



May 9, 2017

Colorado Oil and Gas Conservation Commission  
Attn: Matthew Lepore – Director  
1120 Lincoln St., Suite 801  
Denver, CO 80203

RE: Request for Exception to Rule 603.a.(2) Setback Requirements  
Proposed CB-5 Well Pad  
Township 38N, Range 19W, N.M.P.M.  
Section 14: A parcel of land situated in the NW ¼SW ¼  
Montezuma County, Colorado (County Parcel ID: 534511300021)

Dear Mr. Lepore,


Kinder Morgan CO2 Company, LP (KM) plans to drill a CO2 well to the Leadville formation from the above described surface location. Per the Colorado Oil and Gas Conservation Commission (COGCC) Rule 603.a.(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.*

The proposed Bottom Hole Location (BHL) target for the CB-5 well is in the bottom of the adjacent canyon that makes construction of a well pad for a vertical well extremely challenging. The proposed Surface Hole Location (SHL) would be located 75-feet from the property line. The proposed SHL described above reduces impacts to the surface owner, avoids archeological/cultural resources, minimizes cuts and fills, and provides a suitable well pad to directionally drill from in order to reach the proposed BHL target. In addition, after the well is drilled and completed, KM will conduct interim reclamation of the location and the remaining 150-foot by 250-foot working area necessary for ongoing maintenance and operations will be completely located on Brad E. / Pamela K. White's and Michael K. / Lori K. Olander's property to the East.

Kinder Morgan CO2 respectfully requests that the COGCC grant an exception to the setback requirements set forth in Rule 603.a.(2). A copy of the required waiver from the offset Surface Owner is attached, and this waiver will be filed with the Montezuma County Clerk and Recorder as an Exhibit within the Surface Use Agreement. If you have any questions regarding this matter, please do not hesitate to contact me at (970) 882-5536.

Sincerely yours,

  
Chris S. Lopez  
EHS Specialist



May 9, 2017

Bessie M. White  
8984 Road BB  
Pleasant View, CO 81331

RE: Request for Exception to Rule 603.a.(2) Setback Requirements  
Proposed CB-5 Well Pad  
Township 38N, Range 19W, N.M.P.M.  
Section 15: Lot 10  
Montezuma County, Colorado  
County Parcel ID: 534511300021

Dear Mrs. White,

Kinder Morgan CO2 Company, LP (KM) plans to drill a CO2 well to the Leadville formation from the above described surface location. Per the Colorado Oil and Gas Conservation Commission (COGCC) Rule 603.a.(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.*

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Please waive the COGCC Rule 603.a.(2) requirement showing your approval of the new well being drilled at the agreed location on the land herein described above, and evidence your request to waive COGCC Rule 603.a.(2) by signing below. If you have any questions regarding this matter, please do not hesitate to contact me at (970) 882-5536.

Sincerely yours,



Andy Weygant  
Landman

SIGNED FOR IDENTIFICATION:

  
Bessie M. White

5-10-17  
Date