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Land Department

October 4, 2010

JBS Five Rivers Cattle Feeding LLC
1770 Promontory Circle
Greeley, Colorado 80634

RE: **Surface Owner Consent to
Conditions of Approval**
Township 4 North, Range 66 West, 6th P.M.
Section 8: SE4
Weld County, CO

Dear Mr. Thoren:

Noble Energy, Inc. ("Noble") plans to drill the Five Rivers K08-23, well on the referenced lands and build a production facility near the wellsite which is located, according to the Colorado Department of Wildlife (DOW), is located within the buffer identified as a bald eagle winter night roost. The DOW recommends the following conditions of approval:

No surface occupancy or construction within .25 mile of any active bald eagle winter night roost site, where there is no direct line of sight to the roost, between December 1 and February 28 and within .5 mile of any active bald eagle winter night roost site where there is a direct line of sight to the roost, between December 1, and February 28.

Within .5 mile of any active bald eagle winter roost site from November 15 to March 15 periodic visits such as well maintenance and monitoring should be restricted to the period between 10:00 a.m. and 2:00 p.m. Under Rule 1202.e. surface owner consent is required. Rule 1202.e. states:

No permit-specific condition of approval for wildlife habitat protection under this rule shall be imposed without surface owner consent, including any permit-specific conditions for wildlife habitat protection that modify, add to, or differ materially from the general operating requirements in Rules 1203 and 1204. If the surface owner fails to consent to any such permit-specific condition of approval, then the parties shall consult with the surface owner regarding alternative conditions of approval acceptable to the surface owner.

Please indicate your consent to the implementation of these recommendations by signing below. Thank you for your consideration. Should you have any questions, please contact me at (970) 302-1385.

Regards,

NOBLE ENERGY, INC.

A handwritten signature in blue ink, appearing to read 'B. DeRose'.

Brian DeRose
Land Negotiator

I/we consent to the following recommendations from the Colorado Division of Wildlife, relating to the activities of Noble Energy at the Five Rivers K08-23 wellsite

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Within .5 mile of any active bald eagle winter roost site from November 15 to March 15 periodic visits such as well maintenance and monitoring should be restricted to the period between 10:00 a.m. and 2:00 p.m.

Five Rivers Cattle Feeding LLC

By:

 MC

Date:

10-22-2010