

Kinder Morgan CO2 CO LP, HE 6 Pad, Tract 38 Sec 1 T37N R19W, Montezuma County, Form 15#400254793 Pit Permit Conditions of Approval, Associated Form 2A#400224194.

COA 90 - Notify COGCC Oil and Gas Location Assessment (OGLA) Specialist for Western Colorado (Dave Kubeczko; email dave.kubeczko@state.co.us), the COGCC Environmental Protection Specialist for Southwest Colorado (Karen Spray; email karen.spray@state.co.us), and the COGCC Field Inspection Supervisor for Southern Colorado (Mike Leonard; email mike.leonard@state.co.us) 48 hours prior to start of construction of the pit, as well as 48 hours prior to pit liner installation.

COA 12 - Any pit constructed to hold salt based fluids and/or cuttings must be lined.

COA 11 - All cuttings generated during drilling with high chloride/salt based muds must be kept in the lined drilling pit, or placed either in containers or on a lined/bermed portion of the well pad prior to offsite disposal. The moisture content of any drill cuttings in a cuttings pit, trench, or pile shall be as low as practicable to prevent accumulation of liquids greater than de minimis amounts.

COA 5 - Operator must implement best management practices to contain any unintentional release of fluids, including any fluids conveyed via buried or temporary surface pipelines.

COA 39 - If the pit location on the pad changes from the original Construction Layout Drawings, revised drawings must be submitted via a Form 4 Sundry. If the new pit location requires the slopes to be placed partially or completely in fill, then the pit and fill slope must be designed and certified by a professional engineer, subject to review and approval by the COGCC director prior to construction of the pit. The construction and lining of the pit shall be supervised by a professional engineer or their agent. The entire base of the pit must be in cut.

COA 49 - The pit must be fenced and netted. The operator must maintain the fencing and netting until the pit is closed.

COA 27 - Submit additional disposal facilities (wells, pits, etc.), if necessary (i.e., if original disposal option changes), for pit liquid contents to COGCC via a Form 4 Sundry prior to disposal.

COA 28 - Pits used for salt based fluids and/or cuttings shall be closed in accordance with an approved Site Investigation and Remediation Workplan, Form 27.

COA 91 - At the time of pit closure, operator must submit disposal information for solids, if necessary, via a Form 4 Sundry Notice to the COGCC Location Specialist for Western Colorado (Dave Kubeczko; email dave.kubeczko@state.co.us). The disposal method will need to be approved prior to operator starting pit closure.