

**MEMORANDUM OF SURFACE DAMAGE AND RELEASE AGREEMENT**

Pursuant to the terms of that certain unrecorded Surface Damage and Release Agreement dated effective the 12<sup>th</sup> day of November, 2013 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 Ruth M. Martin ("Owner") with an address at 8592 County Road 24 Fort Lupton, Colorado 80621, agreed to the location of 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 67 West, of the 6<sup>th</sup> P.M.  
Section 9: SW/4  
containing 148 acres more or less.  
Weld County, Colorado

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 12<sup>th</sup> day of November 2013.

ENCANA OIL & GAS (USA) INC.

  
\_\_\_\_\_  
Helen M. Capps *12/12/13*  
Attorney-In-Fact

OWNER: RUTH M. MARTIN

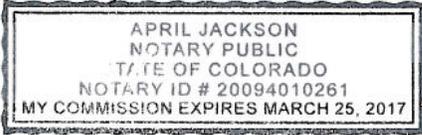
  
\_\_\_\_\_  
Ruth M. Martin

**ACKNOWLEDGMENTS**

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

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of December, 2013, by Helen M. Capps, Attorney-In-Fact of Encana Oil & Gas (USA) Inc., a Delaware corporation, on behalf of said corporation.

Witness my hand and official seal.

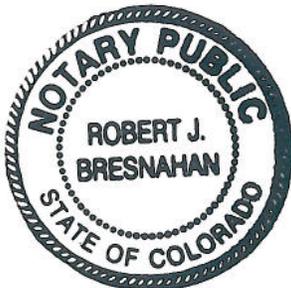


April Jackson  
Notary Public  
My Commission Expires: 3/25/17

STATE OF COLORADO )  
 ) ss.  
COUNTY OF WELD )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of November, 2013, by Ruth M. Martin.

Witness my hand and official seal.



Ruth M. Martin  
Notary Public  
My Commission Expires: 3/15/2014