Action No.: 0901-13483 Deponent: Todd A. Dillabough

Date Sworn: October 1, 2009

IN THE COURT OF QUEEN'S BENCH OF ALBERTA JUDICIAL CENTRE OF CALGARY

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF TRIDENT EXPLORATION CORP. ULC, FORT ENERGY CORP. ULC, FENERGY CORP. ULC, 981384 ALBERTA LTD., 981405 ALBERTA LTD., 981422 ALBERTA LTD., TRIDENT RESOURCES CORP., TRIDENT CBM CORP., AURORA ENERGY LLC., NEXGEN ENERGY CANADA, INC. AND TRIDENT USA CORP.

AFFIDAVIT

I, Todd A. Dillabough, of the City of Calgary, in the Province of Alberta, MAKE OATH AND SAY THAT:

BACKGROUND

- I am the President, Chief Executive Officer, and Chief Operating Officer of Trident Exploration Corp. ("TEC"), the President, Chief Executive Officer, and Chief Operating Officer of Trident Resources Corp. ("TRC"), and a senior officer of each of the Applicants (collectively, "Trident"), and as such I have personal knowledge of the matters to which I hereinafter depose, except where stated to be based on information and belief, in which case I verily believe the same to be true. I am authorized by each of the Applicants to depose this Affidavit and I do so on their behalf.
- 2. All capitalized terms shall have the meaning ascribed to them in the Affidavit, I swore and caused to be filed in these proceedings on September 8, 2009 (the "Initial Application"), unless otherwise indicated in this Affidavit.

STATUS OF THE CCAA PROCEEDINGS

3. On September 8, 2009, Trident sought and was granted an Order (the "Initial Order") under the Companies' Creditors Arrangement Act, R.S.C. 1985, c. C-36 ("CCAA") providing,

among other things, a stay of all proceedings against Trident for an interim period (the "Stay Period") such that Trident can implement certain processes in furtherance of its anticipated restructuring.

- 4. In accordance with paragraph 45 of the Initial Order, on September 16 and 17, 2009, Trident served a copy of the Initial Order, along with a covering letter and a bulletin to suppliers, via regular mail, on all of the known secured and unsecured creditors of Trident that were owed more than \$5,000. Attached hereto and marked as Exhibits "A" and "B", respectively, to this my Affidavit are copies of the form of letter and bulletin sent to each creditor.
- 5. I have reviewed the First Report of the Monitor and agree with the Monitor's review of the operations and affairs of Trident.
- 6. The Monitor has established a website which provides a current update of Trident's restructuring, as well as making available most of the filings and other, related documents Trident is using in these CCAA proceedings. The address of the website is cfcanada.fticonsulting.com/trident. The website is cross referenced in Trident's own internet home page (www.tridentexploration.ca).
- 7. Trident has been contacted by several of its creditors since the date of the Initial Order and has diligently updated them on the status of the proceedings. I verily believe the Monitor has also been contacted by creditors of Trident and has similarly updated them accordingly.

OVERVIEW OF OPERATIONS

- 8. For the duration of the Stay Period, Trident has maintained substantially all of its operations in full with the exception of 1 to 3 days of delay in certain capital projects.
- 9. With respect to its significant land holdings in the Columbia River Basin area of southern Washington state, Delta Petroleum Corp. ("Delta") announced that they had completed testing of a recently drilled exploratory well. Delta deemed that the lower zones encountered in the well were uneconomic. They also reported that they intended to further test the uphole horizons encountered in the well.

10. Given the expansive land holdings Trident has and the term of leases available to the company, we will continue to monitor activity in this area. The information on Delta's exploratory well and related activities will be evaluated by Trident's technical specialists upon the information becoming publicly available. In addition, Trident continues to evaluate its initial exploratory activity in the Snake River Basin in eastern Oregon state.

