

EASEMENT FOR WATER PIPELINE

STATE OF TEXAS

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COUNTY OF BOSQUE

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FOR AND IN CONSIDERATION OF the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, FRED T. OWEN, JR., of the County of Bosque, State of Texas (AGrantor@), has GRANTED, SOLD, CONVEYED and DELIVERED, and by these presents does hereby GRANT, SELL, CONVEY and DELIVER unto OLEY F. HEDRICK, JR. and Rachel O. Hedrick, as Trustees of the Oley F. and Rachel O. Hedrick Living Trust dated December 28, 1989, and as subsequently amended, or to any successor Trustee or Trustees thereto, located at P. O. Box 463, Midland, Texas 79702-0463, of Midland County, Texas and to SPIRE PETROLEUM CORPORATION, a Texas corporation located at 10709 Marsh Lane, Houston, Texas 77024, of Harris County, Texas, (collectively, AGrantees@), an exclusive and permanent easement for a pipeline for the transportation of water, which easement is fifteen (15) feet in width, or seven and one-half (7.5) feet on either side of a centerline, the course of which is more particularly described on the attached Exhibit A, which includes a metes and bounds description thereof as well as a plat of the same, both of which are made a part hereof for all purposes (the@Easement@), and which Easement lies over and across the following described lands located in Bosque County, Texas, to-wit (the ALands@):

FIRST. 17.849 acres of land, more or less, located in the Gertrudis Cherino Survey, Abstract No. 119, which tract of 17.849 acres is described in that certain Partition Deed to Fred T. Owen, Jr., which is recorded in Volume 266, page 957, Deed Records, Bosque County, Texas, and being a part of the tract described in a Deed from Myra Baker, et al, to Nena Greenwade Owen, dated February 20, 1915, and recorded in Volume 72, page 59, Deed Records, Bosque County, Texas;

317.94

SECOND. 325.96 acres of land, more or less, described in that certain Deed dated January 22, 1975, from Charles Owen, et al, to Fred T. Owen, Jr., which is recorded in Volume 230, page 958, Deed Records, Bosque County, Texas; and

356.23

THIRD. The remainder of a 356.23 acre tract of land described in a deed dated January 23, 1976, from Charles H. Owen to Dennis Owen recorded in Volume 235, page 72, Deed Records, Bosque County, Texas, and a quitclaim deed dated October 22, 1981, from Dennis Owen, et al, to Charles Owen, recorded in Volume 267, page 553, and Volume 264, page 855, Deed Records, Bosque County, Texas.

The Easement shall be deemed to include the right to install such pumps and power facilities for the operation thereof as may be reasonably necessary in order to operate a pipeline for the transportation of water over the Lands, and Grantee shall be entitled to enter upon the Lands in order to gain access to the Easement for such maintenance and repairs thereon as may be needed from time to time.

TO HAVE AND TO HOLD the Easement, together with all rights and privileges thereunder pertaining and otherwise belonging unto Grantees and to Grantees= successors and assigns forever, and Grantor does hereby bind Grantor, and Grantor=s personal representatives, heirs, successors and assigns to warrant and forever defend all and singular the Easement, together with all rights pertaining thereto, unto Grantees and Grantee=s successors and assigns, against every person whomsoever lawfully claiming or to claim the same of any part thereof; provided, however, that Grantor, and Grantor=s successors and assigns shall have the right to cross over the Easement via roads on the Lands, and to build roads which cross over the Easement, without notice to or compensation of Grantee; provided, however, that in the event that Grantor, or Grantor=s heirs, successors or assigns damage or cause damage to any pipeline of Grantees, Grantor shall, upon demand, pay damages to Grantees caused by such damage or make all necessary repairs to restore the pipeline to its status before any damage thereto.

Notwithstanding any of the foregoing, in the event that Grantees, their successors or assigns cease to operate a pipeline for the transportation of water as provided by this Easement for a period of ten consecutive years, such Easement shall expire and revert to Grantor, their successors or assigns.

