

**RIGHT OF WAY AGREEMENT  
WATER PIPELINES**

KNOW ALL MEN BY THESE PRESENTS: that the undersigned (hereinafter referred to as "OWNER", whether one or more), for and in consideration of Ten and More Dollars (\$10.00+) in hand paid, the receipt of which is hereby acknowledge, does hereby grant, sell and convey unto Bear Paw Energy, LLC, 370 17<sup>th</sup> Street, Suite 2775, Denver, Colorado 80202-1370, 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 water pipeline(s) (with fittings and all appliances appurtenant thereto) for the transportation of water 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: SW

Township 57 North Range 83 West  
Section 02: NW

Section 03: ~~SW~~ NE, S2, S4  
APC

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, 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 QND 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 13 day of October, 2000.

OWNER:

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

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

COMPANY:

Bear Paw Energy, LLC

Don H. Littleton  
BY: Don H. Littleton, agent

## ACKNOWLEDGEMENT

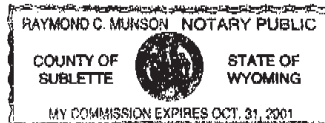
STATE OF WYOMING )  
                           ) ss.  
 COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 13 day of October, 2000 by Anna Pilch, Individually and as Trustee of the Anna Pilch Agreement of Trust, dated July 23, 1983

Witness my hand and official seal.

Raymond C. Munson  
 Notary Public

My commission expires: 10-31-2001



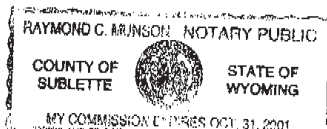
STATE OF WYOMING )  
                           ) ss.  
 COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 13 day of October, 2000 by Don H. Littleton, as agent for Bear Paw Energy LLC.

Witness my hand and official seal.

Raymond C. Munson  
 Notary Public

My commission expires: 10-31-2001



REC. N 89°56' W  
80.21 ch  
S 88°56'53" E  
5464.69

Legal Description Attached

S 00°20'59" W  
2726.31

S 00°05'38" W  
2614.83

REC. NORTH  
80.00 ch

REC. NORTH  
80.00 ch

SEC 35

Scale 1" = 1000'

STATE OF WYOMING  
COUNTY OF NATRONA

SURVEYOR'S CERTIFICATE

Basis of bearing taken from Grid azimuths using GPS observations. Based on NAD 1983 State Plane Coordinates, Wyoming East Central Zone.

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 of said works was made by me and/or personnel under my direct supervision, and that such survey is accurately represented on this map.

ASBUILT MAP

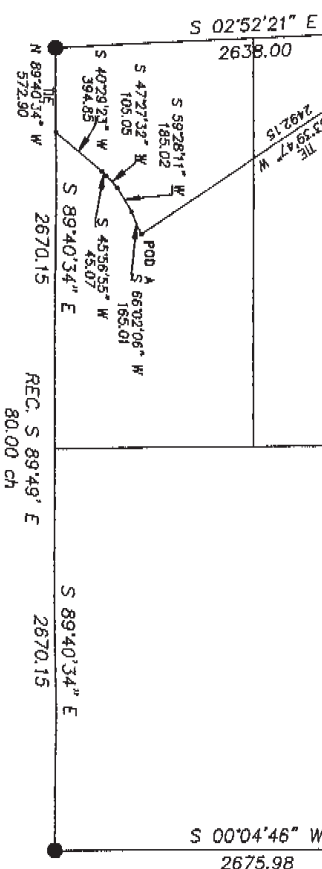
OF  
POD "A" to 10 ACRE  
20" Steel Trunkline  
RIGHT OF WAY EASEMENT  
SECTION 35, T 58 N, R 83 W

applicant:  
Bear Paw Energy, LLC,  
856 Coffeen Avenue  
Sheldon, WY 82801



● Found monument  
Total distance along  $\zeta$  = 895.00  
Total rods along  $\zeta$  = 54.2  
Total area along  $\zeta$  = 1.03 ACRES ±  
Apparent recorded ownership: Anna Plich

SECTION 35  
T58N-R83W  
6th P.M., WYOMING



LEGAL DESCRIPTION  
TO ACCOMPANY MAP OF  
POD "A" TO 10 ACRE  
20" STEEL TRUNKLINE  
RIGHT-OF-WAY EASEMENT  
SECTION 35, T 58 N, R 83 W

