

**SURFACE USE AGREEMENT PROVISIONS**

1. Note. Provisions will vary based upon the nature of the oil & gas operations and the condition of the surface.
2. Location.
  1. Wells.
    1. Move locations within COGCC drilling windows at the request of surface owner so long as geological target is not adversely impacted.
    2. At surface owner's option, directionally drill with surface owner paying incremental cost.
  2. Roads. Locate roads where reasonably indicated by surface owner.
  3. Flow Lines, Gathering Lines and Pipelines. Locate lines (including depth) where reasonably indicated by surface owner. Specify width and setbacks. No off-lease pipelines.
  4. Production Facilities. Minimize area used and locate where reasonably indicated by surface owner.
  5. Compressors. None without surface owner consent.
  6. Off-Lease Facilities. No facilities on surface which service production off-lease, without surface owner's consent.
3. Aesthetics.
  1. Equipment.
    1. Low profile tanks and pumping units if technically feasible.
    2. Locate surface equipment to minimize silhouette against horizon.
    3. Noise suppression devices on equipment near houses.
    4. Landscaping (in scenic areas).
    5. Bury power lines in scenic areas.
  2. Rules.
    1. Nighttime operations (near housing).
    2. Truck access times (near housing).
    3. Limit on truck traffic and number of people on location (in sensitive areas only).
    4. Remove trash. Trash containment policy to avoid "lunch bag effect".

4. Environmental.

1. Pits. Line pits. Fluids, cuttings and lining to be removed (for agricultural and sensitive areas as determined by surface owner).
2. Roads. Shape, drainage and gravel (construction specifications are area specific).
3. Surface Equipment. Minimize surface area used.
4. Produced Water. Disposal by injection or process to discharge quality required by regulatory authorities and by the surface owner.
5. Reclamation Plan. Reclaim, reseed, and correct subsidence.
6. Dust Control Plan.

5. Health and Safety.

1. Traffic. Traffic minimization plan. Speed limit.
2. Fire. Fire plan.
3. Weeds. Weed control plan (may include truck washing or decontamination).
4. Farm Animals. Plan to minimize risk of spreading disease such as Hoof and Mouth (may include truck washing or decontamination).
5. Trespass. No hunting, fishing, alcohol, drugs, firearms, dogs on the lease. Operator, employees and authorized agents shall not disturb, use or travel on any of the land of Owner not subject to this Agreement without Owner's prior consent
6. Notice. Notification prior to operations.

6. Compliance. With state and federal laws.