

EASEMENT

For and in consideration of Ten (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, the undersigned Grantor hereby grants and conveys to Kinder Morgan CO2 Company, L.P., a Texas Limited Partnership whose address is 1001 Louisiana Street, Suite 1000, Houston, TX 77002, ("Grantee"), an:

(i) exclusive perpetual easement, defined as Easement 1 on Exhibit "A", for the installation, construction, maintenance, alteration, repair, replacement, enhancement, modification, reconstruction, operation, and removal of a cluster facility, together with facilities appurtenant thereto, including, but not limited to, buildings, guardrails, fences, above and underground gas (including but not limited to CO2 gas), and water pipelines, electric and phone utilities, separators, tank batteries, dehydrators, meters pumps and any other facilities useful or convenient for Grantees operations, and,

(ii) nonexclusive perpetual easement, defined as Easement 2 on Exhibit "A", for the installation, construction, maintenance and repair of an access road, the driving surface of which shall not to exceed a width of fifteen (15) feet on each side of center, of the usual (graveled) or customary character, for for the purposes of using and maintaining, as to Grantee's use access to Easement 1 referenced hereinabove, as well as to provide uninterrupted ingress to and egress from lands in the E1/2 of Section 1, Township 38 North, Range 19 West, N.M.P.M., County of Montezuma, State of Colorado for transporting personnel, equipment, and other goods and materials to said lands for, or incidental to, Grantee's oil and gas operations, within the E1/2 of Section 1, Township 38 North, Range 19 West, N.M.P.M., both on, under, over, or through the North Half (N1/2) of Tract 39 of Section 1, Township 38 North, Range 19 West, N.M.P.M., County of Montezuma, State of Colorado (the "Property"). The easement is described as follows:

See Attached Legal Description Exhibit "A"

The above sum is acknowledged by Grantor as full consideration for both perpetual easements and for damages to both land and growing crops occasioned by the initial installation of facilities on said easement.

This Easement is subject to the terms and conditions as set forth in that certain Letter Agreement dated April 4, 2014 entered into by and between Grantor and Grantee.

In case of the permanent abandonment of the easement, Grantee shall remove all above ground facilities, except that Grantee shall provide to Grantor the right to retain any fencing and building(s) located upon the easement land, and shall release this easement and all rights herein granted, and including in said release conveyance of any fencing and building(s) if so accepted by Grantor, by recording a Release of Easement, or Release of Easement and Conveyance, whatever the case may be, in the Office of the Montezuma Clerk and Recorder.

To have and to hold the said easement unto the said Grantee, its successors and assigns, so long as the same shall be used or useful for the purposes of the Grantee.

This Easement may be executed in any number of counterparts with same force and legal effect as if all executions were of one single Easement. If counterparts of this Easement are executed, the signatures and acknowledgements of the parties, as affixed to each counterpart, may be combined in, and treated and given effect for all purposed as a single Easement.

Executed by Grantor this 14 day of April, 2014.

Grantor:

By: James S. Wright

ACKNOWLEDGEMENT BY INDIVIDUAL

State of Texas )  
 ) ss  
County of Hale )

The foregoing instrument was acknowledged before me this 4 day of April, 2014, by James S. Wright.

WITNESS my hand and official seal.

