

TC Operating LLC
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June 3, 2010

Mr. Randy Price
Mesa County Planning and Development
750 Main Street
P.O. Box 20,000
Grand Junction, Colorado 81502

Re: Waiver to COGCC Rule 305
20 Day Comment Period

Dear Mr. Price:

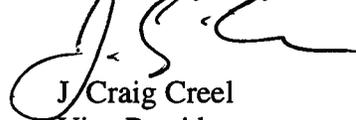
TC Operating LLC herein requests a waiver from Mesa County, to COGCC Rule 305.c (copy attached hereto) to allow us to immediately drill a 2,400' test well at the Goodwin Services disposal site (see attached survey plat of precise location). We have filed Forms 2 and 2A with the COGCC for the drilling of this well.

We require this waiver to allow us to contract with a drilling rig, Capstone #11, that is drilling for Fram in the adjacent Federal Unit, before the rig is to be moved back to Wyoming mid-month. The Capstone rig is the only one we have been able to locate in the vicinity capable of drilling and setting pipe in this test well.

By signing hereto, in the signature block provided below, please acknowledge the approval of Mesa County, to our request to waive the 20 day notice period prescribed under Rule 305 of the Colorado Oil and Gas Conservation Commission.

Thank you for your assistance in this matter.

Yours very truly,


J. Craig Creel
Vice President

Accepted and Approved

By: , LGD For Mesa County

On behalf of Mesa County, Colorado