

MEMORANDUM OF SURFACE DAMAGE AND RELEASE AGREEMENT

This Memorandum of Surface Damage and Release Agreement is executed by Troy G. Petree and Deborah L. Petree, whose address is 1300 Quicksilver Way, Rifle, Colorado 81650 ("Owner"), and **Encana Oil & Gas (USA) Inc.**, 370 17th Street, Suite 1700, Denver, Colorado 80202 ("Operator") and placed of record in Garfield County, Colorado for the purpose of placing all persons on notice of the existence of that certain unrecorded Surface Damage and Release Agreement between Owner and Operator dated the 21st day of April, 2013 (the "Agreement").

The Agreement provides for the use of the surface of the land described below by Operator in connection with certain oil and gas operations and for the compensation to Owner for all damages to the surface of the land associated with the drilling, construction, testing, completion, recompletion, reworking, re-entry, production, maintenance and operation of the well(s) and all pipelines, roads, tank batteries, and other facilities or property of Operator or its affiliates associated with the well(s) located on the **O22NW well site**, located in:

Township 6 South, Range 93 West, 6TH P.M.
Section 22: SW1/4SE1/4
Garfield County, Colorado


Among other things, the Agreement terminates and releases the Surface Use Agreement dated June 9, 2003, between Troy G. Petree and Deborah L. Petree as Owner and Encana Oil & Gas (USA) Inc., as Operator, a memorandum of which was recorded in Garfield County in Book 1492, Page 529, and grants Operator a Temporary Water Pipeline Right-of-Way for drilling and completion activities.

A true and complete copy of the Agreement is available from Operator to any person owning an interest in the above described land.

Owner

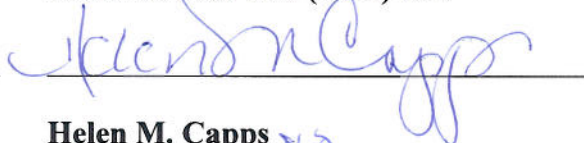


Troy G. Petree



Deborah L. Petree

Encana Oil & Gas (USA) Inc.



Helen M. Capps
Attorney-in-Fact



ACKNOWLEDGEMENTS

STATE OF COLORADO)
) §
COUNTY OF GARFIELD)

On this 29th day of April, 2013, before me personally appeared **Troy G. Petree and Deborah L. Petree**, known to me to be the persons described in and who executed the foregoing instrument, and who acknowledged to me that they executed the same.

(SEAL)

My commission expires: 5/12/2016

Paul E. Bon
Notary Public

STATE OF COLORADO)
) §
COUNTY OF DENVER)

On this 23rd day of May, 2013, before me personally appeared **Helen M. Capps, Attorney-in-Fact for Encana Oil & Gas (USA) Inc.**, known to me to be the person described in and who executed the foregoing instrument, and who acknowledged to me that they executed the same.

(SEAL)

My commission expires: APRIL JACKSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20094010261
MY COMMISSION EXPIRES MARCH 25, 2017

April Jackson
Notary Public