



COLORADO

**Oil & Gas Conservation
Commission**

Department of Natural Resources

COGCC Operator Rule 1003 Tolling Agreement

Operator Name and No. ("Operator"): Enerplus Resources (USA) Corporation #10177

Interim Reclamation Variance Request Doc. No.: 401590845

Date of Submission of Interim Reclamation Variance Request: 03/29/2018

Location Nos. Impacted by the Variance Request ("Impacted Locations"): 449800

This Agreement is offered by COGCC so that the Operator has an opportunity to come into compliance in accordance with its Interim Reclamation Variance Request.

If the Interim Reclamation Variance Request referenced above is approved ("Approved Variance"), COGCC agrees not to issue a Notice of Alleged Violation ("NOAV") for a violation of Rule 1003 at the Impacted Locations before the expiration of the Approved Variance. In exchange, the Operator agrees to the following:

The Oil and Gas Conservation Act's statute of limitations, §34-60-115, C.R.S., is tolled for any existing or potential claims related to interim reclamation at the Impacted Locations from the submission date of the approved Variance until the Operator successfully completes interim reclamation in accordance with Rule 1003 or until the expiration of the Approved Variance, whichever occurs first.

COGCC reserves the right to issue an NOAV for a violation of Rule 1003 if the Operator does not comply with the Approved Variance or its conditions of approval.

AGREED TO AND ACCEPTED:

COGCC

Date: _____

Operator

Date: 3/23/18

Signature

Scott Mason
Signature of Authorized Operator
Representative

Print Signatory Name and Title

Scott Mason Lead-Environmental Programs
Print Signatory Name and Title