

April 26, 2011

Mr. and Mrs. Neil
262 C.R. 515
Ignacio, Colorado 81137

Re: Request for Waiver
Colorado Oil and Gas Conservation Commission Regulations
La Plata County Parcel No. 590323300640
Witt GU 34-23 #2 and #4
Property location: A tract of land lying within the NE/4SW/4 of Section 23, T34N-R8W, N.M.P.M., more fully described in Deed recorded at Reception No. 845871 and Recorded in the office of Clerk and Recorder, La Plata County

Dear Mr. and Mrs. Neil:

On behalf of BP America Production Company ("BP") please be advised that BP is proposing to drill the above referenced wells at a location that is on a tract of land owned by Fern Thompson. The Colorado Oil and Gas Conservation Commission ("COGCC") Rule 603.a(2) requires a setback of 150 feet from the wellhead to the closest property line.


The Witt GU 34-23 #2 and #4 proposed by BP violates Rule 603a(2) by approximately 50 feet because the wellheads will be approximately 100 feet south of your property line. As the property owner of the encroached upon property line, BP requests that you sign the waiver below which acknowledges that you understand the encroachment of 50 feet upon your property line and are waiving your rights under Rule 603a(2) as it pertains to the captioned wells. If you agree to this request, please sign the waiver below. If you have any questions or concerns, please contact BP's representative, Roland Mora at (970) 426-9358.

Sincerely,

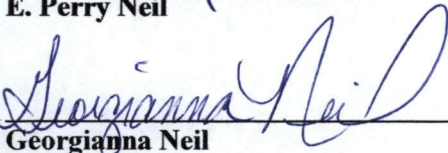


Roland Mora
For BP America Production Company

We, E. Perry Neil and Georgianna Neil, hereby understand that BP's proposed surface location of the Witt GU 34-23 #2 and #4 Wells encroach upon our property line by approximately 50 feet and hereby grant a waiver of the Colorado Oil and Gas Conservation Commission 150 foot set back requirement from wellhead to property line [Rule 603.a(2)] for the proposed surface location of the Witt GU 34-23#2 and #4 wells.


E. Perry Neil

Date: 4/26/11


Georgianna Neil

Date: 4/26/11