

MEMORANDUM OF SURFACE DAMAGE AND RELEASE AGREEMENT

Pursuant to the terms of that certain unrecorded Surface Damage and Release Agreement dated effective the 18th day of November, 2010 between the undersigned, and subject to the conditions set forth therein, Encana Oil & Gas (USA) Inc. ("Encana") with an address at 370 17th Street, Suite 1700, Denver, Colorado 80202, and Regnier Farms Inc. ("Owner") with an address at 500 County Road 20 Longmont, CO 80504, agreed to the location of one or more Wells and payment for damages to the surface of Land connected with the access to and the drilling, construction, completion, recompletion, reworking, re-entry, production, maintenance and operations of the Wells and associated pipelines, tank batteries and other facilities or property of Encana associated with the wells and located on the following Land:

Township 2 North, Range 68 West, 6th P.M.
Section 19: SW/4NW/4

This Memorandum of Surface Damage and Release Agreement is executed by Owner and Encana and placed of record in Weld County, Colorado for the purpose of placing all persons on notice of the existence of the Agreement.

In witness whereof this instrument is executed effective the 18th day of November, 2010.

ENCANA OIL & GAS (USA) INC.

By: 
Ricardo D. Gallegos, Attorney-in-Fact 

Regnier Farms Inc.

By: 