

Notice, Acknowledgment and Concurrence

Kinder Morgan CO2 Company, L.P., a Texas Limited Partnership whose address is 1001 Louisiana Street, Suite 1000, Houston, TX 77002 (“Kinder Morgan”) is the owner of oil and gas leasehold interests, directly or as Operator, underlying or pertaining to the surface property to which you own, identified below, and is the operator of the McElmo Dome (Leadville) Unit.

The undersigned owns surface property rights to the property identified below:

Township 38 North, Range 19 West, N. M. P. M.
Section 11: Lot 7 of Tract 48 lying in the NE1/4
Montezuma County, CO. (the “Property”).

At the present time, Kinder Morgan is proposing to drill a well known as the CB-3 Well at a surface hole location (“SHL”) at 2,062 feet from the north line & 2,351 feet from the east line, and bottom hole location (“BHL”) at 2,057 feet from the north line and 351 feet from the east line, all of Section 11, Township 38 North, Range 19 West, N.M.P.M., Montezuma County, Colorado.

Underlying both currently proposed surface and bottom hole locations noted next above the mineral estate is Privately owned.

Kinder Morgan may however, while utilizing the SHL noted above, choose to amend the bottom hole location to lands whereby the underlying mineral estate is Federally owned.

Where the underlying mineral estate is Federally owned, the BLM is required by Congress through the National Historic Preservation Act of 1966, (as amended through 2000) (16 U.S.C. 470h-2), to accomplish identification and avoidance of any important cultural resources (such as archaeological sites) that may be affected by this action on all involved lands within the CB-3 Well area. This requirement is limited to the term and nature of the action and does not constitute control or long term management of cultural resources on your private property which is your right that is protected by Federal and State laws (see attached Split Estates Brochure published by the BLM).

Important cultural resources may be located on your private lands that might be damaged by the proposed activity. In order to avoid damage to these resources, qualified archaeologists will need to enter upon your surface property over the next few months in order to complete a field survey of the area proposed for this activity for the term of this CB-3 Well project.

This surface examination would be done to identify and evaluate any important cultural resources present, and to insure that they are adequately avoided by project activities, or in the alternative, if any important sites that cannot be avoided and would be disturbed by oil and gas development may have to be fully excavated to recover scientific information that would be lost.

The undersign hereby confirms being notified of Kinder Morgan's activities to perform a cultural resource examination on my property and further understand that in no way does this nullify my rights to further involvement with respect to this project. Kinder Morgan and the BLM agree that no artifacts will be collected, unless you request and authorize that such artifact(s) be collected that are in danger of being damaged or destroyed. If you authorize such collection, these artifacts will be collected for laboratory examination and analysis. All artifacts that may be collected are your property and, unless you wish to donate them, will be returned to you immediately after completion of the project.

This letter will confirm that Kinder Morgan has advised the undersigned about the time and method for which the survey or inventory will be conducted upon our property and furthermore concur with access upon the property by qualified archaeologists in order to complete a field survey of the area proposed for this activity for and associated with the CB-3 Well project for the purpose of identifying and avoiding cultural resources, or excavation activities.

Surface Property Owner, by signature acknowledged below, hereby evidences said Notice, Acknowledgment and Concurrence, in so far as in the case of the BHL underlying mineral estate being Federal minerals, and in so far as in the case of the BHL underlying the mineral estate being Private minerals, hereby grant permission to Kinder Morgan to conduct the survey activities described herein:

I do concur/grant, or I do not concur/grant access across my private land (the Property) for the purpose of identifying and avoiding cultural resources, or excavation and possible removal activities.

I do, or do not allow collection of artifacts that are in danger of being damaged or destroyed.

