

## MEMORANDUM OF SURFACE USE AGREEMENT

This MEMORANDUM OF SURFACE USE AGREEMENT (the "Memorandum") is made and executed as of the 8<sup>th</sup> day of November, 2007, to evidence that:

The Surface Use Agreement (the "Agreement") dated 8<sup>th</sup> November, 2007, was entered into by and between **Robert E. Duggan and Williams Production RMT Company (the Operator)**"), which, among other provisions, provides as follows:

Surface Owner agrees that Operator may use the one (1) existing and one (1) new surface location for the drilling, completion and operation of the Twenty-seven (27) proposed wells (the "Wells") described on the attached Exhibit "A".

Operator may begin operations to drill each Well any time prior to December 31st, 2015, or any time thereafter as mutually agreed to by Surface Owner and Operator.

Surface Owner agrees with the surface and bottom hole locations of the Wells described on the attached Exhibit "A".

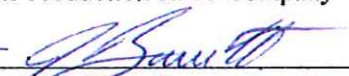
This Memorandum shall be construed as a covenant running with the Lands and shall be binding on any and all personal representatives, successors, and assigns of Surface Owner and Operator.

This Memorandum is being executed by Surface Owner and Operator for the primary purpose of recording and thus advising all interested parties of the existence and validity of such Surface Use Agreement, the exact terms and conditions of which are more fully stated in the unrecorded instrument on file with the respective parties and, that this Memorandum shall constitute notice to all parties of the existence of this Agreement as though it was described in total detail herein.

IN WITNESS WHEREOF, the parties have executed this Memorandum as of the date first above written.

By:   
Robert E. Duggan

Williams Production RMT Company

By:   
Joseph P. Barrett  
Attorney-In-Fact SCH

### Acknowledgments

STATE OF COLORADO )  
COUNTY OF GARFIELD )

On the 8<sup>th</sup> day of November, 2007, personally appeared **Robert E. Duggan**, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed same as his free and voluntary act and deed for the uses and purposes therein set forth.

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

My Commission Expires:  
(SEAL)

10-22-2011

Dasa R. Bryan  
Notary Public

DASA R. BRYAN  
NOTARY PUBLIC  
STATE OF COLORADO

My Commission Expires 10/22/2011

STATE OF COLORADO )  
COUNTY OF DENVER )

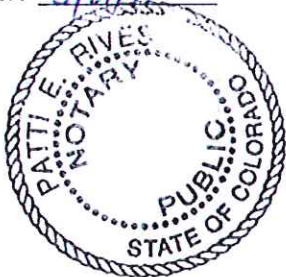
Before me, a Notary Public, in and for said County and State aforesaid, does hereby certify that **Joseph P. Barrett**, whose name is subscribed to the foregoing instrument as **Attorney-In-Fact** of **Williams Production RMT Company**, a corporation, appeared before me this day in person and acknowledged that he executed said instrument as his free and voluntary act and deed as the free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 9<sup>th</sup> day of November, 2007.

My Commission Expires:  
(SEAL)

5/21/11

Patti E. Rives  
Notary Public





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3 of 3 Rec Fee:\$16.00 Doc Fee 0.00 GARFIELD COUNTY CO

EXHIBIT "A"

Attached to and made a part of that certain Memorandum of Surface Use Agreement  
dated ~~October~~ <sup>November</sup> 8, 2007, between Robert E. Duggan,  
Surface Owner, and Williams Production RMT Company, Operator

Name of Well to be Drilled	Township, Range	Section	Quarter-Quarter for Surface Location	Name of Existing Well Pad Where the New Well will be located
✓ RWF 513-29	T6S R94W	29	SWSW	NEW LOCATION
✓ RWF 13-29	T6S R94W	29	SWSW	RWF 14-29
✓ RWF 413-29	T6S R94W	29	SWSW	RWF 14-29
✓ RWF 313-29	T6S R94W	29	SWSW	RWF 14-29
✓ RWF 314-29	T6S R94W	29	SWSW	RWF 14-29
✓ RWF 414-29	T6S R94W	29	SWSW	RWF 14-29
✓ RWF 14-29	T6S R94W	29	SWSW	RWF 14-29
✓ RWF 514-29	T6S R94W	29	SWSW	RWF 14-29
✓ RWF 323-29	T6S R94W	29	SWSW	RWF 14-29
✓ RWF 524-29	T6S R94W	29	SWSW	RWF 14-29
✓ RWF 324-29	T6S R94W	29	SWSW	RWF 14-29
✓ RWF 424-29	T6S R94W	29	SWSW	RWF 14-29
✓ RWF 24-29	T6S R94W	29	SWSW	RWF 14-29
✓ RWF 514-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 311-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 411-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 312-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 412-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 12-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 321-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 421-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 21-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 521-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 422-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 322-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 522-32	T6S R94W	32	N1/2NW	RWF 21-32
✓ RWF 22-32	T6S R94W	32	N1/2NW	RWF 21-32

  
Initials