

**RIGHT OF WAY AGREEMENT**

KNOW ALL MEN BY THESE PRESENTS: that the undersigned, **PILCH RANCH, LLC**, a Wyoming limited liability company, (hereinafter referred to as "OWNER", whether one or more) and whose members consist exclusively of: Anna Pilch, individually and as Trustee of the Anna Pilch Trust Dated 7/23/1985; Edward S. Pilch; Joe A. Pilch; and Marilyn Pilch Wolter, for and in consideration of Ten and More Dollars (\$10.00+) in hand paid, the receipt of which is hereby acknowledged, does hereby grant, sell and convey unto **BEAR PAW ENERGY, LLC**, 1625 Broadway, Suite 2300, Denver, Colorado 80202, its successors and assigns (hereinafter referred to as "COMPANY") a right of way and easement Fifty feet (50') in width for the purpose of laying, constructing, maintaining, operating, repairing, replacing and removing gas pipeline(s) (with fittings cathodic protection equipment and all appliances appurtenant thereto) for the transportation of oil, gas or any other liquids or substances for COMPANY'S operations across lands of OWNER, situated in the County of Sheridan, State of Wyoming, described as follows:

Township 58 North Range 83 West  
Section 35: S2

OWNER recognizes that an as built plat, subsequent to survey, is attached hereto and recorded as Exhibit "A".

COMPANY shall bury the top of its pipe at least forty-eight inches (48") below the surface of the ground. The undersigned OWNER, his successors, heirs or assigns, reserves all oil, gas and minerals on and under said lands and the right to farm, graze and otherwise fully use and enjoy said lands, provided, however, that COMPANY shall have the right hereafter to cut and keep clear all trees, brush, and other obstructions that may injure, endanger or interfere with the construction and use of said pipeline, or fittings, tie-overs, cathodic protection equipment and appliances appurtenant thereto. COMPANY shall have all privileges necessary or convenient for the full use of the rights herein granted, together with ingress or egress along with pipelines and over and across said lands. COMPANY, by acceptance hereof, agrees to pay for actual damages to crops, pasture, fences and timber which may arise from laying, construction, maintaining, operating, repairing, replacing, or removing said pipeline(s).

COMPANY agrees to comply with all applicable state and local regulations.

COMPANY shall indemnify, defend and save and hold harmless OWNER from any and all claims, demands, causes of action, or liability for damages, loss or injuries that arise out of COMPANY'S operations on the land.

COMPANY shall restore the land as soon as practicable after the pipelines are completed. Restoration shall be made as near as possible to the condition when COMPANY first entered onto the land.

OWNER hereby warrants and agrees to defend the title to the above-described premises. OWNER shall have the use of such right of way and easement except for any use which conflicts with the purposes for which this right of way and easement is granted; provided, however, OWNER shall not build or construct nor permit to be built or constructed any building or other improvement over or across said right of way and easement.

TO HAVE AND TO HOLD said right of way and easement unto said COMPANY, its successors and assigns, until such pipelines are constructed and so long thereafter as a pipeline is maintained thereon; and the undersigned hereby bind themselves, their heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

Executed this 24 day of March, 2001.

**COMPANY:**

**BEAR PAW ENERGY, LLC**

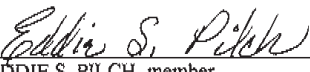
  
BY: Don H. Littleton, Agent

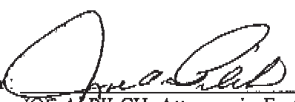
**OWNER:**


**PILCH RANCH, LLC**

BY: MARILYN PILCH WOLTER, member, appearing herein through JOE A. PILCH, her Attorney-in-Fact, under that Limited Power of Attorney dated February 26, 2001, and Recorded in Miscellaneous Book 22, Page 56, Instrument Number 368961, of the Records of Sheridan County, WY.

