

BEATTY & WOZNIAK, P.C.

ATTORNEYS AT LAW

216 SIXTEENTH STREET, SUITE 1100
DENVER, COLORADO 80202-5115
TELEPHONE (303) 407-4499
FACSIMILE (303) 407-4494
www.bwenergylaw.com

KENNETH A. WONSTOLEN

DIRECT: (303) 407-4491
E-MAIL: KWONSTOLEN@BWENERGYLAW.COM

ALBUQUERQUE

CASPER

CHEYENNE

DENVER

SALT LAKE CITY

SANTA FE

April 13, 2010

Mr. Dick Wolfe
State Engineer
Colorado Division of Water Resources
1313 Sherman St., Rm. 818
Denver, CO 80203

RE: EOG Resources, Inc. Petition for Determination of Nontributary Ground Water in the North Park Structural Basin – Niobrara Formation

Dear Mr. Wolfe:

EOG Resources, Inc. (“EOG”) submits its Petition for a Determination of Nontributary Ground Water in the North Park Structural Basin for the six current and any future oil and gas wells to be constructed in the Niobrara Formation. Accompanying this Petition is the Technical Report, “Location of Tributary/Nontributary Line Niobrara Formation Oil Wells, North Park Basin, Colorado, Produced Nontributary Ground Water,” prepared by Leonard Rice Engineers, Inc., dated March 8, 2010 (“Report”). Pursuant to Rule 17.6.E.4, 2 CCR 402-17, two copies of this Report are enclosed along with one electronic copy.

Pursuant to Rule 17.5.A, EOG provides the following information:

1. Niobrara Ground Water Dewatering

It is anticipated the any potential dewatering of the Niobrara formation with the production of oil from the EOG wells in the produced nontributary ground water locations of the North Park Basin would solely be withdrawn to facilitate the mining of minerals and for no other purposes. Much, if not all, of the produced water related to EOG’s six oil wells in 2009 is

Mr. Dick Wolfe
Colorado Division of Water Resources
April 13, 2010
Page 2 of 3

believed to be water introduced during fracture stimulation of the wells during the initial completion of the wells.

2. Six Wells Operated in Proposed Geographically Delineated Area

EOG operates six (6) oil wells in the Niobrara Formation in the proposed produced nontributary ground water area of the North Park Structural Basin. These wells are located in Township 7 North, Range 80 West, which is in the central portion of the North Park Structural Basin.

The geologically delineated proposed produced nontributary ground water area of the North Park Basin is depicted on Figure 3, and is otherwise described as the North Park Structural Basin underlain by the Niobrara Formation ("Basin"). The Basin includes both the North Park and Middle Park drainage basins. The northern and southern extremities of the Basin were excluded because they are hydrologically separated from the main part of the Basin by major faults.

EOG is seeking a nontributary ground water determination for these six referenced oil wells, and its future oil and gas wells in this entire geographically delineated area of the Niobrara Formation in the Basin.

3. Engineering Modeling

The Leonard Rice Engineers, Inc. Report includes a discussion of the quantity of water produced by the six wells in 2009, the general geologic setting of the Basin, the hydrologic conceptual model, modeling method and data used, and results of the modeling. The modeling used in the Report is a superposition model using the U.S. Geological Survey MODFLOW 2000

Mr. Dick Wolfe
Colorado Division of Water Resources
April 13, 2010
Page 3 of 3

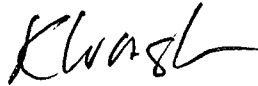
and Groundwater Vistas, version 5 as the pre- and post-processor. This modeling to define the location of the nontributary line of the Niobrara formation was used by Leonard Rice because (1) it can evaluate the limited area where stream depletion can occur, which is where streams cross the surface exposure of each formation, and (2) cross formation water flow is not required because the Niobrara Formation has very low permeability Pierre Shale above and Benton Shale below.

Conservative modeling assumptions were used by Leonard Rice, Report, p.10. The modeling results reveal in Plat 1 the location of the nontributary line at the required scale for the Niobrara Formation derived from the conservative modeling. The approximate average maximum distance of the nontributary line from the streams crossing the outcrops is 13,000 feet.

Contemporaneously filed with this Petition is the Notice of Rule 17.5 Petition, as required pursuant to Rule 17.5.B.1.

Very truly yours,

BEATTY & WOZNIAK, P.C.



Kenneth A. Wonstolen

Enc.: Leonard Rice Engineering Technical Report
(2 copies and 1 electronic copy)

cc: EOG Resources Inc.
Eric Dille
Steven P. Williams