IN THE DISTRICT COURT FOR FREMONT COUNTY, WYOMING

NINTH JUDICIAL DISTRICT

JEFF LOCKER and RHONDA LOCKER husband and wife,

Plaintiffs,

vs.

EnCANA OIL & GAS (USA) INC., a Delaware corporation,

Defendant.

Civil No. 39970

COMPLAINT

COME NOW the Plaintiffs, through their undersigned attorneys, and for their Complaint against Defendant allege the following:

PARTIES

1. Plaintiffs, Jeff and Rhonda Locker (Lockers or Locker Family), are married to one another and live on their farm which is located near Pavillion, Wyoming, and within EnCana Oil and Gas (USA), Inc.'s (EnCana) Pavillion Oil and Gas Field.

2. EnCana is a Delaware corporation doing business in Fremont County, Wyoming. EnCana engaged in various oil and gas exploration and production activities in Fremont County, Wyoming, as more fully described herein and the Lockers' claims arise out of such activities.

3. EnCana became the Operator and working interest owner of the oil and gas property at issue in this case by virtue of the merger of Tom Brown Inc., a Delaware Corporation ("TBI"), into EnCana on or about November 30, 2001.

GENERAL ALLEGATIONS

4. Lockers purchased their family farm in 1984. In order to qualify for financing to purchase the farm, Lockers obtained a water sample from their domestic water well (Locker #1) for analysis at an EPA-certified laboratory. This test was completed on January 7, 1988. According to the analysis, the Locker #1 well supplied good potable water to the farm house with a total dissolved solids (TDS) concentration of 532 mg/L, a sulfate concentration of 250 mg/L, and a sodium concentration of 170 mg/L. The laboratory report is attached, marked as Exhibit "A". One of the reasons the

Lockers purchased the farm in 1984 was because of the good quality of the domestic water supply on the property, reported by the Plaintiffs as "sweet".

5. When the Locker #1 well was sampled for the second time on May 26, 1992, the TDS and sulfate concentrations had increased almost ten-fold, with a TDS concentration of 4,600 mg/L, a sulfate concentration of 3,000 mg/L, and a sodium concentration of 1,100 mg/L. The laboratory report for this analysis is attached, marked as Exhibit "B".

6. Table 1, attached hereto, marked Exhibit "C", provides a summary of the analytical data for samples collected from Locker #1 during the period from 1988 to 2002. There are no natural geologic or hydrogeologic processes that can account for nearly a thousand percent increase in sulfate, sodium and TDS concentrations over a period of less than four years in a groundwater source that occurs at a depth of over 300 feet below the ground surface.

7. There exists, under Lockers' land, a large reservoir of oil and gas and associated hydrocarbons. The exact area and extent of this reservoir is reasonably certain of ascertainment and is known by EnCana. Lockers' land covers a portion of this reservoir. The surface estate of real property adjoining Lockers' land also covers this huge reservoir of oil and gas. The working interest in this reservoir, at least insofar as it underlies Lockers' real property and the immediately adjoining real property, is owned or controlled by EnCana. EnCana is also the designated Operator of the reservoir, which is known as the Pavillion Field.

8. EnCana, acting under the terms of oil and gas leases, communization agreements, federal onshore oil and gas operating regulations, as well as Tribal, State and Federal law, entered the surface estate of Lockers' land and the surface estate of land immediately adjacent to Lockers' farm for the purpose of developing the mineral estate. The mineral estate covered by the leases is owned primarily by the Eastern Shoshone and Northern Arapaho Indian Tribes and various private individuals and entities. EnCana drilled and operated various wells on Lockers' surface estate and on the surface estate of lands adjoining Lockers' farm. These wells produced and continue to produce large quantities of natural gas, condensate, and associated hydrocarbons, along with formation water and completion and operational fluids. These wells are

located within a close proximity of Plaintiffs' home and the exact composition of the produced gases and fluids (including drilling, completion, and operational fluids and formation water) is known only to EnCana.

