Surface Use and Damages Agreement and Easement

Referenced Lands: Township 20 South, Range 69 West, 6th PM
Sections 4: SE/4NE/4
Fremont County, Colorado

First Well Name: Bull 42-4

First Well Location: Township 20 South, Range 69 West
Section 4: SE/4NE/4
Fremont County, Colorado

THIS SURFACE USE AND DAMAGES AGREEMENT AND EASEMENT is made effective as of the 5th day of March 2008 by and between Comet Ridge USA, Inc., hereinafter called "Comet Ridge" whose address is 600 17th Street, Suite 800-South, Denver, Colorado 80202-5402 and the Glenn E. & Betty Hopkins Trust, U/A/D August 15, 1988, Keith B. Cramer, Sole Trustee, whose address is PO Box 2944, Paso Robles, CA 93447-2944, hereinafter collectively called the "Surface Owner".

Comet Ridge proposes to conduct drilling operations upon the above described lands (the "Referenced Lands"), or on lands adjacent thereto, including the Bull 42-4 (the "First Well") at the above referenced location (the "First Well Location") and, thereafter, Comet Ridge proposes to conduct production operations thereon. Surface Owner represents that it owns and is in possession of the entire surface estate of the Referenced Lands, upon which the First Well is to be located or which may be used to access wells on adjacent lands, upon which the associated equipment may be located; and upon which production operations may be conducted. By this instrument the Surface Owner hereby grants Comet Ridge access for conducting the activities provided for herein and Comet Ridge and Surface Owner set forth their agreement concerning the surface damages resulting from the drilling and completing of the First Well and subsequent wells (collectively, the "Wells") and subsequent production operations from each well on the Referenced Lands or on lands adjacent thereto.

NOW, THEREFORE, in consideration of the sums stated below and the mutual agreements and covenants provided herein, the sufficiency of which is hereby acknowledged, parties hereby agree as follows:

REDACTED