

**SURFACE DAMAGE RELEASE**

STATE OF COLORADO     §  
  §  
COUNTY OF LAS ANIMAS §

KNOW ALL MEN BY THESE PRESENTS:

THAT **Patricia M. Zito and Edmund G. Zito**, (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 [REDACTED] 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):

Dr Proctor 12-30 TR  
See Exhibit "A" attached hereto.  
T32S, R65W Section 30: SW/4NW/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 29<sup>th</sup> day of October, 2009.

Patricia M. Zito  
Patricia M. Zito

Edmund G. Zito  
Edmund G. Zito

STATE OF Arizona    )  
  ) ss.  
COUNTY OF Maricopa    )

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of October, 2009, by **Patricia M. Zito and Edmund G. Zito**, known to me to be the identical person(s) described in and who executed the within and foregoing instrument.

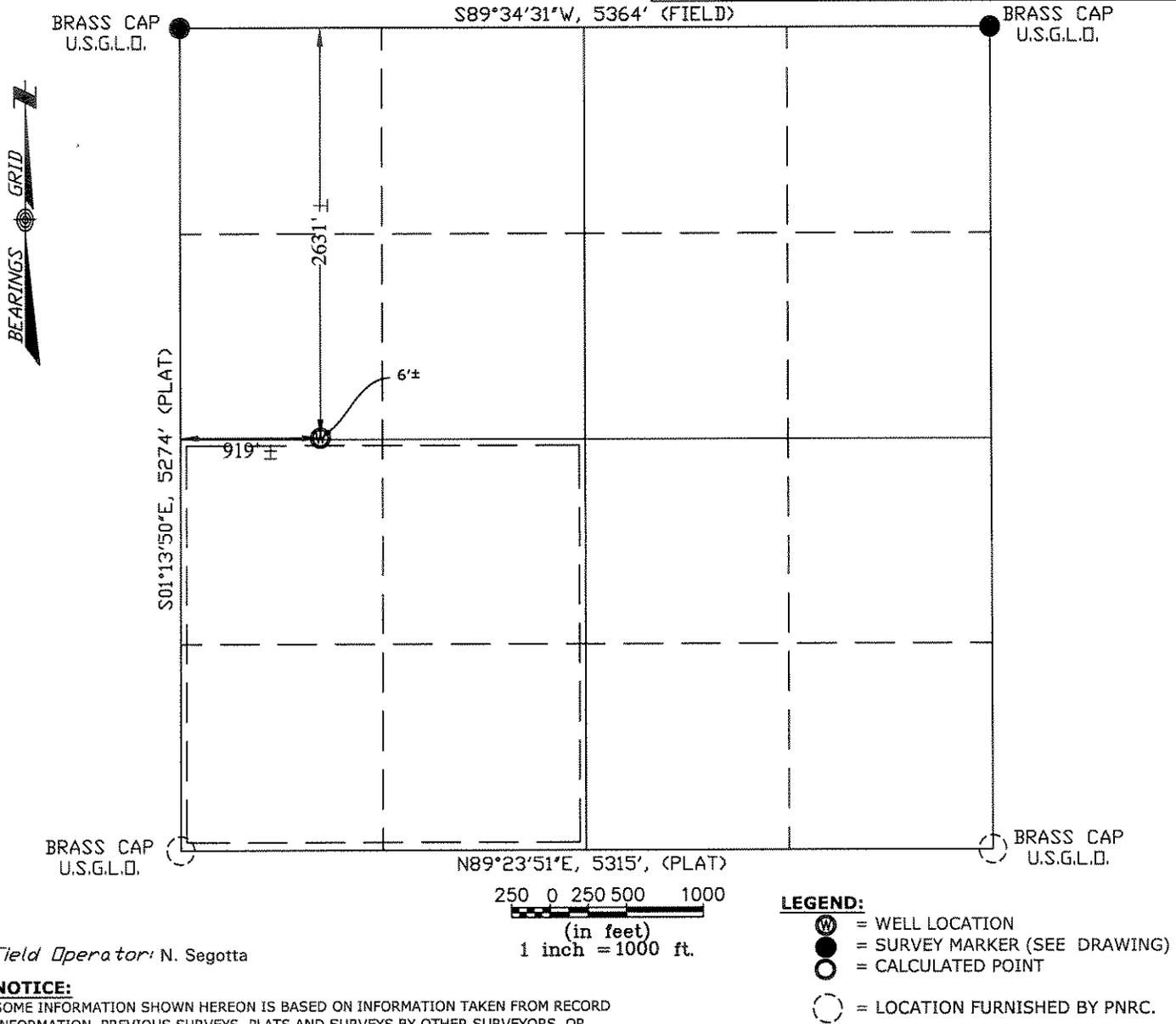
Witness my hand and official seal the day and year last written above.

My Commission Expires: June 15, 2010

Virginia E. Nelson  
Notary Public  
OFFICIAL SEAL  
VIRGINIA E. NELSON  
Notary Public - STATE OF ARIZONA  
MARICOPA COUNTY  
My Commission Expires June 15, 2010

## COLORADO WELL LOCATION

OPERATOR: Pioneer Natural Resources		WELL NAME: Dr Proctor 12-30 TR (Revised)	
SECTION 30 TOWNSHIP 32 S, RANGE 65 W OF THE 6TH P.M., IN LAS ANIMAS COUNTY			
ACTUAL FOOTAGE OF WELL LOCATION: 919 feet from the WEST line and 2631 feet from the NORTH line.		GROUND ELEV. (NGVD29): 7225'	
BASIS OF BEARING: GPS Observations	BASIS OF ELEVATION: GPS Observations	PDOP: 5.3	
SURFACE USE: Timber	DATE STAKED: September 29, 2009	LAT: N 37.22924°	LONG: W 104.71887° (NAD27)
		LAT: N 37.22926°	LONG: W 104.71941° (NAD83)



