SURFACE DAMAGE RELEASE

STATE OF COLORADO §
§
COUNTY OF LAS ANIMAS §

KNOW ALL MEN BY THESE PRESENTS:

THAT **Ronald McDonald** (Surface Owner), as indicated by the Tax Assessor's office in Las Animas County, Colorado, in consideration of the payment by PIONEER NATURAL RESOURCES, USA, Inc. (Operator) to the undersigned of the sum of [redacted] in hand paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto Operator, its agents, employees, contractors, invitees, licensees, representatives and assigns, the right to enter upon and use a portion of the surface estate as hereinafter described, together with an access route thereto for the unrestricted transportation of vehicles, materials, equipment, personnel and products to and from the drill site location. Further permission is granted to the Operator to dispose produced water from the well in order to control dust on lease roads.

Surface Owner further releases and discharges Operator, its agents, employees, contractors, invitees, licensees, representatives and assigns, from any claim for injuries, losses or damages to the surface and to pasture, grazing or irrigated lands which may be sustained in connection with moving in and out of the drillsite location and in connection with operations conducted on the drillsite location for the drilling and completion of the following well(s):

Pointer 43-25
T32S-R67W, Sec. 25: NE/4SE/4
Las Animas County, Colorado
See Exhibit "A" attached hereto.

In the event others should claim an interest in the damage payments described above, we agree to be responsible to them for their proportionate share of the damage payments, if any.

Prior to drilling a test well on the surface owners lands, Operator agrees that at the written request of the Owner, Operator will test water quality samples from the surface owners water well(s) and private drinking water supplies.

The rights, duties and privileges hereunder shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, successors and assigns.

IN WITNESS WHEREOF, this instrument is executed this 6 day of January, 2009.

WITNESS:

Ronald McDonald

STATE OF KANSAS §
§
COUNTY OF MITCHELL §

The foregoing instrument was acknowledged before me this 6 day of January, 2009, by **Ronald McDonald**, known to me to be the identical person described in and who executed the within and foregoing instrument.

Witness my hand and official seal the day and year last written above.

11-15-2010
My Commission Expires

BETTY LITTON
Notary Public - State of Kansas
My Appt. Expires November 15, 2010

Notary Public