

**MEMORANDUM OF COMPATIBLE DEVELOPMENT AND SURFACE USE
AGREEMENT**

Pursuant to the terms of that certain unrecorded Compatible Development And Surface Use Agreement dated effective the 18th day of October, 2006 between the undersigned, and subject to the conditions set forth therein, Homestead At Firestone, LLC, a Colorado Limited Liability Company ("Owner") with an address at 4068 Camelot Cr., Longmont, Colorado 80504 and EnCana Oil & Gas (USA) Inc., a Delaware Corporation ("EnCana") with an address at 370 17th Street, Suite 1700, Denver, Colorado 80202, agreed to the compatible use of the surface for development and for oil and gas operations including drilling, construction, completion, recompletion, reworking, re-entry, production, maintenance and other operations located on the following land:

Township 2 North, Range 67 West, Weld County, Colorado
Section 4: SW/4

This Memorandum of Compatible Development and Surface Use 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. A true and complete copy of the Agreement is available at the offices of EnCana.

In witness whereof this instrument is executed effective the 18th day of October, 2006.

HOMESTEAD AT FIRESTONE

By: _____

By: John W. Zadel, President

ENCANA OIL & GAS (USA) INC.

By: _____

Byron R. Gale, Attorney-in-Fact

ACKNOWLEDGMENTS

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

On this 18 day of October 2006, before me personally appeared John W. Zadel, President of HOMESTEAD AT FIRESTONE, LLC, a Colorado limited liability company, 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 limited liability company, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

My Commission Expires: 5-2-2009

Rolanne Garcia
Notary Public

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

On this 21st day of October, 2006, before me personally appeared Bryon R. Gale, known to me to be an Attorney-in-Fact of EnCana Oil & Gas (USA) Inc. and acknowledged that he executed the within and foregoing instrument as the free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

My Commission Expires 9/25/2007

Notary Public: Michael L. Tucker

