

**MEMORANDUM OF
 SURFACE DAMAGE AND RELEASE AGREEMENT**

WHEREAS on the 25th day of August 2005, Hittle Cattle Company, a Colorado General Partnership, ("Owner") entered into a Surface Damage and Release Agreement with EnCana Oil & Gas (USA) Inc., ("Operator"), covering land located in Lot 1(40.09), 2(40.26), 3(40.44), 4(40.69), S1/2N1/2, N1/2S1/2 of Section 1, Township 10 South, Range 96 West, 6th P.M., Mesa County, Colorado.

WHEREAS said agreement provides for, among other things, the right to enter upon and use the Owner's property for the purpose of erecting and maintaining a well site location for one (1) or more wells, together with a right-of-way and easement on Owner's land to maintain the well site. Said agreement sets forth payment of specific amounts to cover damages resulting from the construction, use and maintenance of the well site and access road. Said agreement, with all of its terms, conditions, covenants and other provisions, is referred to and incorporated into this Memorandum for all purposes.

NOW THEREFORE this Memorandum is placed of record for the purpose of giving notice of the Surface Damage and Release Agreement.

Owner:
 Hittle Cattle Company,
 a Colorado General Partnership

By: [Signature]
 Allen J. Hittle, General Partner

+ [Signature]
 By: [Signature]
 Steven L. Hittle, General Partner

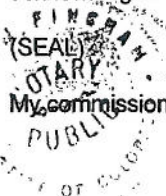
Operator:
 EnCana Oil & Gas (USA) Inc.

By: [Signature]
 or Joel S. Fox, Attorney-In-Fact

State of Colorado)

County of MESA) §

On this 25th day of AUGUST, 2005, before me personally appeared Allen J. Hittle and Steven L. Hittle, General Partners Hittle Cattle Company, a Colorado General Partnership, known to me to be the person(s) described in and who executed the foregoing instrument, and who acknowledged to me that they executed the same.



My commission expires: 4-10-2006

[Signature]
 Notary Public

State of Colorado)

City & County of Denver) §

On this 27th day of September, 2005, before me personally appeared, Joel S. Fox, Attorney-In-Fact for EnCana Oil & Gas (USA) Inc., known to me to be the person described in and who executed the foregoing instrument, and who acknowledged to me that he executed the same.

(SEAL)

My commission expires:



My Commission Expires 11/04/2007

[Signature]
 Notary Public

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

NEW