



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

www.encana.com

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 8-4-28
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,

A handwritten signature in black ink, appearing to read "Jevin Croteau".

Jevin Croteau
Regulatory Analyst

Attachment



January 18, 2012

Mr. & Mrs. Martin Gutierrez
7717 County Road 31
Fort Lupton, Colorado 80621

RE: Waiver of Rule 318A.a.(1)
Maier 8-4-28
Surface Location – 1779' FNL, 2190' FEL
Section 28, T2N, R66W
Weld County, Colorado

Dear Martin & Berta:

Encana Oil & Gas (USA) Inc. ("Encana") staked the Maier 8-4-28 well at a surface location 1779 feet from the North line and 2190 feet from the East line of Section 28, Township 2 North, Range 66 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 (Except the City and County of Broomfield). 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:

"The Greater Wattenberg Area ("GWA") is defined to include those lands from and including Townships 2 South to 7 North and Ranges 61 West to 69 West, 6th P.M. In the 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 from the base of the Dakota Formation to the surface:

- (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 Maier 8-4-28 well was staked at a location 25' Northwest 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 Maier 8-4-28 Well by waiver of the COGCC Rule 318A.a (1).

Encana Oil & Gas (USA) Inc.
3601 Stagecoach Road
Longmont, Colorado USA 80504
Cell 720-369-0432
Bob.Bresnahan@encana.com
www.encana.com

Martin Gutierrez & Berta A. Gutierrez
Maier 8-4-28
Rule 318A.a.(1) waiver
January 18, 2012
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 the undersigned at (720) 369-0432.

Very truly yours,



Bob Bresnahan
Contract Land Negotiator
Encana Oil & Gas (USA) Inc.

THE UNDERSIGNED SURFACE OWNER HEREBY WAIVES RULE 318A.a.(1) AS IT APPLIES TO THE SURFACE LOCATION OF THE MAIER 8-4-28 WELL AND APPROVES THE SURFACE LOCATION OF 1779 FEET FROM THE NORTH LINE AND 2190 FEET FROM THE EAST LINE OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 66 WEST, WELD COUNTY, COLORADO.

MARTIN GUTIERREZ AND BERTA A. GUTIERREZ

by 
MARTIN GUTIERREZ

by 
BERTA A. GUTIERREZ

Encl.