

MEMORANDUM OF SURFACE DAMAGE AND RELEASE AGREEMENT

Pursuant to the terms of that certain unrecorded Surface Damage and Release Agreement dated effective the 22nd 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 John F. Goltl, Individually and as Personal Representative of the Estate of Edna K. Goltl, Deceased, Walter W. Goltl, Individually and as Personal Representative of the Estate of Edna K. Goltl, David J. Leitner and Paul A. Leitner (collectively "Owner") with an address at c/o Walter Goltl 2161 Kerr Gulch Road, Evergreen, Colorado 80439, agreed to the location of seven 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 1 North, Range 68 West, Weld County, Colorado
Section 26: SE/4

This Memorandum of Surface Damage and Release Agreement is executed by Owner and EnCana and placed of record in Broomfield 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 22nd day of March 2010

ENCANA OIL & GAS (USA) INC.

By: [Signature]
Ricardo D. Gallegos, Attorney-in-Fact

OWNER: John F. Goltl , Individually and as Personal Representative of the Estate of Edna K. Goltl, Deceased

By: [Signature]
John F. Goltl , Individually and as Personal Representative of the Estate of Edna K. Goltl, Deceased

OWNER: Walter W. Goltl, Individually and as Personal Representative of the Estate of Edna K. Goltl, Deceased.

By: _____
Walter W. Goltl, individually and as Personal Representative of the Estate of Edna K. Goltl, deceased.

OWNER: Paul A. Leitner

Paul A. Leitner

OWNER: David J Leitner

David J. Leitner

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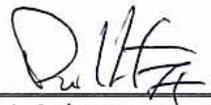
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OWNER: Paul A. Leitner


Paul A. Leitner

OWNER: David J Leitner

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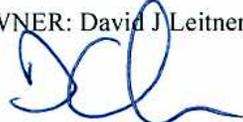
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Walter W. Goltl, individually and as Personal Representative of the Estate of Edna K. Goltl, deceased.

OWNER: Paul A. Leitner

Paul A. Leitner

OWNER: David J Leitner


David J. Leitner

ACKNOWLEDGMENTS

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

On this 16th day of June, 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: 3/25/13

(SEAL)

Notary Public: April Jackson



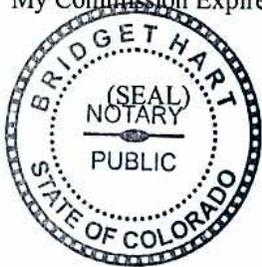
My Commission Expires 03/25/2013

STATE OF Colorado)
) ss.
COUNTY OF Weld)

The foregoing instrument was acknowledged by John F. Goltl, Individually and as Personal Representative of the Estate of Edna K. Goltl, deceased, before me on this 31 day of March 2010

My Commission Expires: July 14, 2010

My Commission Expires: 07/14/2010
512 Briggs
Erie, CO 80516



Notary Public: Bridget Hart

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged by Walter W. Goltl, individually and as Personal Representative of the Estate of Edna K. Goltl, deceased before me on this _____ day of _____ 2010.

My Commission Expires: _____

(SEAL)

Notary Public: _____

ACKNOWLEDGMENTS

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) ss.
CITY AND COUNTY OF DENVER)

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My Commission Expires: 3/25/13

(SEAL)

Notary Public: April Jackson



My Commission Expires 03/25/2013

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged by John F. Goltl, Individually and as Personal Representative of the Estate of Edna K. Goltl, deceased, before me on this _____ day of _____ 2010

My Commission Expires: _____

(SEAL)

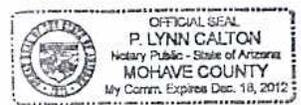
Notary Public: _____

STATE OF Arizona)
) ss.
COUNTY OF Mohave)

The foregoing instrument was acknowledged by Walter W. Goltl, individually and as Personal Representative of the Estate of Edna K. Goltl, deceased before me on this 22 day of March 2010.

My Commission Expires: 12-18-2012

(SEAL)



Notary Public: P. Lynn Galton

ACKNOWLEDGMENTS

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

On this 16th day of June, 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: 3/25/13

(SEAL)

Notary Public: April Jackson



My Commission Expires 03/25/2013

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged by John F. Goltl , Individually and as Personal Representative of the Estate of Edna K. Goltl, deceased, before me on this _____ day of _____ 2010

My Commission Expires: _____

(SEAL)

Notary Public: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged by Walter W. Goltl, individually and as Personal Representative of the Estate of Edna K. Goltl, deceased before me on this _____ day of _____ 2010.

My Commission Expires: _____

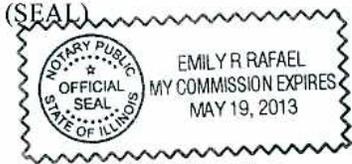
(SEAL)

Notary Public: _____

STATE OF IL)
) ss.
COUNTY OF Union)

The foregoing instrument was acknowledged by Paul A. Leitner individually, before me on this 17 day of May 2010.

My Commission Expires: 5/19/13



Notary Public: Emily R. Rafael

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged by David J. Leitner individually, before me on this _____ day of _____ 2010_

My Commission Expires: _____

(SEAL)

Notary Public: _____

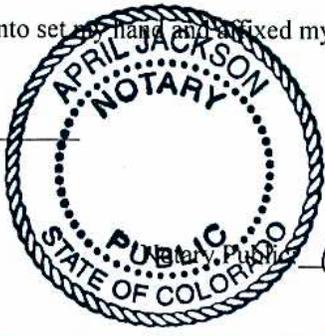
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STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

My Commission Expires: 3/25/13



April Jackson

(SEAL)

My Commission Expires 03/25/2013

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged by John F. Goltl , Individually and as Personal Representative of the Estate of Edna K. Goltl, deceased, before me on this _____ day of _____ 2010

My Commission Expires: _____

(SEAL)

Notary Public: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged by Walter W. Goltl, individually and as Personal Representative of the Estate of Edna K. Goltl, deceased before me on this _____ day of _____ 2010.

My Commission Expires: _____

(SEAL)

Notary Public: _____



3717640 09/10/2010 11:45A Weld County, CO
10 of 10 R 56.00 D 0.00 Steve Moreno Clerk & Recorder

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged by Paul A. Leitner individually, before me on this ____ day of _____ 2010.

My Commission Expires: _____

(SEAL)

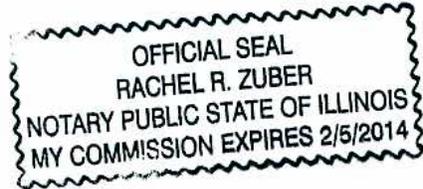
Notary Public: _____

STATE OF Illinois)
) ss.
COUNTY OF backson)

The foregoing instrument was acknowledged by David J. Leitner individually, before me on this 25th day of march 2010.

My Commission Expires: 2/5/2014

(SEAL)



Notary Public: Rachel R. Zuber



2010011149 10/19/2010 03:22P AG
10 of 10 R 56.00 D 0.00 City&Cnty Broomfield