BY:   
JOE A. PILCH, member

BY:   
EDDIE S. PILCH, member

BY:   
JOE A. PILCH, Attorney-in-Fact  
For Marilyn Pilch Wolter, member

BY:   
Anna Pilch, Individually and as Trustee of the Anna Pilch Agreement of Trust dated July 23, 1985, member

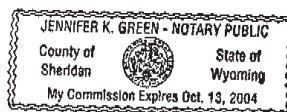
Notary Public

October 13, 2004



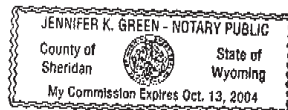
Jennifer K. Green  
Notary Public

October 13, 2024



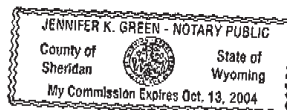
Jennifer K. Green  
Notary Public

October 13, 2024



Jennifer K. Brown  
Notary Public

October 13, 2004



Jennifer K. Green  
Notary Public

October 13, 2004

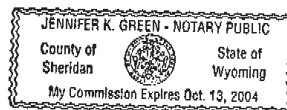


Exhibit "A"  
to  
Right of Way Agreement dated March 24, 2001  
between  
Pilhch Ranch, LLC and Bear Paw Energy, LLC

- Found monument set by others
- Total distance along  $\bar{C} = 213.7$
- Total rods along  $\bar{C} = 3525.28$
- Total area along  $\bar{C} = \frac{A.D. \text{ ACRES} \pm}{640}$
- Apparent recorded ownership: Pilch Ranch LLC



Prepared by William H. Smith & Assoc. P.C., Surveying Consultants, Green River, Wyoming

DATE: 10/05/2001  
BY: TLW  
Job no. 200019

## ASBUILT MAP

OF  
POD "A" GATHERING  
LINE A10

RIGHT OF WAY EASEMENT  
S 1/2 SECTION 35, T 58 N, R 83 W

Applicant:  
Bear Paw Energy, LLC,  
856 Corfeen Avenue  
Sheldon, WY 82801

I, MAYNARD JOHNSON, state that I am by occupation a registered land surveyor employed by Bear Paw Energy Inc., to make the survey of this right of way as shown on this map, and that the survey, said work was made by me and/or personnel under my direct supervision, and that such survey is, to the best of my knowledge and belief, accurately represented on this map.

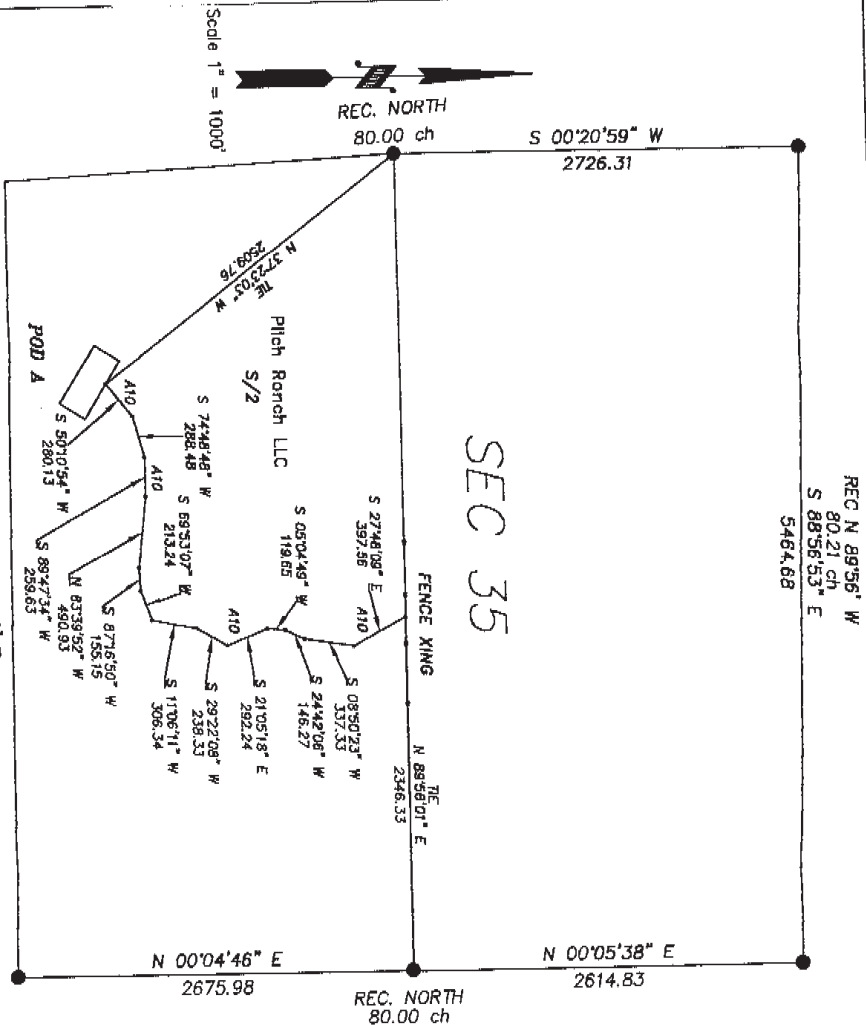
STATE OF WYOMING  
COUNTY OF NATRONA } SS

