

SURFACE USE AGREEMENT

This Surface Use Agreement is made and entered into this 16th day of January, 2015, between **K.P. KAUFFMAN COMPANY, INC.** ("KPK"), a California corporation with an address of 1675 Broadway, Suite 2800, Denver, Colorado 80202, and **RICHARD HEIN** with an address of 5290 E. Yale Circle, Suite 103, Denver, CO 80222 ("Hein").

KPK and Hein acknowledge that Hein owns the surface of certain property located in Township 1 North, Range 67 West, Section 1: NW/4, Weld County, Colorado and KPK is currently operating its Facility 8 oil and gas tank battery on the property as shown on the attached images labeled "**Exhibit A**".

In consideration of the promises set forth in this agreement, KPK agrees that Facility 8 will **not** be expanded beyond the **existing boundary marked by a fence line** as shown on **Exhibit A**. Hein agrees that KPK will continue to operate Facility 8 within the existing fence line and Hein will not object to the existing location of Facility 8. Hein agrees that KPK may continue to use its existing access road to access Facility 8 as needed.

Executed effective January 16th, 2015, by:

K. P. KAUFFMAN COMPANY, INC.

By 
Jeffrey Kauffman
Chief Operating Officer

By 
Richard Hein

ACKNOWLEDGEMENTS

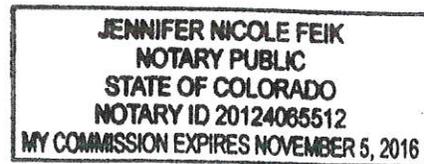
STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 16th day of January 2015, by Jeffrey Kauffman as Chief Operating Officer of K.P. Kauffman Company, Inc.

Witness my hand and official seal.

My commission expires: November 5, 2016

Jennifer Nicole Feik
Notary Public



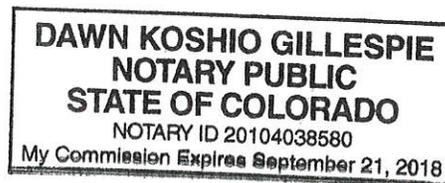
STATE OF Colorado)
) ss.
COUNTY OF Weld)

The foregoing instrument was acknowledged before me this 16th day of January 2015, by Richard Hein.

Witness my hand and official seal.

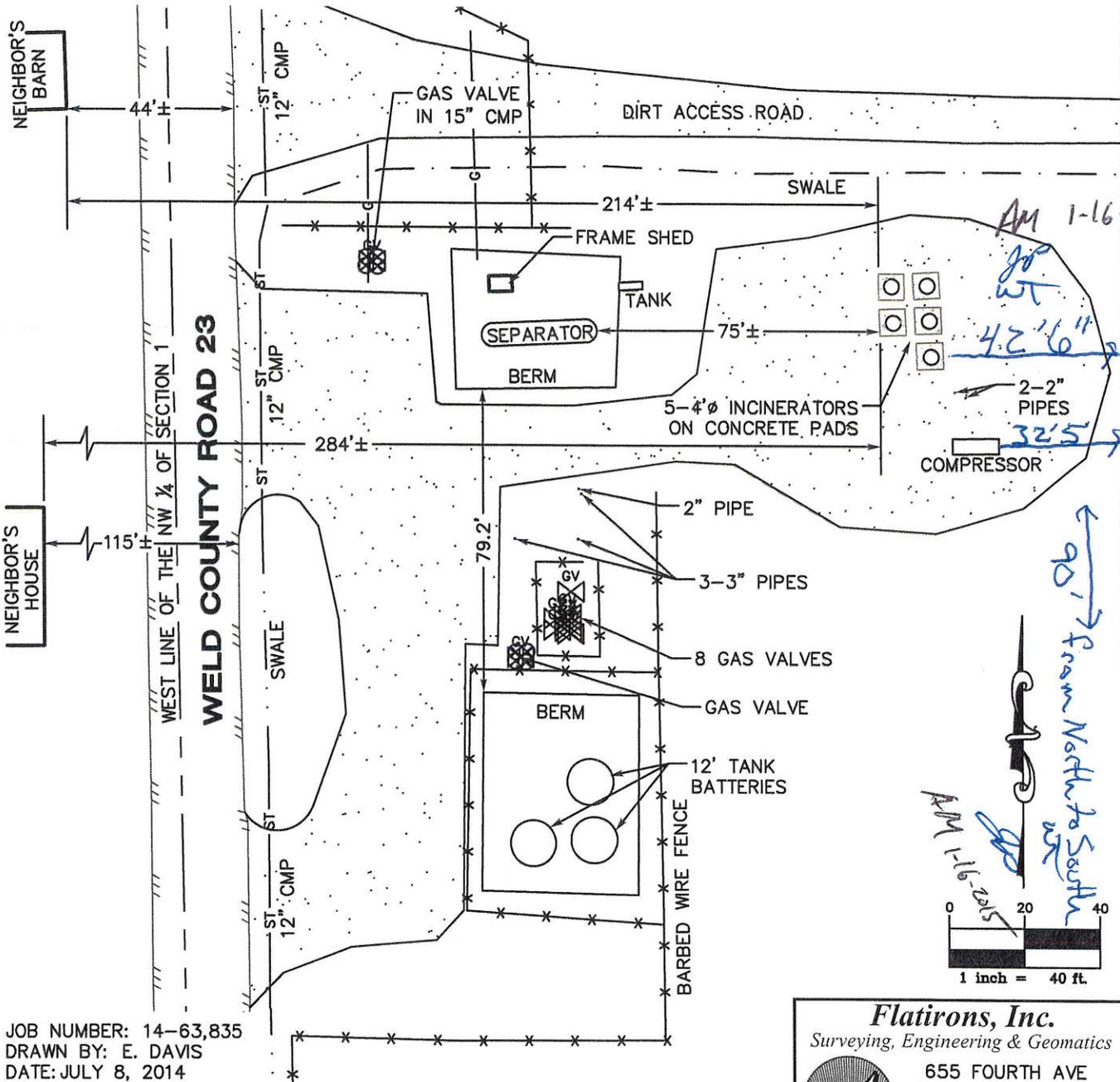
My commission expires: 09/21/2018

Dawn Koshio Gillespie
Notary Public



TANK BATTERY EXHIBIT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH,
 RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
 COUNTY OF WELD, STATE OF COLORADO
 SHEET 2 OF 2



JOB NUMBER: 14-63,835
 DRAWN BY: E. DAVIS
 DATE: JULY 8, 2014

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

Flatirons, Inc.
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