

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 11th 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 11th day of Oct, 2019, before me, the undersigned authority, personally appeared **Leland William Gabriel and Elaine 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

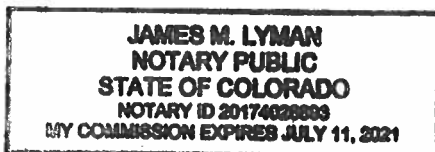
Residing at: Denver County

My Commission Expires: 10/14/19

STATE OF COLORADO)
)ss
COUNTY OF DENVER)

CORPORATE ACKNOWLEDGMENT

On this 10th 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

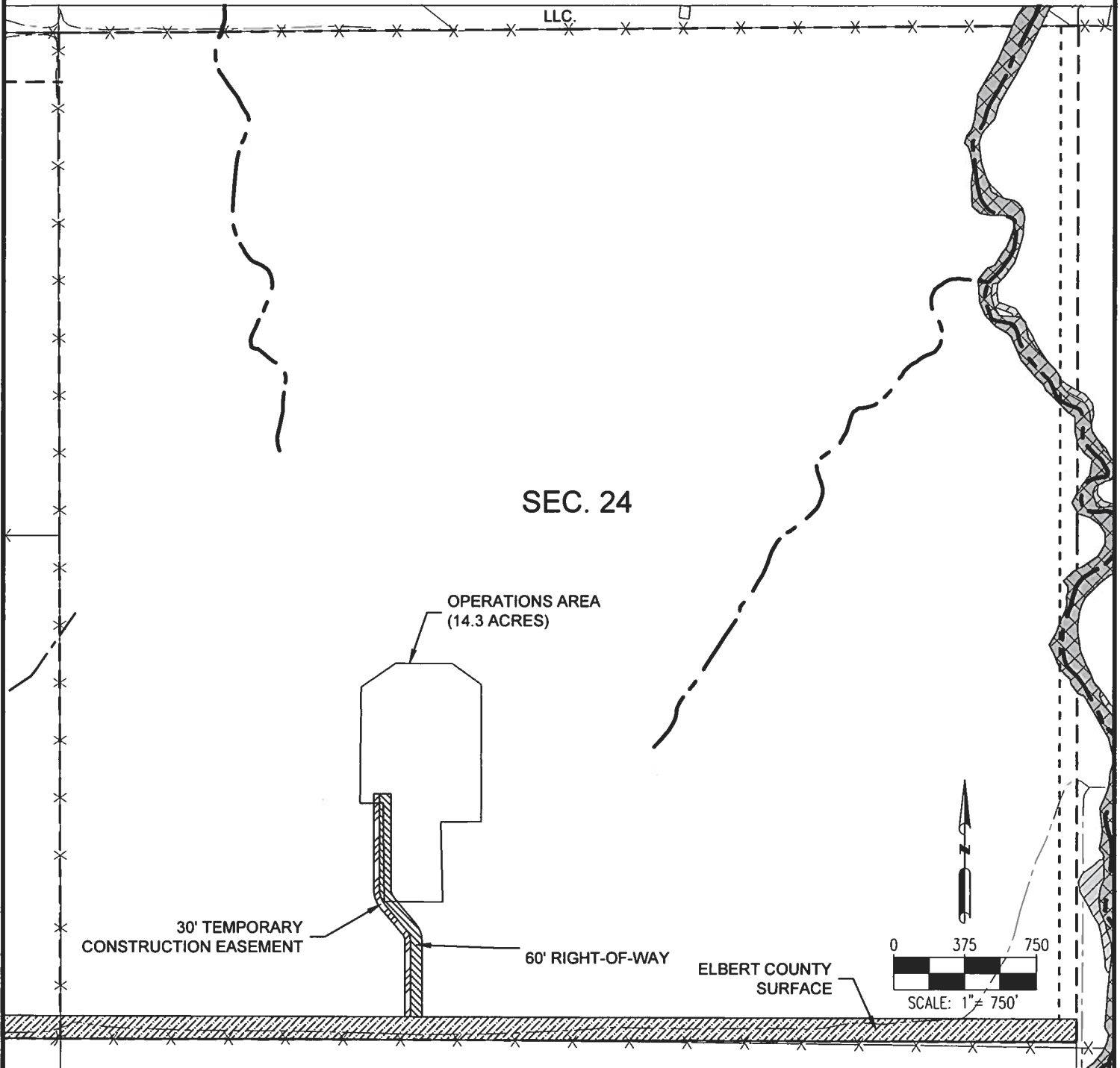
Notary Public for the State of Colorado

Residing at: Jefferson County

My Commission Expires: July 11, 2021





EXHIBIT A

ATTACHED TO AND MADE PART OF THAT CERTAIN MEMORANDUM SURFACE USE AGREEMENT,
DATED OCTOBER 11, 2019, BY AND BETWEEN BILL AND ELAINE GABRIEL FAMILY TRUST AND GMT EXPLORATION COMPANY