A strip of land for the purpose of right of way located in Section 35, T 58 N, R 83 W of the Sixth 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. 0+00.00) being the point of beginning, from which the West 1/4 corner of Section 35 T58N, R83W bears N33°39'47"W, a distance of 2492.15 feet:

thence: S66°02'06"W, along said pipeline centerline 165.01 feet, to a point(Sta. 1+65.01):

thence: S59°28'11"W, along said pipeline centerline 185.02 feet, to a point(Sta. 3+50.03):

thence: S47°27'32"W, along said pipeline centerline 105.05 feet, to a point(Sta. 4+55.08):

thence: S45°56'55"W, along said pipeline centerline 45.07 feet, to a point(Sta. 5+00.15):

thence: S40°29'23"W, along said pipeline centerline 394.85 feet, to a point(Sta. 8+95.00), on the South line of Section 35 T58N, R83W, from which the Southwest corner of Section 35 bears N89°40'34"W a distance of 572.90 feet.

Said right of way is 895.00 feet in length, or 54.2 rods, and contains 1.03 acres ±.

Basis of bearing taken from Grid azimuths using GPS observation. Based on NAD 1983 State Plane Coordinates, Wyoming East Central Zone.

## ASBUILT

LEGAL DESCRIPTION  
TO ACCOMPANY MAP OF  
POD "A" TO 10 ACRE  
20" STEEL TRUNKLINE  
RIGHT OF WAY EASEMENT  
SECTION 35, T 58 N, R 83 W

applicant:  
Bear Paw Energy, LLC.  
856 Coffeen Avenue  
Sheridan, WY 82801

Scale 1" = 1000'

REC. S 00°06' W  
79.92 CH  
S 00°10'42" E

5293.98

Anna Plich

TIE  
N 89°40'34" W  
572.90  
S 89°40'34" E  
2670.15  
S 40°29'33" W  
413.82  
S 78°1'43" W  
181.04  
S 35°08'48" W  
208.03

REC. S 89°49' E  
80.00 ch

S 89°40'34" E  
2670.15

N 00°27'06" E  
5381.69  
REC. S00°02'E  
80.27 ch

SEC 2

● Found monument  
Total distance along C = 808.99  
Total rods along C = 49.0  
Total area along C = 0.93 ACRES ±  
Apparent recorded ownership: Anna Plich

5282.63  
REC. N 89°45' W  
80.27 ch  
SECTION 9  
T57N-R83W  
6th P.M., WYOMING

Legal Description Attached

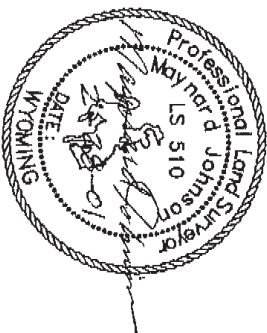
Basis of bearing taken from Grid azimuths using GPS observations.  
Based on NAD 1983 State Plane Coordinates, Wyoming East Central Zone.

STATE OF WYOMING  
COUNTY OF NATRONA

} SS

SURVEYOR'S CERTIFICATE

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 of said works was made by me and/or personnel under my direct supervision, and that such survey is accurately represented on this map.



ASBUILT MAP

OF  
POD "A" to 10 ACRE  
20" Steel Trunkline  
RIGHT OF WAY EASEMENT  
SECTION 2, T 57 N, R 83 W  
applicant:  
Bear Paw Energy, LLC.  
856 Coffeen Avenue  
Sheldon, WY 82801

Sheet 1 of 2

Prepared by William H. Smith & Assoc. P.C., Surveying Consultants, Green River, Wyoming  
~SEAL~ Date: 2/28/2001 By: ILW Job no: 200019

LEGAL DESCRIPTION  
TO ACCOMPANY MAP OF  
POD "A" TO 10 ACRE  
20" STEEL TRUNKLINE  
RIGHT-OF-WAY EASEMENT  
SECTION 2, T 57 N, R 83 W

