



Mr. Matt Lepore, Director COGCC  
1120 Lincoln Street, Suite 801,  
Denver, Colorado 80203

October 31, 2013

Waiver request for exemption to rule 603. a.(2)  
Associated with Kinder Morgan CO2 Company well APD permits for CS-1 Well,  
Lot 5, Section 27, T38N/R19W, NMPM, Montezuma County, CO;  
2A form docnum 400450069 and form 2 400461774

**603. STATEWIDE LOCATION REQUIREMENTS FOR OIL AND GAS FACILITIES, DRILLING, AND WELL SERVICING OPERATIONS**

**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

This letter shall serve as Kinder Morgan CO2 Company's written request for an exception to 603. A.(2) rule.

Kinder Morgan has placed this well in between two irrigation center pivots to minimize impacts to the agricultural lands. The well is located closer than 150 feet from a surface property line common with, and which separates Lot 4 and Lot 5, of Section 27, T38N/R19W, NMPM, Montezuma County, CO. Both of these Lots are owned by the same surface owner, Henes Farms Limited Partnership, however the Montezuma County Assessors Real Property Account assesses Lot 4 as Parcel Number 534527200052 and Lot 5 as Parcel Number 534527300039.

Attached please find an Affidavit of Consent signed by the General Partners of Henes Farms Limited Partnership waiving the 150 foot setback requirement from the surface property line between Lot 4 and 5. This waiver has been sent to the County Clerk and Records office for recording in the Real Property Records of Montezuma County, CO. A copy of the recorded version will be provided to you by separate cover letter once it is received back from the Clerk.

Thank you very much for your time and immediate attention to this matter. If you have any questions please do not hesitate to contact **the undersigned**.

Sincerely,

Kinder Morgan CO2 Company, L.P.

By:

Bob Clayton  
Production/Operations Superintendent  
Kinder Morgan CO2 Company, L.P.  
970-882-5507 (office)  
970-799-1103 (cell)  
bob\_clayton@kindermorgan.com

Township 38 North, Range 19 West, N.M.P.M.,  
Section 27: Lot 4 & Lot 5  
Montezuma County, CO  
CS-1 Well

Waiver request for exemption to rule 603. a.(2)  
Associated with Kinder Morgan CO2 Company well APD permits for CS-1 Well,  
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## General Information

## Property Address

21772 ROAD 10 GUESS  
PLEASANT VIEW, 81331

## Owner Name &amp; Address

HENES FARMS LIMITED  
PARTNERSHIP  
13260 ROAD 29  
DOLORES, CO 81323

## Legal Description

Subdivision: Lot: Block:

Section: 27, Township: 38, Range: 19

Extended Legal: S: 28 T: 38 R: 19 L 2, 3, 10 80.15A; S: 27 T: 38 R: 19 L 7 &amp; 14; E1/2SW1/4 143.47A; L 5, 12, 13 88.28A; S: 34 T: 38 R: 19 NW1/4NW1/4 40A; B477 P759 B605 P832 R/469419 R/479116

## Property Information

Parcel Number: 534527300039

Account Number: R001305

Tax District: 12027

Current Mill Levy: 47

Square Feet: 15,328,764.00

Total Acres: 352.00

[Open in GIS Viewer](#)*Hand  
well on this parcel*

## Sales Information

Reception #	Sale Price	Deed Type	SaleDate	Grantor	Grantee
544210	\$0	APPO	10/23/2006	HENES FARMS LIMITED	
8626P318	\$150,000	W	08/31/1989	UPTAIN, CLARENCE R. &	HENES, WALTER E. & LYNNE B.

## Value Information Approach: Cost Full Market Value

Abstract Code/Description	Value Type	Appraised Value	Assessed Value	Taxable Value
4107 AGRICULTURAL LAND	Land	\$137,220	\$39,790	\$39,790
4127 AGRICULTURAL LAND	Land	\$1,680	\$490	\$490
4147 AGRICULTURAL LAND	Land	\$790	\$230	\$230
4279 OTHER BLDGS.-AGRICULTURAL	Improvement	\$68,670	\$19,910	\$19,910
	Totals:	\$208,360	\$60,420	\$60,420

## Property Attributes &amp; Descriptions

Attribute	Attribute Description
Sewer	UNKNOWN

This property has no adjustments

## Building ID 1

Building ID: 1 Heat: None Total Sq Ft: 15400  
Property Type: Out Building Roof Type: Condo Sq Ft: 0  
Built As: Shed - Hay Roof Cover: Bsmt. Sq Ft: 0  
Occupancy: Shed - Hay Foundation: Bsmt Fin. Sq Ft: 0  
Year Built: 2004 Rooms: 0  
Year Remodel: 2004 Baths: 0  
Quality: Good Units: 0  
Condition: Average Unit Type:  
Class Descr: Metal Frame Stories: 1



Exterior:

Interior:



## General Information

## Property Address

22200 ROAD 10 GUESS  
PLEASANT VIEW, 81331

## Owner Name &amp; Address

HENES FARMS LIMITED  
PARTNERSHIP  
13260 ROAD 29  
DOLORES, CO 81323

## Legal Description

Subdivision: Lot: Block:

Section: 22, Township: 38, Range: 19

Extended Legal: S: 22 T: 38 R: 19 L 12-14 63.47A; S: 27 T: 38 R: 19 L 3-4-6 IN TR #66 88.33A; B634 O617 B662 P302 & R/467540 R/479116

## Property Information

Parcel Number: 534527200052

Account Number: R001304

Tax District: 12027

Current Mill Levy: 47

Square Feet: 6,612,408.00

Total Acres: 152.00



[Open in GIS Viewer](#)

*pad on  
this  
parcel*

## Sales Information

Reception #	Sale Price	Deed Type	Sale Date	Grantor	Grantee
544211	\$0	APPO	10/23/2006	HENES FARMS LIMITED	
497055	\$0	EASE	07/20/2001	HENES FARMS LIMITED	CELSIUS ENERGY
497056	\$0	EASE	07/20/2001	HENES FARMS LIMITED	CELSIUS ENERGY
B634P617	\$66,200	W	05/15/1990	BERTWELL, J. E., TRUSTEE	HENES, WALTER E. & LYNNE B.

## Value Information Approach: Cost Full Market Value

Abstract Code/Description	Value Type	Appraised Value	Assessed Value	Taxable Value
4107 AGRICULTURAL LAND	Land	\$68,320	\$19,810	\$19,810
4147 AGRICULTURAL LAND	Land	\$580	\$170	\$170
4277 OTHER BLDGS.-AG	Improvement	\$7,780	\$620	\$620
	Totals:	\$76,680	\$20,600	\$20,600

## Property Attributes &amp; Descriptions

Attribute	Attribute Description
Sewer	UNKNOWN

This property has no adjustments

## Building ID 1

**Building ID:** 1  
**Property Type:** Residential  
**Built As:** Cabin  
**Occupancy:** Single Family Residential  
**Year Built:** 1990  
**Year Remodel:** 1990  
**Quality:** Low  
**Condition:** Average  
**Class Descr:**  
**Exterior:** Pine Finished Cabin  
**Interior:** Drywall

**Heat:** None  
**Roof Type:** Gable  
**Roof Cover:** Composition Shingle  
**Foundation:**  
**Rooms:** 0  
**Baths:** 0  
**Units:** 0  
**Unit Type:**  
**Stories:** 1

**Total Sq Ft:** 216  
**Condo Sq Ft:** 0  
**Bsmt. Sq Ft:** 0  
**Bsmt Fin. Sq Ft:** 0

Detail Type	Detail Description	Units
User	Bsmt: Crawl	1