



October 27, 2005

Alberta Energy and Utilities Board
640-5th Avenue S.W.
Calgary, Alberta T2P 3G4

Attention: Brenda Heelan Powell

Dear Madam:

RE: Compulsory Pooling Application No. 1406764
Section 13-37-21W4M
Ewing Lake Area, Alberta

Further to your letter of October 21, 2005 be advised that Bearspaw believes that the direct given by the EUB under letter dated September 20, 2005 signed by Giuseppa Bentivegna, Board Council, is a just and proper direction and that the board order should be issued in its normal fashion with normal conditions.

EnCana has not proven that it has an ownership in natural gas or its sub-category, coal bed methane, in any lands underlying section 13-37-21W4M with the exception of the 96.4 acres in which it owns fee simple title to all mines and minerals.

Bearspaw had agreed to pool natural gas which provided EnCana with ownership of 15.0625% of the spacing unit which is its ownership on an acreage basis pooling of section 13. EnCana has attempted to increase its interest on the basis of a claim of ownership of coal bed methane which it has not proven to be anything but natural gas.

The entities who suffer the greatest injustice in this effort by EnCana are the freehold natural gas owners who rightfully own the fee simple title to all natural gas underlying their lands. The EnCana claim is preventing these people and entities from having their assets developed and receiving the financial return do them. As Lessee under leases from the natural gas fee simple owners, we are required to pay royalties on natural gas produced from the lands not some convenient amount that is less than their entitlement.

In EnCana's letter of July 21, 2005 it stated that to avoid legal difficulties..... EnCana would typically negotiate a higher working interest for itself under pooling agreements that include coal bed methane where it owns both the coal and natural gas rights. In the instance at hand EnCana has attempted to increase

its interest in both lands that it owns coal and natural gas and in lands that it owns only coals. thus reducing the interest and value to the freehold natural gas owner.

We do not believe that EnCana is being adversely affected by the issuance of the order and encourage the EUB to grant the order with its normal content and conditions.

Yours truly,

A handwritten signature in black ink, appearing to be 'R.G. Jensen', written over a horizontal line.

R.G. Jensen
Land Consultant