

MEMORANDUM OF SURFACE DAMAGE AND RELEASE AGREEMENT

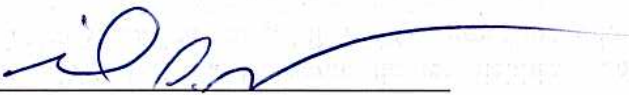

Pursuant to the terms of that certain unrecorded Surface Damage and Release Agreement dated effective the 9th day of March, 2010 between the undersigned, and subject to the conditions set forth therein, EnCana Oil & Gas (USA) Inc. ("EnCana") with an address at 370 17th Street, Suite 1700, Denver, Colorado 80202, and CapFinancial Properties, CV2, LLC, a Delaware limited liability company ("Owner") with an address at P.O. Box 38, 508 Third Street Prinsburg, MN 56281, agreed to the location of one or more 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, 6th P.M.
Section 9: NE/4SE/4
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 9th day of March, 2010.

ENCANA OIL & GAS (USA) INC.

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

**OWNER: CapFinancial Properties CV2,
LLC, a Delaware limited liability
company**

By: CapFinancial CV2 Holding Corp. a
Minnesota corporation
Its: Managing Member

By: 
Roger Ahrenholz
Its: Vice-President

ACKNOWLEDGMENTS

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

On this 12th day of April 2010, before me personally appeared Ricardo D. Gallegos 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 _____

(SEAL)



My Commission Expires 03/25/2013

Notary Public: April Jackson

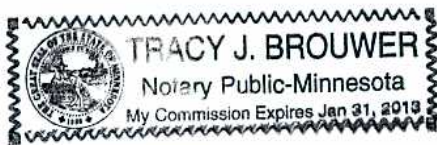
STATE OF Minnesota)
) ss.
COUNTY OF Kandiyochi)

On this 17th day of March, 2010, before me personally appeared Roger Ahrenholz, known to me to be the person who executed the within and foregoing instrument as the Vice-President of CapFinancial CV2 Holding Corp., a Minnesota corporation, which is the Managing Member of CapFinancial Properties CV2, LLC, a Delaware limited liability company, and acknowledged that he/she executed said instrument as his/her 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:

(Seal)



Tracy J. Brouwer
Notary Public: Tracy J. Brouwer
Address: Raymond, MN 56282