Surface Location Exception (Outside 318A Drilling Window)**
Berry P08-28D
Codell/Niobrara/J Sand New Drill
Township 3 North, Range 67 West, 6th P.M.
Section 8: NE/NW/4: 447' FNL & 2066' FWL (Surface Location)
Weld County, Colorado

Mr. Neslin:

Noble Energy Inc. (NEI) is planning to drill the above mentioned well to the Codell/Niobrara/ J Sand formations

The surface location of NEI's proposed well has been staked outside of the 318Aa drilling window. The location is being permitted as an exception location. NEI has obtained written permission contained in a consent letter from the surface owner.

Thank you for your attention to the enclosed. Noble respectfully requests that the COGCC review the enclosed information and approve the requested exception location waivers and Application for Permit to Drill the captioned well.

Respectfully,

A handwritten signature in blue ink that reads 'Mari Clark'.

Mari Clark
Regulatory Analyst II
Noble Energy Inc.