

AUG 15 1997

AFFIDAVIT

KNOW ALL MEN BY THESE PRESENTS:

Whereas Flattops Ranch, surface owner, represents that they are the owners in possession of the surface estate for the following described lands in Routt County, Colorado:

Township 1 North Range 85 West

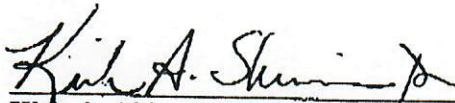
Section 19: E/2NE/4, NE/4SE/4

Section 20: All

Section 21: All

Flattops Ranch, surface owner, acknowledges that there is an accepted surface agreement between surface owners and Bennett Exploration & Production Company, owner of certain leasehold interest in the oil and gas mineral estate in the above described lands.

This Affidavit made and entered into this 14 day of August, 1997 by and between Bennett Exploration & Production Company and Flattops Ranch Partnership.



Kirk A. Shiner, Managing Partner
Flattops Ranch Partnership



00359038