

-----Original Message-----

From: jessica ernst [<mailto:ernstj@telusplanet.net>]

Sent: Friday, September 17, 2010 4:57 PM

To: Stephen Smith

Cc: [Koreen.Griffiths@Encana.com](mailto:Koreen.Griffiths@Encana.com); [janaya.flower@encana.com](mailto:janaya.flower@encana.com); Gavin McClenaghan; Evan Knox; Heather von Hauff; Knull, Stacy; [ataylor@dillon.ca](mailto:ataylor@dillon.ca); Brenda Austin

Subject: EnCana 02-13-27-22-W4M in breach of ERCB Directives 035& 056

Jessica Ernst  
Box 753 Rosebud AB T0J 2T0  
Landowner, PO SE 13-27-22-W4M

Mr. Stephen Smith,  
ERCB Applications Group

Dear Mr. Smith,

I trust all is well with you and yours.

Please find letter and supporting documents attached regarding EnCana 02-13-27-22-W4M and other.

Please kindly acknowledge receipt of my letter and supporting documents.

Thank you.

Sincerely,

jessica Ernst

On 10/4/2010 2:26 PM, Gavin McClenaghan wrote:  
Dear Ms. Ernst,

Sorry for not getting back to you sooner.

Thank you for your letter of September 17, 2010. In your letter you outline a number of items that you feel EnCana did not do, or did not do properly, with respect to application number 1659755. The ERCB takes all allegations of non-compliance events very seriously.

In this instance, prior to receiving your letter, EnCana identified that it did not complete all required work prior to filing the application. This was self-disclosed on September 14 via a phone call to myself and followed up with a letter on September 15. As part of the self-disclosure the ERCB requires an applicant to put forth a plan to bring the matter into compliance. In fulfillment of that requirement, and as part of EnCana's self-disclosure, EnCana requested that the well licence be cancelled. This request was entered into the ERCB's application system as application number 1661153. This application was approved, cancelling the well licence, on September 16, 2010. Facility Applications - Audit considers that the surrender of the licence brings this event into compliance, consistent with Directive 019.

As per Section 6 of ERCB Directive-019, Compliance Assurance - Enforcement, the ERCB will not initiate enforcement action when the non-compliance has been properly self-disclosed to the ERCB. As EnCana met all the criteria for a proper self-disclosure between September 14 and September 16 Facilities Applications - Audit closed this matter. Therefore, no enforcement action has been taken nor is enforcement deemed appropriate at this time.

Thank you once again for your letter. If you wish to discuss this matter further please feel free to contact me via e-mail or at 403-297-6847.

Gavin

Gavin McClenaghan - Section Leader

ERCB Facilities Applications - Audit Section

Phone: (403) 297-6847

Fax: (403) 297-4117

e-mail: [gavin.mcclenaghan@ercb.ca](mailto:gavin.mcclenaghan@ercb.ca)

-----Original Message-----

From: jessica ernst [<mailto:ernstj@telusplanet.net>]

Sent: Tuesday, October 05, 2010 4:04 PM

To: Gavin McClenaghan

Subject: Re: EnCana 02-13-27-22-W4M in breach of ERCB Directives 035& 056

Jessica Ernst  
Box 753 Rosebud AB  
T0J 2T0  
Fax 403-677-2229

Dear Mr. McClenaghan,

Thank you for Email.

Please send me a copy of the September 15, 2010 letter from EnCana to you, and the company's plan to come into compliance and request to cancel their licence. I cannot find these in the file for Application Number 1661153.

Please also keep me apprised of any future applications at that well site, and in Sections 12 and 13-27-22-W4M, given my concerns.

Thank you.

Sincerely,

Jessica Ernst  
Landowner PO SE-13-27-22-W4M

On 10/8/2010 2:36 PM, Gavin McClenaghan wrote:  
Dear Ms. Ernst,

Please find attached EnCana's September 15, 2010 letter where it self-disclosed this matter to the ERCB. Also included is EnCana's analysis of what went wrong and its action plan to prevent this from happening again.

I am sorry, but I cannot undertake to keep you informed of future applications that may be registered in Sections 12 and 13-27-22W4M. You may contact the potential applicants directly (including EnCana) and/or you may file an objection with the ERCB.

