

K.P. KAUFFMAN COMPANY, INC.

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Camenisch #9-32-40R



November 20, 2009

Phillip E. Camenisch
P.O. Box 561
Johnstown, CO 80534

Re: Waiver of Rule 603.a. (2), Statewide Setbacks, Drilling and Well Servicing Operations and High Density Area Rule

Dear Mr. Camenisch,

Our records indicate that Phillip E. Camenisch is surface owner of the lands located 1858 FSL, 691 FEL in the NESE Section 32, Township 4 North, Range 67 West, 6th PM, Weld County, Colorado. Per our discussions, the Well location is currently staked 72.75' from the property line of your northern property tract in E/2 section 32-T4N-R67W. Our records indicate you also own the southern property tract in E/2 section 32-T4N-R67W. As the well is a 318Ae well twinned from an existing well (KPK's Camenisch #32-9, API # 05-123-23579) and KPK is unable to meet the minimum statewide setback requirement at the current location without significantly changing the planned drilling location, KPK hereby requests a waiver from you regarding the proposed well location.

By signing below, you grant K.P. Kauffman Company, Inc. an exception by the surface owner to Rule 603a.(2), allowing this surface location to be within 150 feet of the property line on your land in the SE/4, Section 32, Township 4 North, Range 67 West, 6th P.M., Weld County, Colorado, formerly the Camenisch #9-32-40 location.

Thank you for your attention to this matter. Should there be any questions, please contact me at 303-825-4822 ext. 105.

Best Regards,

Jason Lilley, CPL

By: Phillip Camenisch

Date