



2599286 03/11/1998 01:53P Weld County CO  
1 of 2 R 11.00 D 0.00 JA Suki Tsukamoto

EASEMENT, RIGHT-OF-WAY  
and  
SURFACE USE AGREEMENT

HSR Moser #13-4A  
SWSW Sec 4-2N-65W

This Easement and Surface Use Agreement ("Agreement") is entered into as of the 27th day of January, 1998 by and between Rick Moser, Gale Moser and Bruce Moser, whose address is 11488 WCR 41, Hudson, CO 80642 ("Surface Owner," whether one or more) and HS RESOURCES, INC., a Delaware corporation ("HSR"), with offices at 3939 Carson, Evans, Colorado 80620 OR 1999 Broadway, Suite 3600, Denver, CO 80202, covering certain lands, (the "Lands") situated in Weld County, Colorado, described as follows:

Township 2 North, Range 65 West, of the 6th P.M.  
Section 4: SW1/4

For and in consideration of the sum of ten dollars (\$10.00), and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby agree to the terms and provisions set forth as follows:

1. Compensation for Well; Release of All Claims

HSR shall pay to Surface Owner the sum as set forth in and according to the terms of that certain Letter Agreement by and between Surface Owner and HSR, dated January 27, 1998, as full and final settlement and satisfaction for any and all detriment, depreciation, injury or damage of any nature to the Lands or growing crops thereon that may occur as a result of HSR's drilling or completion operations or its continuing activities for the production or transportation of oil, gas, or other hydrocarbons or products associated with the foregoing including, but not limited to, surface use, access, mud and reserve pits, wellhead equipment, separators, tank batteries, pipelines, gathering lines, flowlines, pipeline interconnections, and any and all other reasonable or customary uses of land related to said operations or activities.

2. Grant of Right of Way and Easement

Surface Owner hereby grants, bargains, sells, assigns and conveys to HSR an easement and right-of-way for the purpose of constructing, using and maintaining access roads, locations for surface equipment and subsurface gathering lines for each well drilled upon the Lands, pipelines, and pipeline interconnections for one year from the date of commencement of surface activities for drilling operations and so long thereafter as oil or gas is produced or capable of being produced from any well drilled on the Lands or lands pooled or unitized therewith.

This Agreement shall be binding upon the respective heirs, executors, administrators, successors, and assigns of the undersigned.

The undersigned have executed this Agreement as of the day first above written.

SURFACE OWNER

Rick Moser  
Rick Moser

Gale Moser  
Gale Moser

Bruce Moser  
Bruce Moser

By Rick Moser Conservator  
Kathleen M. Drake Co. Conservator

HS RESOURCES, INC.  
BY: Janet W. Pasque  
Janet W. Pasque  
Attorney-in-Fact

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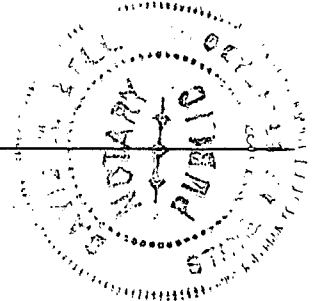
STATE OF Colorado )  
COUNTY OF Weld )

This instrument was acknowledged before me this 29th day of JANUARY, 1998  
by Rick Moser, Gale Moser and Bruce Moser

Witness my hand and official seal.

David H. Bell  
Notary Public

My commission expires 6/27/98



STATE OF )  
COUNTY OF )

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 1998  
by \_\_\_\_\_

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

STATE OF COLORADO )  
CITY AND )ss  
COUNTY OF DENVER )

This instrument was acknowledged before me this 17th day of February, 1998 by Janet W. Pasque, Attorney-in-Fact of HS Resources, Inc., a Delaware corporation, on behalf of the corporation.

Witness my hand and official seal.

Mary K. Halsey  
Notary Public

My commission expires March 19, 2000

