

JUN 28 2010

FIRST AMENDMENT TO SURFACE USE AGREEMENT

This **FIRST AMENDMENT TO SURFACE USE AGREEMENT** ("Amendment") is made and entered into this 17th day of June, 2010, by and between **K.P. KAUFFMAN COMPANY, INC.** and/or its assignee ("KPK"), with an address of 1675 Broadway, Suite 2800, Denver, Colorado 80202, and **ENVIROTECH SERVICES, INC.** and/or its assignee ("Owner"), with an address of 910 54th Avenue, Suite 230, Greeley, Colorado 80634. KPK and Owner may collectively be referred to herein as the "Parties".

RECITALS

A. Owner is the current landowner of certain property located in Weld County, more particularly described below and on Exhibit A attached and made a part hereto (hereinafter referred to as the "Property").

Township 4 North, Range 66 West, 6th P.M.
Section 2: N/2SW/4
Weld County, Colorado

C. KPK is the assignee of certain oil and gas leasehold rights covering portions of the Property and as such, KPK has the right to explore for, develop, drill for and produce certain oil, gas and other hydrocarbons thereon, with due regard for the Owner and use of the surface estate.

D. The Parties entered into that certain Surface Use Agreement dated February 28, 2008 and recorded on March 12, 2008, at reception number 3541081 in the Office of the Clerk and Recorder of Weld County, Colorado (the "SUA"), which provides for the compatible operation and development of the surface estate and the oil and gas leasehold estate.

E. The Parties identified specific names and locations for existing and future oil and gas wells in the SUA, including the identification and description of an "Undrilled Location", the Hill 2-23 well, which KPK has the right to drill.

F. Exhibit B of the SUA specifically depicts the locations of the existing and future wells.

G. The purpose of this Amendment is to change the name of the Hill 2-23 Well described in the SUA and depicted on Exhibit B, also attached hereto, as described in this Amendment.

NOW, THEREFORE, in consideration of the covenants and mutual promises set forth in this Amendment and the SUA, including in the recitals, the Parties agree as follows:

1. Term Used within the SUA. A term used in this Amendment shall have the same meaning as the term is used in the SUA.

2. Amendment of Well Name. The Parties agree that the Hill 2-23 Well identified in the SUA and depicted on Exhibit B of the SUA shall be renamed in accordance with new well naming criteria as the Hill #11-2-3. The location of the amended Hill #11-2-3 will remain unchanged as depicted on Exhibit B.

3. The Agreement Continues in Effect/Conflicts. Except as specifically amended by this Amendment, the terms and conditions included in the SUA shall continue in full force and effect. In the event of a conflict between this Amendment and the SUA as to the matter covered herein, this Amendment shall control.

4. Binding on Successors and Assigns/Covenant that Runs with the Land. This Amendment and the SUA are binding upon the Parties and their successors and assigns and inure to their benefit. This Amendment and the SUA shall be covenants that run with the land.

5. Counterpart Execution. This Amendment may be executed in counterparts, each of which shall be deemed an original, and together shall constitute one and the same instrument.

6. Recording. This Amendment shall be recorded with the Clerk and Recorder of Weld County.

IN WITNESS WHEREOF, the undersigned parties have caused this Amendment to be executed by a duly authorized representative on the date set forth in the acknowledgment, to be effective on the date first above written.

ENVIROTECH SERVICES, INC.



K.P. KAUFFMAN COMPANY, INC.



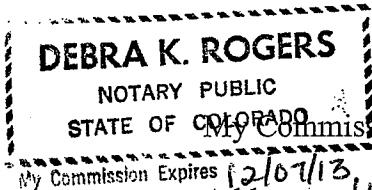
Kevin P. Kauffman
President and CEO

ACKNOWLEDGMENTS

STATE OF COLORADO)
)
COUNTY OF DENVER)

The foregoing instrument of writing was acknowledged before me on this 17th day of June, 2010 by Kevin P. Kauffman as President and CEO for and on behalf of K.P. Kauffman Company, Inc., a California corporation, for the uses and purposes stated herein.

Witness my hand and seal:



Debra K. Rogers
Notary Public
Print Name: Debra K. Rogers

My Commission Expires: 12/07/13

Address: 1675 Broadway, Ste. 2900, Denver, CO 80202

STATE OF Colorado)
)
COUNTY OF Weld)

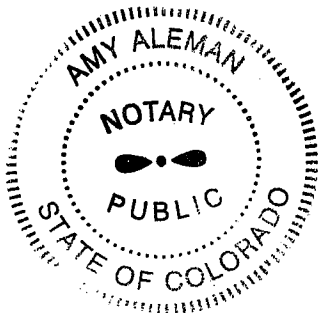
The foregoing instrument was acknowledged before me this 24 day of June, 2010, by Charles B. Dickson as Secretary for Envirotech Services, Inc., on behalf of such company.

