



Waiver

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EnCana Oil & Gas (USA) Inc.

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April 21, 2010

Michael Alexander Baker  
Mark Scholte  
1701 Frontage Road  
Erie, CO 80516

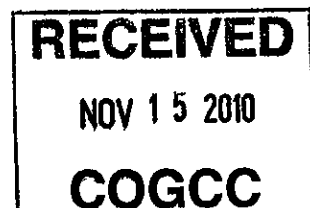
Re: Waiver of Rule 604.a.(2)  
Existing Cosslett B Unit 2, and Cosslett 33-22, Proposed Cosslett 4-4-22, Cosslett 4-6-22, Cosslett 44-22, Cosslett 6-8-22, Cosslett 34-22 Facilities  
Township 1 North, Range 68 West  
Section 22: SE/4  
Weld County, Colorado

Ladies and Gentlemen:

Encana Oil & Gas (USA) Inc. ("Encana") has existing facilities for the Cosslett B Unit 2 and Cosslett 33-22 wells located near the northern edge of your property. Encana has proposed drilling the Cosslett 4-4-22, Cosslett 4-6-22, Cosslett 44-22, Cosslett 6-8-22, and Cosslett 34-22 wells and utilizing the existing facility site to minimize surface disturbance. The facilities are being installed under the rules and regulations of the Colorado Oil and Gas Conservation Commission's ("COGCC") Rule 604.a(2) Crude Oil and Condensate Tank Setback Rule. This rule states:

"Tanks shall be located at least two (2) diameters or three hundred fifty (350) feet, whichever is smaller, from the boundary of the property on which it is built. Where the property line is a public way the tanks shall be two thirds (2/3) of the diameter from the nearest side of the public way or easement."

These wells will require additional equipment, as well as reconfiguration of the existing facilities for the Cosslett B Unit 2 and Cosslett 33-22 wells. Therefore, the equipment and facilities will be closer than two (2) diameters from your property boundary. As this expansion and reconfiguration was planned with your consent and approval, EnCana respectfully requests your consent to placement of the well facilities at this existing site by waiver of the COGCC Rule 604.a.(2).



If this meets with your approval, please sign and date both originals of the 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 contact me at (303) 330-8903.

Very truly yours,

ENCANA OIL & GAS (USA) INC.



Doug Pearlman  
Land Negotiator

THE UNDERSIGNED SURFACE OWNER HEREBY WAIVES RULE 604.a.(2) AS IT APPLIES TO THE SURFACE LOCATIONS AND APPROVES THE SURFACE LOCATIONS OF THE FACILITIES FOR THE; EXISTING COSSLETT B UNIT 2 AND COSSLETT 33-22 WELLS, PROPOSED COSSLETT 4-4-22, PROPOSED COSSLETT 4-6-22, PROPOSED COSSLETT 44-22, PROPOSED COSSLETT 6-8-22 AND PROPOSED COSSLETT 34-22, LOCATED IN THE SE/4 OF SECTION 22, TOWNSHIP 1 NORTH, RANGE 68 WEST, WELD COUNTY, COLORADO.

  
MICHAEL ALEXANDER BAKER  
MARK SCHOLTE

EnCana Oil & Gas (USA) Inc.