

**MEMORANDUM OF SURFACE DAMAGE AND RELEASE AGREEMENT**

Pursuant to the terms of that certain unrecorded Surface Damage and Release Agreement dated effective the 30<sup>th</sup> day of May, 2014 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 Marion A. Newnam and Cynthia A. Newnam ("Owner") with an address at 25844 County Road 16, Keenesburg, Colorado 80643, Colorado 80642, agreed to the location of the oil and gas wells, facilities sites, temporary completions site and access roads 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 gas and oil wells and associated pipelines, tank batteries and other facilities or property of Encana associated with the oil and gas wells and located on the following land:

Township 2 North, Range 64 West, of the 6<sup>th</sup> P.M.  
Section 32: N 1/2  
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 30<sup>th</sup> day of April, 2014.

ENCANA OIL & GAS (USA) INC., acting by  
and through its authorized agent  
Encana Services Company, Inc.

Jason C. Oates  
Senior Manager,  
Regulatory & External Stakeholder Relations

Owner:

Marion A. Newnam

Cynthia A. Newnam

## ACKNOWLEDGMENTS

STATE OF COLORADO

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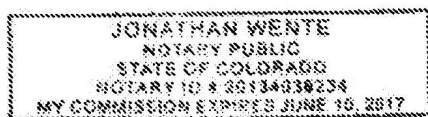
55.

CITY AND COUNTY OF DENVER

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The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of June, 2014, by Jason C. Oates, Senior Manager, Regulatory & External Stakeholder Relations of Encana Services Company, Ltd., authorized agent for Encana Oil & Gas (USA) Inc., a Delaware corporation.

Witness my hand and official seal.



Notary Public  
My Commission Expires: 6-10-17

STATE OF COLORADO

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SS.

COUNTY OF WELD

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The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of May, 2014, by Marion A. Newnam and Cynthia A. Newnam.

Witness my hand and official seal.



Rapsey L. Hammond  
Notary Public  
My Commission Expires: 7/8/2015