

January 10, 2013

Kermit O. Bohrer Trust
14671 Weld County Road 3
Longmont, CO 80504



RE: Waiver of Rule 603.a.(2)

| <u>Well Name</u> | <u>Surface Location – Footages</u> |
|---------------------|--|
| Bohrer Trust 2-0-19 | 176' From North Line and 609' From West Line |
| Murphy 31-19 | 183' From North Line and 602' From West Line |
| Bohrer Trust 21-19 | 190' From North Line and 595' From West Line |
| Bohrer Trust 22-19 | 197' From North Line and 588' From West Line |
| Bohrer Trust 2-19 | 204' From North Line and 581' From West Line |
| Bohrer Trust 2-4-19 | 211' From North Line and 574' From West Line |
| Bohrer Trust 11-19 | 218' From North Line and 566' From West Line |
| Bohrer Trust 12-19 | 225' From North Line and 559' From West Line |

Section 19: NW4, T 3 N, R 68 W
Weld County, Colorado

Dear Mr. Bohrer:

Encana Oil & Gas (USA) Inc. ("Encana") staked the above mentioned wells at surface locations as indicated above from the section lines of Section 19, Township 3 North, Range 68 West (see attached Well Location Certificate). These wells are drilled under the rules and regulations of the Colorado Oil and Gas Conservation Commission's ("COGCC") Rule 603.a. Statewide Setbacks. This rule states:

- (2) A well shall be a minimum distance of one hundred fifty (150) feet from a surface property line. An exception may be granted by the Director if it is not feasible for the operator to meet this minimum distance requirement and a waiver is obtained from the offset surface owner(s). An exception request letter stating the reasons for the exception shall be submitted to the Director and accompanied by a signed waiver(s) from the offset surface owner(s). Such waiver shall be written and filed in the county clerk and recorder's office and with the Director.

The wells were staked at locations within 40' from your property line. Encana respectfully requests your consent to an exception location for this well by waiver of the COGCC Rule 603.a (2).

Please sign and date letters, 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 the undersigned at (720) 369-0432.

Sincerely,


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

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

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Rule 603.a.(2) waiver
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THE UNDERSIGNED SURFACE OWNER HEREBY WAIVES RULE 603.a.(2) AS IT APPLIES TO THE SURFACE LOCATION OF THE FOLLOWING WELLS AND APPROVES THE SURFACE LOCATION AS NOTED BELOW FROM THE SECTION LINES OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 68 WEST, WELD COUNTY, COLORADO:

| <u>WELL NAME</u> | <u>SURFACE LOCATION – FOOTAGES</u> |
|---------------------|--|
| BOHRER TRUST 2-0-19 | 176' FROM NORTH LINE AND 609' FROM WEST LINE |
| MURPHY 31-19 | 183' FROM NORTH LINE AND 602' FROM WEST LINE |
| BOHRER TRUST 21-19 | 190' FROM NORTH LINE AND 595' FROM WEST LINE |
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by 

Kermit O. Bohrer - Trustee
Kermit O. Bohrer Trust dated May 8, 2002

Encl.