STAKEHOLDERS

11. Trident and its advisors have been in constant communication with many of Trident's stakeholders.

First Lien Credit Facility

- 12. As discussed in paragraph 35(a) of the Initial Affidavit, TEC has a first lien credit agreement with The Toronto Dominion Bank (the "TD Bank") for a maximum principal amount of \$10 million (the "First Lien Credit Facility"). The purpose of this facility is to provide revolving loans, banker's acceptances and letters of credit for Trident to use in the ordinary course of its business. This facility is scheduled to expire on October 2, 2009.
- 13. Of the \$10 million which is available under the First Lien Credit Facility, approximately \$5 million is currently utilized by TEC to support five letters of credit that will expire according to their terms on October 2, 2009 if not renewed by delivery of replacement letters of credit prior to that date.
- 14. Trident and the TD Bank have been unable to agree to terms of an appropriate renewal of the First Lien Credit Facility; consequently, the First Lien Credit Facility is to expire on October 2, 2009. We have been advised by TD Bank that \$4.8 million of the \$5 million currently outstanding has been or will be drawn prior to expiry and that TD Bank will offset the amount owed against Trident's existing cash reserves such that there will be no indebtedness owed under the First Lien Credit Facility. Trident will also not have the benefits of having the facility in place beyond October 2, 2009 as it will have expired.

Second Lien Credit Facility

15. Trident has held a series of discussions with the holders of the majority of the TEC second lien credit facility described in paragraph 35(b) of my Initial Affidavit (the "Second Lien

Lenders"), which hold a \$500 million term facility against TEC and its subsidiaries (the "Second Lien Credit Facility"). These discussions commenced in March of 2009.

- 16. As I understand the concerns of the Second Lien Lenders in these proceedings, their material concerns are as follows:
 - (a) any sales of assets by Trident outside of the ordinary course of business be conducted either with the prior consent of the Monitor and the Agent or with prior court approval;
 - (b) the proceeds of any sales so concluded would be distributed only in accordance with further order of this Honourable Court;
 - (c) funding to Trident's U.S. entities be limited;
 - (d) the limit of payments being made or to be made to Trident's critical vendors; and
 - (e) the quantum of professional fees.
- 17. Trident wishes to address the majority of these concerns by seeking certain qualifications to the Initial Order. A draft form of an amended and restated initial order, black lined to show the changes from the Initial Order, is attached to the Notice of Motion filed in connection with this application.
- 18. With respect to Trident's critical vendors, paragraph 13 of the Initial Order requires the Monitor's approval for all payments Trident considers necessary for the preservation of the business and property of Trident or Trident's operations. To date these expenditures have been minimal. Moreover, there are no material payments anticipated to be made to Trident's US vendors as the US entities in Trident are largely non-operating.
- 19. With respect to the quantum of professional fees, these concerns have been noted and addressed in Trident's amended cash flows, a copy of which cash flows are attached to the First Monitor's Report filed in conjunction with this Affidavit (the "Cash Flows").

Other Stakeholders

- 20. Trident's advisors have also had discussions with the holders of the debt owing by TRC under the 2006 credit agreement (the "06 Lenders") and the 2007 subordinated credit agreement (the "07 Lenders"), both of which are guaranteed by all of the Trident entities (the former to a limited principal amount of \$150 million).
- 21. Trident has also had numerous discussions with its creditors and ongoing counterparties. In addition to answering general questions, Trident has worked with the Monitor to develop an internal protocol to address requests for prepayments or other payment assurance to ensure that those counterparties that supply Trident with goods and services after the date of the Initial Order are not obligated to extend further credit. The vast majority of goods and services providers have continued to extend credit to the company on post-filing activity. The protocol addresses each request, ensures that it is fair and reasonable in the circumstances, and then ensures that the counterparty receiving such assurances agrees in writing that payment assurances advanced to them will only be used in connection with the supply of post-filing goods and services. Attached hereto and marked as Exhibit "C" to this my Affidavit is a copy of the form of letter that Trident and the Monitor seek in connection with each of the prepayment arrangements that Trident enters into.
- 22. Trident and the Monitor have also developed a protocol to ensure that any critical suppliers are properly addressed. To date, an aggregate of \$0.7 million has been paid to critical vendors, all of whom were considered by Trident and the Monitor to be necessary for the operation of Trident and provided a material benefit to Trident.

FINANCIAL

Cash Flows

23. Exhibit "D" to my Initial Affidavit was a consolidated cash flow running for a 13 week period ending December 4, 2009. The First Monitor's Report reconciles these projections with actual receipts and disbursements incurred in the period since the Initial Order until September 25, 2009. Trident has also worked with the Monitor in developing the current Cash Flows.

