

**RECORDING MEMORANDUM OF SURFACE USE AGREEMENT**

THE STATE OF COLORADO §  
  §     KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF ELBERT         §

**THAT GMT EXPLORATION COMPANY LLC**, a Delaware limited liability company (“Operator”), whose address is 1560 Broadway, Suite 2000, Denver, Colorado 80202, for good and valuable consideration, and the mutual benefits to be derived by the parties, has entered into a EASEMENT, RIGHT-OF-WAY, AND SURFACE USE AGREEMENT, herein referred to as the “Agreement,” with **BILL AND ELAINE GABRIEL FAMILY TRUST**, (“Owner”), whose mailing address is 44980 County Road 1, Parker, CO 80138, dated effective October 1, 2019 covering and affecting the following described property (the “Lands”) more fully described on Exhibit A attached hereto:

**SEE EXHIBIT A**

WHEREAS, the Agreement shall remain in full force and effect until Company’s leasehold estate in the Lands and the lands pooled there with expires or is terminated, and Operator has plugged and abandoned all wells and conducted reclamation in accordance with the Agreement and the applicable rules and regulations of the Colorado Oil and Gas Conservation Commission.

NOW THEREFORE this Memorandum is placed of record for the purpose of giving notice of the Agreement. The parties acknowledge that they are bound by all of the terms and conditions of the Agreement and that the Agreement is a covenant running with the Lands and binds and inures to the benefit of the Owner and Operator and their respective heirs, personal representatives, successors and assigns. The Agreement, with all of its terms, conditions, covenants and other provisions is referred to and incorporated into this Memorandum for all purposes. Any person having a lawful right or legitimate interest in the Agreement may examine a copy of the Agreement at Operator’s office during normal business hours.

[INTENTIONALLY LEFT BLANK – SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed this instrument this 11<sup>th</sup> day of October, 2019.

Owner: Bill and Elaine Gabriel Family  
Trust

Operator: GMT Exploration Company  
LLC

By: Leland W. Gabriel

Name: Leland William Gabriel, Trustee

Date: 10-11-19

By: Philip G. Wood

Name: Philip G. Wood, VP of Land

Date: 10/10/2019

By: Elaine L. Gabriel

Name: Elaine L. Gabriel, Trustee

Date: 10/11/19

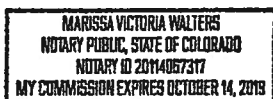
[INTENTIONALLY LEFT BLANK – ACKNOWLEDGEMENTS TO FOLLOW]

ACKNOWLEDGEMENTS

STATE OF COLORADO )  
 )ss  
COUNTY OF DOUGLAS )

TRUST ACKNOWLEDGMENT

On this 11<sup>th</sup> day of Oct, 2019, before me, the undersigned authority, personally appeared Leland William Gabriel and Elain L. Gabriel, personally known to me or proved to me by satisfactory evidence to be the person(s) whose name(s) are subscribed to the foregoing instrument as the Trustees of the Bill and Elaine Gabriel Family Trust, dated May 8, 2013 and acknowledged to me they executed in the same capacity therein stated, and as the act of said trust.



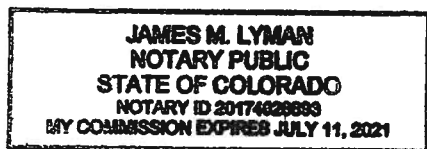
[Affix Notarial Seal/Stamp Above]

Notary Signature: [Signature]  
Printed Name of Notary: Marissa Walters  
Notary Public for the State of Colorado  
Residing at: Denver County  
My Commission Expires: 10/14/19

STATE OF COLORADO )  
 )ss  
COUNTY OF DENVER )

