

SURFACE DAMAGE RELEASE

STATE OF COLORADO §
 §
COUNTY OF LAS ANIMAS §

KNOW ALL MEN BY THESE PRESENTS:

THAT **Charles and Jane Terry**, (Surface Owners), as indicated by the Tax Assessor's office in Las Animas County, Colorado, in consideration of the payment by **PIONEER NATURAL RESOURCES USA, INC.** (Operator) to the undersigned of the sum of ~~_____~~ in hand paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto Operator, its agents, employees, contractors, invitees, licensees, representatives and assigns, the right to enter upon and use a portion of the surface estate as hereinafter described, together with an access route thereto for the unrestricted transportation of vehicles, materials, equipment, personnel and products to and from the drill site location. Further permission is granted to the Operator to dispose produced water from the well in order to control dust on lease roads.

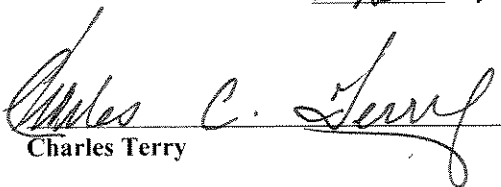
Surface Owner further releases and discharges Operator, its agents, employees, contractors, invitees, licensees, representatives and assigns, from any claim for injuries, losses or damages to the surface and to pasture, grazing or irrigated lands which may be sustained in connection with moving in and out of the drillsite location and in connection with operations conducted on the drillsite location for the drilling and completion of the following well(s):

Fujiyama 44-14
See Exhibit "A" attached hereto.
T33S, R66W Section 14: SE/4SE/4
Las Animas County, Colorado

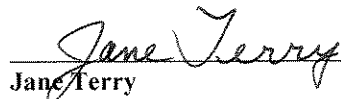
In the event others should claim an interest in the damage payments described above, we agree to be responsible to them for their proportionate share of the damage payments, if any.

The rights, duties and privileges hereunder shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, successors and assigns. All financial terms of this agreement are to be kept confidential by both parties.

EXECUTED this 3rd day of Nov., 2008.



Charles Terry



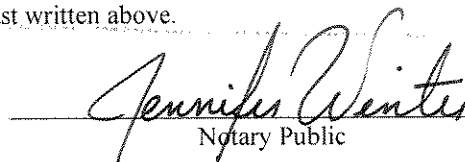
Jane Terry

STATE OF Colorado)
) ss.
COUNTY OF Las Animas)

The foregoing instrument was acknowledged before me this 3rd day of November, 2008, by **Charles and Jane Terry**, known to me to be the identical person(s) described in and who executed the within and foregoing instrument.

Witness my hand and official seal the day and year last written above.

