



May 7, 2013

Richard James Vogl  
Johnny Edward Vogl  
7250 CR 26  
Longmont, CO 80504

RE: Waiver of Rule 318A(I).a.(1)

WELL NAMES	SURFACE LOCATION (FOOTAGES)
VOGL-GEIST 2A-5H-E267	2602' FROM NORTH LINE AND 311' FROM WEST LINE
VOGL-GEIST 2B-5H-E267	2602' FROM NORTH LINE AND 331' FROM WEST LINE
VOGL-GEIST 2C-5H-E267	2602' FROM NORTH LINE AND 351' FROM WEST LINE
VOGL-MCCOY 2A-5H-E267	2603' FROM NORTH LINE AND 301' FROM WEST LINE
VOGL-MCCOY 2B-5H-E267	2602' FROM NORTH LINE AND 321' FROM WEST LINE
VOGL-MCCOY 2C-5H-E267	2602' FROM NORTH LINE AND 341' FROM WEST LINE
VOGL-MCCOY 2D-5H-E267	2602' FROM NORTH LINE AND 361' FROM WEST LINE
All footages from section lines of Section 5, T 2 N, R 67W Weld County, Colorado	

Dear Richard and Johnny:

Encana Oil & Gas (USA) Inc. ("Encana") staked the above mentioned wells at surface locations as noted (see attached Well Location Certificate). These wells are 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 VOGL-GEIST 2A-5H-E267 thru 2C-5H-E267 wells were staked at locations southwest of the defined (400') window. The VOGL-MCCOY 2A-5H-E267 thru 2D-5H-E267 wells were staked at locations southwest 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 above mentioned wells by waiver of the COGCC Rule 318A(I).a.(1).

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 (720) 369-0432.

Respectfully,

Encana Oil & Gas (USA) Inc.

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

Encana Oil & Gas (USA) Inc.  
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Longmont, Colorado USA 80504  
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THE UNDERSIGNED SURFACE OWNER HEREBY WAIVES RULE 318A(I).a.(1) AS IT APPLIES TO THE SURFACE LOCATIONS OF THE WELLS NOTED BELOW AND APPROVES THE SURFACE LOCATIONS AS INDICATED AS MEASURED FROM THE SECTION LINES OF SECTION 5, TOWNSHIP 2 NORTH, RANGE 67 WEST, WELD COUNTY, COLORADO.

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RICHARD JAMES VOGL

by   
Richard James Vogl

JOHNNY EDWARD VOGL

by   
Johnny Edward Vogl

Encl.