

## SET BACK WAIVER

COGCC Rule 603b

Proposed Oil and Gas Directional Well Site: (Currently owned by Amy E Boyd)

Township 6 North, Range 66 West, 6<sup>th</sup> P.M.

Section 36: Part of the SW/4SE/4, being more particularly described in the attached Exhibit "A"

Offset Surface Property Owner: (Currently owned by Alejandro Chumacero And Charlene Chumacero)

Lot B of Recorded Exemption No. 0805-36-4-RE939, being a Part of the SW/4SE/4 of Section 36, Township 6 North, Range 66 West of the 6<sup>th</sup> P.M., Weld County, Colorado as per map recorded November 17, 1986 in Book 1135 as Reception No. 2077256.

Mineral Resources, Inc., as operator, intends to drill oil and gas wells directionally from a single site on lands in the SW/4SE/4 of Section 36, Township 6 North, Range 66 West, 6<sup>th</sup> P.M. (Proposed Oil and Gas Directional Well Site).

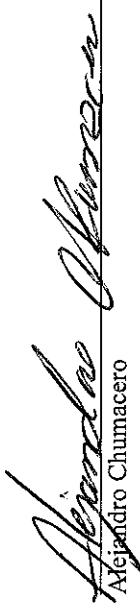
The referenced well site location is situated nearer than 350 feet from an occupied structure owned by Alejandro Chumacero And Charlene Chumacero (Offset Owner), but shall be located no closer than 200 feet from any occupied structure.

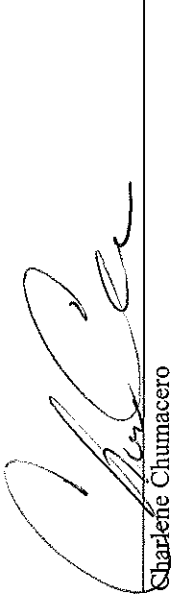
It has been determined by the operator of the proposed wells, the surface owner of the proposed well site and the offset surface property owner (the Parties) to the proposed well site and mutually agreed to by the Parties that it is not feasible or otherwise possible to relocate the well site elsewhere because any and all other locations within the SW/4SE/4 of Section 36, T6N, R66W, 6<sup>th</sup> P.M. are nearly impossible to access because of surface development.

Now, Therefore, in consideration of the covenants and mutual agreement by the parties, Alejandro Chumacero And Charlene Chumacero, the undersigned offset surface property owner, hereby approves and grants to the operator of the proposed wells and the surface property owner of the proposed well site this Setback Waiver as required by the Director of the Colorado Oil and Gas Conservation Commission to request an Exception to Rule 603b. The 350 foot setback requirement shall be reduced to 200 feet.

This agreement shall run with the lands and inure to the benefit of all parties, their successors and assigns.

Signed this day 10<sup>th</sup> of October 2011:

  
Alejandro Chumacero

  
Charlene Chumacero

## Exhibit "A" - Proposed Oil and Gas Directional Well Site

### PARCEL 1:

ALL THAT PART OF THE SW $\frac{1}{4}$  SE $\frac{1}{4}$  OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 66 WEST OF THE 6th P.M., COUNTY OF WELD, STATE OF COLORADO, LYING SOUTH OF THE RIGHT OF WAY OF THE GREELEY SALT LAKE AND PACIFIC RAILROAD (NOW KNOWN AS THE COLORADO AND SOUTHERN RAILROAD).

EXCEPTING THEREFROM THE FOLLOWING THREE TRACTS OF LAND DESCRIBED AS FOLLOWS:

- 1) THE EAST 158.00 FEET OF THE ABOVE DESCRIBED TRACT;
- 2) THE SOUTH 122.00 FEET OF THE EAST 150.00 FEET OF THAT Part of THE SW $\frac{1}{4}$  OF THE SE $\frac{1}{4}$  LYING WEST OF THE EAST 158.00 FEET;
- 3) ALL OF THAT Part of THE SW $\frac{1}{4}$  OF THE SE  $\frac{1}{4}$  OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 66 WEST OF THE 6TH P.M. IN THE COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:  
BEGINNING 26.00 FEET NORTH OF THE SOUTHWEST CORNER OF THE SE $\frac{1}{4}$  1/4 OF SAID SECTION 36, THENCE NORTH 00° 28' WEST ALONG THE WEST LINE OF SE $\frac{1}{4}$  740.00 FEET TO THE SOUTH LINE OF THE RIGHT OF WAY OF THE GREELEY SALT LAKE AND PACIFIC RAILROAD (NOW KNOWN AS THE COLORADO AND SOUTHERN RAILROAD) AS SAID RAILROAD IS NOW OCCUPIED AND USED; THENCE SOUTH 74° 12' EAST 628.00 FEET ALONG SAID RAILROAD RIGHT OF WAY; THENCE SOUTH 00° 28' EAST 502.00 FEET; THENCE SOUTH 84° 32' WEST 54.20 FEET; THENCE SOUTH 00° 28' EAST 58.00 FEET; THENCE WEST 546.00 FEET TO THE POINT OF BEGINNING.

### PARCEL 2:

A TRACT OF LAND LOCATED IN THE SW $\frac{1}{4}$  OF THE SE $\frac{1}{4}$  OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 66 WEST OF THE 6th P.M., WELD COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SW $\frac{1}{4}$  OF THE SE $\frac{1}{4}$  OF SAID SECTION 36 AND CONSIDERING THE SOUTH LINE OF THE SE $\frac{1}{4}$  TO BEAR NORTH 90° 00' 00" EAST, AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE NORTH 90° 00' 00" EAST, 546.84 FEET ALONG SAID SOUTH LINE; THENCE NORTH 00° 23' 34" WEST, 24.87 FEET TO AN EXISTING MONUMENT ON THE APPARENT NORTH RIGHT OF WAY LINE OF WEST "C" STREET; THENCE ALONG THE EASTERLY BOUNDARY OF SAID TRACT OF LAND RECORDED IN BOOK 1587 AT PAGE 362 BY THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 00° 23' 34" WEST, 58.00 FEET (58 FEET DEED);
- 2) NORTH 84° 32' 00" EAST, 13.22 FEET TO AN EXISTING FENCE, AND THE TRUE POINT OF BEGINNING; THENCE NORTH 04° 35' 45" EAST, 507.37 FEET ALONG SAID EXISTING FENCE TO THE SOUTH RIGHT OF WAY LINE OF THE COLORADO AND SOUTHERN RAILROAD; THENCE ALONG THE EASTERLY BOUNDARY OF SAID TRACT OF LAND RECORDED IN SAID BOOK 1587 AT PAGE 362 BY THE FOLLOWING TWO (2) COURSES:
  - 1) SOUTH 00° 00' 57" EAST, 501.83 FEET (502 FEET DEED);
  - 2) SOUTH 84° 32' 00" WEST, 40.98 FEET TO THE TRUE POINT OF BEGINNING.