

SURFACE DAMAGE AND RELEASE AGREEMENT

This Surface Damage and Release Agreement ("**Agreement**") is made and entered into this 3rd day of October, 2017, by and between Vernon Michael Noble and Alice Diane Noble, jointly, at 17400 County Road 3 Berthoud, Colorado 80513 ("**Owners**"), and Nickel Road Operating, LLC, ("**Operator**"); sometimes referred to each as a "**Party**," or collectively as the "**Parties**."

WITNESSETH:

For and in consideration of the covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **OWNERSHIP.** Owners are the surface Owners of certain lands located in Weld County, Colorado as more specifically described as follows ("**Lands**"):

Township 3 North, Range 68 West, 6th P.M.

Section 5: A tract of land located in the SW4 of Section 5 being more particularly described as follows: Beginning at the W/4 corner of said Section 5, thence South along the West line of said Section 5, 1113.15 feet; thence South 89°52'15" East, 334.49 feet to a point on the approximate centerline of the Supply Ditch; thence along said approximate centerline of said supply ditch the following courses and distances: South 17°19'20" East, 182.98 feet; South 31°39'18" East 514.70 feet; South 86°31'16" East, 192.33 feet to a point of intersection of the aforementioned Supply Ditch and a large eroded drainage ditch bearing Northeasterly; thence along the approximate centerline of said drainage ditch the following courses and distances: North 68°15'57" West, 116.47 feet; North 17°42'54" West, 94.05 feet; North 43°56'24" East, 332.20 feet; North 14°48'43" West, 100.55 feet; North 31°10'34" East, 364.12 feet; North 61°21'03" East, 73.93 feet; thence North 922.73 feet to a point on the North line of the aforementioned SW4 of Section 5; thence South 89°58'34" West, 1172.43 feet to the point of beginning. Containing 35 acres more or less.

Redacted for Permitting

Redacted for Permitting

9. **WAIVER OF 30-DAY NOTICE.** Owner hereby waives the minimum 30-day written notice requirement for operations to begin and any other notice or consultation requirements of the COGCC. Without waiving the foregoing, Operator agrees it will provide an initial notice to Owners after it has submitted a request for permit to drill from the COGCC.

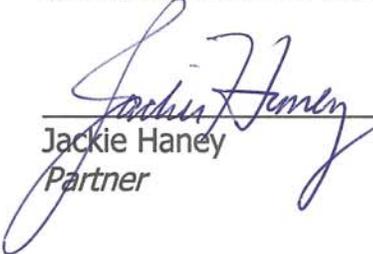
10. **NOTICE FOR ADDITIONAL OPERATIONS.** Operator will comply with COGCC rules and regulations requiring that advance notice be provided to Owners for subsequent operations on the Wells, including, but not limited to, reworking operations thereto. Owner hereby waives a surface location exception waiver to COGCC Rule 318A(a) and 318A(c) allowing the surface location to be outside of the COGCC GWA spacing rules and any planned well to be greater than fifty (50) feet from an existing well.

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IN WITNESS WHEREOF, the Parties have set their hands, the day and year first written above.

NICKEL ROAD OPERATING, LLC



Jackie Haney
Partner

OWNER



Vernon Michael Noble

OWNER



Alice Diane Noble

STATE OF COLORADO)
) ss.
COUNTY OF DENVER ^{for})
 Boulder

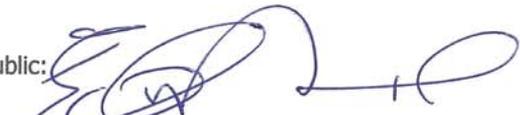
The foregoing instrument was acknowledged before me on the 3 day of October, 2017, by Jackie Haney, known to me to be the person or persons whose names are subscribed to the foregoing instrument and acknowledged that the same was executed and delivered as their free and voluntary act for the purposes therein set forth. In witness whereof I hereunto set my hand and official seal as of the date herein above stated.

My commission expires: July 29, 2021 Notary Public: 

STATE OF COLORADO)
) ss.
COUNTY OF DENVER ^{for})
 Boulder

BRANDI MONTANO
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20054028448
MY COMMISSION EXPIRES 07/29/2021

The foregoing instrument was acknowledged before me on the 3 day of October, 2017, by Vernon Michael Noble, known to me to be the person or persons whose names are subscribed to the foregoing instrument and acknowledged that the same was executed and delivered as their free and voluntary act for the purposes therein set forth. In witness whereof I hereunto set my hand and official seal as of the date herein above stated.

