

Context Energy
621 17th St., Suite 1020
Denver, CO 80293

Reception #: D6084053, 08/02/2016 at
01:45:07 PM, 1 OF 28, AG, Rec Fee
\$146.00
Arapahoe County CO Matt Crane, Clerk &
Recorder

RECEPTION#: 2016000062621,
08/03/2016 at 08:11:09 AM, 1 OF 28,
TD Pgs: 0 Stan Martin, Adams County, CO.

SURFACE USE AGREEMENT
(Owner Property No. 524-8183)

THIS SURFACE USE AGREEMENT (this "Agreement"), is made and entered into as of the 1st day of March, 2016 ("Effective Date"), by and between PROPERTY RESERVE, INC., a Utah non-profit corporation, whose address is: Attn: Energy Group Manager, Natural Resource Services, SPD Real Estate, 50 East North Temple Street, 12th Floor, Salt Lake City, Utah 84150-0012 ("Owner"); and CONOCOPHILLIPS COMPANY, a Delaware corporation, whose mailing address is: Attn: RPA, P.O. Box 7500, Bartlesville, Oklahoma 74004, and BROG GP LLC, sole General Partner of BURLINGTON RESOURCES OIL & GAS COMPANY LP, a Delaware limited partnership, whose mailing address is: c/o ConocoPhillips Company, Attn: Surface Land, 34501 E. Quincy Ave., Building #1, Watkins, Colorado 80137 (individually or collectively, "Lessee").

RECITALS

A. Owner is the owner of the surface estate of lands situated in Adams and Arapahoe Counties, Colorado and depicted on Exhibit A, attached hereto and made a part hereof (the "Property").

B. Lessee is in the business of exploring for, developing, producing, and processing natural gas, oil and associated hydrocarbons. Lessee has acquired rights to the oil and gas estate underlying the surface of the Property and desires to construct, operate, and maintain well-sites, access roads, flow lines (pipelines for the transmission of oil, gas or water obtained from oil or gas production from a well to a tank battery or common pipeline manifold within areas designated herein as areas for oil and gas operations), and electrical power and communication lines on the Property. Lessee's oil and gas rights derive from a certain Oil and Gas Lease as follows:

That certain Oil & Gas Lease, dated March 1, 2016, from Property Reserve, Inc. to ConocoPhillips Company, signed concurrently with this Agreement to be recorded in the records of Adams and Arapahoe Counties, Colorado ("New Lease").

C. Owner and Lessee are also parties to an oil and gas lease as follows:

Oil and Gas Lease, dated September 1, 2010, from Property Reserve, Inc. to Anadarko E&P Company, LP, predecessor in interest to Burlington Resources Oil & Gas Company, LP, a memorandum of which is recorded at Reception Nos. 2010000065344, records of Adams County, Colorado, and D0100855, records of Arapahoe County, Colorado ("Anadarko Lease").


The Anadarko Lease was assigned from Anadarko E&P Company, LP to COP BROG I LLC ("COP") by Assignment and Bill of Sale dated December 1, 2012, recorded at Reception Nos. 2013000062208, records of Adams County, Colorado, and D2147994, records of Arapahoe County, Colorado. COP assigned all of its interest in and to the Anadarko Lease to Burlington

IN WITNESS WHEREOF, this Agreement is executed as of the Effective Date.

Owner: PROPERTY RESERVE, INC.

By: 
Name (Print): Mark B. Gibbons
Its: Authorized Agent President
Tax ID No.: 712716

Lessee: CONOCOPHILLIPS COMPANY

By: 
J. D. Adkins
Attorney-In-Fact

BURLINGTON RESOURCES OIL & GAS
COMPANY LP

By: BROG GP LLC, its sole General Partner

By: 
J. D. Adkins
Attorney-In-Fact

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

On this 27th day of July, 2016 personally appeared before me Mark B. Gibbons, personally known to me to be an Authorized Agent of PROPERTY RESERVE, INC., a Utah non-profit corporation, who acknowledged before me that he signed the foregoing instrument as Authorized Agent for PROPERTY RESERVE, INC., a Utah non-profit corporation.

WITNESS my hand and official seal.

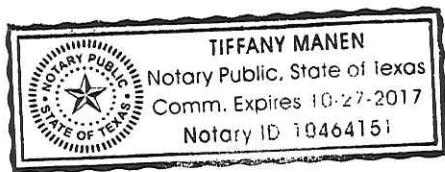



NOTARY PUBLIC

STATE OF TEXAS)
) ss
COUNTY OF HARRIS _____)

On this 20th day of July, 2016, personally appeared before me J. D. Adkins whose identity is personally known to me and who by me duly sworn, did acknowledge before me that he signed the foregoing instrument as Attorney-In-Fact for CONOCOPHILLIPS COMPANY, a Delaware corporation, and BROG GP LLC, sole General Partner of BURLINGTON RESOURCES OIL & GAS COMPANY LP, a Delaware limited partnership.

WITNESS my hand and official seal.



Tiffany Manen
NOTARY PUBLIC

EXHIBIT A

PARCEL A – ADAMS COUNTY

THE FOLLOWING DESCRIBED TRACTS OF LAND, ALL BEING LOCATED IN TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE 6TH P.M.

Section 13: ALL

Section 15: the West ½ and the Southeast ¼

Section 22: All

Section 26: All except the lands covered by the Reserve 3-65 26 1H well.

