



February 22, 2011

Mayer Family Farms, LLC  
c/o Linda Pyeatt  
9826 Hwy 66  
Platteville, CO 80651

RE: Waiver of Rule 318A.c.(1)  
Herren 1A-33H  
Surface Location – 246' FNL, 253' FEL  
Township 3 North, Range 67 West  
Section 33: NE/4  
Weld County, Colorado

Dear Ms. Pyeatt:

Encana Oil & Gas (USA) Inc. ("Encana") staked the Herren 1A-33H well at a surface location 246 feet from the north line and 253 feet from the east line in Section 33, Township 3 North, Range 67 West (see attached survey plat). This well is being drilled under the rules and regulations of the Colorado Oil and Gas Conservation Commission's ("COGCC") Rule 318A known as the Greater Wattenberg Area Special Well Location, Spacing and Unit Designation Rule. This rule states that all boundary infill wells be drilled from the same surface location as previously designated in Rule 318A.c.(1) which reads:

"When the operator is requesting a surface well location greater than fifty (50) feet from a well (unless safety or mechanical considerations of the well to be twinning or topographical or surface constraints justify a location greater than fifty (50) feet), the operator shall provide a consent to the exception signed by the surface owner on which the well is proposed to be located in order for the Director to approve the well location administratively."

The Herren 1A-33H well was staked at a location 371' northeast of the existing Herren 41-33 well. As this location was staked with your consent and approval, Encana respectfully requests your consent to an exception location for the Herren 1A-33H well by waiver of the COGCC Rule 318A.c.(1).

If this meets with your approval, please sign and date both originals of this letter, keeping one for your files and returning one to the undersigned.

**Encana Oil & Gas (USA) Inc.**  
370 17th Street, Suite 1700  
Denver, Colorado USA 80202  
t 303.623.2300  
[www.encana.com](http://www.encana.com)

Thank you for your time and consideration in this matter. If you have any questions or comments, please call Danny Nelson at 970-630-9276 or Emily Cozyris at 720-876-5026.

Sincerely,

ENCANA OIL & GAS (USA) INC.



Emily Cozyris  
Land Negotiator

Enclosures

THE UNDERSIGNED SURFACE OWNER HEREBY WAIVES RULE 318A.c.(1) AS IT APPLIES TO THE SURFACE LOCATION OF THE HERREN 1A-33H WELL THE APPROVES THE SURFACE LOCATION OF 246 FEET FROM THE NORTH LINE AND 253 FEET FROM THE EAST LINE OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 67 WEST, WELD COUNTY, COLORADO.

Mayer Family Farms, LLC

Signed: \_\_\_\_\_

Title: \_\_\_\_\_



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"In the Great Wattenberg Area ("GWA"), operator may utilize the following described surface drilling locations ("GWA windows") to drill, twin, deepen, or recompleate a well ("GWA well") and to commingle any or all of the Cretaceous Age formations.

- (1) A square with sides four hundred (400) feet in length, the center of which is the center of any governmental quarter-quarter section ("400' window");...

The Herren 1A-33H well was staked at a location 286' northeast of the defined 400' window. As this location was staked with your consent and approval, Encana respectfully requests your consent to an exception location for the Herren 1A-33H well by waiver of the COGCC Rule 318A.a.(1).

If this meets with your approval, please sign and date both originals of this letter, keeping one for your files and returning one to the undersigned.

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