IN WITNESS WHEREOF, this Easement for Water Pipeline has been executed this 28 day of DEC, 2001.

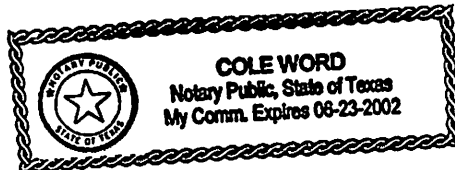
GRANTOR:

Fred T. Owen, Jr.
Fred T. Owen, Jr.

STATE OF TEXAS

COUNTY OF BOSQUE

This instrument was acknowledged before me on the 28 day of DEC, 2001, by Fred T. Owen, Jr.



Cole Word
Notary Public in and for the State of TEXAS

DAVID LANE SURVEYING

REGISTERED PROFESSIONAL LAND SURVEYOR

RRT.1 BOX 525 254-796-4084 HICO, TEXAS 76457

LEGAL DESCRIPTION

STATE OF TEXAS:

COUNTY OF BOSQUE:

15 FOOT WATER LINE EASEMENT:

BEGINNING AT A WATER WELL LOCATED IN A 0.70 ACRE TRACT OUT OF A 17.849 ACRE TRACT OUT OF THE GERTRUDIS CHERINO SURVEY ABSTRACT NO. 119 IN BOSQUE COUNTY, TEXAS, SAID 17.849 ACRE TRACT DESCRIBED IN A PARTITION DEED TO FRED T. OWEN, JR. IN VOLUME 266, PAGE 957 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS, BEING PART OF A TRACT DESCRIBED IN A DEED FROM MYRA BAKER ET AL TO NENA GREENWADE OWEN, DATED FEBRUARY 20, 1915 AND RECORDED IN VOL. 72, PAGE 59 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS:

BEING 7.5' EITHER SIDE OF CENTERLINE AS FOLLOWS: N 68 DEG. 19' 00'' W, 59.75', AND N 25 DEG. 31' 52'' W, 28.00' TO THE INTERSECTION OF THE NORTH LINE OF SAID 0.70 ACRE TRACT, FROM WHICH THE NE CORNER OF SAID 17.849 ACRE TRACT BEARS N 66 DEG. 53' 50'' E, 43.17', S 57 DEG. 03' 03'' E, 100.50', S 47 DEG. 09' 14'' E, 100.12', AND N 27 DEG. 24' 26'' E, 220.13';

THENCE S 72 DEG. 30' 15'' W, 379.30' TO THE INTERSECTION OF THE WEST LINE OF SAID 17.849 ACRE TRACT, BEING THE EAST LINE OF A 325.96 ACRE TRACT DESCRIBED IN A DEED FROM CHARLES OWEN ET AL TO FRED T. OWEN, JR. DATED JANUARY 22, 1975 AND RECORDED IN VOLUME 230, PAGE 958 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS, FROM WHICH AN IRON ROD FOUND AT A BEND IN SAID 17.849 ACRE TRACT BEARS S 23 DEG. 03' 11'' E, 19.83';

THENCE ACROSS SAID 325.96 ACRE TRACT AS FOLLOWS: S 70 DEG. 40' 31'' W, 451.23', S 84 DEG. 25' 39'' W, 253.42', S 77 DEG. 23' 38'' W, 186.73', S 68 DEG. 09' 26'' W, 298.26', S 68 DEG. 32' 16'' W, 356.35', S 53 DEG. 53' 13'' W, 168.09', S 48 DEG. 25' 57'' W, 422.81', S 42 DEG. 38' 44'' W, 296.79' TO A "T" IN SAID WATER LINE, AT WHICH POINT SAID WATER LINE RUNS GENERALLY NORTH AND SOUTH:

