



September 16, 2010

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

RE: Waiver of Rule 318A.c.(1)
Herren 5-2-33 and 6-0-33
Surface Location – 253' FNL, 294' FEL – Herren 5-2-33
Surface Location – 247' FNL, 302' FEL – Herren 6-0-33
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 5-2-33 and Herren 6-0-33 well at a surface location 253 feet from the north line and 294 feet from the east line of Section 33, Township 3 North, Range 67 West for the Herren 5-2-33 and 247 feet from the north line and 302 feet from the east line for the Herren 6-0-33 (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 locations 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 twinned 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 5-2-33 and Herren 6-0-33 well was staked at a location 338' 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 5-2-33 and 6-0-33 Wells by waiver of the COGCC Rule 318A.c.(1).

Encana Oil & Gas (USA) Inc.

370 17th Street, Suite 1700
Denver, Colorado USA 80202

t 303.623.2300

www.encana.com

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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 Danny Nelson at 970-630-9276 or Emily Cozyris at 720-876-5026.

Very truly yours,

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 5-2-33 WELL AND APPROVES THE SURFACE LOCATION OF 253 FEET FROM THE NORTH LINE AND 294 FEET FROM THE EAST LINE OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 67 WEST, WELD COUNTY, COLORADO.

Mayer Family Farms, LLC

Signed: Mayer Family Farms LLC

Title: Retha E. Pyeatt MGR

THE UNDERSIGNED SURFACE OWNER HEREBY WAIVES RULE 318A.c.(1) AS IT APPLIES TO THE SURFACE LOCATION OF THE HERREN 6-0-33 WELL AND APPROVES THE SURFACE LOCATION OF 247 FEET FROM THE NORTH LINE AND 302 FEET FROM THE EAST LINE OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 67 WEST, WELD COUNTY, COLORADO.

Mayer Family Farms, LLC

Signed: Mayer Family Farms LLC

Title: Retha E. Pyeatt MGR