9. By reason of various negligent and/or intentional acts and omissions committed by EnCana in the drilling, completion, and operation of the wells, Lockers' water well began to carry the smell and taste of hydrocarbons. The smell and taste of the water became worse and, on four occasions, the water was turned black as a direct result of wrongful well servicing operations conducted by EnCana on the 22-12, 12-12, 13-12 and 23-12 Wells. According to the timeline set forth in Table 2, attached hereto marked Exhibit "D", oil and gas well activity in the immediate vicinity of the Locker home began in 1979 with the drilling and completion of TP 22-12, which is located approximately 560 feet northwest of Locker #1. At the time workover activity at this well was conducted in April of 1993, the Lockers noticed a change in the appearance and quality of water from their domestic well. Lockers' water turned black, the washing machine became fouled with the material and would not discharge water. Although the appearance of the water later improved slightly, the sample collected on October 11, 1993, indicates that the water was non-potable and the results were similar to the previous sampling in 1992. Drilling activity surrounding the Locker residence increased considerably from 1998 to 2002 with the drilling of nine oil and gas wells within a few thousand feet of Locker #1. The Lockers noted several instances where their water turned black and then slightly improved during that period, most notably following drilling of Pavillion Fee 13-12, which is located approximately 800 feet southwest of Locker #1. In order to replace Locker #1 and get better quality of water, the Lockers attempted to drill a deeper well to 640 feet in July of 1994 (Locker #2). However, because the water quality in the new well was just as poor as Locker #1, the new well was not put into production.

10. Lockers' water, which had been suitable for domestic consumption, was rendered entirely useless for any domestic or agricultural purpose by virtue of the damage sustained as a result of EnCana's operations. EnCana's wrongful workover and general field operation not only turned the water produced from Lockers' well black, it fouled their appliances and water lines, and rendered the water unfit for human

consumption or household use due to the presence of exceedingly high levels of dissolved solids, sulfates and combustible gases.

11. Lockers complained to EnCana and asked the company to remedy this damage and to return their water to its original condition. EnCana has provided alternate drinking water sources to the Lockers since 2011.

12. In an attempt to remedy the contamination, EnCana did, on April 11, 2003, represent to Lockers in its written Release that the company had

13. EnCana intended to lead the Lockers to believe that the company had reliable data which established

14. Based on the data presented in Table 1 (Exhibit "C"), there is no evidence that any of the samples collected from Locker #1 were analyzed for TPH or any other petroleum-related compounds, except for the sample that was collected on January 7, 1997. Although petroleum hydrocarbons were not detected in the January 7, 1997, sample, the sample is suspect because of data quality issues due to a major discrepancy in the cation/anion balance in the analytical data. Nevertheless, even without analytical data confirming the presence of petroleum hydrocarbons in the Locker #1 samples, the drastic increase in TDS, sulfate, and sodium levels over a period of less than four years, during a time when oil and gas drilling was occurring in close proximity to the Locker residence, should have been a clear indication to EnCana that Locker #1 was being influenced by oil and gas well drilling activity. Not only did EnCana provide no data to indicate that petroleum byproducts were not present in the Locker #1 well, there is no evidence confirming that communication did not occur between EnCana's wells and the Lockers' wells.

15. These representations were made to the Lockers by EnCana, survivor by merger to TBI, in a written document entitled

Pursuant to the terms of this written document,

16. Approximately seven years later, on August 26, 2010, Lockers were notified by the Agency for Toxic Substances and Disease Registry to stop drinking or using the water produced from their water well for any household purpose. Lockers also learned there were "petroleum by-products" and other contaminants in their water. They learned of the presence of these contaminants from the results of a water quality sample collected by EPA on January 19, 2010. Lockers were also informed for the first time that the reverse osmosis treatment system did not remove "petroleum by-products" or other contaminants from their water or water well. In addition to elevated levels of inorganic compounds, such as sulfate, sodium, and total dissolved solids, metals, including arsenic, barium, manganese, nickel, selenium, and zinc, were detected in the sample. Dissolved gases, including ethane, methane, propane, and butane were also detected, along with low concentrations of Endosulfan; 2, 4, 5-Trichlorophenol; Bis(2-ethylhexyl)phthalate; 2-Butoxyethanol phosphate; 4-Chloro-3-methylphenol; diethylphthalate; and diesel range organics (DROs).

