

SURFACE USE AGREEMENT  
and  
DAMAGE RELEASE

In consideration of the sum of Five Thousand Dollars and no/100's (\$5,000.00) and other good and valuable considerations, in hand paid, the receipt of which is hereby acknowledged by the undersigned, Eric L. Witcher, co-member, Witcher Ranch LLC and appointed agent of the surface owners of the surface covering the following described land, to wit:

Lot 28 of re-survey Tract 38 of Sec 31-34S-42W  
also described as  
part of the SW/4 SW/4 SW/4 of Section 31-34S-42W,  
Baca County, Colorado

does hereby acknowledge that they are paid in full for all damages of every kind or character, caused or created by reason of drilling and completing of an oil and gas well located in the SW/4 SW/4 of Section 31-34S-42W, being 215 feet from the South line (215' FSL) and 397 feet from the West line (397' FWL) of Section 31-34S-42W, of Baca County, Colorado, hereby acknowledging that all damages created or caused by reason of the drilling and operation of said well are paid and discharged in full, including any damages for roadways, and building of storage tanks for the use of said well, hereby completely releasing RAMSEY PROPERTY MANAGEMENT, LLC, its successors and assigns, from all damages arising in connection therewith through the completion of the test well, called the:

**Holt #1**

In the event the test well should result in a producer or a dry hole, RAMSEY PROPERTY MANAGEMENT, LLC, will be responsible for the filling and/or leveling of all pits constructed in connection with the drilling of said well and shall level the location.

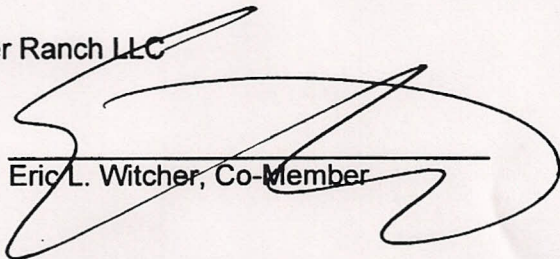
The damages to be paid at the time of execution of this Surface Use Agreement and Damage Release are limited to damages to the surface of the lands and crops thereon, resulting from the drilling and completing of the test well, and shall not be construed as to be a credit on any damage which may occur to livestock or other property as a result of oil leakage or spillage. Any such damages, other than those covered by this Surface Use Agreement and Damage Release, shall be subject to settlement or claim of and when they occur.

Furthermore, any and all crop damages due to any tenant on said lands shall be paid by the Owner(s) to the tenant out of the proceeds from the agreed upon damages contained herein.

AGREED and ACCEPTED THIS 20 day of June, 2013.

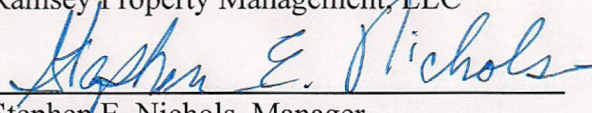
Witcher Ranch LLC

By:

  
Eric L. Witcher, Co-Member

Ramsey Property Management, LLC

By:

  
Stephen E. Nichols, Manager