



November 2, 2011

Melvin Dinner, Ethel Segal, Albert J. Dinner, William M. Dinner, Dara Lisa Dinner, Jesse Dinner, Isaac Dinner and Rae Weiland Revocable Trust dated August 1, 1983  
822 7<sup>th</sup> Street, Suite 540  
Greeley, CO 80631

Re: Waiver of Rule 318A(I).c.(1)  
Dinner Federal 4A-14H Oil and Gas Well  
1122'FSL 347'FEL(SHL)  
Township 4 North, Range 66 West  
Section 14: SE1/4  
Weld County, Colorado

Dear Melvin Dinner:

Encana Oil & Gas (USA) Inc. ("Encana") staked the Dinner Federal 4A-14H well at a surface location 1122 feet from the south line and 347 feet from the south line of Section 14, Township 4 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(I), known as the Greater Wattenberg Area Special Well Location, Spacing and Unit Designation Rule (Except the City and County of Broomfield). Rule 318A(I).c.(2) states:

"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 Dinner Federal 4A-14H well was staked at a location 588' northeast of the existing Dinner 4-14 well located in the same drilling window. As this location was staked with your consent and approval, Encana respectfully requests your consent to an exception location for the Dinner Federal 4A-14H well by waiver of the COGCC Rule 318A(I).c.(1).

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.

Melvin Dinner, Individually and as agent and attorney-in-fact on behalf Ethel Segal, Albert J. Dinner, William M. Dinner, Dara Lisa Dinner, Jesse Dinner, Isaac Dinner, and Rae Weiland Revocable Trust dated August 1, 1983

Thank you for your time and consideration in this matter. If you have any questions or comments, please contact the undersigned at 303-885-5569.

Very truly yours,

Encana Oil & Gas (USA) Inc.

Dave Bale  
Dave Bale  
Contract Field Land Negotiator

Encana Oil & Gas (USA) Inc.  
3601 Stagecoach Road North  
Longmont, Colorado 80504  
mobile 303-885-5569  
fax 303.774.3973  
david.bale@encana.com  
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encana.™

natural gas

November 2, 2011  
Waiver of Rule 318A(I).c.(1)  
Melvin Dinner, et al  
Page 2 of 2

THE UNDERSIGNED SURFACE OWNER HEREBY WAIVES RULE 318A(I).c.(1) AS IT APPLIES TO THE SURFACE LOCATION OF THE DINNER FEDERAL 4A-14H WELL AND APPROVES THE SURFACE LOCATION OF 1122 FEET FROM THE SOUTH LINE AND 347 FEET FROM THE EAST LINE OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 66 WEST, WELD COUNTY, COLORADO.

*Melvin Dinner, individually and attorney-in-fact on behalf of Ethel Segal, Albert J. Dinner, William M. Dinner, Darahisa Dinner, Jane Dinner, Isaac Dinner and the Rae Weiland Revocable Trust dated August 1, 1983*

Melvin Dinner, Individually and as agent and attorney-in-fact on behalf of Ethel Segal, Albert J. Dinner, William M. Dinner, Dara Lisa Dinner, Jesse Dinner, Isaac Dinner and Rae Weiland Revocable Trust dated August 1, 1983

Encana Oil & Gas (USA) Inc.  
3601 Stagecoach Road North  
Longmont, Colorado 80504  
mobile 303-885-5569  
fax 303.774.3973  
david.bate@encana.com  
www.encana.com

November 3, 2011

Melvin Dinner, Ethel Segal, Albert J. Dinner, William M. Dinner, Dara Lisa Dinner, Jesse Dinner, Isaac Dinner and Rae Weiland Revocable Trust dated August 1, 1983  
822 7<sup>th</sup> Street, Suite 540  
Greeley, CO 80631

RE: Waiver of Rule 318A(I).a.(1)  
Dinner Federal 4A-14H Oil and Gas Well  
Surface Location – 1122'FSL 347'FEL(SHL)  
Section 14, T4N, R66W  
Weld County, Colorado

Dear Melvin Dinner:

Encana Oil & Gas (USA) Inc. ("Encana") staked the Dinner Federal 4A-14H well at a surface location 1122 feet from the south line and 347 feet from the east line of Section 14, Township 4 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(I) 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(I).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, 6<sup>th</sup> 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 Dinner Federal 4A-14H well was staked at a location 287' 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 Dinner Federal 4A-14H Well by waiver of the COGCC Rule 318A(I).a (1).