### SURVEYOR'S CERTIFICATE

Sold right of way is 3525.28 feet in length, 213.7 rods, and contains 4.0 Acres ±.  
Basis of bearing taken from grid azimuths using GPS observations. Based on NAD 1983 State Plane Coordinates, Wyoming East Central Zone.

A strip of land for the purpose of right of way located in Section 35, T 58 N, R 83 W of the South Principal Meridian, Sheridan County, Wyoming. Right of Way is 50 feet in width, 25 feet on either side of the following described centerline:  
Beginning at a point (Sta. 54+08.58) on the apparent property line between Fred E. and Shirley A. Trembly and Pilch Ranch LLC, from which the East 1/4 corner of Section 35 T58N, R83W, bears N89°56'01"E a distance of 2348.33 feet:

Thence: S27°46'09"E, 337.58 feet, to a point (Sta. 58+03.94);  
Thence: S89°50'25"W, 337.35 feet, to a point (Sta. 61+41.27);  
Thence: S24°42'04"W, 148.27 feet, to a point (Sta. 62+87.54);  
Thence: S05°04'49"W, 118.65 feet, to a point (Sta. 64+07.19);  
Thence: S21°05'14"E, 282.24 feet, to a point (Sta. 66+98.43);  
Thence: S39°22'08"W, 238.33 feet, to a point (Sta. 68+37.70);  
Thence: S11°06'11"W, 305.34 feet, to a point (Sta. 72+44.10);  
Thence: S89°53'07"W, 213.24 feet, to a point (Sta. 74+57.24);  
Thence: S87°18'50"W, 165.15 feet, to a point (Sta. 76+12.49);  
Thence: S83°39'52"W, 180.83 feet, to a point (Sta. 81+03.42);  
Thence: S83°49'54"W, 255.63 feet, to a point (Sta. 83+85.05);  
Thence: S74°48'48"W, 288.48 feet, to a point (Sta. 86+51.53);  
Thence: S50°10'54"W, 280.13 feet, to a point (Sta. 89+31.86), being the end of said centerline, from which the West 1/4 corner of Section 35, T58N, R83W, bears N17°23'03"W a distance of 2505.76 feet.



SEC 35

REC N 89°56' W  
80.21 ch  
S 88°56'53" E  
5464.68

REC. NORTH  
80.00 ch

N 00°05'38" E  
2614.83

N 00°04'46" E  
2675.98

REC. NORTH  
80.00 ch

FENCE XING

N 89°56'01" E  
2346.33

S 27°46'09" E  
337.58

S 08°04'49" W  
118.65

S 24°42'04" W  
148.27

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337.35

S 21°05'14" E  
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