



AFFIDAVIT OF CONSENT

STATE OF Colorado )  
COUNTY OF DOLORES ) ss.

Brett R. Johnson and Louise M. Johnson-, affiant, of lawful age and being first duly sworn, upon their oath deposes and says:

That we are the surface property owners of a tract of land located in Dolores County, Colorado, to wit:

That part of Tract 71 lying in the NW1/4 of section 10, Township 40 North, Range 18 West, N.M.P.M., Dolores County, State of Colorado (the "Property").

That, affiant has been informed that Kinder Morgan is proposing to drill the Doe Canyon #12 Well upon the property adjacent to and south- of our Property, at a surface location which is 1366 feet from the north line and 2042 feet from the west line of Section 10, Township 40 North, Range 18 West, N.M.P.M., Dolores County, Colorado.

That, the Colorado Oil & Gas Conservation Commission Rules & Regulations, Section 603, set forth the following, (a) Statewide setbacks:

- (2) A well shall be a minimum distance of one hundred fifty (150) feet from a surface property line.

That, the Doe Canyon #12 Wellhead is located less than one hundred fifty (150) feet from the Property surface line.

Now therefore, affiant, as the affected surface Property owner, hereby voluntarily consents to the location set forth above in an effort of reducing impacts on farming operations.

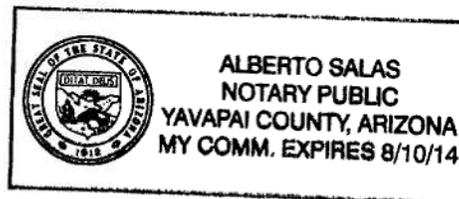
Brett R. Johnson

Louise M. Johnson  
Louise M. Johnson

STATE OF ARIZONA )  
~~Colorado~~

) ss.

COUNTY OF YAVAPAI )



Subscribed and sworn to before me this 5 day of JANUARY, 2012,  
by ~~Brett R. Johnson~~ and Louise M. Johnson.

WITNESS my hand and official seal.

My commission expires: 8-10-14

Alberto Salas



12/13/2012

To: Dolores County LGD

Re: Request for rule 603.(a)(2) variance from COGCC Director

Subject: DC#12 CO2 well

Method; Personally Hand Delivered

Ernie Williams,

In the interest of protecting farm lands and the operations of those lands in Dolores County and as required by the Colorado Oil and Gas Conservation Commission (COGCC) Rule 603.a. (2) please receive this hand delivered letter with the attached Affidavit of Consent from landowners Brett and Louise Johnson.

Also according to COGCC Rule 603.a.(2) stating:

**603. DRILLING AND WELL SERVICING OPERATIONS AND HIGH DENSITY AREA RULES**

a. Statewide setbacks. Subparagraph (1) below shall apply to all areas of the state except as provided under subparagraphs b. and e. of this rule. Subparagraph (2) below shall apply to all areas of the state. (2) A well shall be a minimum distance of one hundred fifty (150) feet from a surface property line. An exception may be granted by the Director if it is not feasible for the operator to meet this minimum distance requirement and a waiver is obtained from the offset surface owner(s). An exception request letter stating the reasons for the exception shall be submitted to the Director and accompanied by a signed waiver(s) from the offset surface owner(s). Such waiver shall be written and filed in the county clerk and recorder's office and with the Director.

Please receive a copy of my letter to David Neslin, COGCC Director, and a copy of the affected landowners Affidavit of Consent concerning this request.

Thank You,

A handwritten signature in blue ink that reads 'Bob Clayton'.

Bob Clayton  
Operations Superintendent

Attachments; COGCC Director Letter  
Landowner Waiver