Cash Management and Inter-Company Loans

- 24. On the date of the Initial Order all outstanding cheques were made the subject of a "stop payment" order with Trident's bankers to ensure that all pre-filing creditors were treated equally. Since then, Trident's banking arrangements have operated in the ordinary course and without material disruption.
- 25. Since the date of the Initial Order, no Inter-Company Loans except between TEC and Fort Energy Corp., TEC's wholly-owned subsidiary, have been made. No funds have been advanced by TEC or any of its subsidiaries to TRC or any of its U.S. subsidiaries.

Valuations

- 26. On a quarterly basis, Trident obtains an independent valuation of its assets prepared by Netherland Sewell & Associates Inc. ("NSAI"). Marked as Exhibit "D" is a copy of the latest such report, dated August 16, 2009, with a valuation date of June 30, 2009. Marked as Exhibit "E", is a summary of the previous quarterly reports dating back to June 30, 2008 (collectively, the "Valuation Information"). Neither Exhibit "D" or "E" is attached hereto as a result of Trident's concern that public disclosure of the Valuation Information could adversely impact the efforts to maximize value in the restructuring process. Trident is therefore seeking a sealing order in respect of the Valuation Information. The Monitor supports Trident's request for a sealing order in respect of the Valuation Information.
- 27. The NSAI quarterly reports have been provided to the first lien lender (TD Bank), Second Lien Lenders, the 06 Lenders, and the 07 Lenders routinely within 60 days of the quarter-end (and 90 days of the year-end) as prescribed in each lending agreement. We distribute 3 unique pricing scenarios of which one is specifically prescribed by the Second Lien lending agreement and used for covenant compliance measurements. The Valuation Information clearly demonstrates the value of Trident's assets in Canada are well in excess of the amounts owed by Trident to the First and Second Lien Lenders.

HUMAN RESOURCES

Directors

- 28. Since the date of the Initial Order, Mr. Gustav Eriksson has been appointed to fill a vacancy on the board of directors of TEC and TRC. The full compliment of the board now consists of the following individuals:
 - Eugene I. Davis
 - Todd Dillabough
 - Ken Ancell
 - Timothy J. Bernlohr
 - John H. Forsgren
 - Marc MacAluso
 - Todd Overbergen
 - J. Laurie Hunter
 - Steve Buchanan
 - Anthony Caluori
 - Gustav Eriksson
- 29. The board continues to meet on a regular basis, its most recent meeting being on September 25, 2009.

Key Employee Retention Plan

- 30. In Trident's initial application in these proceedings it sought the approval of an employee retention plan. That application was adjourned and Trident wishes to have a retention plan heard in the current application.
- 31. As I previously deposed in my Affidavit of September 8, 2009, Trident's employees are unique, highly skilled, and crucial to Trident's continued operational efficiencies and successful development. The loss of any of Trident's employees would have a material adverse impact on Trident's operations and restructuring efforts.
- 32. No employee's have left Trident since the date of the Initial Order, but it remains important to Trident that its employees and management remain with Trident through the current restructuring.

- 33. To this end Trident has presented a slightly amended retention plan, a copy of which is attached hereto, marked as Exhibit "F" (the "Retention Plan"). If approved by this Honourable Court, the Retention Plan is aimed at providing Trident's employees with assurance of the security of their positions within Trident, and rewarding their anticipated assistance through a successful restructuring. The salient points of the Retention Plan include:
 - (a) each eligible employee will receive a bonus equal to 30% of their annual salary, payable upon Trident's emergence from these proceedings; and
 - (b) an eligible employee will be an employee that was employed by Trident on the date the Retention Plan was approved by this Honourable Court and remained employed by Trident throughout these proceedings until the earlier of:

 (i) Trident's emergence from these proceedings, and (ii) Trident's termination of their services for any reason other than for cause.
- 34. The cost of the Retention Plan would be approximately \$3 million and paid upon emergence. In the circumstances, I believe this amount is very reasonable and constitutes a justifiable expense in order to ensure the efficient continuation of Trident's daily operations and the best chances of Trident's success.
- 35. As security for the Retention Plan, Trident proposes that a charge (the "Retention Plan Charge") be created over the assets and undertaking of Trident to a maximum of \$3 million. It is proposed that this Charge rank subsequent to the Administration Charge, the Directors' Charge, and the Inter-Company Charge, and in priority to each other super-priority charge or existing security interest held by any other creditor.
- 36. We have worked with the Monitor in the preparation of the Retention Plan, and the Monitor has informed me that it has no objection to the proposed Retention Plan.

