

## **MEMORANDUM OF CARBON DIOXIDE STORAGE AGREEMENT**

**STATE OF COLORADO** §

**KNOW ALL MEN BY THESE PRESENTS:**

**COUNTY OF WELD** §

THIS MEMORANDUM OF CARBON DIOXIDE STORAGE AGREEMENT relates to that certain unrecorded Pore Lease Agreement, effective August 12<sup>th</sup> 2024, by and between **Joan D. Novak and Andrew John Novak**, husband and wife, whose mailing address is 47000 County Road 77, Englewood, CO 80611-9407, (hereinafter referred to as "Grantor"), successors and assigns, and **CapturePoint Solutions LLC**, a Delaware limited liability company, and its successors and assigns (hereinafter referred to as the "Grantee"), with an address of 1101 Central Expressway South, Suite 150, Allen, Texas 75013, (the "Agreement").

### **WITNESSETH:**

1. Pursuant to the Agreement, Grantor's have granted to Grantee a Carbon Dioxide Storage Agreement (the carbon dioxide storage right which is conveyed hereunder shall be referred to as the "Agreement") covering the property being more particularly described on EXHIBIT "A", attached hereto, and made a part hereof, located in Weld County, Colorado, as ("Grantor's Property").
2. The Agreement provides for an initial term of one (1) year (the "Initial Study Period"), followed by a primary term of three (3) years with an option to extend for an additional two (2) years (together the "Permit Approval Period"), the continuing for so long as Grantee continues Storage Facility Operations, followed by a Post Operations Term as required by Grantee's permit or applicable regulations.
3. The Agreement permits Grantee to conduct drilling operations on, across and under Grantor's Property, including storage of Carbon Dioxide, as part of a pool of adjacent and neighboring tracts or properties comprising a common reservoir and storage facility as designated, approved, or permitted (a "Storage Facility"). Any operations on any tract constituting part of said pool, common reservoir, or Storage Facility shall constitute operations on Grantor's Property. Grantee may file in the public records or obtain further orders approving, pooling, or unitizing Grantor's Property as part of a common reservoir or Storage Facility for the injection, storage, withdrawal, and sequestration of Carbon Dioxide. Grantor agrees to consent to, and not oppose, any application by Grantee for permits and orders to designate, approve, and authorize the pooling of or designation of a common Carbon Dioxide storage reservoir, to approve the Storage Facility, and to grant approval to construct and operate the Storage Facility.
4. Both Grantor and Grantee have a fully executed copy of the Agreement containing other terms and provisions not herein set forth but incorporated by reference herein for all purposes. This Memorandum is executed for the purposes of placing all parties dealing with the lands herein above described, or with the improvements constructed on said lands, on notice of the existence of the referenced Agreement and, where appropriate, its contents.

Executed this 12<sup>th</sup> day of August 2024.

**GRANTOR:**

By: Joan D. Novak  
Joan D. Novak  
By: Andrew John Novak  
Andrew John Novak

State of Colorado  
County of Weld

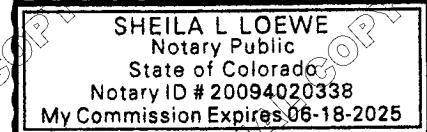
This record was acknowledged before me on July 22, 2024,  
by Joan D. Novak and Andrew John Novak.

Sheila L Loewe

(Seal)

Signature of Notarial Officer

My Commission expires: June 18, 2025



GRANTEE:

CapturePoint Solutions LLC

By: 

Print Name: Forrest Hudson

Title: Chief Land & Legal Officer

State of Texas

County of Collin

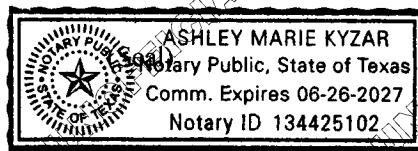
This record was acknowledged before me on July 25<sup>th</sup>, 2024,  
by Forrest Hudson of

CapturePoint Solutions LLC.



Signature of Notarial Officer

My Commission expires: 6/26/2027



**EXHIBIT "A"**

**TRACT 1:** That certain tract or parcel of land containing **282.0280 GIS acres**, more or less, described as 6273, being the E/2, Less the NW/4 of NE/4 of Section 17 T8N-R62W, Weld County, Colorado, EXC OGML (4R). Said tract being further described in that certain Joint Tenancy Warranty Deed, recorded July 2, 1986, in Book 1118, Page 1069, as Document Number 02059437, from James L. Marvin to Joan Novak and Andrew John Novak, Weld County Clerk and Recorder, Colorado.

**TRACT 2:** That certain tract or parcel of land containing **40.1153 GIS acres**, more or less, described as 6252, being the SE/4 of SE/4 of Section 8 T8N-R62W, Weld County, Colorado, EXC OGML (4R). Said tract being further described in that certain Joint Tenancy Warranty Deed, recorded July 2, 1986, in Book 1118, Page 1069, as Document Number 02059437, from James L. Marvin to Joan Novak and Andrew John Novak, Weld County Clerk and Recorder, Colorado.

**TRACT 3:** That certain tract or parcel of land containing **319.7100 GIS acres**, more or less, described as 6255, being the W/2 of Section 9 T8N-R62W, Weld County, Colorado, EXC OGML (6R). Said tract being further described in that certain Joint Tenancy Warranty Deed, recorded July 2, 1986, in Book 1118, Page 1069, as Document Number 02059437, from James L. Marvin to Joan Novak and Andrew John Novak, Weld County Clerk and Recorder, Colorado.

**TRACT 4:** That certain tract or parcel of land containing **265.0026 GIS acres**, more or less, described as 6244, being the N/2 of NE/4; and the SW/4 of NE/4; and the SE/4 of NW/4; and the E/2 of SW/4; and the SW/4 of SW/4 of Section 4 T8N-R62W, Weld County, Colorado, EXC OGML (1R1S). Said tract being further described in that certain Joint Tenancy Warranty Deed, recorded July 2, 1986, in Book 1118, Page 1069, as Document Number 02059437, from James L. Marvin to Joan Novak and Andrew John Novak, Weld County Clerk and Recorder, Colorado.

**TRACT 5:** That certain tract or parcel of land containing **305.7952 GIS acres**, more or less, described as 6243, being the W/2 of Section 3 T8N-R62W, Weld County, Colorado, EXC OGML (1R1S). Said tract being further described in that certain Joint Tenancy Warranty Deed, recorded July 2, 1986, in Book 1118, Page 1069, as Document Number 02059437, from James L. Marvin to Joan Novak and Andrew John Novak, Weld County Clerk and Recorder, Colorado.

**TRACT 6:** That certain tract or parcel of land containing **160.4409 GIS acres**, more or less, described as 6258, being the NW/4 of Section 10 T8N-R62W, Weld County, Colorado, EXC OGML (1R1S). Said tract being further described in that certain Joint Tenancy Warranty Deed, recorded July 2, 1986, in Book 1118, Page 1069, as Document Number 02059437, from James L. Marvin to Joan Novak and Andrew John Novak, Weld County Clerk and Recorder, Colorado.

The above Tracts 1-6 contain a combined total of **1,373.09 acres**, more or less, in Weld County, CO.

**AFTER RECORDING RETURN TO:**

CapturePoint Solutions LLC  
1101 Central Expressway South, Suite 150  
Allen, Texas 75013