17. According to the manufacturers of RO water treatment systems, RO units are not designed to remove low molecular weight organic compounds which includes most volatile organic compounds (VOCs). Many of these compounds most probably were introduced into the aquifer used by the Lockers during oil and gas well development activities conducted on the Locker property from 1979 to 2005.

18. In 2011, while reviewing a spread sheet prepared by the EPA which described surface casing depths, Lockers learned that the Pavillion Fee 13-12 Well, located on surface property adjoining Lockers' land, was not completed in the manner promised by EnCana in its Application for Permit to Drill filed with the United States

Bureau of Land Management. The surface casing was set only to a depth of 327 feet below the surface. The estimated top of the cement, based on the bond log, on the production casing is 980 feet, leaving 653 feet of open hole between the bottom of the surface casing cement and the top of the production casing cement. Lockers' water is located about 800 feet away and produces water (now unfit for human consumption) from a depth of 361 feet. Thus, the production casing in EnCana's Pavillion Fee 13-12 Well is not properly cemented and, therefore, is incapable of protecting Lockers' water well from contamination.

19. Lockers learned, during the Voluntary Remediation Program, that EnCana's abandoned reserve pits located on their surface estate contained contaminants and that it was more likely than not these contaminants contributed to the pollution in their water well.

20. Unlined disposal pits are documented to have been located adjacent to TP 22-12 (located 560 feet northwest of Locker #1) and TP 42X-11 (located approximately 3,150 feet northwest of Locker #1). These unlined pits were used for disposal of drilling and fracking fluids not only from the well to which they were associated but also from other wells drilled in the area during the time the pits were open for use. Lockers believe and therefore allege the disposal activities occurred over a period of 20 to 25 years with unknown quantities of materials disposed of in the unlined structures.

21. A 2002 guideline for closure of unlined production pits (WOGCC) states that "salt and oil are two main types of contamination most commonly found in oilfield pits. Wyoming crude oil contains small, variable amounts of benzene and poly-cyclic aromatic hydrocarbons (PAH). Both are suspected carcinogens that are harmful to human health and the environment."

22. Despite the fact that the sites acted as a continuing source of groundwater contamination for over 25 years, it wasn't until 2006 that EnCana announced they would enter a voluntary cleanup program for the sites and began site assessment work. Remediation activities to remove contaminated soil from both pits was conducted in 2008. The TP 42X-11 site is the subject of ongoing groundwater monitoring. Monitoring well samples from the site have concentrations of DRO, gasoline range organics (GRO), benzene, and ethylbenzene above cleanup levels. One temporary

monitoring well was installed at the TP 22-12 site at the presumed center of the previous excavation. Because DRO contaminants were detected in the groundwater, EnCana installed three additional monitoring wells at the site in 2012. Based on the AECOM September 2013 follow-up monitoring report, TPH-DRO was detected in 3 of the 4 temporary monitoring wells. In addition, ethylbenzene, xylene, and TPH-GRO were detected in the downgradient well, TMW-2. Although the report concluded that "cleanup was completed and no further investigation or action is necessary at site TP 22-12", data presented in the report indicate that the vertical and horizontal extent of soil and groundwater contamination was not adequately characterized.

23. Based on soil boring data collected during the contaminated soil removal operations, it is clear both pit areas were underlain by fine to coarse sand to at least a depth of 16 feet. Because the pits were unlined and received a continuous source of petroleum by-products along with contributions from precipitation and surface water for a period of over 25 years, these pits, more likely than not, served as a continuous source of contamination that migrated vertically into the porous sandstone lenses within the Wind River Formation that supply water to Locker #1. Without monitoring wells that are completed through the total thickness of the sandstone that underlies each pit area, it is not possible to evaluate the vertical extent of groundwater contamination as a result of the unlined disposal pits. In addition, the horizontal extent of the contaminant plumes has not been adequately evaluated due to the inability of EnCana to establish a groundwater gradient direction at either site.

24. For all of these reasons, Lockers asked that a hydrological assessment of their water be conducted by Wyoming experts who are familiar with the Pavillion Field. This analysis establishes by a preponderance of evidence that contaminants released by EnCana's oil and gas drilling and production operations have polluted and contaminated Lockers' water and water well.

25. The analysis shows the Wind River Aquifer, which is comprised of the saturated sandstone lenses within the upper 1,000 feet of the Wind River Formation is the only reliable and economically viable drinking water supply source in the Pavillion area. In addition to serving as the sole source of drinking water to the Town of Pavillion,

the Wind River Aquifer has provided good quality water to many private wells in the area in the past.

26. The Pavillion gas field is a uniquely sensitive area because the geologic formation that has been developed for oil and gas development is also the sole source aquifer that provides potable groundwater for almost all of the area residents. There are multiple pathways of contamination migration within the shallow portions of the Wind River Formation from which the Lockers' obtain groundwater.

27. Oil and gas wells are potential avenues for contamination in the Pavillion area for several reasons: (1) Surface casing is too shallow and not cemented or improperly cemented in many cases; (2) Poor cement jobs have caused channeling outside the casing providing an avenue for drilling and fracking fluids to migrate up the annulus of the casing and out into a porous sandstone unit in the upper Wind River Formation; and, (3) Long perforated intervals have caused overpressurization inside the well casings resulting in migration of gas and fluids to lower pressure zones in the upper Wind River Formation.

28. Prior to the injuries and damage to the Lockers' water well, they relied on their ground water well for drinking, bathing, cooking, washing and other daily residential and business uses. Since at least 2000, Lockers' have not been able to use their ground water well for drinking or cooking and have, instead, been forced to use bottled water for these purposes.

29. At all times mentioned herein, and upon information and belief, Mr. and Mrs. Locker allege EnCana was negligent and/or grossly negligent in the drilling, construction, and operation of the wells on Lockers' surface estate and the land adjoining Lockers' farm. This caused pollutants, related to oil and gas field petroleum byproducts, industrial, and/or residual waste, to be discharged into the ground near Plaintiffs' home and into Lockers' ground water wells, which contaminated the water supply they consumed and relied upon.

30. Upon information and belief, at all times mentioned herein, Mr. and Mrs. Locker allege the releases and discharges of contaminants were the result of insufficient surface casing depth and improper or insufficient cementing of the casing of EnCana's wells located near Lockers' home. The improperly completed wells allowed

discharges and spills of industrial and/or residual waste, diesel fuel, and other pollutants and hazardous substances into the Lockers' water well and water. These discharges and the pollution of Lockers' well is the result of Defendant's negligence, including the negligent planning, training, and supervision of staff, employees, and/or agents.

31. As a result of the aforementioned releases, spills, discharges, and nonperformance attributed to and caused solely by Defendant's negligent and/or grossly negligent drilling and production activities, Plaintiffs and their properties have been seriously harmed, to wit:

A. Lockers' water supplies are contaminated.

B. Lockers have been and continue to be exposed to hazardous chemicals.

C. Lockers' property has been harmed and diminished in value.

D. Lockers have lost the use and enjoyment of their property and the quality of life they otherwise enjoyed.

E. Rhonda Locker has been become physically sick and ill, manifesting neurological symptoms, consistent with toxic exposure to the contaminated well water.

F. Lockers live in constant fear of future physical illness, particularly with respect to the health of their minor children and grandchildren.

G. Lockers have and/or will continue to pay costs for water samples and alternative water.

32. As a result of the foregoing and following allegations and Causes of Action, Plaintiffs seek, inter alia, a preliminary and permanent injunction barring EnCana from engaging in the acts complained of and requiring Defendant to abate the nuisances, unlawful conduct, violations and damages created by them and an order requiring Defendant to pay compensatory damages, punitive damages, the cost of future health monitoring, litigation fees and costs, and to provide any further relief that the Court may find appropriate.

FIRST COUNT-NEGLIGENCE

33. Plaintiffs repeat and re-allege the allegations of paragraphs 1 through 32 of this Complaint, as though set forth in this paragraph at length.

34. EnCana owed a duty of care to Plaintiffs to reasonably and responsibly drill, own and operate the Pavillion Field wells on or adjoining Lockers' farm, to respond to spills and releases of pollutants and petroleum by-products, and to prevent releases and spills of these substances, and take all measures reasonably necessary to inform

and protect the public, including Lockers, from the contamination of their water supply and exposure to such fluids and gases.

