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**DJ SIMMONS, INC.**

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February 8, 2013

Colorado Oil & Gas Conservation Commission  
Attn: Matt Lepore, Director  
1120 Lincoln Street, Suite 801  
Denver, Colorado 80203

RE: Exception Location Request  
Pinto 3-17  
2,498' FNL and 2,523' FWL  
SENW, Section 17, T39N, R19W  
Dolores County, Colorado

Dear Mr. Lepore,

DJ Simmons, Inc. (DJS) requests the Director's approval per Colorado Oil and Gas Conservation Commission (COGCC) rule 318.c regarding the proposed non-standard footage location pursuant to COGCC order 231-2.

DJS plans to drill the Pinto 3-17 oil well at the above referenced location to the Upper Ismay/Desert Creek formations at approximately 6,350 feet. Bottom hole location will be the same. This well is 2,498 feet from the north line and 2,523 feet from the west line of Section 17, T39N, R19W, placing the well location approximately 120 feet to the adjacent lease line to the east which will not be in compliance with COGCC Order 231-2 requiring wells be located no closer than 990 feet from quarter section lines.

Regarding the non-standard location of the proposed Pinto 3-17 location:

After working with the fee surface owners in regards to an optimal well location to avoid impacting existing agricultural activities and reduce the visible impacts, as well as placing the wellhead in a geologically suitable location, DJS has proposed to place the well at this location. DJS also holds the adjacent Federal Leases and operates the surrounding wells (see attached Lease Map and BLM Approved Non-Standard Location Waiver signed by John Pecor, Acting Mineral Staff Chief – Tres Rios Field Office). DJS surveyed the proposed well bore and footages are reflected on attached revised plat dated December 14, 2012. If you have no objection to DJS, drilling this well at said location please indicate by signing this letter and return it to my attention.

If you have any questions or need additional information, please do not hesitate to contact me at (505) 326-3753.

Sincerely

Chris S. Lopez  
Regulatory Specialist

\_\_\_\_\_  
Signature

Typed Name:

Title:

Date: