

AFFIDAVIT OF CONSENT

STATE OF COLORADO)
) ss.
COUNTY OF Montezuma)

Walter E. Henes, II, Walter E. Henes, III, Lynne B. Henes, as General Partners of the Henes Farms Limited Partnership, whose address is 13260 Road 29 Dolores, CO 81323, affiant, being first duly sworn, deposes and says:

That Henes Farms Limited Partnership is the surface property owner of a tract of land located in Montezuma County, Colorado, to wit:

Township 38 North, Range 19 West, N.M.P.M.
Section 27: Lots 4 and 5 (W1/2NW1/4)
Montezuma County, Colorado (the "Property").

That, affiant has been informed by Kinder Morgan CO2 Company, L.P., ("Kinder Morgan") that Kinder Morgan is proposing to drill a CO2 Well known as the CS-1 Well, which is located on Lot 5, at a surface location which is 1350 feet from the North line and 210 feet from the West line of Section Section 27, Township 38 North, Range 19 West, N.M.P.M., Montezuma County, Colorado, and being less than 150 feet from the Surface Property Line of Lot 4, which south boundary line is common and contiguous with the north boundary line with Lot 5; and

That, affiant has entered into a Surface Use and Easement Agreement, as Amended, with Kinder Morgan covering the Property; and

That, the Colorado Oil & Gas Conservation Commission Rules & Regulations, Section 603, set forth the following, (a) Statewide location requirements:

(2) A well shall be located not less than one hundred fifty (150) feet from a surface property line. The Director may grant an exception if it is not feasible for the Operator to meet this minimum distance requirement and a waiver is obtained from the offset Surface Owner(s). An exception request letter stating the reasons for the exception shall be submitted to the Director and accompanied by a signed waiver(s) from the offset Surface Owner(s). Such waiver shall be written and filed in the county clerk and recorder's office and with the Director.

Now therefore, affiant, as the affected surface Property owner, hereby voluntarily consents to the location set forth above, and more particularly shown on the Well Location Plat attached hereto and made a part hereof .

Affiant:

Henes Farms Limited Partnership

By: Walter E. Henes II
Walter E. Henes, II, General Partner

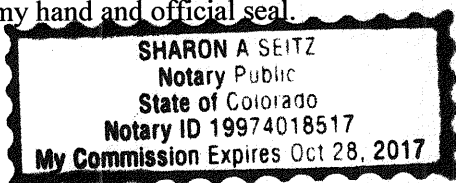
By: Lynne B. Henes
Lynne B. Henes, General Partner

By: Walter E. Henes III
Walter E. Henes, III, General Partner

STATE OF COLORADO }
 } ss.
COUNTY OF MONTUZUMA }

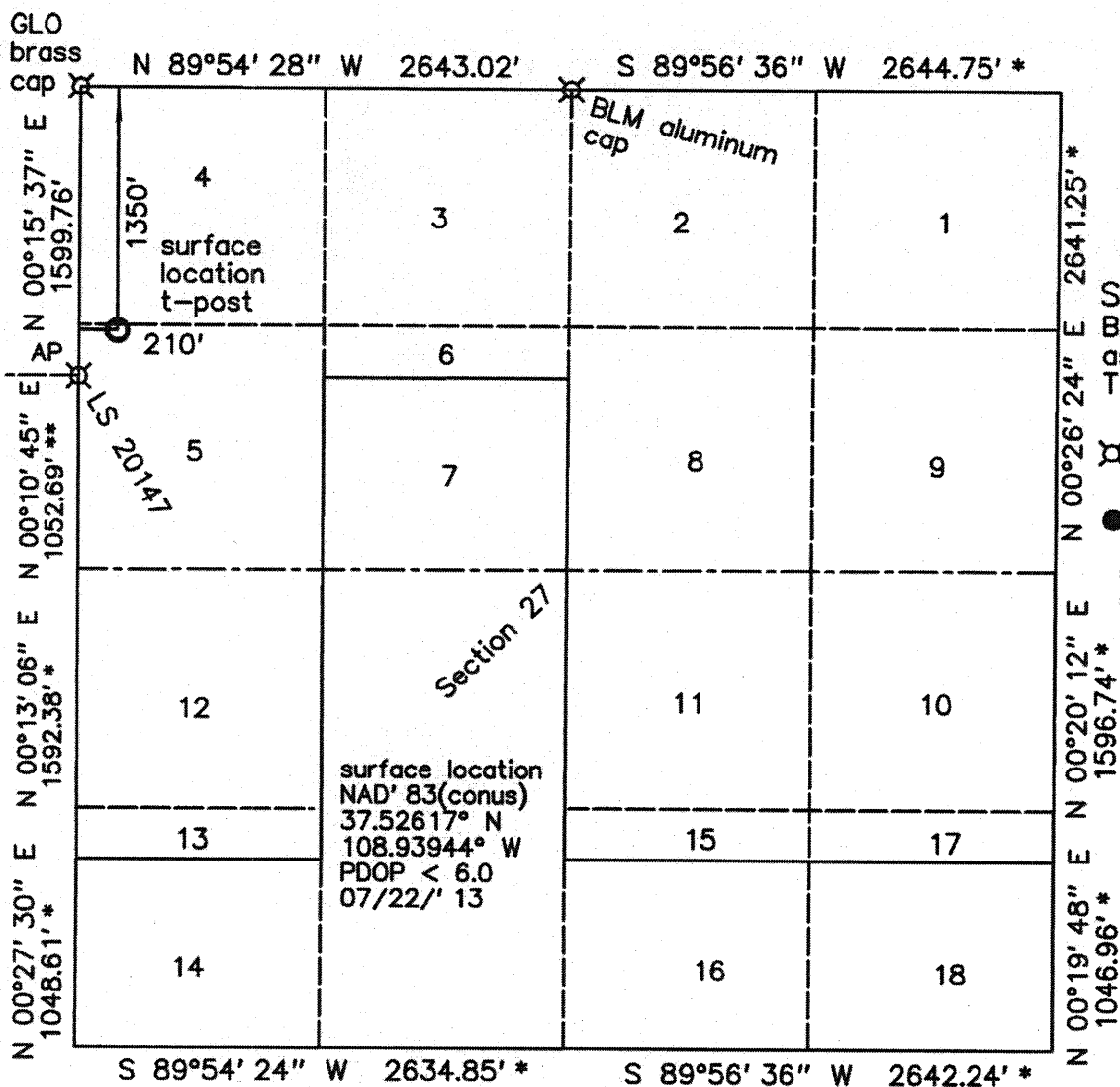
On this 29th day of OCTOBER, 2013, before me a notary public in and for said county and state personally appeared Walter E. Henes, II, Walter E. Henes, III, and Lynne B. Henes, all as General Partners of the Henes Farms Limited Partnership, on behalf of said Partnership, personally known to me to be the same persons who executed the foregoing instrument and such person acknowledged the same as their voluntary act and deed.

Witness my hand and official seal.



Sharon A. Seitz
Notary Public

My Commission Expires: OCT 28, 2017



0' 1000'

Scale: 1" = 1000'
Basis of bearing is assumed from GPS True North as shown.

⌵ standard monument

● set standard monument

* from record plat
** calculated

KINDER MORGAN CO2 COMPANY, LP
CS-1
1350' FNL & 210' FWL
Section 27, T.38 N., R.19 W., NMPM
Montezuma County, CO
6459.0' grd. el. NAVD '88 (from OPUS)

Notes:

- 1) Distances/dimensions are perpendicular to section/aliquot lines.
 - 2) Surface use is Fee irrigated farming.
 - 3) GPS was corrected with OPUS, GPS operator was R.J. Caffey, CO LS 36562.
 - 4) There are no buildings within 500 plus feet, there is a farm/oil & gas road at 250 feet, and various underground water lines outside pad.
- No utility spot was conducted.



KNOW ALL MEN BY THESE PRESENTS that I, GERALD G. HUDDLESTON, do hereby certify that this plat was prepared from field notes of an actual survey made by me or under my supervision and that the same is true and accurate to the best of my knowledge and belief.

date of survey : 07/23/2013
date of plat : 07/24/2013

HUDDLESTON LAND SURVEYING - POD KK, CORTEZ, CO - 970 565 3330