

STATE OF ILLINOIS)
)
COUNTY OF COOK) SS:

DECLARATION OF KARL LEINBERGER

Karl Leinberger, being first duly sworn on oath, states that he has personal knowledge of the information contained in this declaration, and if called as witness, he could competently testify as follows:

1. I am over the age of 18 and not under any legal disability.
2. I am currently a co-trustee for the Andrew H. Leinberger Family Trust (“Trust”). I grew up on the Trust’s farm and am familiar with the land owned by the Trust. I am also familiar with land located near the Trust’s farm that is owned by William and Sharon Critchelow (collectively, the “Critchelows”).
3. The Trust and other members of the Leinberger family own approximately 1,285 acres (collectively, “Leinberger Property”). The entirety of the Leinberger Property is located within the Area of Review for FutureGen Industrial Alliance, Inc.’s (“FutureGen”) draft permit.
4. Attached hereto as **Exhibit A** is a true and accurate print-out of Figure 12 from page B37 of the draft permit for FutureGen. On this print-out is a true and accurate demarcation of Leinberger Property and the property owned by the Critchelows.
5. FutureGen does not currently have any rights to access, use, invade or affect the subsurface pore-space in the Mt. Simon Sandstone formation for the Leinberger Property. On information and belief, FutureGen does not currently have any rights to access, use, invade or affect the subsurface pore-space in the Mt. Simon Sandstone formation for the Critchelows’ property.

Oil and Gas Wells

6. The draft permit for FutureGen's project identifies only one oil/gas well located on Leinberger Property that is properly identified. This oil/gas well is identified as Map ID Number 118. The oil/gas wells identified as Map Id Numbers 116 and 119 appear to be located on Leinberger Property, but are misidentified in Table 9 on page B35 of the draft permit as belonging to other owners.

7. There are 17 non-producing oil/gas wells located on Leinberger Property that are reflected in the Illinois State Geological Survey ("ISGS") database, but are not reflected in FutureGen's draft permit in Table 9 or Figure 12 on pages B33-B37. Attached hereto as **Exhibit B** is a true and accurate printout of oil/gas wells located on Leinberger Property and vicinity that were recorded with the ISGS (<http://isgs.illinois.edu/iloil>), as well as a true and accurate demarcation of Leinberger Property boundaries.

8. There are two non-producing natural gas wells located on Leinberger Property that are not reflected in the draft permit nor in the ISGS database. One old natural gas well is located within 0.3 miles of FutureGen's projected carbon dioxide plume. The second old natural gas well is approximately 0.7 miles from the projected plume. Both of these wells are identified on the map attached hereto as **Exhibit B** as "1" and "2".

Water Wells

9. The draft permit for FutureGen's project identifies only one water well located on Leinberger Property. This water well is identified as Map ID Number 58 in Table 9 on page B34.

10. There are two other water wells located on Leinberger Property. Neither of those two water wells is identified in the draft permit for FutureGen. Both of these wells are identified

on the map attached hereto as **Exhibit B** as “A” and “B”.

11. On information and belief, there are two water wells located on land owned by William and Sharon Critchelow, and both are located within one-tenth of a mile of the projected carbon dioxide plume in connection with FutureGen’s draft permit. On information and belief, William and Sharon Critchelow use one of those water wells for laundry and drinking.

Under penalties as provided by law pursuant to 28 U.S.C. § 1746, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Dated: May 14, 2014



