

**MEMORANDUM OF  
SURFACE USE AGREEMENT**

This Memorandum of Surface Use Agreement ("Memorandum") is made and executed as of the 10<sup>th</sup> day of July 2018 to evidence that:

The Surface Use Agreement ("Agreement") dated the 10<sup>th</sup> day of July 2018 was entered into by and between **Puckett Land Company**, whose address is 5460 South Quebec St., Suite 250, Denver, Colorado 80111 ("Owner"), and **TEP Rocky Mountain LLC**, whose address is 1058 County Road 215, Parachute, Colorado 81635 ("Operator"), with Owner and Operator collectively known as the "Parties," which, among other provisions, provides as follows:

- 1) Owner agrees that Operator may construct and use one (1) Well Pad, as depicted on the attached Exhibit "A", for operations in connection with the drilling, completion, and production of oil and gas wells; and,
- 2) Operator, its agents, designees, assignees, and successors-in-interest shall ensure that the location, extent, construction, operation, use, maintenance, and repair of the Well(s) and the Well Pad complies with all applicable federal, state, and local laws, rules, and regulations, including submitting on behalf of and obtaining any and all necessary governmental permits and approvals.
- 3) This Memorandum shall be construed as a covenant running with the Lands and shall be binding on any and all personal representatives, successors, and assigns of the Parties.

This Memorandum is being executed by the Parties for the primary purpose of recording and thus advising all interested parties of the existence and validity of such Agreement, the exact terms and conditions of which are more fully stated in the unrecorded instrument on file with the respective Parties. This Memorandum shall constitute notice to all parties of the existence of this Agreement as though it was described in total detail herein.

IN WITNESS WHEREOF, the Parties have executed this Memorandum as of the date first above written.

**OWNER:**

PUCKETT LAND COMPANY

By:   
Title: President

**OPERATOR:**

TEP ROCKY MOUNTAIN LLC

By:   
Title: Vice President of Land

ECB

STATE OF COLORADO )  
 ) ss.  
COUNTY OF ARAPAHOE )

  
Notary Public

RAYMOND S ANDERSON  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20054013320  
MY COMMISSION EXPIRES AUGUST 18, 2021

Kelly Garcia  
Notary Public

 KELYE GARCIA  
Notary Public, State of Texas  
Comm. Expires 06-12-2021  
Notary ID 131169162



# EXHIBIT "A"

Attached to and made part hereof that certain Memorandum of Surface Use Agreement dated this 10<sup>th</sup> day of July, 2018, by and between **Puckett Land Company, Owner, and TEP Rocky Mountain LLC, Operator**