35. EnCana, including their officers, agents, and/or employees, knew, or in the exercise of reasonable care should have known, its operations resulted in the release or the threat of release of the petroleum by-products, gas, and fluids that polluted Lockers' water well and water source.

36. EnCana, including its officers, agents, and/or employees, knew, or in the exercise of reasonable care should have known, of the dangerous, offensive, hazardous, or toxic nature of their operations.

37. EnCana, including its officers, agents, and/or employees, knew, or in the exercise of reasonable care should have known, of the dangerous, offensive, hazardous, or toxic nature of the petroleum by-products, gases and fluids released by EnCana's operations, and that they were capable of causing serious personal injury to persons coming into contact with them, polluting the water supplies of the Plaintiffs, damaging property, and causing natural resource damage.

38. EnCana, including their officers, agents, and/or employees, should have taken reasonable precautions and measures to prevent or mitigate the releases and spills, including the design and operation of process systems so that such releases and spills did not occur, as well as adequate planning for such spills or releases or other emergencies.

39. EnCana, including its officers, agents, and/or employees, knew, or in the exercise of reasonable care should have known, that once a spill or release occurred, they should take reasonable measures to protect the public, including by issuing immediate and adequate warnings to nearby residents, including Plaintiffs, to emergency personnel and to public officials.

40. EnCana, including its officers, agents, and/or employees, knew, or in the exercise of reasonable care should have known, that the spills and releases caused by its negligent conduct, and the resultant harm to Plaintiffs and their property, were foreseeable and inevitable consequences of Defendant's acts and/or omissions in the manner in which it engaged in its gas drilling and production activities.

41. EnCana, including their officers, agents, and/or employees, acted unreasonably and negligently in causing the releases and spills and the contamination of Plaintiffs' water supplies and property, and failed to take reasonable measures and precautions necessary to avoid and/or respond to the spills and releases of pollutants, and to protect the public, including the Lockers, from such pollutants.

42. EnCana's acts and/or omissions mentioned herein were the direct and proximate cause of the damages and injuries to Plaintiffs alleged herein.

43. Contamination resulting from EnCana's negligence continues to this day, and is likely to continue into the future, unless injunctive relief is awarded by this Court abating the nuisances and enjoining EnCana from engaging in their drilling and production activities in a way that continues to pollute Plaintiffs' water well and water supply.

44. Some or all of EnCana's acts and failures to act amounted to willful and wanton misconduct thus entitling Lockers to an award of punitive or exemplary damages.

45. Lockers in no way contributed to the damages and injuries they have sustained.

46. EnCana, by reason of its negligence, is liable for all the damages and injuries to Lockers proximately caused by the spills and releases of contamination indicated herein, and to remediate the contamination caused by such spills and releases.

SECOND COUNT-PRIVATE NUISANCE

47. Lockers repeat and re-allege the allegations of paragraphs 1 through 46 of this Complaint, as though set forth in this paragraph at length.

48. EnCana, by its acts and/or omissions, including those of their officers, agents, and/or employees, has caused an unreasonable and substantial interference with Lockers' right to use and enjoy their farm property.

49. EnCana, including their officers, agents and/or employees, have created and maintained a continuing nuisance in the Lockers' farm, by allowing their wells and production facilities to exist and operate in a way that allows the spills and releases, and/or the threats of spills and releases, of contaminants and pollutants, and allowing

the spills and releases to continue to spread through Lockers' farm property and drinking water supplies, resulting in injuries to Lockers' health, well-being, and property.

50. This nuisance continues to this day and is likely to continue into the future.

51. EnCana, by reason of this private nuisance, is liable for all the damages and injuries to Lockers proximately caused by the spills, releases, and contamination, and to remediate the contamination.

THIRD COUNT-STRICT LIABILITY

52. Lockers repeat and re-allege the allegations of paragraphs 1 through 51 of this Complaint, as though set forth in this paragraph at length.

53. The hazardous chemicals and combustible and non-combustible gases and fluids used, processed, and stored by EnCana are capable of causing severe personal injuries and damages to persons and property coming in contact with them, and therefore are ultra-hazardous and abnormally dangerous.

54. The use, processing, storage, and activity of improper remediation of reserve pits, improper casing and cementing of wells, improper specification of reverse osmosis treatment units, improper reporting to Lockers as to the exact nature and condition of their water well and water source, improper steps to prevent communication between Lockers' water well and EnCana's wells and production or drilling facilities, and use of completion techniques adjacent to or on Lockers' farm, was and continues to be an abnormally dangerous and ultra-hazardous activity, subjecting persons coming into contact with the hazardous contamination and pollutants, regardless of the degree of caution EnCana might have exercised.

55. EnCana, by engaging in abnormally dangerous and ultra-hazardous activities, is strictly liable with regard to fault for all the damages and injuries to Lockers proximately caused by the spills, releases and contamination caused by Defendant, and to remediate the contamination.

FOURTH COUNT-MEDICAL MONITORING TRUST FUNDS

56. Lockers repeat and re-allege the allegations of paragraphs 1 through 55 of this Complaint, as though set forth in this paragraph at length.

57. As set forth above, as a result of EnCana's negligent acts and/or omissions, Lockers have been exposed to polluted and contaminated substances.

58. The levels of pollution and contaminated substances to which Lockers have been exposed are greater than normal levels.

59. As a proximate result of their exposure to such hazardous substances, Lockers have a significantly increased risk of contracting a serious latent disease.

60. A monitoring procedure exists that makes the early detection of the disease possible.

61. Such early detection will help to ameliorate the severity of the disease. The prescribed monitoring regime is different from that normally recommended in the absence of the exposure.

62. The prescribed monitoring regime is reasonably necessary according to contemporary medical opinion.

FIFTH COUNT-FRAUD

63.

64.

WHEREFORE, Mr. and Mrs. Locker seek the following relief from EnCana:

A. The reasonable and necessary costs of remediation of the pollution and contaminants;

B. A preliminary and permanent injunction barring EnCana from engaging in the acts complained of and requiring EnCana to abate the aforesaid nuisances, wrongful acts, violations, and damages created by them within the Lockers' farm;

C. The cost of future health monitoring;

D. Compensatory damages for the loss of property value, damage to the natural resources of the environment in and around the Lockers' properties, medical costs, loss of use and enjoyment of their property, loss of quality of life, emotional distress, personal injury, and such other reasonable damages incidental to the claims;

E. Punitive damages for EnCana's fraudulent misrepresentation and willful and wanton misconduct;

F. Plaintiffs' litigation costs and fees; and,

G. Any further relief that the Court may find appropriate.

DATED: May 21, 2014.

Respectfully submitted,

JEFF LOCKER and RHONDA LOCKER,
Plaintiffs

VINCENT LAW OFFICE

By: JOHN R. VINCENT
Wyoming Bar No. 5-1350
AARON J. VINCENT
Wyoming Bar No. 6-4110
ANN E. DAVEY
Wyoming Bar No. 7-4689
301 East Adams
P.O. Box 433
Riverton, WY 82501
(307)857-6005
(307)857-6192 (Telefax)

Attorneys for Plaintiff

By: John R. Vincent
JOHN R. VINCENT

WDA-228

WYOMING DEPARTMENT OF AGRICULTURE
Chemical and Bacteriological Laboratory
P.O. Box 3228 University Station
Laramie, Wyoming 82071

No 26910

SERVICE SAMPLE ANALYSIS REPORT

88-05485

Product: WATER

Sent In By: Jeff Locker, 124 Harris Bridge, Pavillion, WY 82523

Analysis Requested: Potability

Remarks:

Date Sample Received in Laboratory: January 11, 1988

ANALYSIS

Specific Conductance, micro mhos/cm	831
Total Coliform/100 ml MPN	0/5
Nitrates, parts per million (as N)	0.0
Total dissolved solids, parts per million	532
Hardness, parts per million ($CaCO_3$)	14
Sodium, parts per million	170
Sulfates, parts per million	250

See attached sheet for an explanation of the above water analysis.

I hereby certify that the above sample was analyzed by myself or my assistant.

