

Chilson, Stanton & Kaufman

ATTORNEYS AT LAW



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May 8, 1990

Clerk of District Court
P.O. Box 2066
Fort Collins, CO 80522

RE: Chilson v. Jenex Civil No. 87 CV 963

Dear Clerk:

Enclosed for filing is a Stipulation of Settlement and Dismissal together with a proposed Order thereon. Would you please bring these to the attention of Judge Newton.

The Stipulation and Order are based upon the assumption that the amount held in the registry has not increased. If that amount has increased, this letter constitutes my authority to include any additional sums in the payment to Jenex as it is easier to do it that way than have to rewrite the stipulation. We would ask that once the judge has signed the Order that the checks be issued and mailed to the parties.

Very truly yours,

CHILSON, STANTON & KAUFMAN


John H. Chilson

JHC:lam

Encs.

Copy: Julian D. Jensen✓

DISTRICT COURT, LARIMER COUNTY, STATE OF COLORADO

Case No. 87 CV 963

ORDER

JOHN H. CHILSON,

Plaintiff

vs.

JENEX PETROLEUM CORPORATION, et al.,

Defendants.

Upon stipulation of the parties settling this matter, the court finds that said Stipulation is fair and complete,

IT IS THEREFORE ORDERED:

1. That the clerk shall pay from the registry of this court unto the plaintiff the sum of \$5,507.21.
2. That the clerk shall pay from the registry of this court unto the defendant, Jenex Petroleum Corporation, the remaining balance of the deposit to the registry in this case.
3. With all issues herein having been settled, it is hereby ordered that this matter is dismissed with prejudice each party to pay his or its own costs herein.

Done in open court this _____ day of _____, 1990.

By the Court:

District Court Judge

DISTRICT COURT, LARIMER COUNTY, STATE OF COLORADO

Case No. 87 CV 963

STIPULATION OF SETTLEMENT AND DISMISSAL

JOHN H. CHILSON,

Plaintiff,

vs.

JENEX PETROLEUM CORPORATION, et al.,

Defendants.

Plaintiff and Defendant, Jenex Petroleum Corporation, having reached a full and complete settlement of the issues herein, hereby stipulate to the Court as follows:

1) That there is on deposit in the Registry of the Court the sum of \$6,267.14 deposited by Total Petroleum Co. which represents payment for production from the Chilson 16-1 Well produced by Defendant, Jenex. There is also the sum of \$557.71 deposited as an escrow for taxes by Defendant, Jenex, interest has accrued on said deposits in the sum of \$694.81 yielding a total balance on deposit of \$7,519.66.

2) The monies described in Paragraph 1 are agreed to be disbursed:

- A. To the Plaintiff the principal sum of \$5,000 together with the sum of \$507.21 of accrued interest for a total deposit of \$5,507.21.
- B. To the Defendant, Jenex, the balance of the principal in the sum of \$1,824.85 together with the sum of \$187.60 in accrued interest for a total distribution of \$2,012.45.

3) The parties hereto stipulate that all issues raised in this action are settled and resolved and each party releases the other from any and all claims arising out of the subject matter of this action either asserted herein or which could have been asserted herein.

4) The parties hereby petition the Court to enter an order carrying out the terms of this stipulation and dismissing this action with prejudice, each party to pay his or its own expenses, cost and attorney's fees incurred herein.