My commission expires: 7-28-14

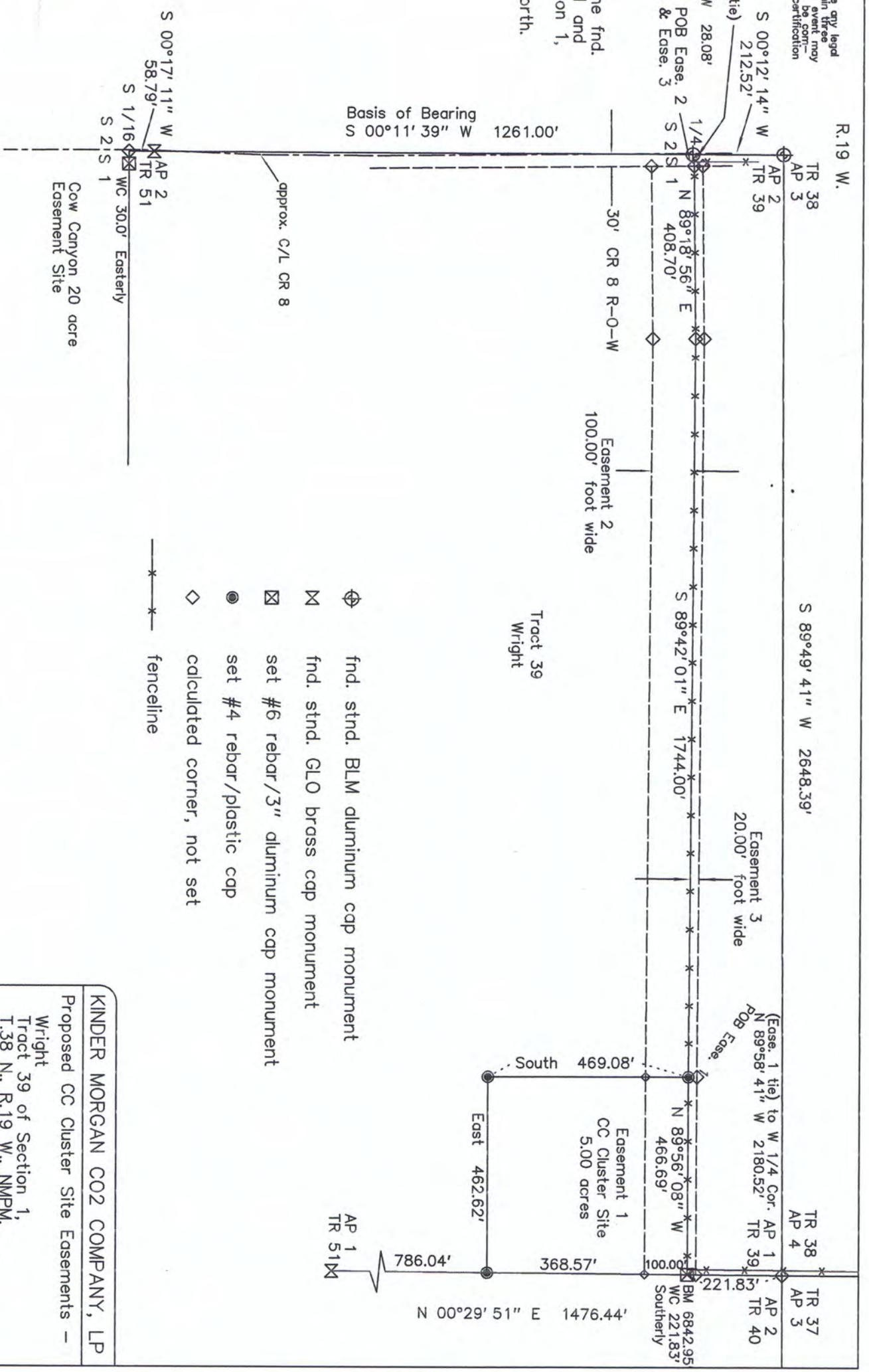
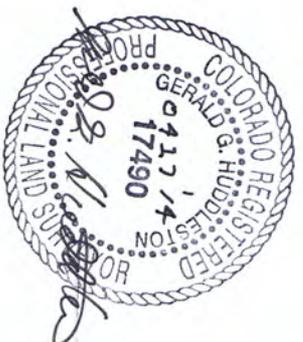
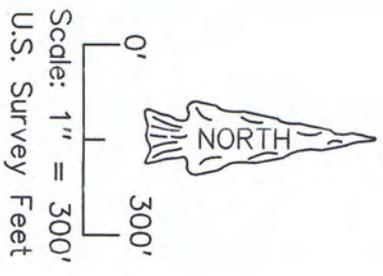


Maria Longoria  
Notary Public



**NOTICE:**  
 According to Colorado law, you must commence any legal action based upon any defect in this survey within three years of the date of recording. If you do not commence any action based upon any defect in no event may you commence any action based upon any defect in any action commenced more than ten years from the date of certification shown hereon.

**Basis of Bearing:**  
 S 00°11' 39" W between the fnd.  
 W 1/4 Corner of Section 1 and  
 AP 2 of Tract 51 of Section 1,  
 as shown.  
 Assumed from GPS True North.