My commission expires: July 29, 2021 Notary Public: 

STATE OF COLORADO)
) ss.
COUNTY OF DENVER ^{for})
 Boulder

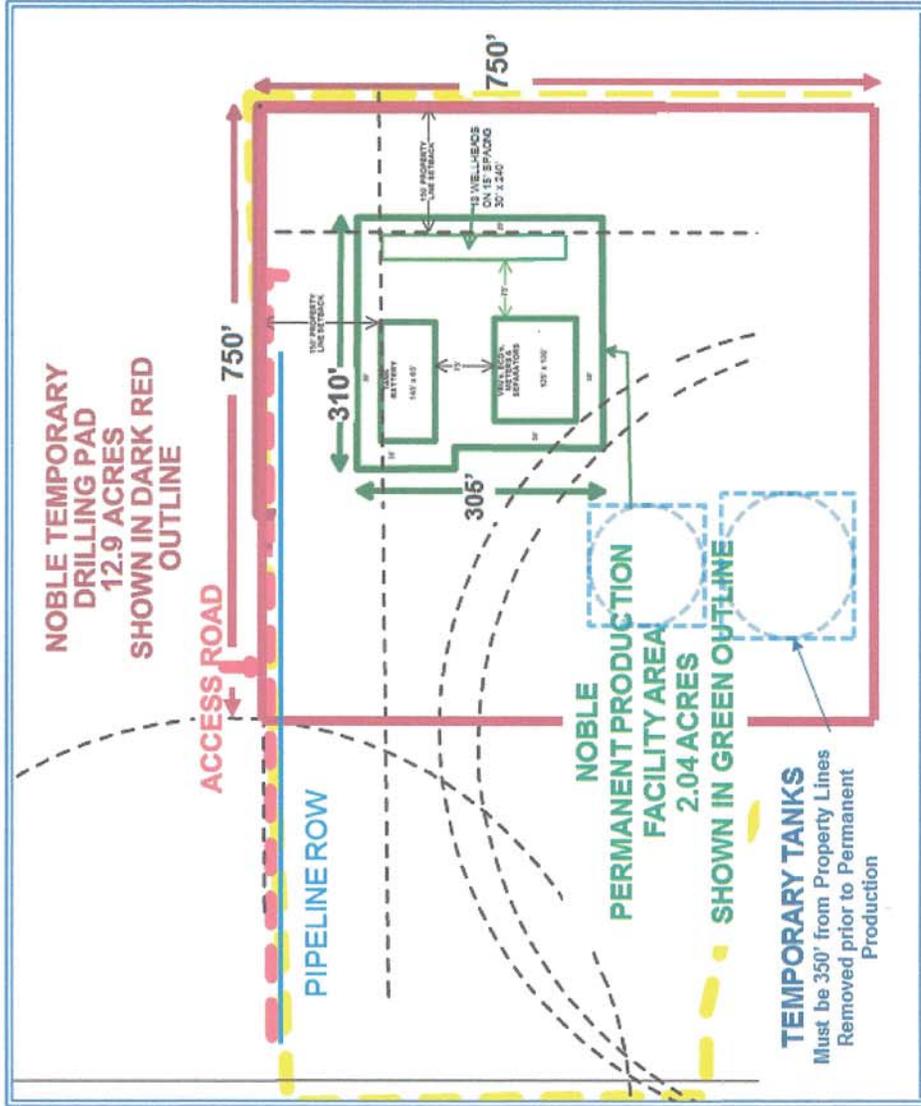
BRANDI MONTANO
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20054028448
MY COMMISSION EXPIRES 07/29/2021

The foregoing instrument was acknowledged before me on the 3 day of October, 2017, by Alice Diane Noble, known to me to be the person or persons whose names are subscribed to the foregoing instrument and acknowledged that the same was executed and delivered as their free and voluntary act for the purposes therein set forth. In witness whereof I hereunto set my hand and official seal as of the date herein above stated.

My commission expires: July 29, 2021 Notary Public: 

BRANDI MONTANO
NOTARY PUBLIC
STATE OF COLORADO
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Exhibit "A"
SURFACE LAYOUT



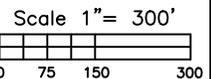
SUA Exhibit

NOBLE 3N68W5 PAD

Portion of the West 1/2 of the Southwest 1/4 of Section 5, Township 3 North,
Range 68 West of the 6th P.M., Weld County, Colorado



Washburn Land Surveying
www.WashburnSurveying.com
970-232-9645



SUA Exhibit

NOBLE 3N68W5 PAD

Portion of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 5, Township 3 North,
Range 68 West of the 6th P.M., Weld County, Colorado

Township 3 North, Range 68 West, 6th P.M.

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