KARL LEINBERGER

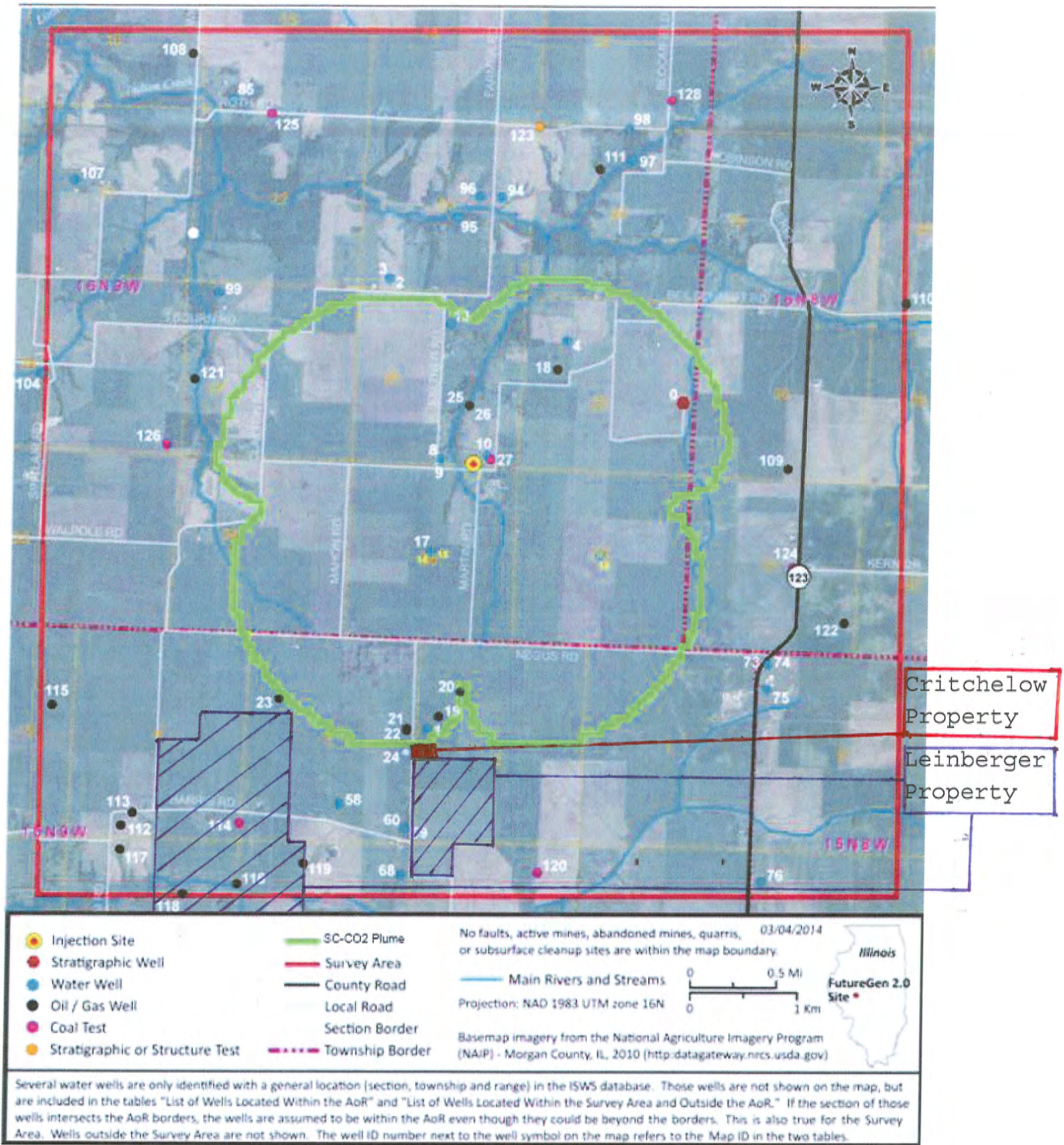