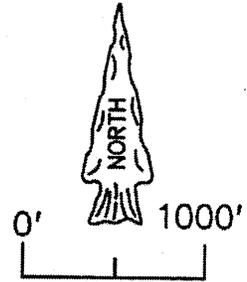
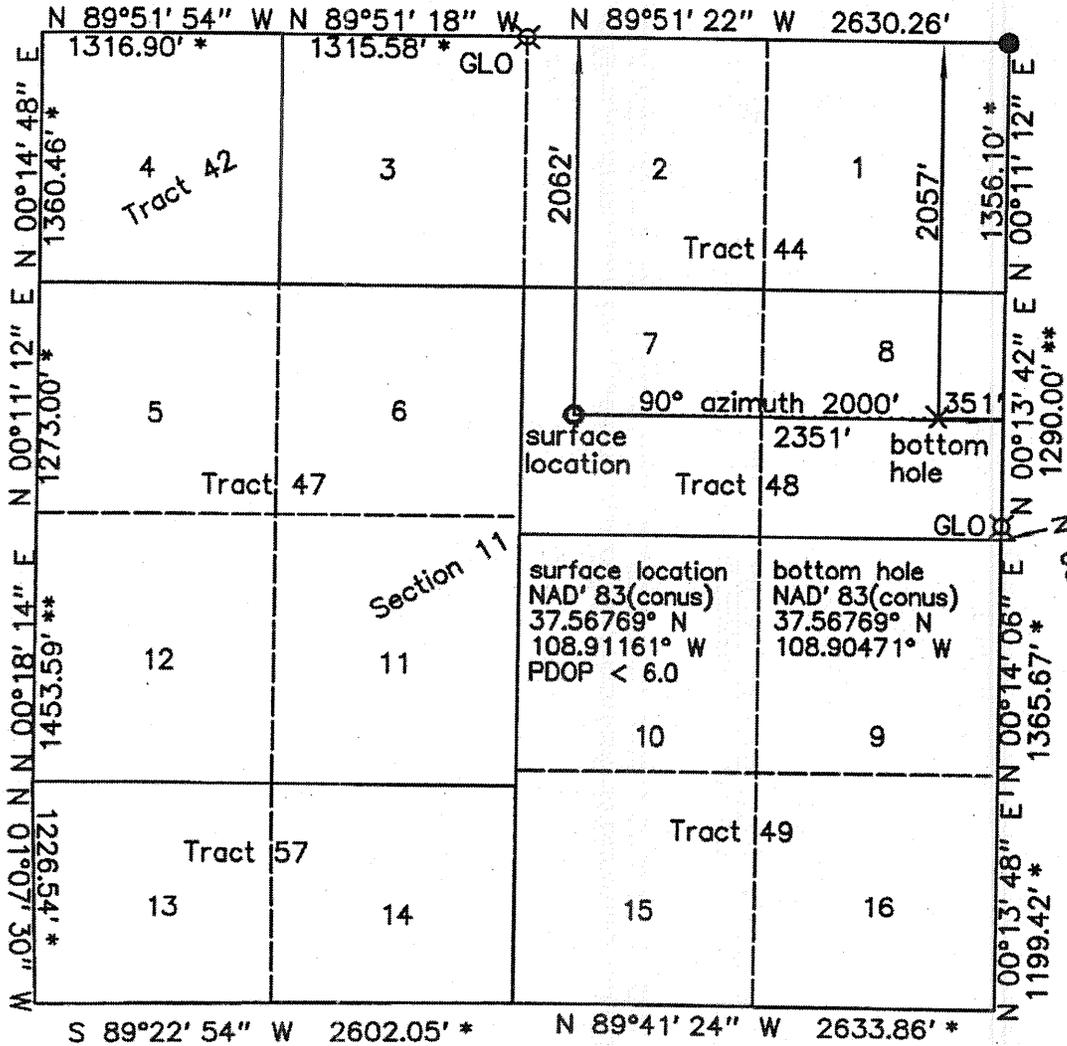
I do, or do not request a copy of the cultural resources information obtained by the either surface surveys or exaction.

Surface Property Owner

By: Sylvia L. Kleczkowski

Name: Sylvia Louise Kleczkowski

Date: 3/4/14

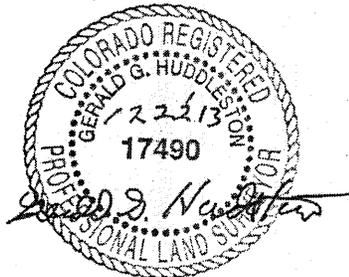


Scale: 1" = 1000'
Basis of bearing is assumed from GPS True North as shown.

- ⊗ standard monument
- set standard monument
- * from record plat
- ** calculated

KINDER MORGAN CO2 COMPANY, LP
CB-3
2062' FNL & 2351' FEL (surface location)
6706.8' grd.el. NAVD '88 (from OPUS)
2057' FNL & 351' FEL (bottom hole)
Section 11, T.38 N., R.19 W., NMPM
Montezuma County, CO

Notes:
1) Distances/dimensions are perpendicular to section/aliquot lines.
2) Surface use is Fee dry land farming.
3) GPS was corrected with OPUS, GPS operator was R.J. Caffey, CO LS 36562.
4) There are no buildings within 1,000 plus feet, there is a county road at 280 feet. 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 : 12/19/2013
date of plat : 12/22/2013