

## LETTER OF CONCURRENCE FOR SETBACK WAIVER

Project: Pinto 3-17 Well  
SE/NW, Sec. 17, T39N, R19W  
Dolores County, CO

TO: D. J. Simmons, Inc. (Applicant)  
1009 Ridgeway Place  
Farmington, NM 87401

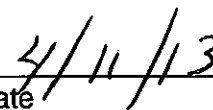
FROM: ~~Floyd T.~~ & Sharon L. Huskey (Adjacent Property Owner)  
P.O. Box 534  
Dove Creek, CO 81324

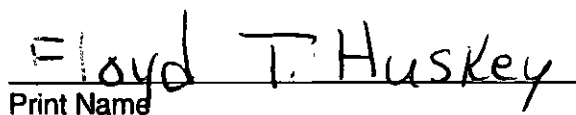
Per Colorado Oil and Gas Conservation Commission (COGCC), Section 603 (a) 2, Series Safety Regulations, Drilling and Well Servicing Operations and High Density Area Rules, Statewide Setbacks provides:

A well shall be a minimum distance of one hundred fifty (150) feet from a surface property line. An exception may be granted by the Director if it is not feasible for the operator to meet this minimum distance requirement and a waiver is obtained from the offset surface owner(s). An exception request letter stating the reasons for the exception shall be submitted to the Director and accompanied by a signed waiver(s) from the offset surface owner(s). Such waiver shall be written and filed in the county clerk and recorder's office and with the Director.

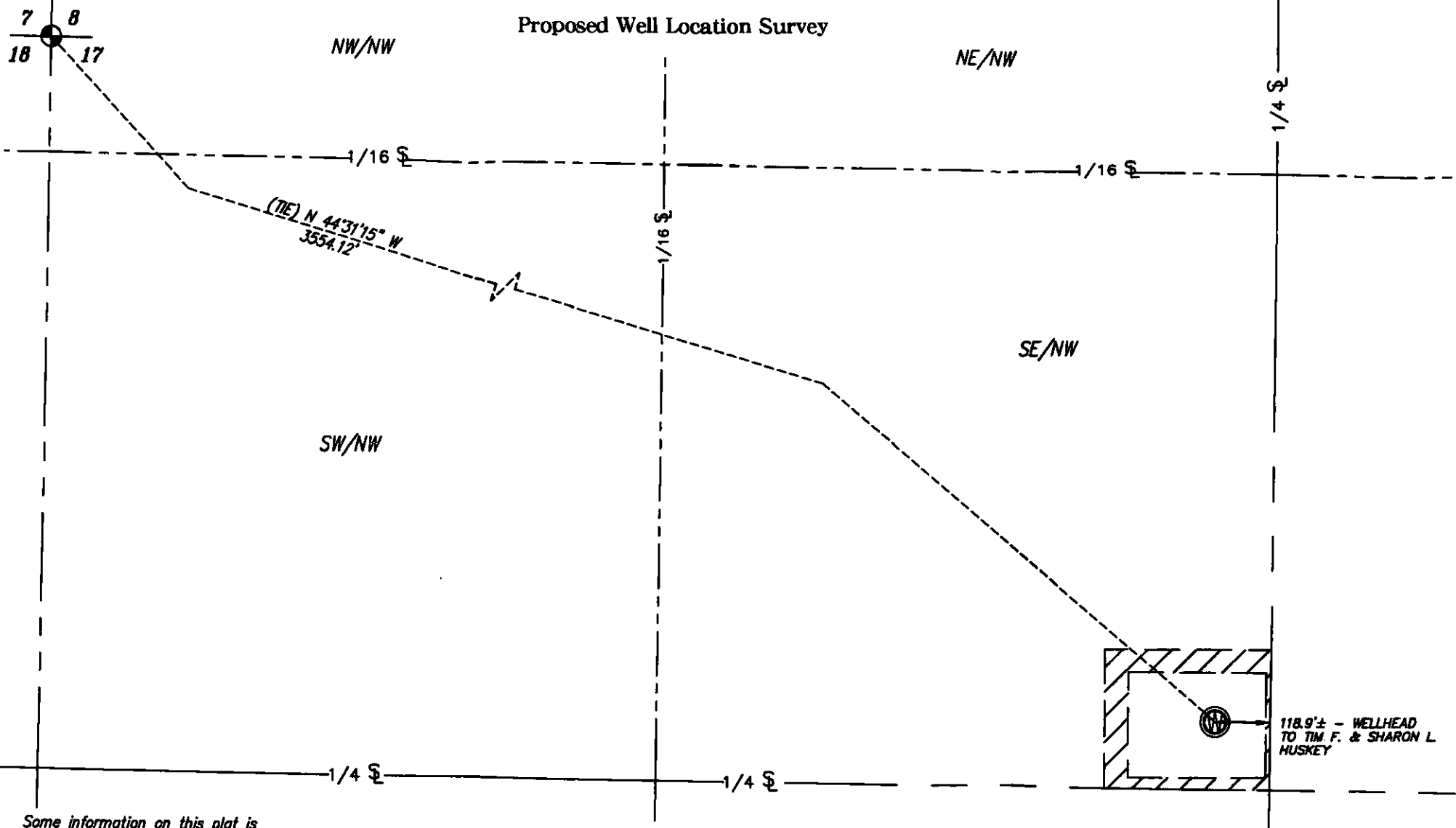
I hereby state that I am the surface owner of the adjacent property located to the East of the proposed Pinto 3-17 well to be constructed by D. J. Simmons, Inc. (the applicant), as shown on the attached Proposed Well Location Survey. **I understand that the subject project will be located within the COGCC's required Statewide Setback from surface property lines, and I do not object to the proposed wellhead being located within the area required as a setback distance from the adjacent property line, as required by Section 603 a (2).** This file shows the wellhead will be located 118.9 +/- feet of the adjacent surface property line to the East.

  
\_\_\_\_\_  
Adjacent Property Owner Signature

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Print Name

# Proposed Well Location Survey



Some information on this plot is based on information taken from previous surveys, record information, or collateral evidence and may not reflect that which may be disclosed by a complete boundary survey. This plot is not to be relied on for establishment of surface boundaries, fences, buildings or other future improvements.

*John D. Wayne*  
 John D. Wayne  
 Professional Surveyor  
 COLORADO Reg. No. 23525

SCALE 1"=300'



DRAWN BY: BB CAD DWG NO: RESTAKE/NEIGHBORDISTANCE.DWG SCALE: 1"=300' DATE: 04/03/2013

DJ SIMMONS INC  
 PROPOSED WELL LOCATION  
 PINTO #3-17  
 SE/NW FEE OWNER  
 SEC 17  
 T-39-N, R18-W, N.M.P.M.  
 DOLORES COUNTY, COLORADO