



STATE OF COLORADO  
STATE BOARD OF LAND COMMISSIONERS

**SURFACE USE AGREEMENT**  
**OT 111402**  
**Non-State and Pooled or Communitized Minerals**

THIS SURFACE USE AGREEMENT ("Agreement"), dated this 17th day of October, 2017, ("Effective Date") is made by and between the State of Colorado, acting by and through the Colorado State Board of Land Commissioners, whose address is 1127 Sherman Street, Suite 300, Denver, CO 80203, herein called the "State Land Board", and, NOBLE ENERGY INC, whose address is 1625 BROADWAY, SUITE 2200, DENVER, CO 80202, herein called the "Operator".

WHEREAS, the State Land Board represents that it is the surface owner and in possession of the surface estate in all or part of the following lands located in Weld County, Colorado (the "Property"):

Subdivision SWNW, Section 6, Township 5N, Range 63W

WHEREAS, the State Land Board acknowledges that the Operator has certain rights to conduct oil and gas operations under the terms of oil and gas lease(s) underlying or adjacent to the Property;

WHEREAS, the State Land Board and the Operator, together also herein be called the "Parties", desire to facilitate development of the oil and gas resources based on reasonable access and use of the Property, and to reach an understanding and agreement regarding the Operator's surface access and use and to minimize disturbance associated with oil and gas operations.

NOW, THEREFORE, in consideration of the terms and conditions cited below, the State Land Board and the Operator agree as follows:

1. Surface Rights

The State Land Board agrees to allow the Operator reasonable use of a portion of the Property to build well pad(s), tank batteries, access road(s); construct pipelines, flowlines, gathering lines and powerlines; and to drill, complete, produce and operate vertical, directional or horizontal wells (the "Operations"). Operations on the Property shall be confined to a limited portion of the surface of the Property exclusively reserved for Operations (the "Operations Area"), together with an "Access Corridor," as necessary, for access roads and associated lines, containing 7.2 acres which is further identified on Exhibit A. The Operator shall have the exclusive right to utilize the Operations Area provided the State Land Board may use the balance of the Property and the Access Corridor for State Land Board purposes that do not materially interfere with Operations. Furthermore, the Operator shall have the right to access and use the Property in "Emergency Situations". Emergency Situations is defined as situations that require immediate attention in order to protect human life or prevent further degradation of the land.

2. Subsurface Easement

To the extent the State Land Board owns the sub-surface rights underlying the Property, the State Land Board hereby grants the Operator a sub-surface easement for passage of any portion of the directional or horizontal wellbore for a well located on the Operations Area through the State Land Board owned sub-surface. If a wellbore from a well located on the Operations Area leaves the sub-surface boundaries of one State Land Board oil and gas lease and enters lands covered under a separate oil and gas lease or leases, the State Land Board grants an easement to allow the wellbore

regulations of the COGCC. The Operator must immediately forward any notice of noncompliance of violation related to Operations on the Property to the State Land Board. Should the Operator have a good faith dispute with any local government or authority, other than the State Land Board, regarding the application of a rule, regulation, ordinance, order or ruling, the State Land Board shall not consider the good faith contest or appeal of such rule, regulation, ordinance, order or ruling a violation of this Agreement while any appeal or other recognized legal or administrative process is pending to resolve the dispute.

The State Land Board shall approve all COGCC required waivers that are consistent with the terms of this Agreement and the Exhibit A Operations on the Operations Area. Waivers for operations outside of or in conflict with this Agreement may be approved at the State Land Board's absolute and sole discretion.

AGREED TO AND ACCEPTED AS OF THE DATE FIRST WRITTEN ABOVE.

The State Land Board: Colorado State Board of Land Commissioners

By: Christel Koranda  
Printed Name: Christel Koranda  
Title: Minerals Director

Operator: Noble Energy, Inc  
By: Casey M Kimble  
Printed Name: Casey M. Kimble  
Title: Attorney-in-Fact

**EXHIBIT A-1**

**PROPERTY DESCRIPTION**

A parcel of land for Access purposes, situate in the Northwest Quarter (NW1/4) of Section Six (6), Township Five North (T.5N.), Range Sixty-three West (R.63W.) of the Sixth Principal Meridian (6<sup>th</sup> P.M.), County of Weld, State of Colorado, being more particularly described as follows:

**COMMENCING** at the Northwest corner of said Section 6 and assuming the North line of the NW1/4 of said Section 6, as monumented at the East end by a #6 rebar with a 2.5" aluminum cap LS 38479 and at the West end by a #6 rebar with a 2.5" aluminum cap LS 32828, as bearing North 89°27'08" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2521.14 feet with all other bearings contained herein being relative thereto;

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot "

