

**MEMORANDUM OF SURFACE DAMAGE AND RELEASE AGREEMENT**

Pursuant to the terms of that certain unrecorded Surface Damage and Release Agreement dated effective the 11th day of May, 2011 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 Beebe Draw Farms Authority, c/o Paul "Joe" Knopinski, President, (Owner) with an address at 6025 S. Lima Street, Englewood, Colorado 80111, 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 Wells and associated pipelines, tank batteries and other facilities or property of Encana associated with the wells and located on the following Land:

Township 3 North, Range 65 West, Weld County, Colorado  
Section 4: NE1/4SE1/4

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 11th day of May, 2011.

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

By: Ricardo D. Gallegos, Attorney-In-Fact

**BEEBE DRAW FARMS AUTHORITY**  
By: Paul "Joe" Knopinski, President

ACKNOWLEDGMENTS

STATE OF COLORADO

CITY AND COUNTY OF DENVER

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(ss  
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On this \_\_\_\_\_ day of \_\_\_\_\_, 2011 before me personally appeared Ricardo D. Gallegos 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.

above written.

My Commission Expires \_\_\_\_\_

(SEAL)

Notary Public: \_\_\_\_\_

STATE OF COLORADO

)  
(ss  
)

COUNTY OF Weld

On this 12 day of July 2011, before me personally appeared Paul "Joe" Knopinski, President of Beebe Draw Farms Authority, known to me to be the person who executed the within and foregoing instrument, and acknowledged that he executed said instrument as his 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: 5-15-2012

Notary Public: \_\_\_\_\_



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