



November 13, 2009

CERTIFIED MAIL

Reuben Bernhardt & P. Bernhardt Trust B  
12281 Hwy 60  
Milliken, CO 80543

Re: Notice of Intent to Conduct Surface Operations  
BERNHARDT STATE 23-36 BERNHARDT STATE 22-36  
BERNHARDT STATE 24-36  
Township 05N, Range 67W  
Section 36, NE/4SW/4  
Weld County, Colorado

Gentlemen:

The Colorado Oil and Gas Conservation Commission ("COGCC") has adopted guidelines and procedures regarding oil and gas activities affecting the surface. These rules stipulate that an affected surface owner must be given advance notice in writing by an operator at least thirty (30) days prior to drilling an oil and gas well.

Kerr-McGee Oil and Gas OnShore LP ("KMG") intends to begin operations to drill the above captioned oil and gas well(s) upon approval of title, receipt of permits from the COGCC prior to October 31, 2010. As the surface owner, it is your responsibility to notify the tenant farmer, if applicable, of this proposed operation.

A site diagram of the proposed location of the well and any associated roads and production facilities is enclosed. Should you have any questions and/or concerns, please contact me at (303) 655-4350 or my cell at (970) 590-6249.

Very truly yours,  
**KERR-McGEE OIL AND GAS ONSHORE LP**

A handwritten signature in cursive script that reads 'David Bell'.

David Bell  
Landman

I/we waive the 30 day notice referenced above and approve of the operations commencing upon KMG's receipt of the drilling permit.

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:cl  
Enclosures