

7. Owner expressly acknowledges that this Agreement satisfies the obligations and requirements of Operator pursuant to Colorado Oil and Gas Conservation Commission rules and regulations and Colorado statutes to consult in good faith with Owner regarding proposed oil and gas operations on the Land. Owner expressly acknowledges that this Agreement shall be deemed to be specifically applicable to, and to satisfy fully, the obligation of Operator to accommodate the Owner's use of the surface of the Land, existing and future, and Owner waives any statutory or common law claims to the contrary including, but not limited to, any claims pursuant to C.R.S. 34-60-127.

IN WITNESS WHEREOF, the parties have set their hands on the day and year first written above.

Ben E. Nichols

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Ben E. Nichols

Ben E. Nichols, Individually and as Trustee of the Ben E. Nichols Living Trust, dated March 2, 2000, and as Trustee of the Lois M. Nichols Living Trust, dated March 2, 2000

Lois M. Nichols

Lois M. Nichols

Lois M. Nichols, Individually and as Trustee of the Ben E. Nichols Living Trust, dated March 2, 2000, and as Trustee of the Lois M. Nichols Living Trust, dated March 2, 2000

ECma Oil & Gas (USA) Inc.

By: _____

Ricardo D. Gallegos
Attorney-in-Fact

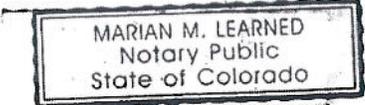
ACKNOWLEDGEMENTS

State of Colorado)

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County of: Mesa)

On this 11th day of January, 2008, before me personally appeared Ben E. Nichols, known to be the person described in and who executed the foregoing instrument, and who acknowledged to me that he executed the same.



SEAL

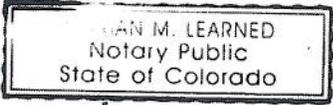
My commission expires: 10/01/11 Notary Public

State of Colorado)

§

County of: Mesa)

On this 11th day of January, 2008, before me personally appeared Lois M. Nichols, known to be the person described in and who executed the foregoing instrument, and who acknowledged to me that she executed the same.



SEAL

My commission expires: 10/01/11 Notary Public

State of Colorado)

§

City and County of: Denver)

On this _____ day of _____, 2008, before me personally appeared Ricardo D. Gallegos, known to be the person described in and who executed the foregoing instrument, and who acknowledged to me that he executed the same.

SEAL

My commission expires: _____ Notary Public