



Mr. Matt Lepore, Director COGCC
1120 Lincoln Street, Suite 801,
Denver, Colorado 80203

February 6, 2014

Waiver request for exemption to rule 603. a.(2)
Associated with Kinder Morgan CO2 Company well APD permits for CNE-4 Well,
Tract 40 lying in Section 1, T38N/R19W, NMPM, Montezuma County, CO;
2A form 400489305 and form 2 400489308 & 400489306

603. STATEWIDE LOCATION REQUIREMENTS FOR OIL AND GAS FACILITIES, DRILLING, AND WELL SERVICING OPERATIONS

a. Statewide location requirements.

(2) A well shall be located not less than one hundred fifty (150) feet from a surface property line. The Director may grant an exception 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

This letter shall serve as Kinder Morgan CO2 Company's written request for an exception to 603. A.(2) rule.

Kinder Morgan has placed this in the corner of a center pivot. This placement was selected with the intention of minimizing the impact to farm land. The well is located closer than 150 feet from a surface property line common with, and which separates Tract 40 and Lot 11 of Tract 37, of Section 1, T38N/R19W, NMPM, Montezuma County, CO. Tract 37, Lot 11 is owned by Brad E. White and Pamela K. White and Tract 40 is owned by John A. Kuenzler, Susan A. Kuenzler and James V. Kuenzler.

The Well Location lies upon both White & Kuenzler, which location was mutually agreed to by both parties as evidence by Surface Use Agreements signed by both parties.

Additionally, the Whites, being the affected property owners have also signed an Affidavit of Consent signed waiving the 150 foot setback requirement from the surface property line between Lot 11 Tract 37 and Tract 40. This waiver has been sent to the County Clerk and Records office for recording in the Real Property Records of Montezuma County, CO. A copy of the recorded version will be provided to you by separate cover letter once it is received back from the Clerk and Recorder.

Thank you very much for your time and immediate attention to this matter. If you have any questions please do not hesitate to contact **the undersigned**.

Sincerely,

Kinder Morgan CO2 Company, L.P.

By: Bob Clayton

Name: Bob CLAYTON

Title: OPERATIONS SUPERINTENDENT