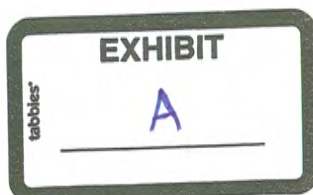
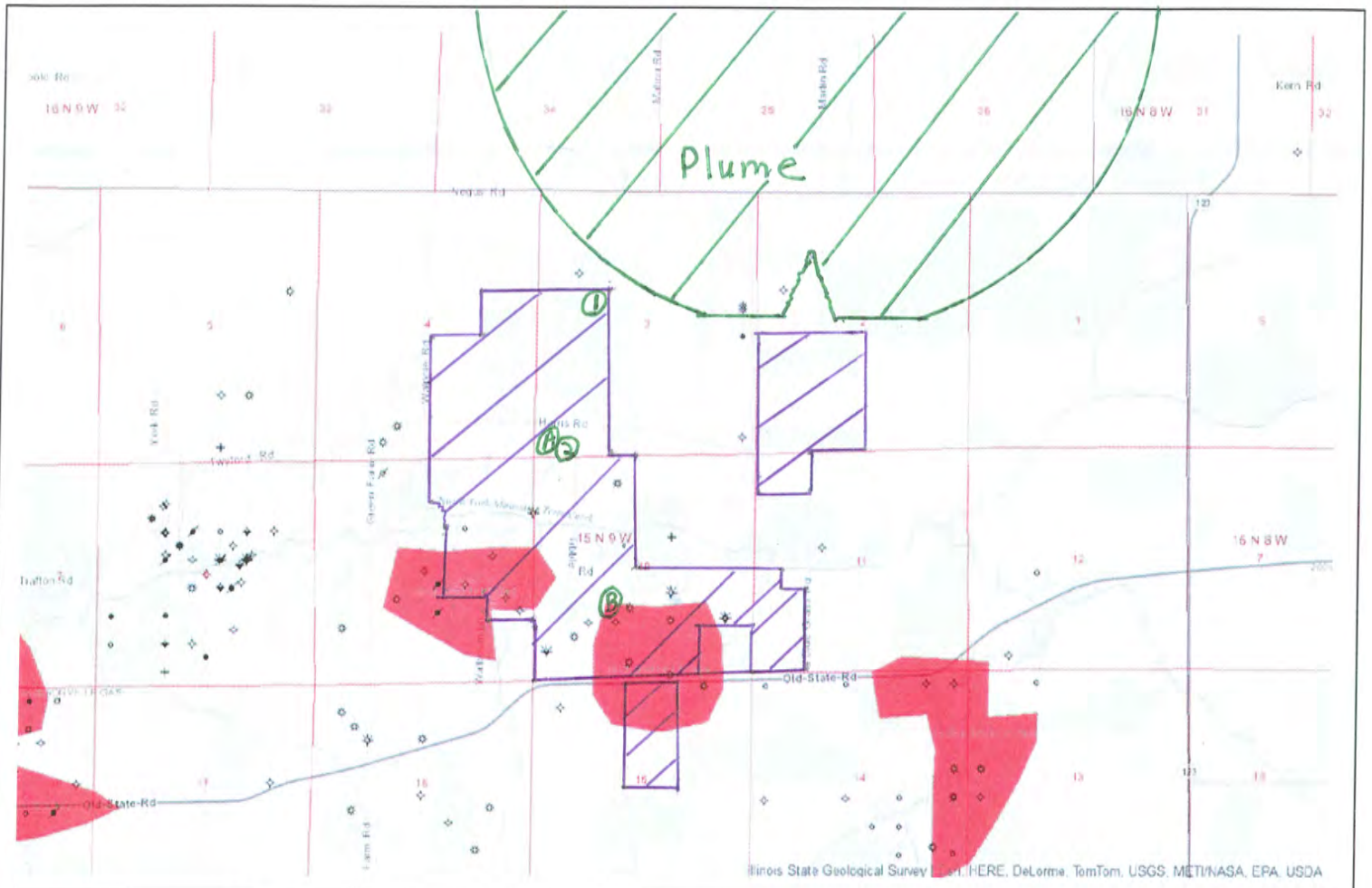


