

## MEMORANDUM OF SURFACE DAMAGE AND RELEASE AGREEMENT

Pursuant to the terms of that certain unrecorded Surface Damage and Release Agreement dated effective the 20<sup>th</sup> day of November, 2014 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 Walter C. Wieben ("Owner") with an address at 625 Lariat Road Silt, CO 81652, agreed to the location of the well site 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 8 South, Range 93 West, of the 6<sup>th</sup> P.M.  
Section 2: S1/2SW/4  
Garfield County, Colorado

This Memorandum of Surface Damage and Release Agreement is executed by Owner and Encana and placed of record in Garfield 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 20<sup>th</sup> day of November 2014.

ENCANA OIL & GAS (USA) INC.,  
acting by its authorized  
agent, Encana Services Company Ltd.

OWNER:

Walter C. Wieben  
Walter C. Wieben

By   
Lumis M. ~~Mike~~ Campbell  
Director Surface Land

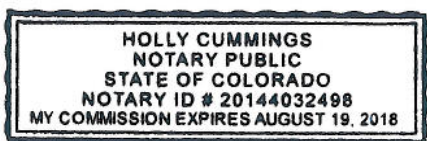
  
Dorothy D. Wieben  
*Signed as power of atty:  
for Walter C. Wieben*

## ACKNOWLEDGMENTS

STATE OF COLORADO           )  
  ) ss.  
COUNTY OF DENVER         )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of November, 2014, by Mike Campbell, Director of Surface Land of Encana Services Company, Ltd., authorized agent for Encana Oil & Gas (USA) Inc., a Delaware corporation.

Witness my hand and official seal.



Holly Cummings  
Notary Public  
My Commission Expires: August 19, 2018

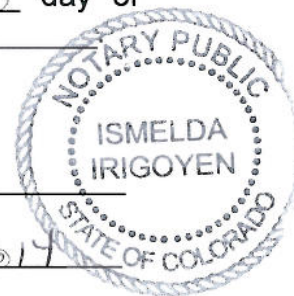
STATE OF Colorado         )  
  ) ss.  
COUNTY OF Garfield     )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of November, 2014, by Walter C. Wieben

Witness my hand and official seal.

A handwritten signature of the notary public, Ismelda Irigoyen.

Notary Public  
My Commission Expires: Dec. 22, 2014



STATE OF Colorado         )  
  ) ss.  
COUNTY OF Garfield     )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of November, 2014, by Dorothy D. Wieben

Witness my hand and official seal.

A handwritten signature of the notary public, Ismelda Irigoyen.

Notary Public  
My Commission Expires: Dec. 22, 2014

