

MEMORANDUM OF MASTER SURFACE DAMAGE AGREEMENT

Pursuant to the terms of that certain unrecorded Master Surface Damage Agreement dated effective the 26th day of January 2005 and the Amendment to Master Surface Damage Agreement dated effective the 2 day of October, 2007 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 Cannon Land Company ("Owner") with an address at 3575 Cherry Creek North Drive, 2nd Floor, Denver, CO 80209, agreed to the 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 wells and associated pipelines, tank batteries and other facilities or property of EnCana associated with the wells and located on the following Lands:

Township 2 North, Range 66 West, 6th P.M.
Section 2: All
Section 4: S/2
Section 8: NE/4
Section 9: N/2
Section 10: N/2NW/4, E/2
Section 17: N/2
Section 19: The north 40 rods of the W/2NE/4

RECEIVED

SEP 16 2009

COGCC

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 2 day of October, 2007.

ENCANA OIL & GAS (USA) INC.

By: David G. Hill

David G. Hill, Attorney-in-Fact

CANNON LAND COMPANY

Norman J. Cannon

ACKNOWLEDGMENTS

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SEP 16 2009

COGCC

STATE OF COLORADO)

CITY AND COUNTY OF DENVER)

On this 2 day of October, 2007, before me personally appeared David G. Hill 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 12-19-09



Notary Public: Walter L. L...

address: 444 17th St #702
Denver CO 80202

STATE OF COLORADO)

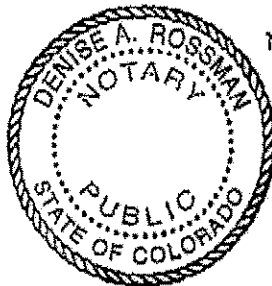
CITY AND COUNTY OF DENVER)

On this 11 day of October, 2007, before me personally appeared Brown W. Cannon known to me to be the person who executed the within and foregoing instrument, and acknowledged that he/she executed said instrument as his/her free and voluntary act and deed 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: 10/24/07

(SEAL)



Notary Public: Denise A. Rossman

Denise A. Rossman

My Commission Expires 10/24/2007