THENCE South 14°34'21" East a distance of 1816.63 feet to the **POINT OF BEGINNING**,

THENCE South 62°06'19" East a distance of 282.89 feet to a Point of Curvature (PC),

THENCE along the arc of a curve concave to the Southeast a distance of 214.23 feet, said curve has a Radius of 125.00 feet, a Delta of 98°11'52", and is subtended by a Chord bearing South 68°47'44" West a distance of 188.96 feet;

THENCE South 19°41'48" West a distance of 219.28 feet;

THENCE South 89°16'54" West a distance of 32.01 feet;

THENCE North 19°41'48" East a distance of 270.78 feet to a PC;

THENCE along the arc of a curve concave to the Southwest a distance of 178.46 feet, said curve has a Radius of 125.00 feet, a Delta of 81°48'07", and is subtended by a Chord bearing North 21°12'16" West a distance of 163.69 feet to the **POINT OF BEGINNING**.

Said parcel contains 18,169 sq. ft. or 0.42 acres more or less (+/-), and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

**SURVEYORS CERTIFICATE**

I, Jason S. Allee, a Colorado Licensed Professional Land Surveyor do hereby state that this Property Description was prepared by me or under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



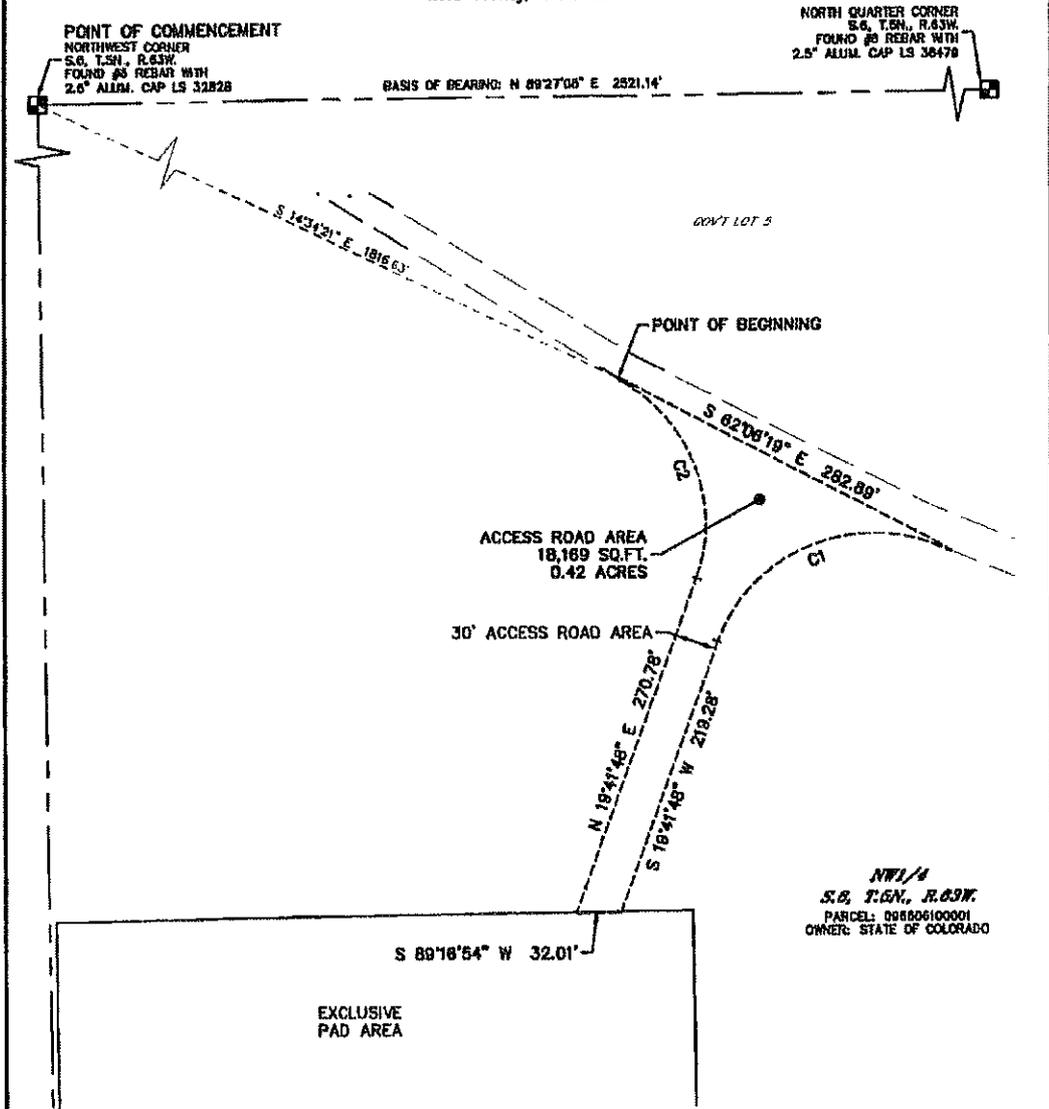
Sheet 1 of 2  
Jason S. Allee - on behalf of Lat40, Inc  
Colorado Licensed Professional  
Land Surveyor #38479