Proceedings in the United States

37. TRC and its four U.S. subsidiaries (Aurora Energy LLC, NexGen Energy Canada, Inc., Trident CBM Corp. and Trident USA Corp. (collectively, the "U.S. Debtors")) filed for protection under Chapter 11 of the U.S. Bankruptcy Code on September 8, 2009. The U.S.

Debtors' cases have been assigned to the Honourable Mary F. Walrath, and were consolidated for procedural purposes under lead case number 09-13150.

- 38. A number of "first day" motions were filed by the U.S. Debtors including motions to approve:
 - (a) continued use of cash management systems and inter-company transfers;
 - (b) continuation of insurance programs;
 - (c) payment of taxes;
 - (d) retention of ordinary course professionals; and
 - (e) a cross-border protocol.
- 39. On October 1, 2009, with the exception of the cross-border protocol, Certificates of No Objection were filed with the U.S. Court with respect to the first day relief and the U.S. Debtors anticipate that orders approving such relief will be entered shortly. A final hearing for the cross-border protocol is scheduled for October 13, 2009.
- 40. Further information related to Trident's U.S. Chapter 11 proceedings can be found at www.tridentrestructuring.com.

CONCLUSION

- 41. Since prior to the Initial Order, Trident and its Financial Advisor have had various discussions with Trident's stakeholders concerning the sponsorship of a restructuring plan. Discussions of this nature to date, generally indicate that value is available to stakeholders who rank below the Second Lien Lenders.
- 42. Trident is requesting an extension to the stay of proceedings granted under the Initial Order to December 4, 2009. During this time Trident will continue its discussions with its stakeholders with a view towards returning to this Honourable Court for approval of such arrangements as may be necessary to provide any supplemental interim financing for Trident

during these proceedings and a process to ensure that the recapitalization of Trident is maximized for the benefit of all of Trident's stakeholders.

- 43. In the interim, Trident intends to continue to demonstrate strong operational performance and to work with its stakeholders and the Monitor to maintain its current business and affairs and achieve a successful restructuring.
- 44. I do verily believe that Trident is working in good faith and with due diligence in these proceedings and believe it to be in the best interests of Trident and its stakeholders to continue in these proceedings as outlined above
- 45. I make this Affidavit in support of an application:
 - (a) granting an Amended and Restated Initial Order;
 - approving the extension of the Stay Period to December 4, 2009; (b)
 - sealing Exhibits "D" and "E" to this Affidavit; (c)
 - (d) approving and implementing the Retention Plan and related charge thereto; and
 - such other and further relief as this Honourable Court may deem appropriate. (e)

Sworn before me in the City of Calgary, in the Province of Alberta, the 1st day of October, 2009.

A Commissioner of Oaths in and for the

Province of Alberta

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Derek Pontin Barrister and Solicitor

THIS IS EXHIBIT "
referred to in the Affidavit of
Todd Dillabangh
Sworn before me this
Day of Astobor AD 2007

A COMMISSIONER FOR CATHS IN AND FOR THE PROVINCE OF ALBERTA

> Derek Pontin Barrister and Solicitor

September 11, 2009

To: All Creditors

Re: <u>Trident Exploration Corp. ULC, Fort Energy Corp. ULC, Fenergy Corp. ULC, 981384 Alberta Ltd.</u>, 981405 Alberta Ltd., 981422 Alberta Ltd., <u>Trident Resources Corp.</u>, <u>Trident CBM Corp.</u>, <u>Aurora Energy LLC, Nexgen Energy Canada, Inc. and Trident USA Corp. (collectively, the "Applicants")</u>

On September 8, 2009, the Applicants sought and obtained an initial order (the "Initial Order") under the Companies' Creditors Arrangement Act, R.S.C. 1985, c. C-36, as amended (the "CCAA"). The Initial Order provides, among other things, a stay of proceedings against the Applicants until October 7, 2009, (the "Stay Period"). FTI Consulting Canada ULC has been appointed as monitor (the "Monitor"). A copy of the Initial Order is enclosed. Copies of materials filed in the proceedings may be obtained at http://cfcanada.fticonsulting.com/trident or on request from the Monitor. At this time, the Applicants are continuing to operate in the normal course under the Initial Order.

