

# MEMORANDUM OF ACCESS AND SURFACE DAMAGE AGREEMENT

Pursuant to the terms of that certain unrecorded Access and Surface Damage Agreement dated effective the 12th day of July, 2012, by and between the undersigned, and subject to the conditions set forth therein, **Timbro Ranch & Cattle Co., LLC** ("Grantor") whose mailing address is **4700 West 60<sup>th</sup> Avenue, Unit #4, Arvada, CO. 80003**, and **Whiting Oil and Gas Corporation** ("Grantee") with an address at **1700 Broadway, Suite 2300, Denver, CO 80290-2300**, agreed to the location of Wells 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 Wells and associated pipelines, tank batteries and other facilities or property of Operator associated with the wells and located on the following Land:

Township 9 North, Range 59 West, 6<sup>th</sup> P.M.

Section 2: W/2 (Right of Way)

Section 2: Lot 4, a/d/a NW/4NW/4 (location for Wildhorse #02-0214AH wellsite).

This Memorandum of Access and Surface Damage Agreement is executed by Grantor and Grantee 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 13 day of **July, 2012**.

GRANTOR: **Timbro Ranch & Cattle Co., LLC**

By: *James A. Timmerman*  
**James A. Timmerman, a/k/a James Timmerman, Member**

GRANTEE: **Whiting Oil and Gas Corporation**

By: David M. Seery, Vice President - Land

STATE OF **NEBRASKA**

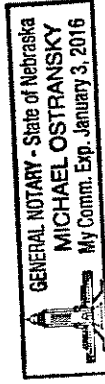
## ACKNOWLEDGEMENTS

COUNTY OF *Sarpy*

BEFORE ME, the undersigned authority, a Notary Public, on this day personally appeared **James A. Timmerman, a/k/a James Timmerman**, a duly Authorized Member for **Timbro Ranch & Cattle Co., LLC**, on behalf of the limited liability company.

Given under my hand and seal of office, this the *13th* day of **July, 2012**.

My Commission Expires:



*Michael Ostrowsky*  
Notary Public:  
Address:

STATE OF **COLORADO**

COUNTY OF **DENVER**

BEFORE ME, the undersigned authority, a Notary Public, on this day personally appeared **David M. Seery**, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its **Vice President - Land**, and acknowledged to me that **he** executed the same as the free and voluntary act and deed of such corporation, for the use and purposes therein set forth.

Given under my hand and seal of office, this the \_\_\_\_\_ day of \_\_\_\_\_, **2012**.

My Commission Expires:

\_\_\_\_\_  
Notary Public:  
Address: