

## SURFACE USE AGREEMENT

THIS SURFACE USE AGREEMENT, as supplemented by the Additional Provisions Supplement attached hereto, ("Agreement") is entered into by and between **Dorothy Peterson** ("Owner"), whose address is 30584 Weld County Road 380, Kersey, CO 80644, and **Bill Barrett Corporation** ("Operator"), whose address is 1099 18<sup>th</sup> Street, Suite 2300, Denver, Colorado 80202. Owner and Operator are sometimes collectively referred to as the "Parties" and individually as a "Party".

### RECITALS

WHEREAS, Owner is the surface owner and in possession of an interest in part or all of the surface estate of the following described lands in Weld County, Colorado, to wit:

Township 5 North, Range 63 West, 6<sup>th</sup> P.M.  
Section 30: Northeast Quarter (NE/4)  
(the "Property");

Operator desires to drill certain oil and gas wells from a surface location or locations on the Property;

WHEREAS, the purpose of this Agreement is to memorialize the agreement between Owner and Operator regarding Operator's oil and gas operations on the Property.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

### RELEASE & CONVEYANCE

Except as provided below in Paragraphs 3, 4, 5 and 9, Owner hereby releases and discharges Operator, its agents, employees, contractors and licensees from and against any and all claims by Owner for damages, of whatsoever nature and character, including, but not limited to, diminution in value of the Property, arising from, incident to, or in connection with Operator's oil and gas operations (the "Operations") on the Property, so long as such Operations are conducted in accordance with this Agreement.

AND,

Operator shall have the right to construct, drill, complete, recompleat and operate oil and gas wells at legal locations or at such exception locations as are approved by the Colorado Oil and Gas Conservation Commission ("COGCC"), and to install, occupy and operate any associated access roads, production facilities and pipelines, and to conduct its Operations anywhere within the oil and gas operations area and easements shown on Exhibits A-1, A-2, A-3 and A-4, attached hereto and incorporated herein (the "OGO"), which area may be revised in the future by mutual agreement of the Parties, in which case Exhibit A will be revised and supplemented to reflect such revisions.







<sup>7</sup> IN WITNESS WHEREOF, the Parties have executed this Agreement this 9<sup>th</sup> day of MARCH 2016.

OWNER:

Dorothy Peterson

Dorothy Peterson

OPERATOR:

BILL BARRETT CORPORATION

By: KW  
Name: Kenneth A. Wonstolen  
Title: SVP & General Counsel

**ACKNOWLEDGMENTS**

STATE OF COLORADO )  
 ) ss.  
COUNTY OF )

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of MARCH, 2017 by Dorothy Peterson.

My commission expires 7.7.2020

Michael A Rutherford  
Notary Public

MICHAEL A. RUTHERFORD  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20004016468  
MY COMMISSION EXPIRES JULY 7, 2020

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

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of MARCH, 2017 by Kenneth A. Wonstolen, Senior Vice President & General Counsel of Bill Barrett Corporation, a Delaware corporation, on behalf of the corporation.

My commission expires 3.13.18

Mary Louise Yeast  
Notary Public

MARY LOUISE YEAST  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID # 20144011731  
MY COMMISSION EXPIRES MARCH 13, 2018