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May 11, 2008

Colleen Kelly  
United States Forest Service  
29 Forest Service Drive  
Bradford, PA 16701

Dear Colleen,

Duhring Resource Company is planning to continue a drilling project in Lot 9, Sheffield Township, Warren County. I have enclosed the Permit Applications and Plats for the new wells on Lot 9 to cover the landowner notification requirement. The proof of ownership for Lot 9 was included with a previous well package, and should be in your files. The plan of operations, topographic maps, an E&S plan, and the designated field representative are also with this mailing. The centerline of the proposed roads as noted on the Site Map, have been marked in the field with orange / pink flagging. Transmission lines will be located in the new roads, and adjacent to the existing roads. The Transmission lines are also shown on the Site Map.

Please give me a call if you will need any additional information. Thank you for your help with this.

Thanks again for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip L. Hampson".

Philip L. Hampson, PLS

## SURFACE OWNER NOTIFICATION

**From:** Duhring Resource Company  
**To:** USDA Allegheny National Forest

This surface owner notification is being submitted in accordance with the law of the Commonwealth of Pennsylvania, and the decision of the United States District Court for the Western District of Pennsylvania in the matter of United States of America v. Minard Run Oil Company, Civil Action No. 80-129 Erie, as the same is referenced and incorporated in the Allegheny National Forest Handbook For Oil & Gas Administration.

Duhring Resource Company (hereinafter Duhring) is planning development activity of oil and gas property rights owned by Duhring. The development activity is planned to occur at locations where the U.S. Forest Service Allegheny National Forest (ANF) enjoys co-ownership of the property. Specifically, the ANF owns rights as to the surface; Duhring's planned activity will include disturbance of those ANF surface rights.

For business planning purposes and the commitment of both financial and physical resources Duhring's activity is scheduled to proceed no later than the 61<sup>st</sup> day following your receipt of this notification. For all purposes the date of receipt will be the date that a postal delivery service reports delivery of the notification at the ANF Office mailing address. Please be advised that your processing time for all purposes must be reasonable, expeditious, and as brief as possible.

In the event that you have concerns, questions, or objections as to any aspect of the attached plan of operations you are directed to contact either of Duhring's field representatives: Arthur J. Stewart or Steven E. Tachoir (814-968-3337). However, if in the posing of any objection, the ANF intends to proceed "as a sovereign in regulating the use of the surface for the purpose of the Allegheny National Forest" (as that quoted phrase is utilized in the Minard Run decision) then you are directed to contact only Arthur J Stewart. In all events, any such concerns, questions, or objections must be expeditiously communicated to Duhring so that the 60-day time period for commencing operations is satisfied.

In that regard, Duhring does not recognize ANF staffing inefficiencies, ANF's desire for archeological or similar studies, or other requirements or difficulties unique to the desires or limitations of ANF staff, as valid reasons to delay Duhring's access to its rights outlined above. Instead Duhring expects the ANF to act consistently with its obligations as the owner of the subservient tenement and in recognition of Duhring's right as owner of the dominant tenement. Consistent with that expectation will be the expectation that the ANF act within a reasonable time frame (which Duhring understands to be no longer than the 60 day period identified in the Minard Run decision and which has been adopted by the ANF as its "standard operating procedure"). Failure to complete processing of this notification reasonably or expeditiously, and in all cases after the passage of 60 days, will be considered an unlawful denial of and interference with Duhring's right to access and develop its property rights as outlined above.

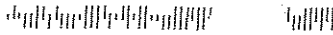
Duhring does not recognize any authority in the ANF to regulate reserved mineral estates other than to the extent that such regulations are contained in the deeds from the owners who conveyed the surface estates (and then only to the extent they affect the estates of interests reserved by those owners). Duhring does not recognize any authority in the ANF to regulate outstanding mineral estates other than to the extent such regulatory rights are contained in the deeds of severance creating the outstanding mineral estates. Duhring's acquiescence in signing documents such as road use permits and timber contracts for the purpose of accessing or developing Duhring's estates, or the payment for items such as the cutting, skidding and decking of timber or unilaterally determined maintenance fees insisted upon by the ANF, is done under duress and protest. Such actions on the part of Duhring do not constitute a waiver of Duhring's property rights nor recognition that the ANF possesses regulatory or other rights different than as set forth in law.

**Designated Field Representatives for Durhing Resource Company**

Steve Tachoir, President  
Arthur J. Stewart, Vice President  
Duhring Resource Company  
P.O. Box 726  
Sheffield, PA 16347  
814-968-3337

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Bradford, PA 16701

RECEIVED  
MAY 13 2008  
By