DISCLAIMER:
THIS PLOT DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND SHOULD NOT
BE RELIED UPON TO DETERMINE BOUNDARY LINES, PROPERTY OWNERSHIP OR
OTHER PROPERTY INTERESTS. PARCEL LINES, IF DEPICTED HAVE NOT BEEN FIELD
VERIFIED AND MAY BE BASED UPON PUBLICLY AVAILABLE DATA THAT ALSO HAS NOT
BEEN INDEPENDENTLY VERIFIED.

LEGEND:

-  = OPERATION AREA
-  = 60' RIGHT OF WAY
-  = 30' TEMPORARY ROAD CONSTRUCTION EASEMENT
-  = ELBERT COUNTY SURFACE (120' R.O.W.)

-  = EXISTING ROAD
-  = FENCE
-  = PROPERTY LINE
-  = STREAM
-  = WETLAND
-  = FLOODPLAIN



8620 Wulf Court
Westminster, CO 80031
(303) 928-7128
www.ascentgeomatics.com

FIELD DATE:

N/A

DRAWING DATE:

09-26-19

BY:

SJH

CHECKED:

IJM

SITE NAME:

MARBLE-REDSTONE PAD

SURFACE LOCATION:

NE 1/4 SW 1/4 SEC. 24 T6S, R65W, 6TH P.M.

ELBERT COUNTY, COLORADO

PREPARED FOR:



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. 6524400198, recorded June 10, 2013 in the Elbert County Clerk and Recorder's Office, being in a portion of the Southeast Quarter of Section 24, 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 24 whence the Southwest (SW/4) corner of said Section 24 bears N89°48'53"W a distance of 2,657.82 feet;
THENCE N89°48'53"W along the South line of said Section 24 a distance of 797.140 feet;
THENCE N00°11'07"E 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 N00°00'00"E a distance of 400.73 feet;
THENCE along a curve to the left having a radius of 100.00 feet and an arc length of 70.94 feet;
THENCE N40°38'51"W a distance of 179.31 feet;
THENCE along a curve to the right having a radius of 100.00 feet and an arc length of 70.94 feet;

THENCE N00°00'00"E a distance of 495.90 feet to the **POINT OF TERMINUS PARCEL A**, whence the West Quarter (W/4) corner of said Section 24 bears N51°37'17"W a distance of 2,171.81 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 1.677 acres, more or less.
Centerline length 1,217.82 feet (73.81 rods)

TEMPORARY CONSTRUCTION EASEMENT PARCEL B:

A temporary work space being thirty feet (30.00') in width, the westerly and southerly lines being thirty feet (30.00') westerly and southerly of, and parallel with, the westerly and southerly 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 36.540 square feet, 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. 6524400198, recorded June 10, 2013 in the Elbert County Clerk and Recorder's Office, being in a portion of the Southeast Quarter of Section 24, 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 West Quarter (W/4) corner of said Section 24 whence the Southwest (SW/4) corner of said Section 24 bears S00°08'33"E a distance of 2,625.32 feet;
THENCE S63°18'05"E a distance of 1,759.84 feet to the **POINT OF BEGINNING PARCEL C;**

THENCE N56°11'24"E a distance of 221.62 feet;
THENCE S89°50'04"E a distance of 301.05 feet;
THENCE S54°11'24"E a distance of 186.83 feet;
THENCE S0°03'00"W a distance of 716.30 feet;
THENCE S89°58'03"W a distance of 212.55 feet;
THENCE S01°22'26"E a distance of 418.74 feet;
THENCE N89°20'06"W a distance of 307.96 feet;
THENCE N00°38'24"W a distance of 513.03 feet;
THENCE S89°18'28"W a distance of 120.38 feet;
THENCE N00°00'20"W a distance of 493.47 feet;

THENCE N00°15'47"E a distance of 113.32 feet to the **POINT OF BEGINNING PARCEL C.**

Containing 14.278 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