Pursuant to the Initial Order, all persons having oral or written agreements with an Applicant or statutory or regulatory mandates for the supply of goods and/or services are restrained until further Order of the Court from discontinuing, altering, interfering with or terminating the supply of such goods or services as may be required by an Applicant, provided that the normal prices or charges for all such goods or services received after the date of the Initial Order are paid by the Applicants in accordance with normal payment practices of the Applicants or such other practices as may be agreed upon by the supplier or service provider and each of the Applicants and the Monitor, or as may be ordered by this Court. The Initial Order prohibits the Applicants from making payment of amounts relating to the supply of goods or services prior to September 8, 2009.

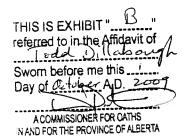
During the Stay Period, which may be extended by the Court from time to time, all parties are prohibited from commencing or continuing legal action against the Applicants and all rights and remedies of any party against or in respect of the Applicants or their assets are stayed and suspended except with the written consent of the applicable Applicant and the Monitor, or leave of the Court.

To date, no Claims Procedure has been approved by the Court and creditors are therefore not required to file a proof of claim at this time.

If you have any questions regarding the foregoing or require further information, please consult the Monitor's website at http://cfcanada.fticonsulting.com/trident or call the Monitor's Flot-line at (403) 770-1691.



Suite 1000, 444 - 7th Avenue S.W. Calgary, Alberta T2P 0X8 Telephone: (403) 770-0333 Facsimile: (403) 668-5805



-k Pontin

or and Solicitor

Special Bulletin to Suppliers

CCAA and Chapter 11 Filing - September 8, 2009

As one of our valued business partners, I wanted to provide you some details on the important and necessary actions we've taken to restructure Trident's financial affairs in order to ensure the long-term viability of our Company.

As you may have heard, on September 8, 2009 Trident Resources Corp, Trident Exploration Corp and certain of their affiliates commenced proceedings under the *Companies' Creditors Arrangement Act*, also known as the "CCAA". Although this was a difficult decision, management determined this step was necessary to complete a restructuring of the Company's indebtedness, and is the logical next step in a strategic process to maximize the value of business for the benefit of all key stakeholders – including you, our valued suppliers. Trident Resources Corp. and its US affiliates also filed under Chapter 11 of the US Bankruptcy Code on the same day.

We highly value our relationship with you, and I would like to share some key points with you about our actions:

- The CCAA and Chapter 11 protection will keep creditors from enforcing any rights against Trident, and will
 afford the Company the opportunity to restructure our financial affairs in a stable and structured environment.
- Trident is permitted to continue to operate and maintain its business "in the ordinary course." This allows us to continue the day-to-day operations of the Company in a business-as-usual manner.
- It is important that you know that our projections show that the Company generates sufficient cash to fund its continued operations.
- Vendors and suppliers will be paid for all materials and services required by the Company after the date of filing.
- The Initial Order under the CCAA generally prohibits us from paying for goods and services that were received before September 8, 2009, at this time. These amounts will be dealt with as part of the Company's restructuring plan. If you are owed monies for goods or services supplied prior to the filing, you will have the opportunity to file a Proof of Claim once the Court has approved a claims process. You will we be provided further information in that regard once a claims process has been approved.

As part of our commitment to communicate openly and honestly with you, we will provide periodic updates on the progress of the restructuring and any key developments. In addition, court materials, including Monitor's reports, will available on the internet at http://cfcanada.fticonsulting.com/trident. Enclosed with this letter are the formal notice of the CCAA proceedings and a copy of the Initial Order.

We thank you for your continued support, and we look forward to continuing to work with you.

Sincerely,

Todd Dillabough

President, Chief Executive Officer and Chief Operating Officer

[Trident Letterhead]

referred to in the Affidavit of Todd Dilabough Sworn before me this Day of Deforman D. 2409 ACOMMISSIONER FOR CATHS IN AND FOR THE PROVINCE OF ALSERTA Derek Pontin Barrister and Solicitor

[Addressee]

Attention:

Dear Sir or Madam:

Re: Advance Payment

As you are aware, on September 8, 2009, Trident Exploration Corp., Fort Energy Corp., and certain of their affiliates (collectively, "Trident") filed for and were granted protection under the Companies' Creditors Arrangement Act ("CCAA") pursuant to an Order of the Court of Queen's Bench of Alberta (the "Initial Order"). FTI Consulting Canada ULC has been appointed as Monitor of Trident pursuant to the Initial Order. Trident is prohibited by the Initial Order from making payments for goods and services provided to Trident before September 08, 2009.