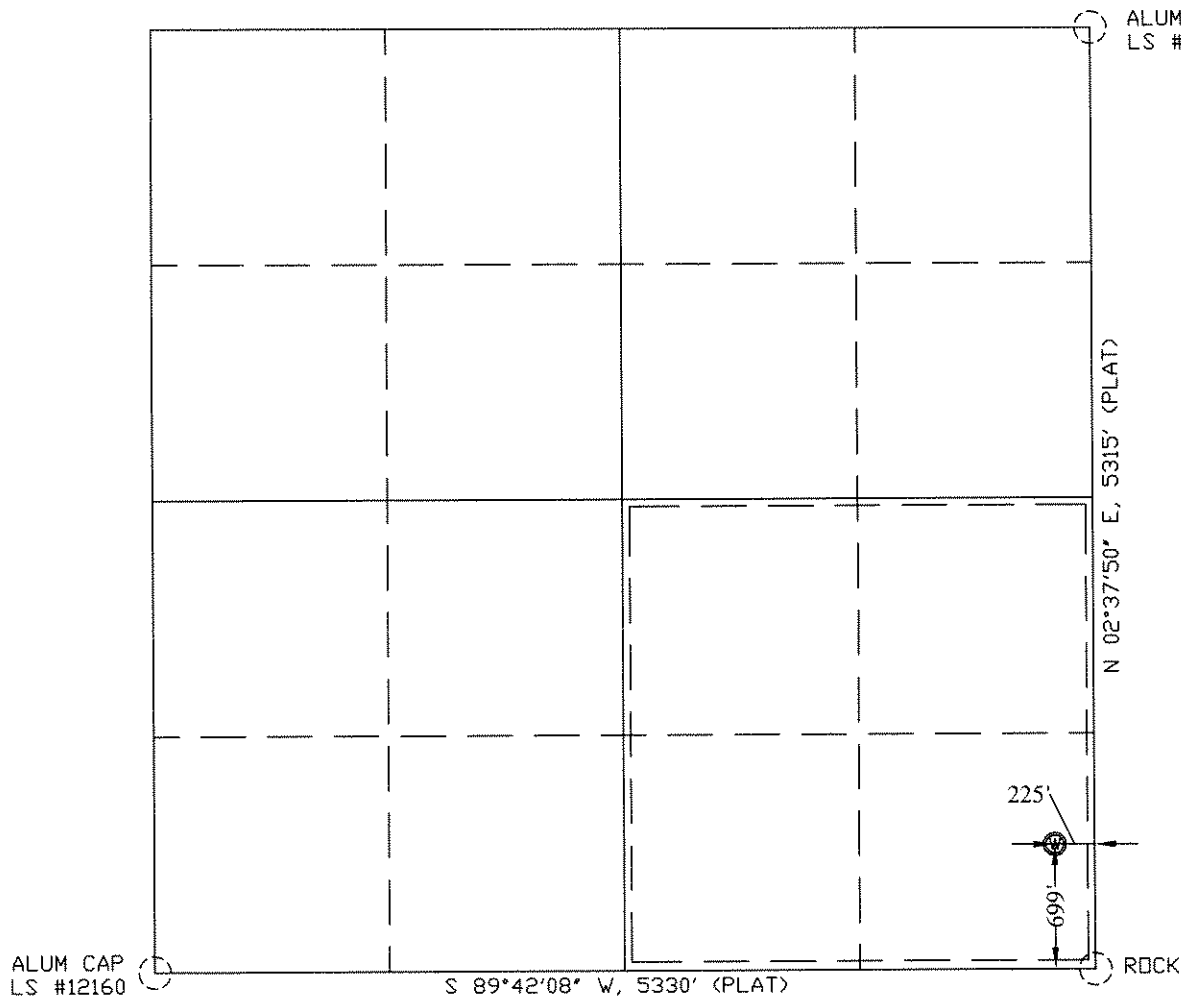
My Commission Expires:
July 14, 2010



Notary Public

COLORADO WELL LOCATION

OPERATOR: Pioneer Natural Resources		WELL NAME: Fujiyama 44-14	
SECTION 14 TOWNSHIP 33 S, RANGE 66 W OF THE 6TH P.M., IN LAS ANIMAS COUNTY			
ACTUAL FOOTAGE OF WELL LOCATION: 225 feet from the EAST line and 699 feet from the SOUTH line.		GROUND ELEV. (NGVD29): 7278'	
BASIS OF BEARING: GPS Observations	BASIS OF ELEVATION: GPS Observations	PDOP: 7.1	
SURFACE USE: Timber	DATE STAKED: August 11, 2008	LAT: N 37.16602°	LONG: W 104.73986° (NAD27)
		LAT: N 37.16604°	LONG: W 104.74041° (NAD83)



Field Operator: R. Coberly

NOTICE:

SOME INFORMATION SHOWN HEREON IS BASED ON INFORMATION TAKEN FROM RECORD INFORMATION, PREVIOUS SURVEYS, PLATS AND SURVEYS BY OTHER SURVEYORS, OR COLLATORAL EVIDENCE AND MAY NOT REFLECT THAT WHICH MAY BE DISCLOSED BY A COMPLETE BOUNDARY SURVEY. **THIS SKETCH IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF SURFACE BOUNDARIES, FENCES, BUILDINGS OR OTHER FUTURE IMPROVEMENTS.**

I hereby certify that this proposed well location shown was plotted from field notes of a actual GIS survey and meets the requirements of Colorado Statue 38-51-109.3 and was made by me or under my supervision, and that the same is true and correct to the best of my knowledge and belief and **IS NOT A LAND SURVEY PLAT.**

Lee Shields
Lee Shields, CO PLS #37960

August 19, 2008
Date Platted

LEGEND:

- = WELL LOCATION
- = SURVEY MARKER (SEE DRAWING)
- = CALCULATED POINT
- = LOCATION FURNISHED BY PNRC.

NOTE:

ALL WELL LOCATIONS AND ELEVATIONS DERIVED FROM OBSERVED GPS DATA AND DIFFERENTIALLY CORRECTED TO CORS STATION PUEBLO 1 (PID #AJ6946) AND MEET AND/OR EXCEED COGCC RULE 303c AND RULE 215a-h.

NO VISIBLE IMPROVEMENTS WITHIN 200 FEET OF PROPOSED WELLHEAD UNLESS NOTED OTHERWISE.

DISTANCES ARE MEASURED AT 90° (NINETY DEGREES) FROM SAID SECTION LINES TO THE WELL LOCATION.

DESIRED PDOP MAY NOT BE OBTAINED DUE TO NATIVE CONDITIONS OF SITE.

SHIELDS SURVEY L^{td}. C^o. Raton, New Mexico 87740
(505)445-1232 8115