

TO: Kerr McGee

I understand the Colorado Oil and Gas Commission has proposed two specific conditions of approval for the Oil and Gas Location Assessment (Form 2A) for operations by Kerr McGee on our property. For the location Frico 33-11, the specific conditions are as follows:

- No surface occupancy or construction within 0.25 mile of any active bald eagle winter night roost site, where there is no direct line of sight to the roost, between December 1 and February 28 and within 0.5 mile of any active bald eagle winter night roost site, where there is a direct line of sight to the roost, between December 1 and February 28.
- Within 0.5 mile of any active bald eagle winter roost site from November 15 to March 15, periodic visits such as maintenance and monitoring work within the buffer zone should be restricted to the period between 10:00 a.m. and 2:00 p.m. Minor workover or swabbing to improve production that could be completed within a 2-day time frame would be allowed.

I consent to these conditions being included.

Sincerely,

Manuel Montoya, General Manager

(Frico surface land owner)