



1538 Wazee St., Suite 200, Denver CO 80202
Phone: (303) 830-0888 Fax: (303) 830-2818
www.apollooperating.com

October 15, 2010

Harvey & Beverly Mesbergen
35520 WCR 72
Greeley, CO 80631

RE: Exception Location Waiver
SE/4 Section 3 T6N R66W
Well Name(s): Mesbergen 45-3D 429' FSL and 680' FEL
Opdyke Trust 43-3D 444' FSL and 673' FEL


Dear Mr. & Mrs. Mesbergen,

The proposed surface location for the well's captioned above lie outside of the designated drilling window for the Rule 318.c. statewide setback as discussed during the staking of the same.

The Colorado Oil and Gas Commission require that a consent waiver be signed by the surface owner when the surface hole lies outside of the designated drilling window.

I respectfully request your signed & dated consent to the exception locations per the requirements of the COGCC; once signed please return one copy of this letter in the enclosed envelope. Thank you.

APOLLO OPERATING, LLC


Jesse L. White, CPL,
Operations Manager

Harvey & Beverly Mesbergen, as surface owner of part of the SE/4 of Section 3 and Section 26 of T6N R66W, Weld County, Colorado where the above captioned well will be located, hereby consent to the Mesbergen 45-3D & Opdyke Trust 43-3D wells to be drilled from the above captioned surface hole location which lies outside the designated drilling window on this ____ day of October, 2010.


Harvey W. Mesbergen


Beverly J. Mesbergen