

September 16, 2010

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

RE: Waiver of Rule 318A.a.(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.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"); ...

The Herren 5-2-33 and Herren 6-0-33 well was staked at a location 256' 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 5-2-33 and 6-0-33 Wells by waiver of the COGCC Rule 318A.a (1).

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

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.a.(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.

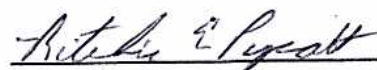
Mayer Family Farms, LLC

Signed: 

Title: MGR

THE UNDERSIGNED SURFACE OWNER HEREBY WAIVES RULE 318A.a.(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.

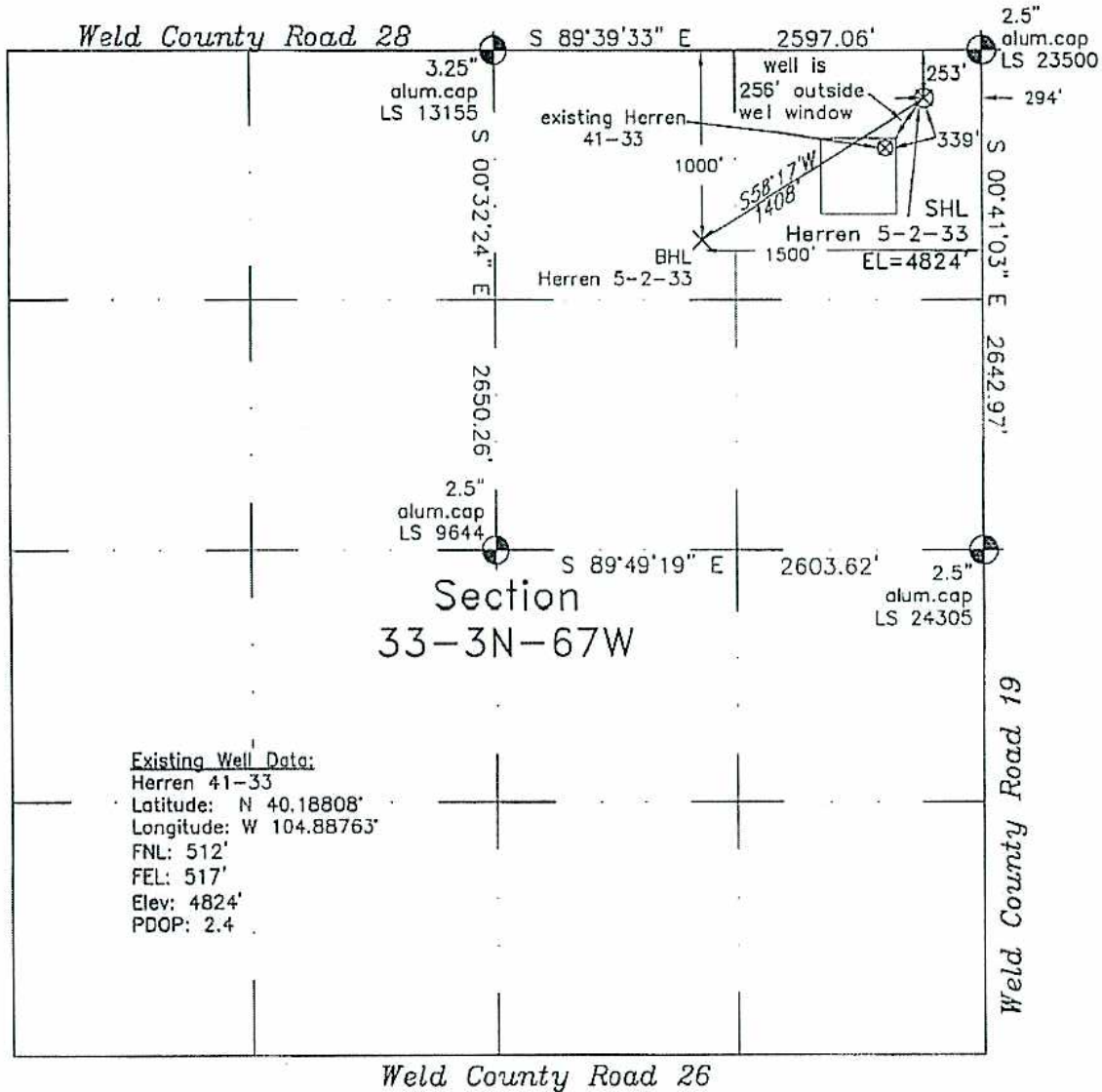
Mayer Family Farms, LLC

Signed: 