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November 3, 2011  
Dinner Federal 4A-14H  
Rule 318A(I).a.(1) waiver

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 303-885-5569.

Very truly yours,

Encana Oil & Gas (USA) Inc.

Dave Bale  
Dave Bale  
Contract Field Land Negotiator

THE UNDERSIGNED SURFACE OWNER HEREBY WAIVES RULE 318A(I).a.(1) AS IT APPLIES TO THE SURFACE LOCATION OF THE DINNER FEDERAL 4A-14H WELL AND APPROVES THE SURFACE LOCATION OF 1122 FEET FROM THE SOUTH LINE AND 347 FEET FROM THE EAST LINE OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 66 WEST, WELD COUNTY, COLORADO

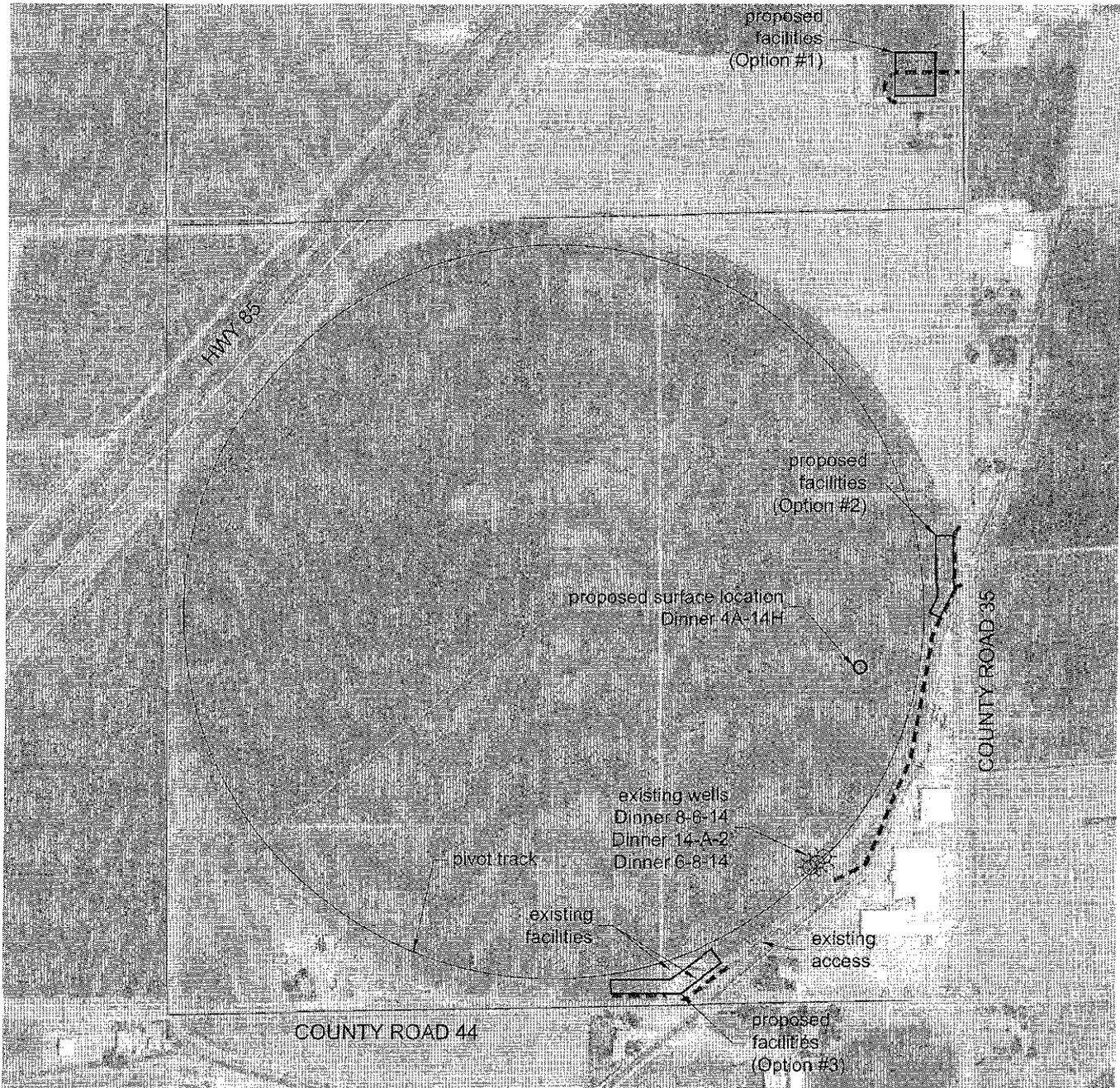
*Melvin Dinner, Individually and as agent and attorney-in-fact on behalf of Ethel Segal, Albert J. Dinner, William M. Dinner, Dara Lisa Dinner,*