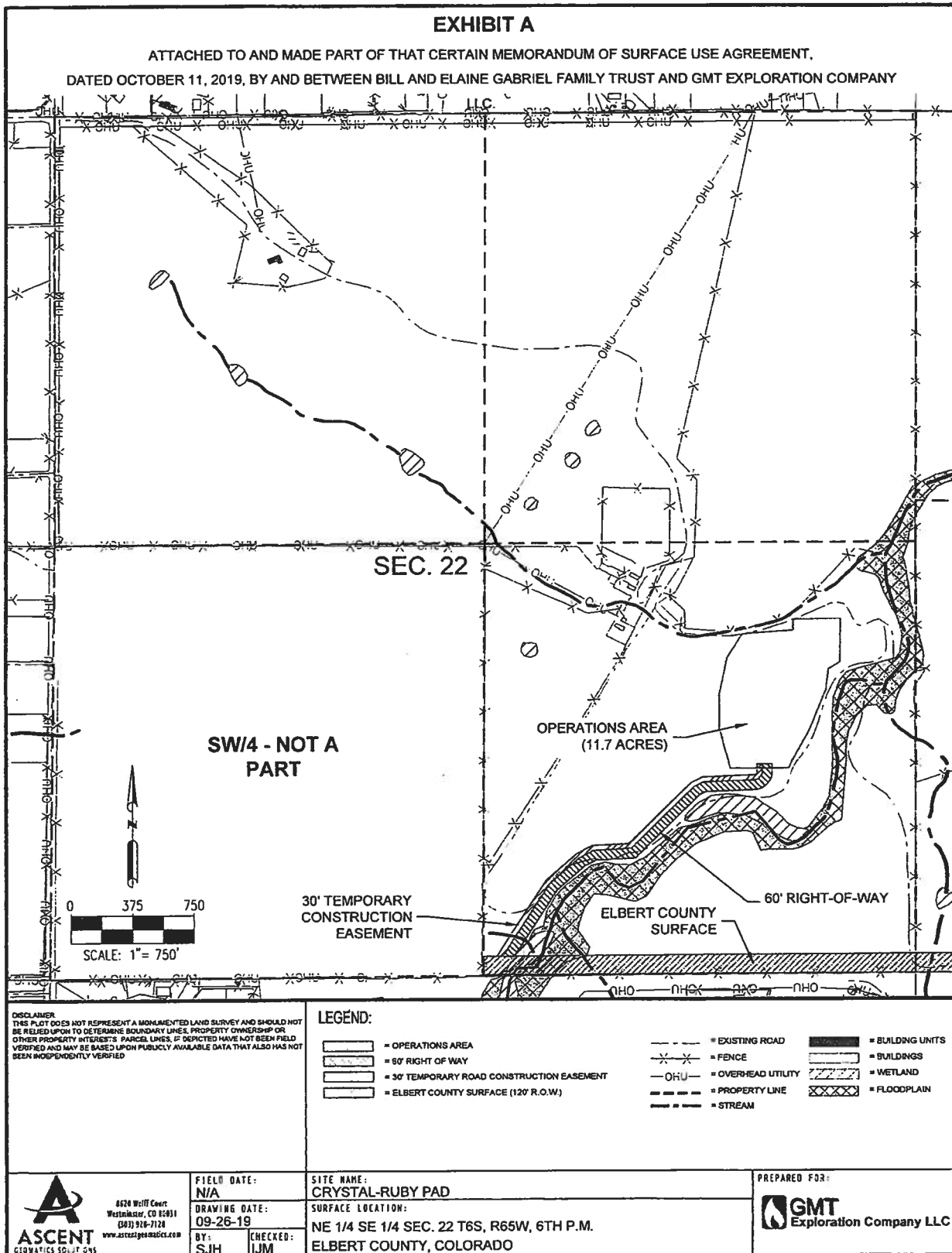
CORPORATE ACKNOWLEDGMENT

On this 10<sup>th</sup> day of Oct., 2019, before me, the undersigned authority, personally appeared Philip G. Wood, personally known to me or proved to me by satisfactory evidence to be the person(s) whose name(s) are subscribed to the foregoing instrument as the Vice President of Land of the GMT Exploration Company LLC and acknowledged to me they executed in the same capacity therein stated, and as the act of said trust.



[Affix Notarial Seal/Stamp Above]

Notary Signature: [Signature]  
Printed Name of Notary: James M. Lyman  
Notary Public for the State of Colorado  
Residing at: Jefferson County  
My Commission Expires: July 11, 2021



**PROPERTY DESCRIPTION**  
**BILL AND ELAINE GABRIEL FAMILY TRUST**

**ACCESS RIGHT-OF-WAY PARCEL A:**

A parcel of land being sixty feet (60.00') in width, thirty feet (30.00') on each side of the following described centerline, located in parcel of land as described in Parcel No. 6522400195, recorded June 10, 2013 in the Elbert County Clerk and Recorder's Office, being in a portion of the Southeast Quarter of Section 22, Township 6 South, Range 65 West of the 6th Principal Meridian, County of Elbert, State of Colorado, being more particularly described as follows:

