



BAYSWATER
EXPLORATION & PRODUCTION, LLC

August 26, 2010

Russell and Bonnie Heppner
97808 CR 53
Eaton, CO 80615

RE: Minimum Distance Waiver
NW Section 28, T7N R64W
Well Name: Rich 4-28
Surface Location 661 ENL 658 RWL

Dear Russell and Bonnie,

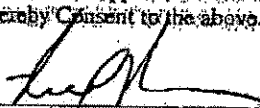
The proposed surface location for the well captioned above is within 127 feet of your property line which divides your property from property owned by Ronald, Kevin, and Amy Rich. This is less than the 150 foot minimum distance requirement as established by the Colorado Oil and Gas Commission, and pursuant to rule 603, a consent waiver must be signed the encroached upon surface owner.

I respectfully request your signed consent to locate the Rich 4-28 within 127 feet of your property line in the NW of Section 28, T7N R64W.

Ben Schuessler
Bayswater Exploration & Production, LLC

Russell and Bonnie Heppner, as surface owners of a parcel in the NW of Section 28, T7N R64W, Weld County, Colorado hereby Consent to the above.

Signed


Russell Heppner


Bonnie Heppner

Date

8-26-10