The Initial Order permits Trident to carry on business in the ordinary course. In this regard, Trident hereby offers to provide you (the "Supplier") with payment assurance in the form of [insert nature and amount of assurance] as security/prepayment for goods and services to be provided by the Supplier to Trident (the "Advance Payment") after September 8, 2009. The Advance Payment:

- (a) is for [insert];
- (b) shall be applied by the Counterparty solely to amounts owing for the goods and services described in paragraph (a) that are provided by the Supplier to Trident after September 8, 2009 and under no circumstances whatsoever shall the Supplier apply or use the Advance Payment for any purpose other than described above.

Please confirm your agreement with the above by signing below and returning this letter to [Todd Dillabough] in order that we can make arrangements to forward the Advance Payment to you no later than two (2) Business Days from our receipt of this letter, fully executed.

Yours truly,

[Company Name]

	The undersigned accepts and agrees to the foregoing on this day of, 2009 Supplier:
	Per:
	Print Name:
[Todd Dillabough] [President/CEO/COO]	Title:

TRIDENT EXPLORATION CORP. EMPLOYEE RETENTION PLAN

Policy Statement

Trident Exploration Corp. ("Trident") is undergoing a process of restructuring which has included, among other things, an application to the Court of Queen's Bench of Alberta (the "Court") for protection under the provisions of the *Companies' Creditors Arrangement Act* (Canada) ("CCAA"). Trident recognizes that its most valuable resources are its people. As such, in order to (i) confirm to its employees that the current restructuring will not disrupt Trident's operations or their employment with Trident, and (ii) encourage Trident's employees to continue their efforts through this process for a successful conclusion to this restructuring process, Trident is pleased to implement this Retention Plan (the "Plan").

Terms and Conditions

- 1. Each employee eligible to participate in this Plan (the "Participating Employee") will be specifically advised by way of a written and executed memorandum that identifies the Participating Employee as being eligible to participate in this plan. Eligible employees are those employees that are employed by Trident on the date of Court approval of this Plan including, without limitation, the senior management and officers of Trident.
- 2. Upon the issuance of an order by the Court approving the implementation of this Plan, each Participating Employee unless he or she resigns from his or her employment or is dismissed for just cause prior to the date that Trident emerges from the restructuring process by Court order, will receive a one-time bonus equal to the value of thirty percent (30%) of his or her annual base salary on the earlier of the date that the Participating Employee is dismissed without just cause from his or her employment with Trident or the date that Trident emerges from the restructuring process by Court order.
- 3. This Plan is subject to approval of the Court, and can only be modified by order of the Court.

Any questions or comments regarding this Plan should be directed to Alan G. Withey.

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THIS IS EXHIBIT " "
referred to in the Affidavit of
Sworn before me this !
Day of & tobac A D, 2006

A COMMISSIONER FOR CATHS
IN AND FOR THE PROVINCE OF ALBERTA

Derek Pontin
Barrister and Solicitor

Action No. 0901-13483

Deponent: Todd A. Dillabough Dated Sworn: October 1, 2009

IN THE COURT OF QUEEN'S BENCH OF ALBERTA JUDICIAL DISTRICT OF CALGARY

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF TRIDENT EXPLORATION CORP. ULC, FORT ENERGY CORP. ULC, FENERGY CORP. ULC, 981384 ALBERTA LTD., 981405 ALBERTA LTD., 981422 ALBERTA LTD., TRIDENT RESOURCES CORP., TRIDENT CBM CORP., AURORA ENERGY LLC., NEXGEN ENERGY CANADA, INC. AND TRIDENT USA CORP.

AFFIDAVIT

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> 1 First Canadian Place 100 King Street West Toronto, ON M5X 1B2

Solicitors: R. Shayne Kukulowicz/Michael J. Wunder Direct Line: (416) 863-4740/(416) 863-4715

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