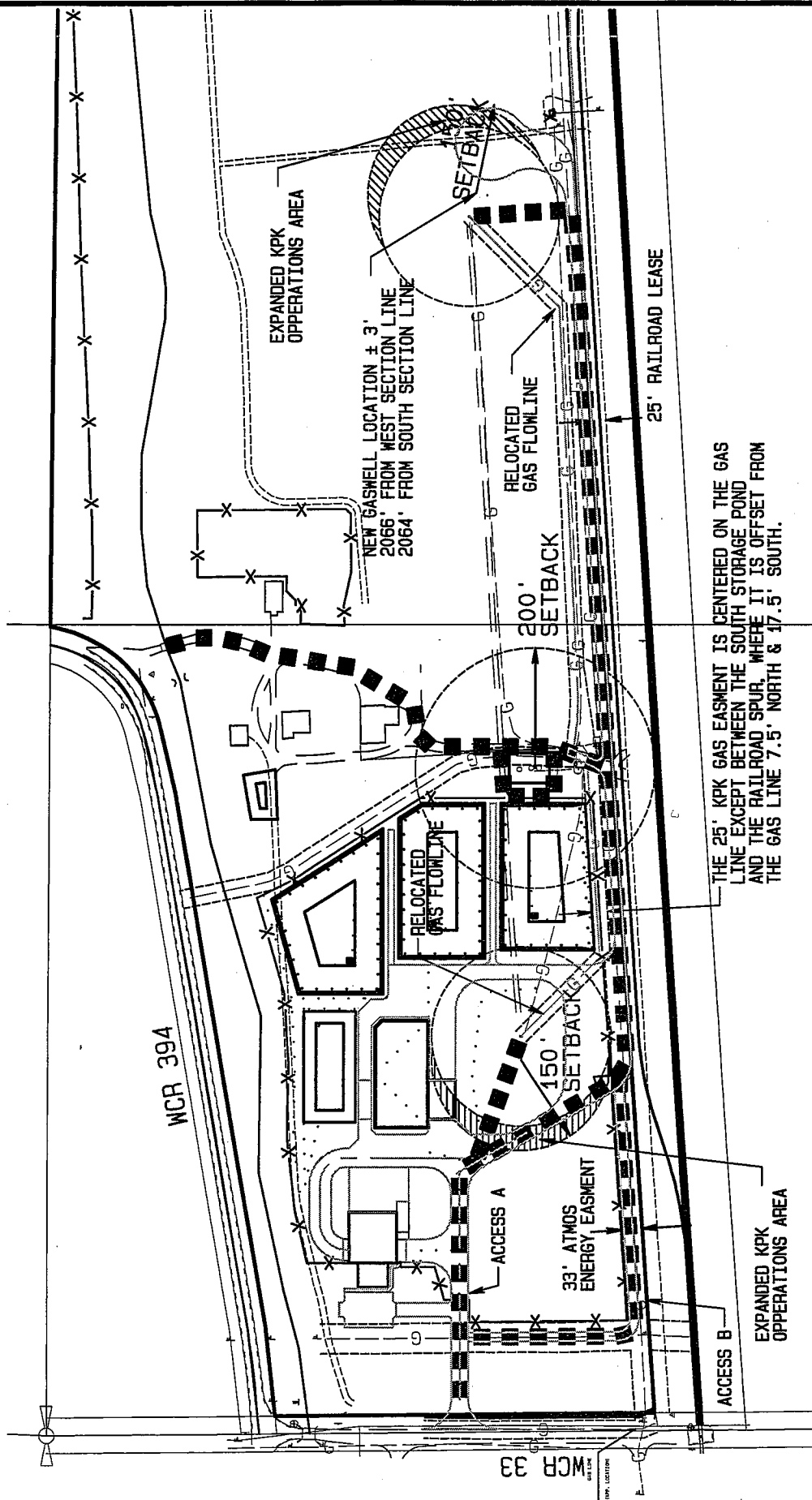
Witness my hand and official seal.

Amy Aleman
Notary Public
Print Name:

My Commission Expires: 7/21/2010

Address: 4954 W 6th St, Greeley Co 80634





ACCESS NOTES

| ACCESS | ACCESS DETAILS |
|--------|------------------------|
| A | DAYTIME KPK ACCESS |
| B | AFTER HOURS KPK ACCESS |

ENVIROTECH SERVICES, INC.

EXHIBIT B

ENVIROTECH MANUFACTURING SITE

LOCATED IN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF EVANS, WELD COUNTY, COLORADO