

Return to:  
Cirque Resources LP  
475 17<sup>th</sup> St., Suite 1600  
Denver, Co 80202

**MEMORANDUM OF  
SURFACE USE AGREEMENT**

WHEREAS on the 30th day of July, 2014, **Junior F. Stephan, Trustee of the Junior F. Stephan Revocable Trust dated December 8, 2011**, and **Winnie L. Stephan, Trustee of the Winnie L. Stephan Revocable Trust dated December 8, 2011** ("Owners") entered into a Surface Damage and Release Agreement with **Cirque Resources LP**, ("Operator"), covering the below described lands in Weld County, Colorado:

Township 12 North, Range 65 West, 6<sup>th</sup> P.M.

Section 28: ALL

Section 29: ALL

Section 30: E/2, NW/4

Section 33: ALL

Township 11 North, Range 65 West, 6<sup>th</sup> P.M.

Section 4: Lot 1, S/2NE/4, SE/4

WHEREAS said agreement provides for, among other things, the right to enter upon and use the Owners' property for the purpose of erecting and maintaining well site location(s) for one (1) or more wells on Owners' land. Said agreement sets forth payment of specific amounts to cover damages resulting from the construction, use and maintenance of the well site location(s). Said agreement, with all of its terms, conditions, covenants and other provisions, is referred to and incorporated into this Memorandum for all purposes.

NOW THEREFORE this Memorandum is placed of record for the purpose of giving notice of the Surface Use Agreement.

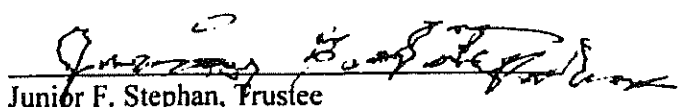
**CIRQUE RESOURCES LP**

By: 

William E. Nicas  
Sr. Vice President, Land and Marketing

**OWNERS:**

**Junior F. Stephan Revocable Trust dated December 8, 2011**

  
Junior F. Stephan, Trustee

**Winnie L. Stephan Revocable Trust, dated December 8, 2011**

  
Winnie L. Stephan, Trustee

ACKNOWLEDGEMENT

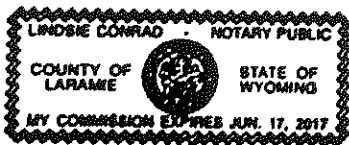
STATE OF Wyoming )  
 )ss.  
COUNTY OF Laramie )

BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this 21<sup>st</sup> day of SEPTEMBER, 2014, personally appeared Junior F. Stephan, Trustee of the Junior F. Stephan Revocable Trust dated December 8, 2011, and Winnie L. Stephan, Trustee of the Winnie L. Stephan Revocable Trust, dated December 8, 2011 to me known to be the identical person(s), described in and who executed the within and foregoing instrument of writing and acknowledged to me that he/she/they duly executed the same as his/her/their free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

My Commission Expires 17 Jun 2017

Lindsie Conrad  
Notary Public



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

The foregoing instrument was acknowledged before me this 22 day of SEPTEMBER, 2014, by William E. Nicas, as Sr. Vice President, Land & Marketing of CIRQUE RESOURCES LP, a Delaware Limited Partnership, on behalf of such partnership.

Witness my hand and official seal.

My Commission Expires:

APRIL 25, 2016

William E. Nicas  
Notary Public:

[Seal]