Title: MGR

WELL LOCATION CERTIFICATE

THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY



In accordance with a request from Dan Nelson of EnCana Oil & Gas (USA) Inc., Frederick Land Surveying, Inc. has determined the location of the Herren 5-2-33 well site to be 253' FNL and 294' FEL, (BHL 1000' FNL and 1500' FEL), as measured at ninety (90) degrees from the section lines of Section 33, Township 3 North, Range 67 West of the 6th Principal Meridian, Weld County, Colorado.

Proposed Surface Hole Data:

Latitude: N 40.18878' BHL(40.18677')
 Longitude: W 104.88683' BHL(104.89114')
 Nearest: Building 439' southeast Above Ground Utility 270' north
 Public Road 251' north Railroad 6200' northwest
 Property Line 253' north

PDOP: 2.0

Notes:

- 1) Bearings and distances based on NAD 83 Colorado North State Plane Coordinates using RTK GPS observations taken 9/3/10 by operator Tom Winans.
- 2) Conversion factor to ground (1.000271870).
- 3) Elevations based on NAVD 88 GPS heights and Geoid 2003 corrections.
- 4) See improvement map for visible improvements within 400 feet of pad site.
- 5) The location falls on agricultural land.

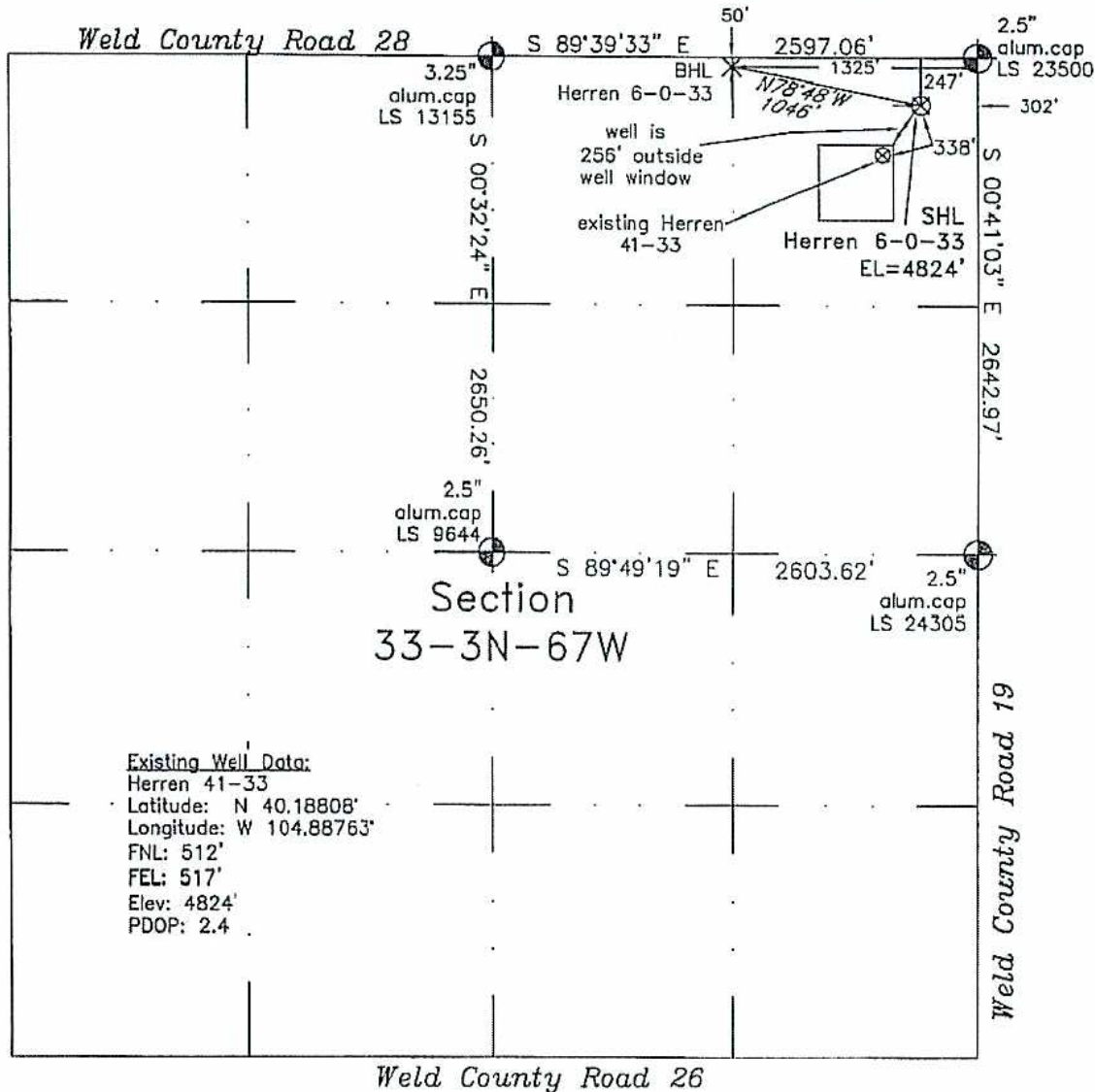
NOTICE: According to Colorado law you MUST commence any legal action based upon any defect in this W.L.C. within three years after you first discover such defect. In no event may any action based upon any defect in this W.L.C. be commenced more than ten years from this said date of the certification shown hereon.

I hereby certify that this Well Location Certificate was prepared by me or under my direct supervision on 9/17/10 for and on behalf of EnCana Oil & Gas (USA) Inc. that it is not a Land Survey or an Improvement Survey Plat and that it is not to be relied upon for establishment of fences, buildings, or other future improvement lines.

Alex Ronald Perkins #34176
 Job #: 06131.003 9-14-10

WELL LOCATION CERTIFICATE

THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY



Existing Well Data:
 Herren 41-33
 Latitude: N 40.18808°
 Longitude: W 104.88763°
 FNL: 512'
 FEL: 517'
 Elev: 4824'
 PDOP: 2.4



LEGEND
 — found survey monument
 (c) — calculated dimension

In accordance with a request from Dan Nelson of EnCana Oil & Gas (USA) Inc., Frederick Land Surveying, Inc. has determined the location of the **Herren 6-0-33** well site to be 247' FNL and 302' FEL, (BHL 50' FNL and 1325' FEL), as measured at ninety (90) degrees from the section lines of Section 33, Township 3 North, Range 67 West of the 6th Principal Meridian, Weld County, Colorado.

Proposed Surface Hole Data:
 Latitude: N 40.18880° BHL(40.18937°)
 Longitude: W 104.88686° BHL(104.89053°)
 Nearest: Building 448' southeast
 Public Road 245' north
 Property Line 247' north

Above Ground Utility 277' north
 Railroad 6200' northwest

I hereby certify that this Well Location Certificate was prepared by me or under my direct supervision on 9/17/10 for and on behalf of EnCana Oil & Gas (USA) Inc. that it is not a Land Survey or an improvement survey and that it is not to be relied upon for establishment of fences, buildings, or other future improvement lines.

PDOP: 2.0

- Notes:
- 1) Bearings and distances based on NAD 83 Colorado North State Plane Coordinates using RTK GPS observations taken 9/3/10 by operator Tom Winans.
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 - 3) Elevations based on NAVD 88 GPS heights and Geoid 2003 corrections.
 - 4) See improvement map for visible improvements within 400 feet of pad site.
 - 5) The location falls on agricultural land.

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Alex Rondal, Registered Professional Surveyor
 Alex Rondal, Registered Professional Surveyor #34176
 Job #: 06131.002 9-17-2010