



January 26, 2011

Department of Natural Resources  
Oil and Gas Conservation Commission  
The Chancery Building  
1120 Lincoln St., Suite 801  
Denver, CO 80203

Re: Request for 502.b Variance  
REI 25-10 REI 35-10 REI 38-9  
Township 3N, Range 65W, Section 10: SW/4SW/4  
Weld County, Colorado

Ladies/Gentlemen:

Kerr-McGee Oil & Gas Onshore LP ("KMG") respectfully requests the Director approve an exception to Rule 318A.a(3) to allow the above referenced wells to be drilled at the above referenced location. Rule 318A.a(3) of the Colorado Oil and Gas Commission's Rules and Regulations requires wells to be located within established "GWA Windows".

KMG is requesting the Director to grant a well location exception to the requirements of this rule because the GWA window is located within the wetlands of the Milton Reservoir. The proposed locations for these wells are as close to this GWA window as possible and are within fifty (50) feet of existing wells that are also outside of this GWA window. Furthermore, KMG has attempted to secure a signed waiver from the surface owner but all communication attempts have not been returned.

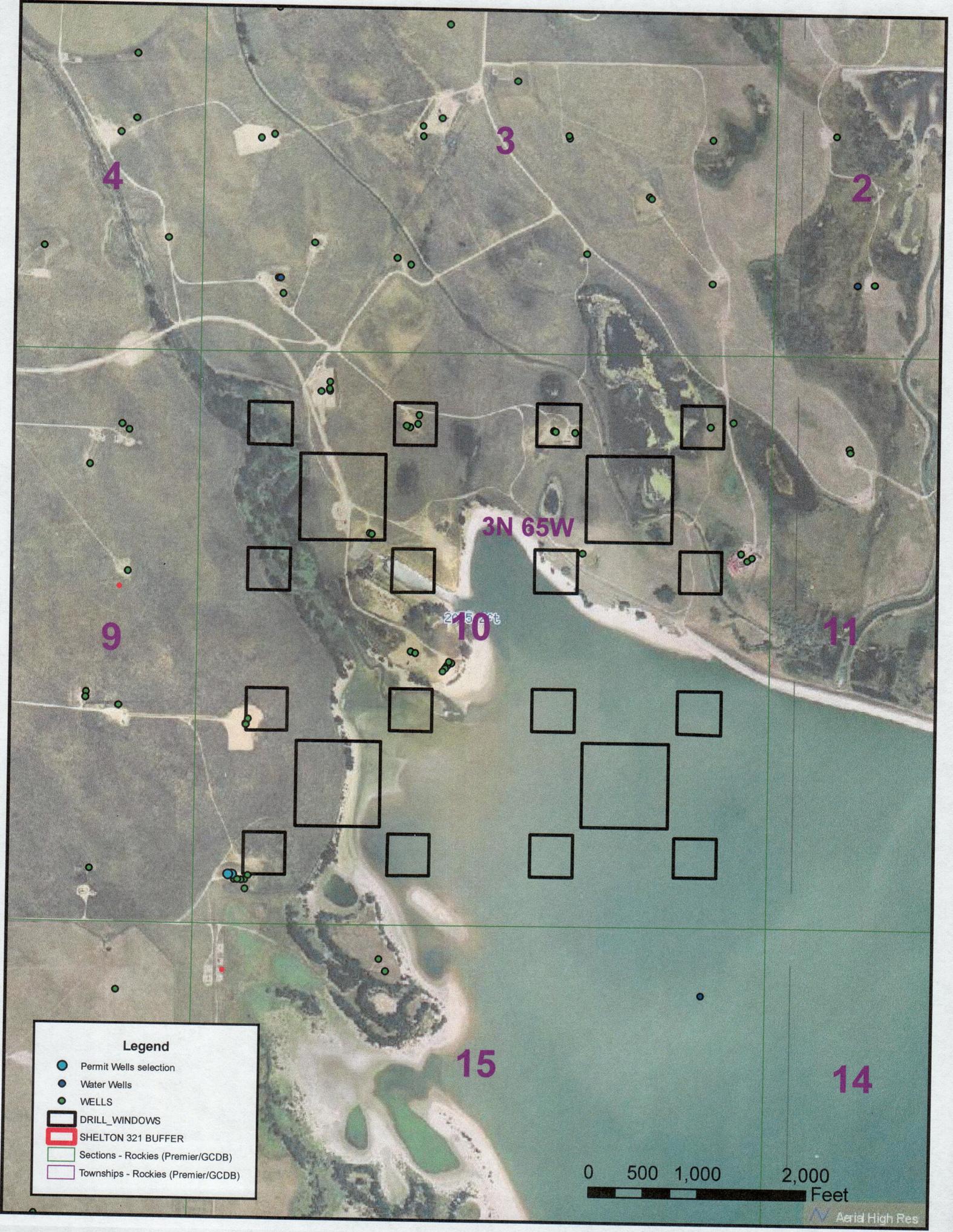
Should you have any questions, please contact our office. Thank you for your consideration.

Very truly yours,

**Kerr-McGee Oil & Gas Onshore LP**

Cheryl Light  
Senior Regulatory Analyst

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**Legend**

- Permit Wells selection
- Water Wells
- WELLS
- DRILL\_WINDOWS
- SHELTON 321 BUFFER
- Sections - Rockies (Premier/GCDB)
- Townships - Rockies (Premier/GCDB)