Section 27: All

Section 33: The West 1/2 EXCEPT the west 210 feet of said Section 33 described in deed to Public Service Company of Colorado recorded in Book 800 at Page 412; and EXCEPT the following described part conveyed to Department of Highways, State of Colorado by deed recorded in Book 603 at Page 149, TO WIT: Beginning at the South 1/4 Corner of said Section 33; thence North a distance of 177.0 feet along the East Line of the Southwest 1/4 of said Section 33; thence North 89°50' West, 1883.2 feet; thence North 77°03' West, 677.8 feet; thence North 25°17' West, 166.1 feet; thence North 89°50' West, 30.0 feet to the West line of said Section 33; thence South, 477.0 feet to the Southwest Corner of said Section 33; thence South 89°50' East, 2644.7 feet, more or less, to the point of beginning; TOGETHER with an easement 100 feet wide for ingress and egress to the above described property over and across the following described property: Beginning at a point on the West Line of said Section 33 and 180 feet South of the South Line of the U.P.R.R. right of way; thence South along the West Line of said Section 33, a distance of 100 feet; thence East, 210 feet; thence North, 100 feet; thence West, 210 feet, more or less, to the point of beginning of said right of way.

Section 34: The Northwest ¼

Section 35: The North ½ and the Southeast ¼ EXCEPT that part deeded to the Union Pacific Railroad in Book 25 at Page 158 and, EXCEPT the following described part of said Southeast ¼ conveyed to the County of Adams by deed recorded in Book 194 at Page 470, TO WIT: Beginning at a point from which the South ¼ Corner of said Section 35 bears South a distance of 60 feet more or less; thence Northeasterly along a 3° curve, an arc distance of 42 feet; thence North 78°24' East, 2665.3 feet; thence South 0°14' West, 103 feet; thence South 78°24' West, 2517.3 feet; thence West, 193 feet; thence North, 60 feet to the point of beginning; and EXCEPT the following described part of said Southeast ¼ conveyed to Raymond J. Green and Helen M. Green by deed recorded in Book 369 at Page 130, TO WIT: Beginning at a point on the South Line of said ¼ Section, which point is 30 feet West of the Southeast Corner of said ¼ Section; thence North, parallel to the West Line of said ¼ section, 550 feet; thence in a straight line

Southwesterly following the line of the state highway boundary fence to a point on the West Line of said $\frac{1}{4}$ Section; thence South to the South Line of said $\frac{1}{4}$ Section; thence East along the South Line of said $\frac{1}{4}$ Section to the point of beginning; County of Adams, State of Colorado. Excepting the lands covered by the Reserve 34-35 1H well.

PARCEL B – ARAPAHOE COUNTY

THE FOLLOWING DESCRIBED TRACTS OF LAND, ALL BEING LOCATED IN TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH P.M.

Section 3: The East $\frac{1}{2}$ EXCEPT that part thereof described in deed to Arapahoe County recorded in Book 322 at Page 345; and EXCEPT that part thereof lying North of the Union Pacific Railroad right of way as described in deed to Herman G. Fischahs and Wilhelmina M. Fischahs recorded in Book 1096 at Page 88; and EXCEPT that part thereof described in deed to the Department of Highways, State of Colorado, recorded in Book 961 at Page 527. Excepting the lands covered by the Property Reserve 4-65 3-4 1H well.

Section 4: The Southwest $\frac{1}{4}$

Section 5: ALL: EXCEPT that part thereof described in deed to Arapahoe County recorded in Book 303 at Pages 30 and 31, respectively; and EXCEPT that part thereof described in deed to the Department of Highways, State of Colorado, recorded in Book 961 at page 423; and EXCEPT the East 210 feet of said Section 5, as described in deed to Public Service Company of Colorado recorded in Book 1199 at Page 440 and re-recorded in Book 1213 at Page 151; and EXCEPT the following described part of the East $\frac{1}{2}$ Northeast $\frac{1}{4}$ conveyed to Public Service Company of Colorado by deed recorded in book 1606 at page 364, TO WIT; Beginning at a point on the South Line of State Highway No. 8 from which the Northeast Corner of said Section 5 bears North $53^{\circ}34'45''$ East, a distance of 355.4 feet; thence South $4^{\circ}45'$ East, 761.8 feet; thence North $0^{\circ}45'$ East, 741.9 feet to the South Line of State Highway No. 8; thence North $76^{\circ}33'30''$ West along said South Line, 75 feet, more or less, to the point of beginning; and EXCEPT that part described in deed to the department of Highways, State of Colorado recorded January 16, 1976 in Book 2411 at Page 120.

Section 6: The East $\frac{1}{2}$ East $\frac{1}{2}$ Northeast $\frac{1}{4}$ and the East $\frac{1}{2}$ West $\frac{1}{2}$ East $\frac{1}{2}$ Northeast $\frac{1}{4}$ and the Southeast $\frac{1}{4}$; EXCEPT those parts thereof described in deed to Arapahoe County recorded in Book 299 at Pages 38, 158 and 283, respectively; and EXCEPT that part thereof described in deed to the Department of Highways, State of Colorado recorded in Book 961 at Page 519; EXCEPT that part thereof described in Book 961 at page 519; EXCEPT that part thereof described in deed to the Department of Highways, State of Colorado recorded on January 16, 1976 in Book 2411 at Page 120, County of Arapahoe, State of Colorado.

SUA Map

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ADAMS

ARAPAHOE

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SUA Lands