STATE CHEMIST
Director, Chemical and Bacteriological Laboratory

Date January 20, 1988

STATE BACTERIOLOGIST

Laboratory Fee $ 10.00 (Charged to be billed monthly)

Make checks payable to the Wyoming Department of Agriculture · 2219 Carey Avenue, Cheyenne, Wyoming 82002

EXHIBIT
A

WYOMING DEPARTMENT OF AGRICULTURE ANALYTICAL SERVICES 1174 Snowy Range Road Laramie, Wyoming 82070 Telephone: (307)-742-2984	STANDARD POTABLE WATER REPORT LAB No: 92-08449 DATE COLLECTED 05/26/92 DATE RECEIVED 05/27/92 DATE COMPLETED 06/17/92

CATIONS	mg/L	ANIONS	mg/L
Calcium	260	Carbonate	0
Magnesium	48	Bicarbonate	110
Sodium	1100	Sulfate	3000
		Chloride	61
		Nitrate as N	<0.2

Conductivity	5730 umhos/cm	Hardness as CaCO3	850 mg/L
pH	8.17 pH units	Total Alkalinity	88 mg/L
TDS (summation)	4600 mg/L	S A R	17

Total Coliform 0 /100ml by MF Method
Fecal Coliform /100ml by

TNTC - Too Numerous To Count	MF - Membrane Filter
CG - Confluent Growth	MTF - Multiple Tube Fermentation
N - Negative	PA - Presence Absence
P - Positive	
NF - Not Found	HBG - Heavy Bacteria Growth

Your water has a HARDNESS of 50 grains/gallon

CLASSIFICATION SUMMARY

Bacteriologically the results are: Satisfactory

Chemically, for the following stated uses, this water is:

Human Consumption:	Unsuitable
Livestock consumption:	Unsuitable
Lawn & Garden Irrigation:	Unsuitable

Analyst: KH

mg/L = milligrams/Liter = parts per million (ppm)
umhos/cm = micromhos/centimeter
S A R = Sodium Absorption Ratio

EXHIBIT
under seal
B

TABLE 1
HISTORICAL ANALYTICAL RESULTS FOR LOCKER WELL #1
(1988 - 2002)

Well Name	EPA	Locker #1	Locker #1	Locker #1	Locker #1	Locker #1	Locker #1
Date Sampled	WQ	1/7/1988	5/26/1992	10/11/1993	1/7/1997	12/20/2001	4/10/2002
Sampler		Jeff Locker	Jeff Locker	Jeff Locker	TBI	TBI	TBI
Laboratory	Standard	State Lab	State Lab	State Lab	Inberg*	Unknown**	Unknown**
Parameters (mg/L unless noted)							
Major Ions							
Alkalinity, Total as CaCO3			88*	110			
Carbonate as CO3			0	0		<2	
Bicarbonate as HCO3			110	130		93	
Calcium			260	280		287	
Chloride	250		61	55		48.2	
Magnesium			48	47		26.1	
Nitrogen, Nitrate as N	10	ND	<0.2	<0.2	0.1		
Potassium						1.52	
Sodium		170	1100	1200	959	1048	828
Sulfate	250	250	3000	3000	4630	2870	2320
Physical Properties							
Conductivity (micromhos/cm)		831	5730	5890	4860	4760	4560
pH (standard units)	6.5-8.5		8.17	7.68		8.32	7.98
Total Dissolved Solids	500/1000	532	4800	4500	3950*	3580	3480
Hardness (as CaCO3)		14	850	830	730	824	
Metals, Total							
Iron	0.3					0.47	
Organic Characteristics							
Total Petroleum Hydrocarbons					<1.0		
Microbiological							
Bacteria, Total Coliform (MPN/100 mL)		0	0	0	<1		

* Cation/Anion balance is off - TDS is less than the sulfate concentration
** Sample collected on behalf of TBI; results from Tatcher spreadsheet - no laboratory reports available
Blank Not analyzed