Field Operator: N. Segotta

**NOTICE:**  
SOME INFORMATION SHOWN HEREON IS BASED ON INFORMATION TAKEN FROM RECORD INFORMATION, PREVIOUS SURVEYS, PLATS AND SURVEYS BY OTHER SURVEYORS, OR COLLATERAL 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.**

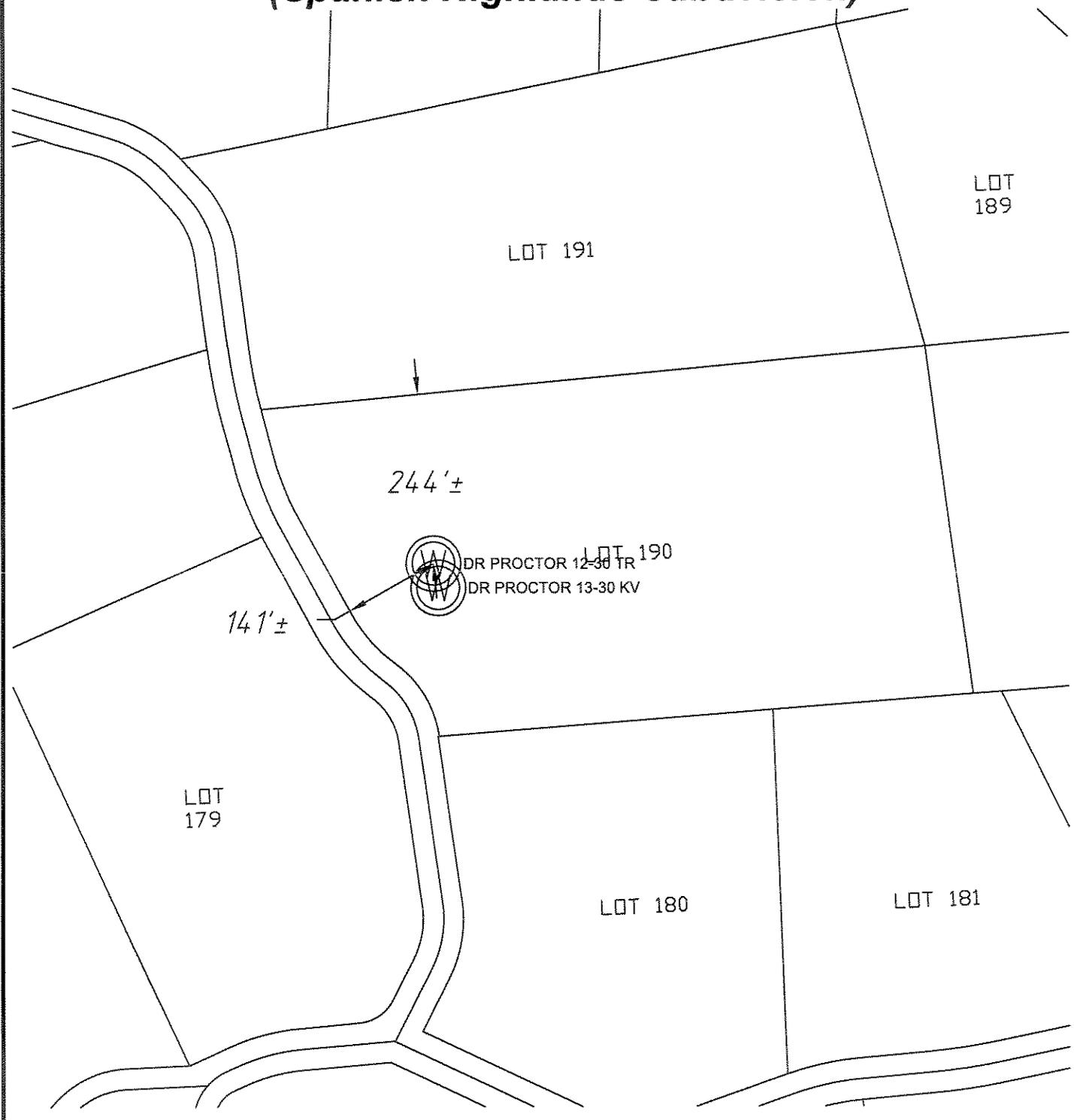
I hereby certify that this proposed well location shown was plotted from field notes of a actual GIS survey and meets the requirements of Colorado Statue 38-51-109.3 and was made by me or under my supervision, and that the same is true and correct to the best of my knowledge and belief and **IS NOT A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

*Norman Scott Weese*  
Norman Scott Weese, CO PLS #38116      October 01, 2009  
Date Platted

**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 Ltd. Co. Raton, New Mexico 87740  
(575)445-1232 9038

# Dr Proctor 12-30 TR (Spanish Highlands Subdivision)

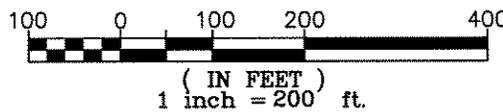


**NOTE:**

FOOTAGES GIVEN ARE ONLY ESTIMATES BASED ON SUBDIVISION PLATS AND TIED TO EXISTING CONTROL. A FULL BOUNDARY SURVEY IS REQUIRED TO DETERMINE TRUE SUBDIVISION LOT AND ROAD LOCATIONS, DISTANCES AND AREA OR FOOTAGE CALCULATIONS.

DATE: October 5, 2009

**GRAPHIC SCALE**



**SHIELDS SURVEY Ltd. Co.**  
Raton, New Mexico 87740  
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