Melvin Dinner, Individually and as agent and attorney-in-fact on behalf of Ethel Segal, Albert J. Dinner, William M. Dinner, Dara Lisa Dinner, Jesse Dinner, Isaac Dinner and Rae Weiland Revocable Trust dated August 1, 1983

*Jesse Dinner, Isaac Dinner and Rae Weiland Revocable Trust*  
Encl. *dated August 1, 1983*

# EXHIBIT "A"

Attached hereto and made part hereof that certain Surface Damage and Release Agreement dated the 2nd of November, 2011, by and between Melvin Dinner, Ethel Segal, Albert J. Dinner, William M. Dinner, Dara Lisa Dinner, Jesse Dinner, Isaac Dinner, and Rae Weiland Revocable Trust dated August 1, 1983 "Owner" and Encana Oil & Gas USA (Inc.) "Encana".



- existing access
- proposed access

**encana.**  
*natural gas*

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**TOWNSHIP 4 NORTH, RANGE 66 WEST**  
**SECTION 14: SE $\frac{1}{4}$ , S $\frac{1}{4}$ NE $\frac{1}{4}$**   
**WELD COUNTY, COLORADO**

SCALE: 1" = 500'
NOVEMBER 2, 2011

November 8, 2011

BLM – Royal Gorge Field Office  
3028 E. Main Street  
Cannon City, CO 81212  
ATTN: Leslie Peterson – Petroleum Engineer

Encana Oil & Gas (USA) Inc.  
370 17<sup>th</sup> Street, Suite 1700  
Denver, CO 80202  
ATTN: Cindi Danner-Weide

RE: Dinner Federal 4A-14H  
Township 4 North, Range 66 West  
Section 14: SW/4SW/4  
Weld County, Colorado

Ladies and Gentlemen:

Melvin Dinner, Ethel Segal, Albert J. Dinner, William M. Dinner, Dara Lisa Dinner, Jesse Dinner, Isaac Dinner and Rae Weiland Revocable Trust dated August 1, 1983, (“Dinner family”) own the surface of the lands described above on which Encana Oil & Gas (USA) Inc. plans to drill the Dinner Federal 4A-14H well (the “Well”) and locate facilities for the Well. We understand that the United States through the Bureau of Land Management (“BLM”) owns the minerals in the Well and will have an interest in the well. Dinner has entered into a Surface Use Agreement with Encana. Accordingly, Dinner confirms and agrees that BLM personnel may access the Lands for the purposes of inspecting the Well and associated facilities until the Well is plugged and abandoned.

Sincerely,  
*Melvin Dinner, Individually and as agent and attorney-in-fact*  
*on behalf of Ethel Segal, Albert J. Dinner, William M. Dinner,*  
Melvin Dinner *Dara Lisa Dinner, Jesse Dinner, Isaac Dinner*  
*and the Rae Weiland Revocable Trust dated August 1, 1983*  
Individually and as agent and attorney-in-fact on behalf Ethel Segal, Albert J. Dinner,  
William M. Dinner, Dara Lisa Dinner, Jesse Dinner, Isaac Dinner and Rae Weiland  
Revocable Trust dated August 1, 1983