A strip of land for the purpose of right of way located in Section 2, T 57 N, R 83 W of the Sixth 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. 8+95.00) on the North line of Section 2 T57N, R83W, from which the Northwest corner of Section 2 T57N, R83W bears N89°40'34"W, a distance of 572.90 feet:

thence: S40°29'23"W, along said pipeline centerline 419.92 feet, to a point(Sta. 13+14.92):

thence: S76°11'43"W, along said pipeline centerline 181.04 feet, to a point(Sta. 14+95.96):

thence: S36°09'48"W, along said pipeline centerline 208.03 feet, to a point(Sta. 17+03.99), on the West line of Section 2 T57N, R83W, from which the Northwest corner of Section 2 bears N00°10'42"W a distance of 533.75 feet.

Said right of way is 808.99 feet in length, or 49.0 rods, and contains 0.93 acres ±.

Basis of bearing taken from Grid azimuths using GPS observation. Based on NAD 1983 State Plane Coordinates, Wyoming East Central Zone.

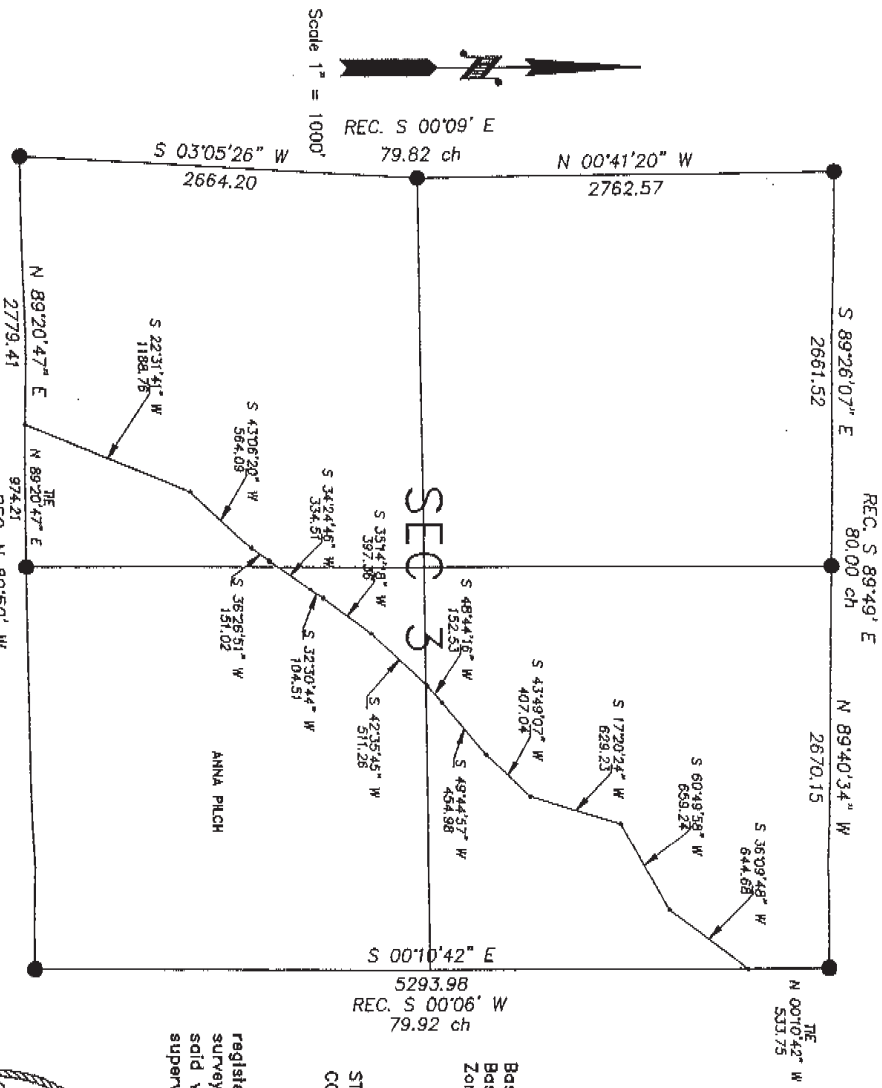
ASBUILT

LEGAL DESCRIPTION  
TO ACCOMPANY MAP OF  
POD "A" TO 10 ACRE  
20" STEEL TRUNKLINE  
RIGHT OF WAY EASEMENT  
SECTION 2, T 57 N, R 83 W

applicant:  
Bear Paw Energy, LLC.  
856 Coffeen Avenue  
Sheridan, WY 82801

● Found monument  
 Total distance along  $\frac{1}{4}$  = 6199.21  
 Total rods along  $\frac{1}{4}$  = 375.7  
 Total area along  $\frac{1}{4}$  = 7.11 ACRES ±  
 Apparent recorded ownership: Anna Pilch

