

MEMORANDUM OF SURFACE USE AGREEMENT

State: Colorado
County: Garfield
Owner: B.J.M. Ltd.
K.R.K. LLLP
Rebjak LLLP
Shaeffer Family Trust
Shaeffer Ltd.
5957 County Road 319
Rifle, CO 81650
Operator: EnCana Oil & Gas (USA) Inc.
370 17th Street, Suite 1700
Denver, CO 80202
Date of Agreement: FEB. 1, 2005

For adequate consideration and as of the effective date stated above, the Owner and Operator named above, have executed a Surface Use Agreement (the "Agreement") which governs the Operator's oil and gas operations on the surface of the lands described on the attached Exhibit A.

This Memorandum is placed of record for the purpose of giving notice of the Agreement and is given in lieu of filing said Agreement in full for record in the official records of Garfield County, Colorado. Executed copies of the Agreement are maintained in the possession of both the Owner and Operator.

This Memorandum is signed by Owner and Operator as of the date of acknowledgment of their signatures, but is effective for all purposes as of the Date stated above

B.J.M. Ltd.

Barbara J. Morris
Barbara J. Morris, General Partner

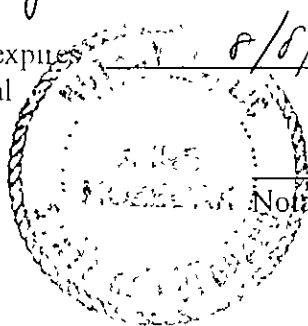
Date 2/28/05

EnCana Oil & Gas, Inc
Land Department
2717 County Road 215, Suite 100
Parachute, CO 81635
John

STATE OF COLORADO)
) ss
COUNTY OF Boulder)

The foregoing instrument was subscribed and sworn to before me on 2/28/05,
2005, by Brian J. Mues

My commission expires 8/8/05
Witness my hand and seal



Brian Mues
Notary Public

K.R.K. LLLP

Katherine F. Rogers

Date: 2/25/05

Katherine F. Rogers, General Partner

STATE OF COLORADO)
) ss
COUNTY OF Jefferson)

The foregoing instrument was subscribed and sworn to before me on February 25,
2005, by Katherine F. Rogers

My commission expires 11/29/2008
Witness my hand and seal



Theresa M. Feltes
Notary Public

My Commission Expires
Rebjak NOVEMBER 29, 2008

H B Shaeffer
Shaeffer Family Trust, General Partner
Harold B. Shaeffer, Trustee

Date: 2/23/05

STATE OF COLORADO)
) ss



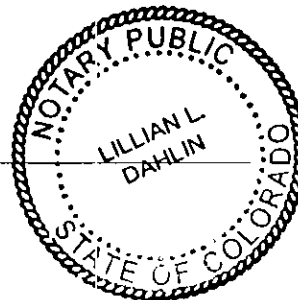
675291 06/01/2005 08:30A B1692 P72 M ALSDORF
3 of 5 R 26.00 D 0.00 GARFIELD COUNTY CO

COUNTY OF Garfield)

The foregoing instrument was subscribed and sworn to before me on February 23, 2005, by HB Shaeffer

My commission expires: June 16, 2006
Witness my hand and seal

Lillian L. Dahlin
Notary Public



Shaeffer Family Trust

HB Shaeffer
Harold B. Shaeffer, Trustee

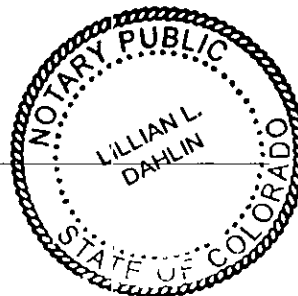
Date: 2/23/05

STATE OF COLORADO)
) ss.
COUNTY OF Garfield)

The foregoing instrument was subscribed and sworn to before me on February 23, 2005, by HB Shaeffer

My commission expires: June 16, 2006
Witness my hand and seal.

Lillian L. Dahlin
Notary Public



Shaeffer Ltd.

HB Shaeffer
Humac Management, Inc., General Partner
Harold B. Shaeffer, President

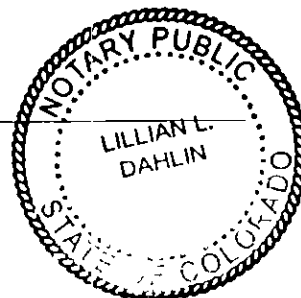
Date: 2/23/05

STATE OF COLORADO)
) ss.
COUNTY OF Garfield)

The foregoing instrument was subscribed and sworn to before me on February 23
2005, by WBS Shaeffer

My commission expires June 16, 2006
Witness my hand and seal.

Lillian L. Dahlin
Notary Public



EnCana Oil & Gas (USA) Inc.

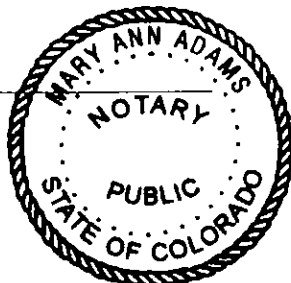
Joel S. Fox
Joel S. Fox, Attorney-in-Fact

STATE OF COLORADO)
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me on this 5th day of April
2005 by Joel S. Fox, Attorney-in-Fact for EnCana Oil & Gas (USA) Inc, a Delaware corporation,
on behalf of said corporation.

Mary Ann Adams
Notary Public

My Commission Expires



My Commission Expires 7/19/2008



675291 06/01/2005 08:30A B1692 P74 M ALSDORF
5 of 5 R 26.00 D 0.00 GARFIELD COUNTY CO

EXHIBIT A

B.J.M. Ltd.

Township 6 South, Range 92 West of the 6th P M

Section 30 Lots 3 and 4

Section 31 Lots 1-4, W/2SE/4

Township 7 South, Range 92 West of the 6th P M

Section 6 SE/4, N/2NE/4SW/4, Lots 1 and 2, N/2N/2 of Lot 3

K.R.K. LLLP.

Township 7 South, Range 92 West of the 6th P M

Section 6 S/2N/2 of Lot 3, S/2 of Lot 3, SE/4SW/4, S/2NE/4SW4

Section 7 Lots 1 and 2, E/2, E/2W/2

Rebjak LLLP

Township 7 South, Range 93 West of the 6th P M

Section 11 E/2E/2, except 3 acres heretofore conveyed by
Warranty Deed recorded as Document No 279583
in Book 498 at page 539 of the Garfield County Records

Section 14 NE/4NE/4

Shaeffer Family Trust

Township 7 South, Range 93 West of the 6th P M

Section 11 3 acres heretofore conveyed by
Warranty Deed recorded as Document No 279583
in Book 498 at page 539 of Garfield County Records

Shaeffer Ltd

Township 7 South, Range 93 West of the 6th P M

Section 12 W/2, NE/4, N/2SE/4

Section 13 NE/4NE/4

Township 7 South, Range 93 West of the 6th P M

Section 18 Lot 1, E/2NW/4 and 3 acres situated in Lot 2 described as follows
Beginning at the NW corner of the NE/4SW/4 of said Section 18,
thence South 1320 feet, thence West 99 feet, thence North 1320
feet thence East 99 feet to the place of beginning