

May 7, 2013

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

Re: Waiver of Rule 318A(I).c.(1)

<u>WELL NAMES</u>	<u>SURFACE LOCATION (FOOTAGES)</u>
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). 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 VOGL-GEIST 2A-5H-E267 thru 2C-5H-E267 wells were staked at locations southwest of the existing VOGL 5-5 well. The VOGL-MCCOY 2A-5H-E267 thru 2D-5H-E267 wells were staked at locations southwest of the existing VOGL 5-5 well. As these locations were 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).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.

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.

Respectfully,

Encana Oil & Gas (USA) Inc.



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

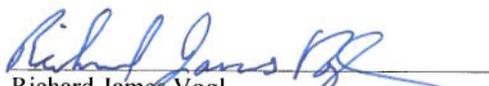
**Encana Oil & Gas (USA) Inc.**  
3601 Stagecoach Road  
Longmont, Colorado USA 80504  
Cell: 720-369-0432  
Bob.Bresnahan@encana.com  
[www.encana.com](http://www.encana.com)

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THE UNDERSIGNED SURFACE OWNER HEREBY WAIVES RULE 318A(I).c.(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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