

## **MEMORANDUM OF SURFACE DAMAGE AND RELEASE AGREEMENT**

Pursuant to the terms of that certain unrecorded Surface Damage and Release Agreement dated effective the 9<sup>th</sup> 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 James Gary and Barbara Eddleman (Owner) with an address at 2070 Poplar Avenue, Boulder, Colorado 80304, agreed to the location of a Well 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 a Well and associated pipelines, tank batteries and other facilities or property of EnCana associated with the well and located on the following Land:

Township 2 North, Range 68 West, 6<sup>th</sup> P.M.  
Section 32: SE/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 9<sup>th</sup> day of November, 2010.

**ENCANA OIL & GAS (USA) INC.**

By: 

Ricardo D. Gallegos, Attorney-in-Fact 

**OWNER: James Gary Eddleman**

By: 

James Gary Eddleman

**OWNER: Barbara Eddleman**

By: 

Barbara Eddleman

## ACKNOWLEDGMENTS

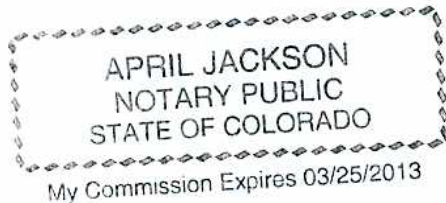
STATE OF COLORADO                     )  
                                                           ) ss.  
CITY AND COUNTY OF DENVER )

On this 29<sup>th</sup> day of November, 2010, before me personally appeared Ricardo D. Gallegos who executed the within and foregoing instrument as Attorney-in-Fact of Encana Oil & Gas (USA) Inc. on behalf of the corporation, and acknowledged the instrument to be the free and voluntary act and deed of the 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: 3/25/13

(SEAL)



Notary Public: April Jackson

STATE OF COLORADO                     )  
                                                           ) ss.  
COUNTY OF BOULDER                     )

The foregoing instrument was acknowledged by James Gary Eddleman before me on this 9<sup>th</sup> day of November, 2010.

My Commission Expires: 11/30/2011



My Commission Expires 11/30/2011

Emily Conrad  
Notary Public: Emily Conrad

Address: 370 17<sup>th</sup> St.  
Denver, CO 80207

STATE OF COLORADO                    )  
                                                  ) ss.  
COUNTY OF BOULDER                )

The foregoing instrument was acknowledged by Barbara Eddleman before me on this 9<sup>th</sup> day of November, 2010.

My Commission Expires: 11/30/2011

*Emily Conrad*

Notary Public: *Emily Conrad*

Address: *370 17<sup>th</sup> St*  
*Denver, CO 80202*



My Commission Expires 11/30/2011