

**BEFORE THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF COLORADO**

IN THE MATTER OF ENCANA OIL & GAS (USA))
INC.'S PETITION FOR DETERMINATION OF)
NONTRIBUTARY GROUND WATER IN THE COAL)
RIDGE SECTION OF THE WILLIAMS FORK) 10SE____
FORMATION OF THE MESAVERDE GROUP,)
MALONE WELL FIELD, PICEANCE BASIN,)
GARFIELD COUNTY, COLORADO)

**NOTICE OF PETITION FOR DETERMINATION
OF NONTRIBUTARY GROUND WATER**

YOU ARE HEREBY NOTIFIED that pursuant to Rule 17.5 of the Colorado Department of Natural Resources, Office of the State Engineer's Rules and Regulations for the Determination of the Nontributary Nature of Ground Water Produced Through Wells in Conjunction with the Mining of Minerals ("Produced Nontributary Ground Water Rules"), 2 C.C.R. 402-17, on March 1, 2011, Encana Oil & Gas (USA) Inc. ("Encana") filed a Petition for Determination of Nontributary Ground Water concerning a geographically delineated area associated with existing and future coalbed methane ("CBM") production wells located within the Coal Ridge Section of the Williams Fork Formation of the lower Mesaverde Group (said Coal Ridge Section is hereinafter referred to as the "Subject Formation") in the Piceance Basin in southeastern Garfield County, Colorado.

Specifically, the geographically delineated area associated with Encana's CBM production from the Subject Formation, known as the Malone Well Field, that is the subject of this Petition includes all of Section 28, the S¼ of Section 21, the SW¼ SW¼ of Section 22, and the W¼ of Section 27, Township 7 South, Range 92 West of the 6th P.M. in southeastern Garfield County, as further delineated in Figure 1 to the Petition.

Availability of Petition and Supporting Information

The Petition is supported by the *Nontributary Coalbed Methane Groundwater Assessment, Malone Well Field, Piceance Basin, Colorado*, prepared by Wright Water Engineers, Inc., dated February 2011 ("2011 WWE Report"). The Petition, 2011 WWE Report and supporting materials will be posted by the State Engineer on the State Engineer's website link to Petitions for Nontributary Determinations.

Persons wishing to respond to Encana's Petition may do so in accordance with Rule 17.5(B), in writing to the State Engineer's Office at the following address within thirty (30) days:

Mr. Dick Wolfe
Office of the State Engineer
Colorado Division of Water Resources
818 Centennial Building
1313 Sherman Street
Denver CO 80203

Dated this 1st day of March, 2011.

Respectfully submitted,

/s/ Steven E. Marlin

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Attorneys for Encana Oil & Gas (USA) Inc.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF PETITION FOR DETERMINATION OF NONTRIBUTARY GROUND WATER** was served on the 1st day of March, 2011 by email to all parties listed on the Produced Nontributary Ground Water Notification List for Water Division No. 5.

In addition, the foregoing Notice will be published in the primary newspapers in circulation in the affected watersheds.

/s/ Steven E. Marlin _____