EXHIBIT
Locker
C

TABLE 2
SUMMARY OF OIL AND GAS WELLS WITHIN 1/2 MILE OF LOCKER #1

WELL NO. API NO.	NOTABLE DATES	DISTANCE AND DIRECTION FROM LOCKER #1	SURFACE CASING DEPTH	TOP PERFORATION DEPTH	DRILLING ISSUES	BOND LOG SUMMARY
TP 22-12 20878	Spudded: 8/15/1979	560' NW	585'	3,218'	Poor records, used oil-based drilling fluids below surface casing; lost circulation during drilling; BHP of 150 psi, FTP of 38 psi; SICP of 58 psi on 4/4/2012	No bond log
Locker #1	[illegible]	Sampled Well: TDS = [illegible]				
TP 22-12	8/1/1990	560' NW	530'	3,218'	Well shut in for period of time in 1990, Reported production interval changed from Fort Union/Lance to Fort Union/Wind River; sudden loss of production	No bond log
Locker #1	[illegible]	Sampled Well: TDS = [illegible]				
TP 22-12 Workover	4/28/1993	560' NW	560'	1,701'	Poor records, Perfed and fracked zones from 1,701 to 2,388' in Wind River Formation; killed well with diesel	No bond log
Locker #1	5/1/1993	Well water turned black. TDS = 4,500 mg/L in [illegible] sample				
Locker #2	[illegible]	[illegible] Sampled Well: TDS = [illegible]				
Pavillion Fee 13-12 22080	Spudded: 11/3/2000 Fracked 6/1/2001	800' SW	327'	2,170'	Sparse information in completion report, top of cement at 960 feet; open hole interval of 654 feet; BHP of 30 psi on 10/26/2011	Top of cement at 920'; Sporadic bonding above 2,100'
Locker #1	[illegible]	Well water [illegible] TDS = [illegible]				
TP 11-12 22105	Spudded: 6/14/2001 Fracked, 8/3/01	1,840' NW	539'	1,676'	Lost mud during drilling; poor fluid recovery; BHP of 0 psi; SITP of 52 psi; SICP of 52 psi on 3/14/2012	Top of cement reported at 409' but poor bond to 610'; sporadic bonding particularly from 1,780' to 2,100'
Pavillion Fee 23-12 22184	Spudded: 7/20/2001 Fracked. 8/19/2001	800' SE	534'	1,730'	Top of cement at 500; BHP of 0 psi; SITP of 36 psi; SICP of 36 psi on 3/19/2012	Top of cement at 600'; sporadic bonding from 534' to 560' and from 850' to bottom
TP 21-12 22150	Spudded. 9/29/2001 Fracked: 10/27/2001	1,000' N	532'	1,400'	Deviation 2.6 degrees at 1,487', poor fluid recovery, BHP of 0 psi; SITP of 50 psi; SICP of 50 psi on 3/19/2012	Top of cement at 570'; sporadic bonding from 1,045' to bottom
Pavillion Fee 13-12W 22214	Spudded. 12/8/2001 Fracked: 1/23/2002	2,325' SW	524'	2,502'	Deviation of 8 degrees at 2,810' and 14 degrees at 3,600'; BHP of 0 psi, FTP of 30 psi, SICP of 40psi on 10/28/2011	Very poor bond from 1,400' to 1,920', sporadic bonding to bottom
Locker #1	4/10/2002	Well water turned black. TDS = 3,4[illegible]				
Locker #1	[illegible]	[illegible] RO system and [illegible] water				
Locker #1	[illegible]	[illegible]				
TP 13-12 22255	Spudded: 2/18/2005 Fracked: 3/3/2005	1,700' W	635'	1,954'	CBL shows top of cement at 950' on 2/28/05 and fracked on 3/4/05 without remediation, well lost pressure repeatedly; squeeze job on 3/9/05 at 850'; BHP of 0 psi; FTP of 41 psi; and SICP of 38 psi on 11/7/2011	Bond log indicates top of cement at 950', poor bonding to 2,700'
Locker #1	[illegible]	Well water [illegible] TDS = [illegible]				
Pavillion Fee 33-12 22824	Spudded 2/3/2006 Fracked: 8/2/2006 Tlc 3/29/2006 Twr	1,620' SE	630'	1,630'	Tight hole with 3.6 degree deviation at 4,730'; lost circulation during drilling, BHP of 0 psi., SITP of 98 psi; SICP of 75 psi on 10/26/2011	Bond log indicates top of cement at 520', Sporadic bonding above 2,400'

EXHIBIT
2

John-

Here's the release r copy of report done by Paul Taucher of Laramie. He's a geologist not a hydrologist.

Also is a copy of our response to the realease.

Thanks

Jeff