**COMMENCING** at the South Quarter (S/4) corner of said Section 22 whence the Southeast (SE/4) corner of said Section 22 bears N89°41'14"E a distance of 2,647.90 feet;

THENCE N89°41'14"E along the South line of said Section 22 a distance of 154.63 feet;

THENCE N00°18'46"W a distance of 120.00 feet to a point on the northerly Right of Way line for the Elbert County Surface, said point also being the **POINT OF BEGINNING PARCEL A**;

THENCE N32°38'26"E a distance of 507.91 feet;

THENCE N49°17'57"E a distance of 232.03 feet;

THENCE N63°33'23"E a distance of 88.09 feet;

THENCE N87°01'24"E a distance of 238.23 feet;

THENCE N45°11'52"E a distance of 544.11 feet;

THENCE N63°46'03"E a distance of 54.42 feet;

THENCE N87°36'55"E a distance of 316.11 feet;

THENCE along a curve to the left having a radius of 50.00 feet and an arc length of 39.16 feet;

THENCE N42°44'20"E a distance of 25.72 feet;

THENCE along a curve to the left having a radius of 50.00 feet and an arc length of 37.30 feet;

THENCE N00°00'00"E a distance of 56.89 feet to the **POINT OF TERMINUS PARCEL A**, whence the East Quarter (E/4) corner of said Section 22 bears N33°48'26"E a distance of 1,643.67 feet;

Sidelines are shortened or lengthened to intersect at angle points and to intersect the northerly Right of Way line for the Elbert County Surface.

Containing 2.948 acres, more or less.

Centerline length 2,139.97 feet (129.70 rods)

**TEMPORARY CONSTRUCTION EASEMENT PARCEL B:**

A temporary work space being thirty feet (30.00') in width, the westerly and northerly lines being thirty feet (30.00') westerly and northerly of, and parallel with, the westerly and northerly lines of the hereinabove described **PARCEL A**.

Sidelines are shortened or lengthened to intersect at angle points and to intersect the northerly Right of Way line for the Elbert County Surface.

Containing 1.476 acres, more or less.

Robert J. Guffey, PLS 20680  
Job No.: B18.GMT.0003  
For and on Behalf of  
Petroleum Field Services, LLC  
d.b.a. Ascent Geomatics Solutions



**OPERATIONS AREA PARCEL C:**

A parcel of land located in a parcel of land as described in Parcel No. 6522400195, recorded June 10, 2013 in the Elbert County Clerk and Recorder's Office, being in a portion of the Southeast Quarter of Section 22, Township 6 South, Range 65 West of the 6th Principal Meridian, County of Elbert, State of Colorado, being more particularly described as follows:

**COMMENCING** at the East Quarter (E/4) corner of said Section 22 whence the Southeast (SE/4) corner of said Section 22 bears S00°04'24"W a distance of 2,649.10 feet;  
**THENCE** S44°20'37"W a distance of 660.70 feet to the **POINT OF BEGINNING PARCEL C;**

**THENCE** S00°32'00"W a distance of 265.58 feet;  
**THENCE** S58°57'58"W a distance of 81.80 feet;  
**THENCE** S07°02'50"W a distance of 127.58 feet;  
**THENCE** S22°07'55"W a distance of 264.77 feet;  
**THENCE** S29°07'46"W a distance of 270.58 feet;  
**THENCE** S89°38'58"W a distance of 357.13 feet;  
**THENCE** N15°31'01"W a distance of 258.35 feet;  
**THENCE** N00°00'10"E a distance of 198.65 feet;  
**THENCE** N12°03'22"E a distance of 234.00 feet;  
**THENCE** N32°03'49"E a distance of 168.75 feet;  
**THENCE** N77°47'23"E a distance of 34.10 feet;  
**THENCE** N85°53'31"E a distance of 287.38 feet;  
**THENCE** N00°31'46"W a distance of 56.49 feet;  
**THENCE** N52°43'03"E a distance of 18.30 feet;

**THENCE** N89°17'53"E a distance of 273.46 feet to the **POINT OF BEGINNING PARCEL C.**

Containing 11.698 acres, more or less.



Robert J. Guffey, PLS 20680  
Job No.: B18.GMT.0003  
For and on Behalf of  
Petroleum Field Services, LLC  
d.b.a. Ascent Geomatics Solutions