

October 1, 2011

Jerry Allen  
Cheyenne County  
P.O. Box 567  
Cheyenne Wells, CO 80810

Re: Waiver by Local Government Designee  
Well: Little Bear 44-28  
Location: 1,032' FSL, 827' FEL  
Township 13 South North, Range 46 West, of the 6<sup>th</sup> P.M.  
Section 28: Lots 9, 10, 15 and 16 (a/d/a SE ¼)  
Cheyenne County, Colorado

I am the Local Government Designee for the above captioned lands, including 160 acres m/l. I acknowledge that I have been consulted as to the proposed well site for the Little Bear 44-28 well, which is 1,032' FSL, 827' FEL, on said lands.

I agree to waive all rights, as Local Government Designee, with regard to Notices, Comment Periods, Consultations and Appeal of a Decision of Approval, specifically as they relate to the Application for Permit-to-Drill, provided for under Colorado Oil Gas Conservation Commission Rules 305 and 306. It is understood that this waiver includes the waiver of my right to request notification of the Colorado Department of Public Health and Environment.

This Agreement and Waiver is executed this 12<sup>th</sup> day of December, 2011, to be effective the date first above written.

Ambie Cullens  
Jerry Allen, Local Government Designee

Ambie Cullens, LGD Alternate