- ⊕ fnd. stdnd. BLM aluminum cap monument
- ⊗ fnd. stdnd. GLO brass cap monument
- ⊠ set #6 rebar/3" aluminum cap monument
- set #4 rebar/plastic cap
- ◇ calculated corner, not set
- \*— fence line

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.

**KINDER MORGAN CO2 COMPANY, LP**  
 Proposed CC Cluster Site Easements -  
 Wright  
 Tract 39 of Section 1,  
 T.38 N., R.19 W., NMPM,  
 Montezuma County, Colorado

revised 27 April 2014  
 revised 3 April 2014

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 HUDDLESTON LAND SURVEYING  
 P.O. Box KK - Cortez, CO 81321 - (970) 565-3330

LEGAL DESCRIPTIONS:

Easement 1 - 5.00 acres more or less

A 5.00 acre easement contained in Tract 39 of Section 1, T.38 N., R.19 W., NMPM, Montezuma County, Colorado, being more particularly described as follows:

Beginning at a point in an East-West fence line from which the W 1/4 Corner of said Section 1 bears N 89°58' 41" W a distance of 2180.52 feet; thence, South a distance of 469.08 feet; thence, East a distance of 462.62 feet to a point on the East line of said Tract 39; thence, N 00°29' 51" E a distance of 468.57 feet along the East line of said Tract 39 to a point on the prolongation of said East-West fence line and to the witness corner monument for AP 1 of said Tract 39; thence, N 89°56' 08" W a distance of 466.69 feet along said East-West fence line and the prolongation thereof back to the point of beginning. SUBJECT TO all easements of record or prescriptive.

Easement 2 - 100.00 foot wide

An easement 100.00 feet in width contained in Tract 39 of Section 1, T.38 N., R.19 W., NMPM, Montezuma County, Colorado, whose North line is described as follows:

Beginning at the intersection of the East right-of-way line of CR 8 and an East-West fence line from which point the W 1/4 Corner of said Section 1 bears S 83°01' 16" W a distance of 28.08 feet; thence, N 89°18' 56" E a distance of 408.70 feet along said East-West fence line; thence, S 89°42' 01" E a distance of 1744.00 feet along said East-West fence line to the NW property corner of the 5.00 acre Easement 2 described herein; thence, S 89°56' 08" E a distance of 466.69 feet along said East-West fence line and the North line of said 5.00 acre Easement 2 to the NE property corner thereof, a point on the East line of said Tract 39 and the end of said 100.00 foot wide easement, from which point AP 1 of Tract 51, T.38 N., R.19 W., NMPM, bears S 00°29' 51" W a distance of 1254.61 feet. The sidelines of said 100.00 foot wide easement shall be shortened or lengthened to meet the East right-of-way line of CR 8 and the East line of said Tract 39. SUBJECT TO all easements of record or prescriptive.

Easement 3 - 20.00 foot wide

An easement 20.00 feet in width contained in Tract 39 of Section 1, T.38 N., R.19 W., NMPM, Montezuma County, Colorado, whose South line is described as follows:

Beginning at the intersection of the East right-of-way line of CR 8 and an East-West fence line from which point the W 1/4 Corner of said Section 1 bears S 83°01' 16" W a distance of 28.08 feet; thence, N 89°18' 56" E a distance of 408.70 feet along said East-West fence line; thence, S 89°42' 01" E a distance of 1744.00 feet along said East-West fence line to the NW property corner of the 5.00 acre Easement 2 described herein; thence, S 89°56' 08" E a distance of 466.69 feet along said East-West fence line and the North line of said 5.00 acre Easement 2 to the NE property corner thereof, a point on the East line of said Tract 39 and the end of said 20.00 foot wide easement, from which point AP 1 of Tract 51, T.38 N., R.19 W., NMPM, bears S 00°29' 51" W a distance of 1254.61 feet. The sidelines of said 20.00 foot wide easement shall be shortened or lengthened to meet the East right-of-way line of CR 8 and the East line of said Tract 39. SUBJECT TO all easements of record or prescriptive.

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:



NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

KINDER MORGAN CO2 COMPANY, LP
Proposed CC Cluster Site Easements -
Wright
Tract 39 of Section 1,
T.38 N., R.19 W., NMPM,
Montezuma County, Colorado
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