**Lat40, Inc.**  
**Professional Land Surveyors**  
6250 W 10<sup>th</sup> Street, Unit #2  
Greeley, CO 80634  
(970) 515-5294

# EXHIBIT A-1

Attached to and by reference made a part of that certain Surface Use Agreement and Grant of Easement dated \_\_\_\_\_ 2017, by and between Colorado State Board of Land Commissioners, as "Owner" and Noble Energy, Inc. as "Noble" covering the following lands:

Township 5 North, Range 63 West, 6th P.M.  
Section 6: NW/4 (Parcel 096506100001)  
Weld County, Colorado



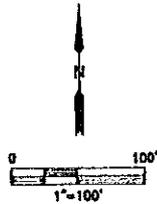
NORTH QUARTER CORNER  
S.6, T.5N., R.63W.  
FOUND #8 REBAR WITH  
2.5" ALUM. CAP LS 38479

POINT OF COMMENCEMENT  
NORTHWEST CORNER  
S.6, T.5N., R.63W.  
FOUND #8 REBAR WITH  
2.5" ALUM. CAP LS 32828

BASIS OF BEARING: N 89°27'06" E 2521.14'

NW1/4  
S.6, T.5N., R.63W.  
PARCEL: 096506100001  
OWNER: STATE OF COLORADO

| CURVE | ARC LENGTH | RADIUS  | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|------------|---------|-------------|---------------|--------------|
| C1    | 214.23'    | 125.00' | 98°11'52"   | S 68°47'44" W | 188.98'      |
| C2    | 178.46'    | 125.00' | 81°48'07"   | N 21°12'16" W | 163.69'      |



LEGEND

|  |                                     |
|--|-------------------------------------|
|  | FOUND ALIQUOT MONUMENT AS DESCRIBED |
|  | CALCULATED POSITION                 |

**NOTES:**  
 1) This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.  
 2) According to Colorado law, you must commence any legal action based upon any defect in this Exhibit within three years after you discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon. (15-80-103 C.R.S.)



Sheet 2 of 2  
 Jason S. Allee—On behalf of L&L, Inc.  
 Colorado Licensed Professional  
 Land Surveyor No. 38479



DATE: 9/19/2017  
 PROJECT#: 2017024

**EXHIBIT A-2**

**PROPERTY DESCRIPTION**

A parcel of land for Oil and Gas purposes, situate in the West Half (W1/2) of Section Six (6), Township Five North (T.5N.), Range Sixty-three West (R.63W.) of the Sixth Principal Meridian (6<sup>th</sup> P.M.), County of Weld, State of Colorado, being more particularly described as follows

**COMMENCING** at the Northwest corner of said Section 6 and assuming the North line of the Northwest Quarter (NW1/4) of said Section 6, as monumented at the East end by a #6 rebar with a 2.5" aluminum cap LS 38479 and at the West end by a #6 rebar with a 2.5" aluminum cap LS 32828, as bearing North 89°27'08" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2521.14 feet with all other bearings contained herein being relative thereto;

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot "

THENCE South 00°50'53" East a distance of 2170.90 feet to the **POINT OF BEGINNING**.

THENCE North 89°16'54" East a distance of 480.0 feet;

THENCE South 00°43'13" East a distance of 615.00 feet;

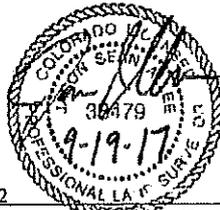
THENCE South 89°16'54" West a distance of 480.00 feet,

THENCE North 00°43'13" West a distance of 615.00 feet to the **POINT OF BEGINNING**.

