

AMENDMENT TO AGREEMENT FOR SETTLEMENT OF SURFACE DAMAGES AND GRANTS OF RIGHTS AND WAIVERS

THIS AMENDMENT to Agreement for Settlement of Surface Damages and Grants of Rights and Waivers ("*Amendment*") is made and entered into this 7th day of August, 2020, by and among Kerr-McGee Oil & Gas Onshore, LP ("*KMG*"), with an address of 1099 18th St., Suite 1800, Denver, CO 80202, and Gaddis Family Registered, LLLP a Colorado limited liability limited partnership whose address is 8995 Prairie Knoll Drive, Longmont, Colorado 80503 ("*Surface Owner*") or collectively referred to herein as the "*Parties*."

RECITALS

WHEREAS, the Parties have executed that certain Agreement for Settlement of Surface Damages and Grants of Rights and Waivers dated as of February 11, 2020 relating to real property in the NW/4 of Section 36, Township 4 North, Range 68 West, also described as Parcel Number 106136000028, Weld County Colorado (the "*Agreement*"); and

WHEREAS, the parties desire to amend the lands covered by the Agreement to include additional lands in the N/2 of Section 36, Township 4 North, Range 68 West, also described as Parcel Number 106136000028 and Parcel Number 106136000067, Weld County Colorado; and

WHEREAS, any capitalized terms or abbreviations used herein, shall have the same meaning as is defined in the Agreement or as specifically defined in this Amendment; and

WHEREAS, the Parties desire to modify certain waiver language in the Agreement related to setbacks from property lines; and

WHEREAS, the Parties desire to amend, modify and clarify the Agreement as set forth below.

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the mutual covenants contained in the Agreement and herein, the Parties agree as follows:

1. The first section of the Recitals in the Agreement shall be deleted in its entirety and replace with the following.

"Surface Owner owns lands (the "*Lands*") situated in Weld County, Colorado described as follows:

Township 4 North Range 68 West of the 6th P.M.

Section 36: Part of the N/2 also described as Parcel Number 10613600028 and Parcel Number 10613600067 Weld County, Colorado

KMG owns an oil and gas leasehold interest in the Lands and desires to drill oil and gas wells and locate facilities on the Lands.”

2. Paragraph 6. (c), entitled Waivers of the Agreement shall be deleted in its entirety and replaced with the following.

“(c) Surface Owner further understands and acknowledges that COGCC rules and regulations and Weld County rules and regulations govern the distance between a wellhead and public roads, production facilities, buildings, building units and surface property lines, among other things. With respect to wells and facilities located within the OGOAs, to the fullest extent possible, Surface Owner hereby waives all setback requirements in COGCC Rules 603 and 604 and in Section. 21-5-485 of Article V of Chapter 21 of the Weld County Code and any successor rules or amendments, including Exception Zone setbacks and any other state or local setback requirements or other laws, requirements or regulations that would prohibit or interfere with the rights of KMG and its successors and assigns to explore for and produce oil and gas from the Lands or other lands from within the designated OGOAs.”

3. Governing Law. The Agreement and this Amendment shall be governed by the laws of the State of Colorado.

4. Ratification/Superseding Effect. Except as modified herein, the parties hereby ratify and affirm the terms of the Agreement. In the event of a conflict between the terms of the Agreement and the terms of this First Amendment, the terms of this First Amendment shall control.

The undersigned have executed this Amendment effective as of the dated first written above.

Gaddis Family Registered, LLLP

By:

Name: John W. Gaddis
Title: Limited General Partner

DS
EFV

Kerr-McGee Oil & Gas Onshore, LP

DS
ATR

By:

Name: Don C. Jobe III
Title: Attorney-in-Fact

DS
KCM

ACKNOWLEDGEMENTS

STATE OF COLORADO)
)ss.
COUNTY OF Boulder)

The foregoing instrument was acknowledged before me this 10th day of August, 2020 by John W. Gacklis as Limited General Partner of Gaddis Family Registered, LLLP.

Witness my hand and official seal.
My commission expires: 5-19-2021

NANCY M SCHARTZ
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19954018477
MY COMMISSION EXPIRES 05/19/2021

Nancy M Schartz
Notary Public

STATE OF COLORADO)
)ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 7th day of August, 2020 by Ron C. Xibe III as Attorney-in-fact of Kerr-McGee Oil & Gas Onshore, LP.

Witness my hand and official seal.
My commission expires: 1/23/2023

EMMA FRANCESCA VANNOY
NOTARY PUBLIC - STATE OF COLORADO
Notary ID #20194003067
My Commission Expires 1/23/2023

Emma Francesca Vannoy
Notary Public