

MEMORANDUM OF SURFACE DAMAGE AND RELEASE AGREEMENT

This Memorandum of Surface Damage and Release Agreement is executed by Josef P. Langegger, dba Twin Creek Ranch, whose address is 3807 Lupine Drive, Vail, Colorado 81657 ("Owner") and EnCana Oil & Gas (USA) Inc., 370 17th Street, Suite 1700, Denver, Colorado 80202 ("EnCana") and placed of record in Garfield County, Colorado for the purpose of placing all persons on notice of the existence of that certain unrecorded Surface Damage and Release Agreement between Owner and EnCana dated the 12th day of February, 2010 (the "Agreement").

The Agreement provides for the use of the surface of the lands described below by EnCana in connection with certain oil and gas operations and for the compensation to Owner for all damages to the surface of the lands associated with the drilling, construction, testing, completion, recompletion, reworking, re-entry, production, maintenance and operation of the well(s) and all pipelines, tank batteries, and other facilities or property of EnCana or its affiliates associated with the well(s) located on the O1EB Well Pad, SW/4SE/4 of Section 1, Township 7 South, Range 92 West, located on the lands described below in Garfield County, Colorado:

Township 7 South, Range 92 West, 6th P.M.

Section 1: W/2SE/4 LESS AND EXCEPT a parcel in the NW/4SE/4 described as that part lying East of a line lying five (5) feet easterly and parallel to the easterly bank of East Divide Creek, said excepted parcel containing 6.658 acres, more or less; E/2SW/4


Section 12: W/2NE/4, E/2NW/4, SW/4NW/4, NE/4SW/4, NW/4SE/4 LESS AND EXCEPT three parcels situated in the NW/4SE/4 containing 8.12 acres, more or less, described as Lots 1 (3.37 acres), 2 (2.26 acres) and 3 (2.49 acres), Josef P. Langegger Subdivision Exemption according to Plat recorded April 8, 2004 as Reception No. 649844, County of Garfield, State of Colorado

OWNER



Josef P. Langegger
dba Twin Creek Ranch

EnCana Oil & Gas (USA) Inc.

By 

Ricardo D. Gallegos
Attorney-in-Fact

ACKNOWLEDGMENTS

STATE OF COLORADO)
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COUNTY OF EAGLE)

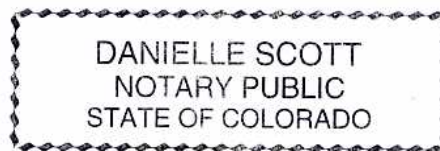
The foregoing instrument was acknowledged before me this 12th day of February, 2010 by Josef P. Langegger, dba Twin Creek Ranch, known to be the person described in and who executed the foregoing instrument, and who acknowledged to me that he executed the same.

WITNESS my hand and official seal.

My Commission Expires: 4/11/2012

Danielle Scott
Notary Public

STATE OF COLORADO)
) §
CITY AND COUNTY OF DENVER)



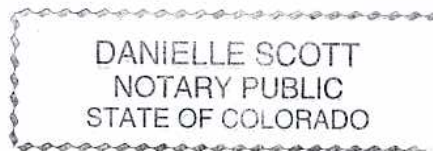
My Commission Expires 06/11/2012

On this 11th day of February, 2010 before me personally appeared Ricardo D. Gallegos, known to me to be the Attorney-in-Fact for EnCana Oil & Gas (USA) Inc. and that he executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

WITNESS my hand and official seal.

My Commission Expires: 4/11/2012

Danielle Scott
Notary Public



My Commission Expires 06/11/2012