THE NORTHERLY LINE IS AS FOLLOWS: N 52 DEG. 35' 07'' W, 194.83' TO THE INTERSECTION OF THE NORTH LINE OF SAID 325.96 ACRE TRACT, AND THE SOUTH LINE OF THE REMAINDER OF A 356.23 ACRE TRACT DESCRIBED IN A DEED FROM CHARLES H. OWEN TO DENNIS OWEN DATED JANUARY 23, 1976 AND RECORDED IN VOLUME 235, PAGE 72 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS AND A QUIT CLAIM DEED FROM DENNIS OWEN ET AL TO CHARLES OWEN DATED OCTOBER 22, 1981 AND RECORDED IN VOLUME 267, PAGE 553 AND VOLUME 264, PAGE 855 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS, FROM WHICH AN IRON ROD FOUND AT THE NW CORNER OF SAID 325.96 ACRE TRACT BEARS S 59 DEG. 54' 59'' W, 13.81', BEING THE SE CORNER OF A 231.04 ACRE TRACT DESCRIBED IN A DEED FROM CHARLES H. OWEN ET AL TO RACHEL HEDRICK ET VIR DATED APRIL 23, 1982 AND RECORDED IN VOLUME 270, PAGE 268 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS, ALSO BEING THE NE CORNER OF A 394.23 ACRE TRACT DESCRIBED IN A DEED FROM FRED T. OWEN, JR. TO RACHEL HEDRICK DATED JANUARY 22, 1975 AND RECORDED IN VOLUME 230, PAGE 966 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS, ALSO DESCRIBED IN VOLUME 449, PAGE 367 OF THE DEED RECORDS OF BOSQUE COUNTY, TEXAS;

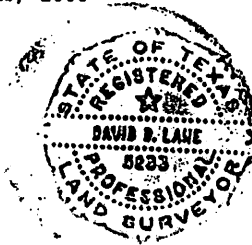
THENCE CROSSING INTO SAID REMAINDER OF 356.23 ACRE TRACT, N 35 DEG. 01' 04'' W, 72.63' AND S 61 DEG. 38' 53'' W, 36.16' TO THE INTERSECTION OF THE EAST LINE OF SAID 231.04 ACRE TRACT, FROM WHICH AN IRON ROD FOUND AT THE SE CORNER OF SAID 231.04 ACRE TRACT BEARS S 51 DEG. 20' 57'' E, 78.82' FOR THE END OF SAID NORTHERN EASEMENT;

THE SOUTHERLY LINE IS AS FOLLOWS: S 49 DEG. 14' 57'' E, 179.28', S 20 DEG. 28' 40'' E, 752.17', S 20 DEG. 14' 08'' E, 731.12', N 85 DEG. 47' 46'' E, 296.91', S 02 DEG. 53' 55'' E, 300.60', S 01 DEG. 05' 04'' W, 202.44', AND S 73 DEG. 22' 25'' W, 150.20' TO THE INTERSECTION OF THE WEST LINE OF SAID 325.96 ACRE TRACT AND THE EAST LINE OF SAID 394.23 ACRE TRACT, FOR THE END OF THIS EASEMENT.

I, DAVID LANE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT REPRESENT A SURVEY MADE ON THE GROUND.

REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 5233

DATED THIS THE 18TH DAY OF MAY, 2000



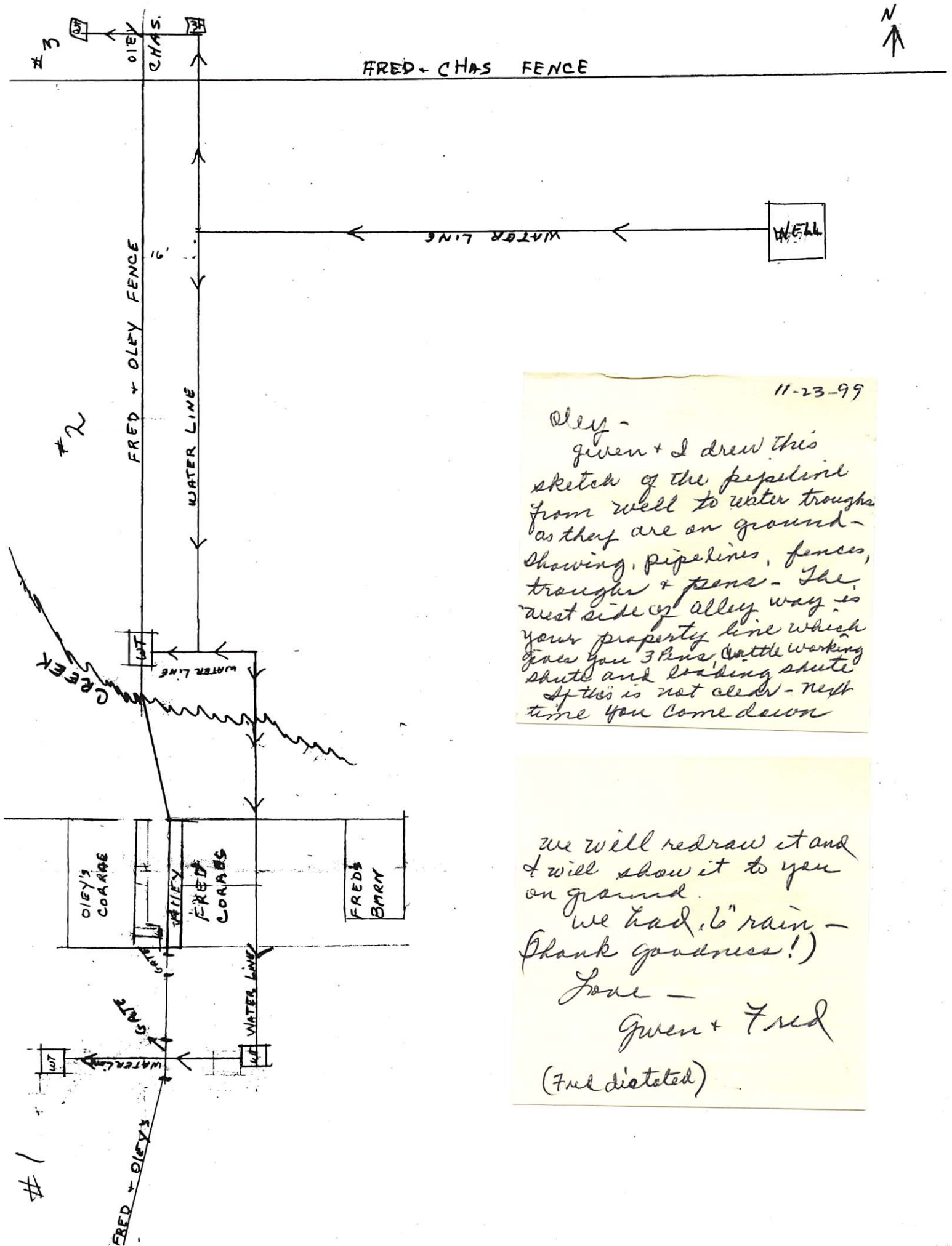
CLERK'S NOTICE: ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE, IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

FILED

STATE OF TEXAS
COUNTY OF BOSQUE

04726-01

AT 11:30 O'CLOCK A MI hereby certify that this instrument was FILED on the date
and at the time stamped hereon by me and was duly
RECORDED in the 072
Records of Bosque County, Texas.A.D., 20 01.Brigitte Bronstad
Brigitte Bronstad
COUNTY CLERK, BOSQUE CO., TEXASBrigitte Bronstad
County Clerk, Bosque County, TexasVOL. 494 PAGE 790BY Ruth Nelson
DEPUTYRECORDED 12-28-01



11-23-99

Oley -
 Given + I drew this
 sketch of the pipeline
 from well to water troughs
 as they are on ground -
 showing pipelines, fences,
 troughs + pens - The
 west side of alley way is
 your property line which
 gives you 3 pens cattle working
 chute and loading chute
 If this is not clear - next
 time you come down

we will redraw it and
 I will show it to you
 on ground.

we had 6" rain -
 (Thank goodness!)

Love -

Given + Fred

(Fred dictated)

