

October 26, 2022

Mr. Bobby Hill
3794 C. West Highway 67
Glen Rose, Texas 76043

Re: **Final Reclamation Agreement & Waiver MGP**
Enterprises A #4 – API No. 05-071-06094
Location ID: 386457, Facility ID: 217318
Section 9 Township 34 South, Range 66 West, 6th P.M.
Las Animas County, Colorado (the “Property”)

Dear Mr. Hill:

BP America Production Company ("BP") has previously consulted with you – as the surface owner of the Property identified above – regarding the final reclamation of the above-captioned well and pad (the “Well Pad”), the future use of the land, and the applicable rules of the Colorado Oil and Gas Conservation Commission ("COGCC"). You and BP previously entered into a written agreement regarding reclamation of the Well Pad which preserved your access to the flat area and use of the road for ranching operations on July 20, 2021. This Final Reclamation Agreement & Waiver (“Agreement & Waiver”) affirms our original written agreement.

The MGP Enterprises A #4 well was plugged and abandoned and BP reclaimed the well location and access road, established vegetation, stabilized the seeded soil, and removed all equipment and waste materials from the Well Pad. Pursuant to COGCC Rule 1001.c, you and BP hereby enter into this Agreement & Waiver to set forth the respective rights and responsibilities of the parties and to support BP’s application to the COGCC for a variance from compliance with Rule 1004.a at the Well Pad and Property. This Agreement & Waiver is subject to, and shall be binding only in the event that, COGCC grants the variance and waivers of compliance with its rules necessary to accommodate the terms of this Agreement & Waiver.

The specific portion of the Well Pad (see attached photographs labeled as Exhibit A) that is subject to this Agreement & Waiver includes the flat portion of the former Well Pad and the riprap and culvert along the access road. You requested this Agreement & Waiver and hereby waive BP’s obligations for additional reclamation required under COGCC Rule 1004.a at the Well Pad for the following reasons:

- Recontouring the flat portion of the former Well Pad would raise significant safety concerns due to the steep grade and loose material. There are not enough existing materials to recontour the flat portion, and further reclamation would require digging into native soil or truck deliveries of the requisite soil which would cause substantial disturbance of the land.

- You require and are significantly benefitted by being able to access the Well Pad for ranching operations, which access would be eliminated if BP were required to recontour the riprap and culvert.

As the surface owner, you acknowledge that the current condition of the property subject to this Agreement & Waiver is satisfactory to you and you acknowledge and assume the responsibility to protect the topsoil. Additionally, by executing this Agreement & Waiver, you acknowledge that you knowingly and forever waive all reclamation protections otherwise afforded by COGCC Rule 1004 and you agree to assume responsibility for any further reclamation activities you wish to have undertaken at the Well Pad, provided, however, that BP must comply with all final reclamation requirements under the Rule 1000-series that may not be waived by you as the surface owner including COGCC Rule 1004.c.(4), (5).

If this Agreement & Waiver correctly reflects our agreement, please sign and date both originals, keep one for your files and return one to the undersigned.

Please be aware that although you have signed this Agreement & Waiver and BP has submitted a reclamation variance request, the COGCC may deny such request and BP will be required to complete all final reclamation pursuant to the COGCC 1000 Series rules. BP is responsible for surface stabilization, stormwater management, and weed control until the variance request is approved.

Thank you for your time and consideration in this matter. If you have any questions or comments, please contact me at cjackston@bp.com.

Respectfully,


C. Michael Jackson, Legacy Wells Specialist
BP Remediation Management Services Company

I acknowledge and agree as set forth above.

Signed: _____ Date: _____
Bobby Hill

Exhibit A
Location Photos