If you require further assistance on this matter from myself, please note that I will be out of the office next week and not checking messages. I will be back in the office on October 18,

Gavin

Gavin McClenaghan - Section Leader

ERCB Facilities Applications - Audit Section

Phone: (403) 297-6847

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e-mail: [gavin.mcclenaghan@ercb.ca](mailto:gavin.mcclenaghan@ercb.ca)

On 11/11/2010 1:56 AM, jessica ernst wrote:  
Jessica Ernst  
Box 753 Rosebud AB  
T0J 2T0

P/O SE-13-27-22-W4M

Dear Mr. McClenaghan,

Thank you for sending me EnCana's September 15, 2010 letter. Would you please explain, in detail, where in EnCana's document their action plan is. All I see is that EnCana plans to reapply, they do not list what breaches need to be corrected, and how EnCana plans to bring the breaches into compliance.

I have contacted EnCana, endless times, for years now. The company just disrespectfully disregards or deflects my questions and concerns. Tonight, again, their K101 compressor at 7-13 is loud and annoying, and violating my legal right to quiet enjoyment of my property. The noise can easily be properly mitigated.

I see tonight that EnCana re-applied for their 2-13 that was in breach of ERCB Directives 035 and 056 but they made no attempt to address my outstanding concerns. I see that EnCana applied for the 8-13 also without addressing my concerns. Is EnCana in compliance with Guide 56? Is EnCana's Action Plan working?

A new concern that I must raise to the ERCB is that the 8-13 is very close to the Rosebud water reservoir. The hamlet had to pay almost \$700,000.00 for a new reservoir when the original blew up in an explosion after EnCana fractured the aquifer that supply the reservoir. EnCana does not even include the hamlet water reservoir on their survey. I think this must be included in the survey and the community must be consulted about how close and shallow EnCana plans to hydraulically fracture to the new reservoir, with full disclosure of the risks and what will be done if this reservoir too is destroyed or damaged.

Please review the attached peer reviewed paper by Dr. Theo Colburn "Natural Gas Operations from a Public Health Perspective" on the toxic chemicals used in drilling and fracturing, and public health consequences of these. EnCana promised, in writing, to address cumulative affects and consult. I've seen no cumulative affects

assessment by EnCana. Full chemical and emissions disclosure and risks to public health would be a start. On its applications, EnCana indicated that the company met its consultation requirements. How can this be true if EnCana is not keeping its written promise to consult?

Please send me a copy of the confidential attachments for both these wells, so that I may review them. EnCana's surveys for both these wells indicate breach of Directive 035 but I need more information to verify this.

I urge the ERCB to do the right thing and direct EnCana to appropriately and respectfully address my outstanding concerns, and those of others in my community. The company and the ERCB know what EnCana did to Rosebud aquifers and how dangerous our drinking water is.

The most important question I have for the ERCB is why was EnCana's application for the 2-13 approved in the first place?

Please openly (accessible to the public) put on file for these wells the concerns I sent to Mr. Stephen Smith on Sept 17 2010 that he then forwarded to you, with my supporting documents. If you need me to resend them to you, please let me know.

Thank you.

Jessica Ernst

-----Original Message-----

From: jessica ernst [<mailto:ernstj@telusplanet.net>]

Sent: Thursday, November 11, 2010 2:03 AM

To: Stephen Smith; Laurie Wilson-Temple

Cc: Gavin McClenaghan; Bob Davis; Heather von Hauff; [church@rosebud.ca](mailto:church@rosebud.ca)

Subject: Re: EnCana 02-13-27-22-W4M in breach of ERCB Directives 035& 056

Dear Mr. Smith,

This response from Mr. McClenaghan:

I will be out of the office from November 4, 2010 to November 12, 2010 inclusive. If you need immediate assistance please contact Stewart MacKinnon at 403 297-6329. Otherwise I will respond to your e-mail after I return on November 15. Gavin

Because I expect the ERCB to approve EnCana's applications very quickly, I ask please, that you handle this for me, or send it to the appropriate person.

Thank you.

Jessica

On 11/12/2010 8:29 AM, Stephen Smith wrote:

Dear Ms. Ernst

Your email was copied to Ms Wilson-Temple, the manager for Mr. Mclenaghan's group and she has addressed the management of your documents and concerns.

Regards

Stephen Smith  
Executive Manager  
Applications Branch

On 11/12/2010 2:25 PM, jessica ernst wrote:

Thank you for your assistance.

I have another concern. There appears new documents for an EnCana well in Section 12 that are mixed in with the Section 13 applications. My concerns for this mixed up well also have not been addressed. Why is a section 12 well tangled up in applications for wells in Section 13? This makes things quite confusing. I would appreciate EnCana or the ERCB fixing this and putting the applications where they belong. Of course, it would not be so confusing and time wasting for me and others in my community if EnCana adhered to ERCB Directives and did what the company promised.

Also confusing: why would EnCana give a community member a map showing only one new gas well when EnCana promised to address cumulative affects and applied for three?

Thank you.

Sincerely,

jessica ernst