Figure 12. Wells Located Within the Survey Area





Illinois State Geological Survey, HERE, DeLorme, TomTom, USGS, METI/NASA, EPA, USDA

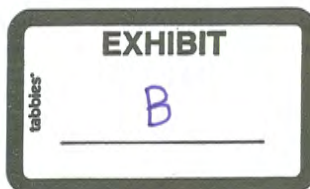


**ILLINOIS STATE
GEOLOGICAL SURVEY**
PRAIRIE RESEARCH INSTITUTE

Leinberger Property Oil & Gas Wells



Printed: May 12, 2014



Symbols used in the Illinois Oil and Gas Resources Interactive Map (ILOIL)

Oil & Gas Wells

- | | |
|---|---|
| ▲ Confidential | * Oil and Gas |
| ◇ Dry and Abandoned | * Oil and Gas, Plugged |
| ✧ Dry and Abandoned, Gas Shows | ✧ Oil, Plugged |
| ✧ Dry and Abandoned, Gas Shows, Plugged | ● Oil Well and Salt Water Disposal |
| ✧ Dry and Abandoned, Oil Shows | ✧ Oil Well and Salt Water Disposal, Plugged |
| ✧ Dry and Abandoned, Oil and Gas Shows | ○ Permit |
| ✧ Dry and Abandoned, Oil and Gas Shows, Plugged | ✧ Salt Producer |
| ✧ Dry and Abandoned, Oil Shows, Plugged | ⊗ Salt Water Disposal |
| ◇ Dry and Abandoned, No Shows, Plugged | ✧ Salt Water Disposal, Plugged |
| ◇ Dry & Abandoned, left open for a water well | * Temporarily Abandoned, Oil and Gas Shows |
| ◇ Dry and Abandoned, left for water well, Plugged | * Temporarily Abandoned, Oil and Gas Shows, Plugged |
| ✧ Gas | + Unknown |
| ✧ Coalbed or Coal Mine Methane | ✧ Water Supply |
| ○ Methane Vent | ✧ Water Supply, Plugged |
| * Gas, Plugged | ○ Observation Well |
| ✧ Gas Storage | ✧ Observation Well, Plugged |
| ✧ Gas Storage, Plugged | ⊗ Structure or Stratigraphic Test |
| ✧ Injection, Misc. or Unknown | ⊗ Structure or Strat. Test, Plugged |
| ✧ Injection, Gas | ⊗ Unknown, Plugged |
| ✧ Injection, Gas, Plugged | ◇ Plugged |
| ✧ Injection, Misc. or Unknown, Plugged | ✧ Temporarily Abandoned |
| ✧ Injection, Water | ⊗ Temporarily Abandoned, Plugged |
| ✧ Injection, Water, Plugged | ✧ Temporarily Abandoned, Oil |
| ✧ Injection, Water and Water Supply, Plugged | ✧ Temporarily Abandoned, Oil Plugged |
| ✧ Water Injection Well, Oil Shows | ▽ Hazardous Waste Injection |
| ✧ Water Injection Well, Oil Shows, Plugged | ▽ Hazardous Waste Injection, Plugged |
| ● Oil Producer | ★ Scanned Well Logs |

STATE OF ILLINOIS)
)
 COUNTY OF MORGAN) SS:

DECLARATION OF WILLIAM CRITCHELOW

William Critchelow, being first duly sworn on oath, states that he has personal knowledge of the information contained in this declaration, and if called as witness, he could competently testify as follows:

1. I am over the age of 18 and not under any legal disability.

2. My wife and I currently own the parcel of land that is approximately four acres in size located at [REDACTED] Jacksonville, Illinois 62650. This land is located approximately 1.64 miles from FutureGen Alliance's ("FutureGen") proposed injection site.

3. I live in a house located on this land. I have lived in that house for over 25 years. There is a water well located on this land, which has been there for over 25 years.

4. When FutureGen drilled the test (characterization) well ("Test Well") from October through the first part of December in 2011, it caused the water in my well to turn yellowish/brownish for approximately one month. It also caused the water in my well to overflow during a portion of that period.

5. In the years that I have lived at in my house on that land, the water in my well has never changed colors or overflowed, except for when FutureGen drilled the Test Well.

Under penalties as provided by law pursuant to 28 U.S.C. § 1746, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Dated: May 7, 2014


 WILLIAM CRITCHELOW