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October 19, 2010

Colorado Oil & Gas  
Conservation Commission  
1120 Lincoln Street, Suite 820  
Denver, CO 80202  
Attn: David Neslin

Re: Axia Energy, LLC  
Kimball Creek #14-2D2-995 Exception  
2307' FNL and 633' FEL  
SE NE Sec. 14, T9S - R95W  
Mesa County, CO

Dear Mr. Neslin,

According to Rule 318.a., well locations deeper than 2500' should not be located less than one thousand two hundred (1,200) feet from any other producible or drilling oil or gas well when drilling to the same common source of supply. The subject well location is located 150' southwest of the proposed Kimball Creek #14-2D1-995 location.

The Kimball Creek #14-2D1-995 and #14-2D2-995 locations were placed 150' apart to minimize surface disturbance to the adjacent landowners. Axia Energy, LLC is the surface owner for the SE NE of Sec. 14, T9S - R95W where these locations are staked. Therefore, we are requesting that this exception be administratively approved. If you have any questions, please don't hesitate to contact me at the number shown above.

Sincerely,  
PERMITCO INC.

Venessa Langmacher/Regulatory Supervisor  
Agent for Axia Energy, LLC

cc: Axia Energy, LLC - Denver, CO