



**Encana Oil & Gas (USA) Inc.** tel: 720-876-5339  
370 – 17<sup>th</sup> Street  
Suite 1700 fax: 720-876-6339  
Denver, CO 80202

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March 27, 2012

Mr. Thom Kerr, Acting Director  
Colorado Oil & Gas Conservation Commission  
1120 Lincoln Street, Suite 801  
Denver, CO 80203

RE: Exception Location Request to Rules 318A(I).a.(1)  
Maier 31-28  
SWNE of Section 28, T2N, R66W  
Weld County

Dear Mr. Kerr:

Pursuant to COGCC Rule 318A(I).a., Encana Oil & Gas (USA) Inc. ("Encana") hereby requests administrative approval for an exception location as requested in COGCC Rule 318A(I).a.(3) which sets forth that an operator showing good cause and having surface owner approval can locate a well outside a GWA Window, 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.

Encana is a mineral interest owner and wishes to drill the subject well outside the GWA Drilling Window and has obtained a signed Waiver, as required and enclosed for your file, from the Surface Owner approving the location, as proposed, outside of a GWA Window.

If you have any questions or need additional information, please contact me at (720) 876-5339.

Sincerely,

Jevin Croteau  
Regulatory Analyst

Attachment



August 25, 2011

Martin Gutierrez and Berta A. Gutierrez  
7717 County Road 31  
Fort Lupton, Colorado 80621

RE: Waiver of Rule 318A.a.(1)  
Maier 31-28 Surface Location – 1759' FNL, 2190' FEL  
Maier 4-2-28 Surface Location – 1769' FNL, 2190' FEL  
Maier 42-28 Surface Location – 1779' FNL, 2190' FEL  
Maier 4-4-28 Surface Location – 1789' FNL, 2190' FEL  
Section 28, T2N, R66W  
Weld County, Colorado

Dear Mr. and Mrs. Gutierrez:

EnCana Oil & Gas (USA) Inc. ("EnCana") staked the above mentioned wells at a surface location as noted above from the north and east line of Section 28, Township 2 North, Range 66 West (see attached survey plat). These wells are 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 locations as previously designated in Rule 318A.a.(1) which reads:

"In the Greater Wattenberg Area ("GWA"), operators may utilize the following described surface drilling locations (GWA windows") to drill, twin, deepen, or recomplete 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"); ...

Due to the limiting surface constraints of this location, and to minimize overall disruption to your surface land the Maier 31-28, Maier 4-2-28, Maier 42-28 and Maier 4-4-28 wells were staked at a location 32', 27', 25', and 25' (respectively) northwest of the defined 400' window. EnCana respectfully requests your consent to an exception location for these above mentioned Wells by waiver of the COGCC Rule 318A.a (1).

Encana Oil & Gas (USA) Inc.  
3601 Stagecoach Road North  
Longmont, Colorado 80504  
mobile 720.369.0432  
fax 303.774.3973  
Bob.Bresnahan@encana.com  
www.encana.com



Martin Gutierrez and Berta A. Gutierrez  
Rule 318A.a.(1) waiver  
August 25, 2011  
Page 2 of 2

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.

Thank you for your time and consideration in this matter. If you have any questions or comments, please call me at (720) 369-0432.

Very truly yours,

ENCANA OIL & GAS (USA) INC.

A handwritten signature in blue ink, appearing to read "Bob Bresnahan", written over a horizontal line.

Bob Bresnahan  
Contract Land Negotiator

THE UNDERSIGNED SURFACE OWNER HEREBY WAIVES RULE 318A.a.(1) AS IT APPLIES TO THE SURFACE LOCATION OF THE FOLLOWING WELLS WITH THE NOTED SURFACE LOCATIONS FROM THE EAST AND NORTH LINE OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 66 WEST, WELD COUNTY, COLORADO.

<u>Well Name</u>	<u>Surface Location</u>
Maier 31-28	1759' FNL, 2190' FEL
Maier 4-2-28	1769' FNL, 2190' FEL
Maier 42-28	1779' FNL, 2190' FEL
Maier 4-4-28	1789' FNL, 2190' FEL

MARTIN GUTIERREZ AND BERTA A. GUTIERREZ

by A handwritten signature in black ink, appearing to read "Martin Gutierrez", written over a horizontal line.  
MARTIN GUTIERREZ

by A handwritten signature in black ink, appearing to read "Berta A. Gutierrez", written over a horizontal line.  
BERTA A. GUTIERREZ

Encl.

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