Said parcel contains 295,200 sq. ft. or 6.78 acres more or less (+/-), and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land

**SURVEYORS CERTIFICATE**

I, Jason S. Allec, a Colorado Licensed Professional Land Surveyor do hereby state that this Property Description was prepared by me or under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief



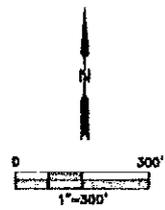
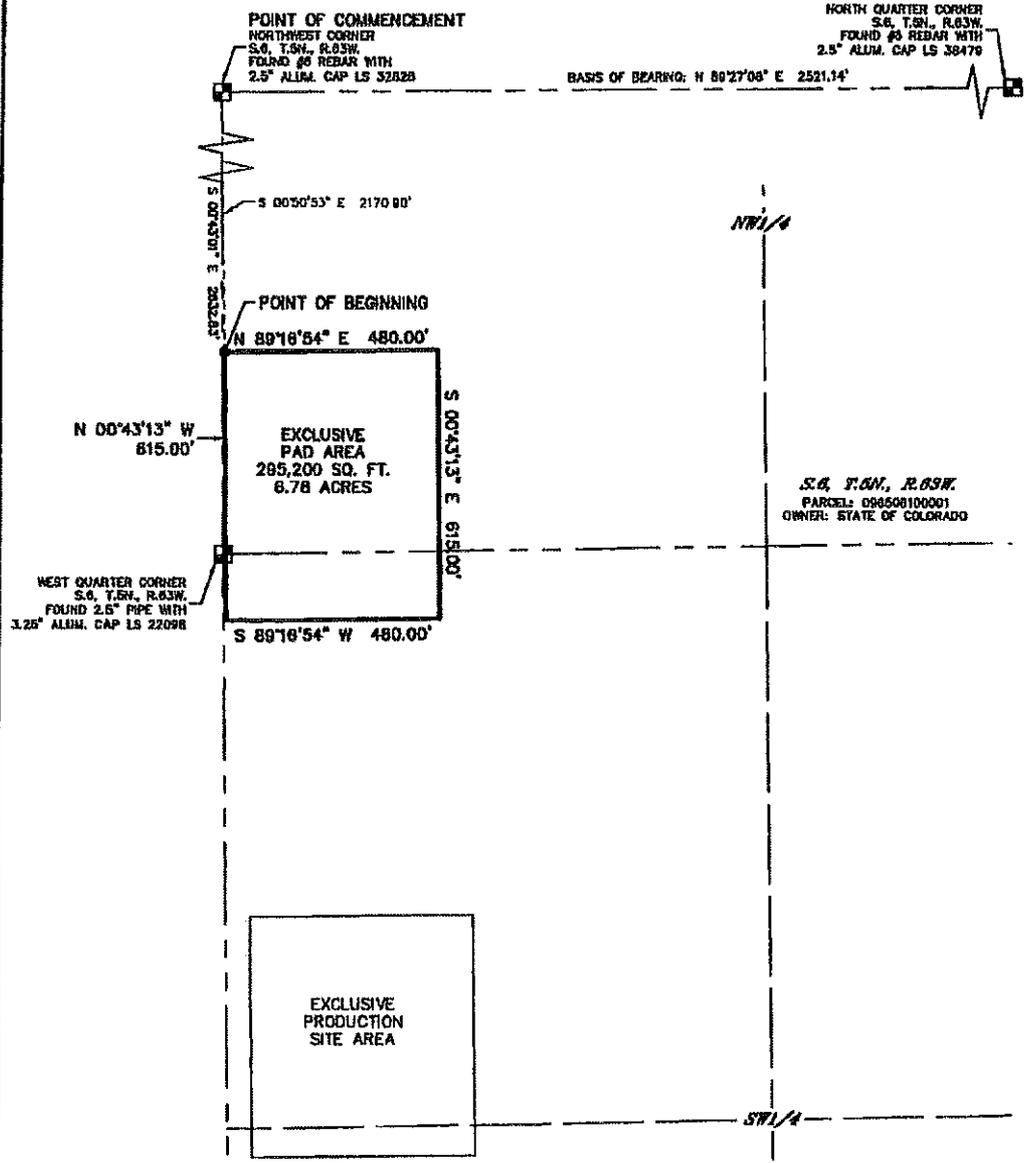
Sheet 1 of 2  
Jason S. Allec – on behalf of Lat40° Inc  
Colorado Licensed Professional  
Land Surveyor #38479

**Lat40°, Inc.**  
Professional Land Surveyors  
6250 W 10<sup>th</sup> Street, Unit #2  
Greeley, CO 80634  
(970) 515-5294

# EXHIBIT A-2

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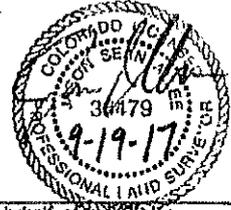
Township 5 North, Range 63 West, 6th P.M.  
Section 6: W/2 (Parcel 086506100001)  
Weld County, Colorado



LEGEND

|  |                                     |
|--|-------------------------------------|
|  | FOUND ALIQUOT MONUMENT AS DESCRIBED |
|  | CALCULATED POSITION                 |

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Sheet 2 of 2  
 Jason S. Allee—On behalf of LSAI, Inc.  
 Colorado Licensed Professional  
 Land Surveyor No. 38479



DATE: 9/19/2017  
 PROJECT: 2017024