SECTION 3  
 157N-R83W  
 6th P.M., WYOMING



Scale 1" = 1000'

REC. S 00°09' E  
 79.82 ch

Legal Description Attached

Basis of bearing taken from Grid azimuths using GPS observations.  
 Based on NAD 1983 State Plane Coordinates, Wyoming East Central Zone.

STATE OF WYOMING }  
 COUNTY OF NATRONA } SS  
 SURVEYOR'S CERTIFICATE

I, MATYARD 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 of said works was made by me and/or personnel under my direct supervision, and that such survey is accurately represented on this map.



ASBUILT MAP  
 OF  
 POD "A" to 10 ACRE  
 20" Steel Trunkline  
 RIGHT OF WAY EASEMENT  
 SECTION 3, T 57 N, R 83 W  
 Applicant:  
 Bear Paw Energy, LLC,  
 856 Coffeen Avenue  
 Sheldon, WY 82801

LEGAL DESCRIPTION  
TO ACCOMPANY MAP OF  
POD "A" TO 10 ACRE  
20" STEEL TRUNKLINE  
RIGHT-OF-WAY EASEMENT  
SECTION 3, T 57 N, R 83 W

A strip of land for the purpose of right of way located in Section 3, T 57 N, R 83 W of the Sixth 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. 17+03.99) on the East line of Section 3 T57N, R83W, from which the Northeast corner of Section 3 T57N, R83W bears N00°10'42"W, a distance of 533.75 feet:

thence: S36°09'48"W, along said pipeline centerline 644.68 feet, to a point(Sta. 23+48.67):

thence: S60°49'58"W, along said pipeline centerline 659.24 feet, to a point(Sta. 30+07.91):

thence: S17°20'24"W, along said pipeline centerline 629.23 feet, to a point(Sta. 36+37.14):

thence: S43°49'07"W, along said pipeline centerline 407.04 feet, to a point(Sta. 40+44.18):

thence: S49°44'57"W, along said pipeline centerline 454.98 feet, to a point(Sta. 44+99.16):

thence: S48°44'16"W, along said pipeline centerline 152.53 feet, to a point(Sta. 46+51.69):

thence: S42°35'45"W, along said pipeline centerline 511.26 feet, to a point(Sta. 51+62.95):

thence: S35°14'18"W, along said pipeline centerline 397.36 feet, to a point(Sta. 55+60.31):

thence: S32°30'44"W, along said pipeline centerline 104.51 feet, to a point(Sta. 56+64.82):

thence: S34°24'46"W, along said pipeline centerline 334.51 feet, to a point(Sta. 59+99.33):

thence: S36°26'51"W, along said pipeline centerline 151.02 feet, to a point(Sta. 61+50.35):

thence: S43°06'20"W, along said pipeline centerline 564.09 feet, to a point(Sta. 67+14.44):

thence: S22°31'41"W, along said pipeline centerline 1188.76 feet, to a point(Sta. 79+03.20), on the South line of Section 3 T57N, R83W, from which the South 1/4 corner Section 3 T57N, R83W, bears N89°20'47"E, a distance of 974.21 feet.

Said right of way is 6199.21 feet in length, or 375.7 rods, and contains 7.11 acres ±.

Basis of bearing taken from Grid azimuths using GPS observation. Based on NAD 1983 State Plane Coordinates, Wyoming East Central Zone.

## ASBUILT

LEGAL DESCRIPTION  
TO ACCOMPANY MAP OF  
POD "A" TO 10 ACRE  
20" STEEL TRUNKLINE  
RIGHT OF WAY EASEMENT  
SECTION 3, T 57 N, R 83 W

applicant:  
Bear Paw Energy, LLC.  
856 Coffeen Avenue  
Sheridan, WY 82801