

**Waiver of Consultation under COGCC Rule 306**

Randell Bert Kline Co-Trustees and Sheila Evans Co-Trustees, of the Beulah C. Kline Living Trust and the Earl E. Kline Living Trust P.O. Box 512, Craig CO 81626, state as follows.

Whereas, E. B. Kline and Company and Quicksilver Resources Inc.(hereinafter referred to as "Quicksilver") entered into a Surface Use Agreement dated July 2, 2011, regarding operations of Quicksilver on real property owned by E. B. Kline and Company legally described as the Northeast ¼ of the Northwest ¼ of Section 23, Township 7 North, Range 91 West of the 6<sup>th</sup> P.M., located in Moffat County, Colorado (the "Property") for the operation of the well named KLINE 7-91 #21-23 (the "Well") of which E. B. Kline and Company was the surface owner. Since said date of execution of the Surface Use Agreement by and between E. B. Kline and Company and Quicksilver, E. B. Kline and Company assigned all their rights and benefits in and to said Property to the Earl E. Kline Living Trust and the Beulah C. Kline Living Trust, and Quicksilver assigned all their rights and benefits in and to said Property to Southwestern Energy;

Whereas Colorado Oil and Gas Conservation Commission (the "COGCC") Rules of Regulation provide for consultation by the Colorado Parks and Wildlife as set forth in Rule 306(c);

Therefore, Randell Bert Kline Co-Trustee and Sheila Kline Co-Trustee of the Earl E. Kline Living Trust and the Beulah C. Kline Living Trust states as follows:

1. Earl E. Kline Living Trust and Beulah C. Kline Living Trust waives consultation under COGCC Rule 306 and the inclusion of permit specific conditions of approval (COA) pursuant to COGCC Rule 306(c)(3).
  
2. This waiver is made pursuant to the Surface Use Agreement and shall not be deemed an expansion, modification or otherwise of the rights and obligations of the parties thereto except as expressly stated herein.

**Earl E. Kline Living Trust**

**Beulah C. Kline Living Trust**

*Randell Bert Kline* Co Trustee  
By Randell Bert Kline Co-Trustee

*Sheila Evans* co trustee  
By Sheila Evans Co-Trustee