

Recorded at the request of  
Kern River Gas Transmission Company

When Recorded Mail to:  
Kern River Gas Transmission Company  
1615 W. 2200 South, Suite C  
Salt Lake City, UT 84119  
Attn: Cynthia Lowery

00136399 BK 00374 Pg 00021-00023  
MILLARD COUNTY RECORDER- CONNIE K HANSEN  
2001 DEC 31 11:54 AM FEE \$18.00 BY SSD  
REQUEST: KERN RIVER GAS TRANSMISSION CO

**AMENDMENT TO RIGHT-OF-WAY and EASEMENT CONTRACT**

This Right-of-Way Contract Amendment ("Amendment") is dated this 5th day of December 2001, by and between Kern River Gas Transmission Company, located at P.O. Box 58900, Salt Lake City, Utah 84158-0900 ("Grantee"), and Roger L. Nielson and Nyra Nielson, husband and wife, as joint tenants, whose address is 476 East 300 N. 22-7, Ephraim, Utah 84627 ("current Grantor").

**RECITALS:**

- A. Whereas, by that certain Right-of-Way Contract dated recorded 07-05-90, the "Contract", Land Number 274, recorded in the records of Millard County, Book 235, Pages 51-54, Owen W. Cahoon and Paul K. Cahoon as Grantors, and by that certain Right-of-Way Contract Dated 06-27-90, the "Contract", Land Number 275, recorded in the records of Millard County, Book 235, Pages 55-61, Owen W. Cahoon, Paul K. Cahoon, Alton W. Cahoon, Edyth May Cahoon Hughes and Lugene Cahoon Allison as Grantor, granted and conveyed unto Grantee a right-of-way on, over and through certain real property situated in Millard County, State of Utah, as described and identified in the Contract.
- B. Whereas, the undersigned Grantor warrants that it is now the owner in fee simple of the following described property, as of the amendment date:
- Being that land described as the W 1/2 of the SW 1/4 of Section 23, Township 18 South, Range 3 West, Salt Lake Base and Meridian; the NW 1/4 of Section 26, Township 18 South, Range 3 West, Salt Lake Base and Meridian, and Lots 1 and 2, NE 1/4 of Section 27, Township 18 South, Range 3 West, Salt Lake Base and Meridian

**AGREEMENT:**

NOW THEREFORE, for and in consideration of the mutual promises contained in this Amendment, Grantor grants to Grantee an amendment as described below:

1. The parties desire and agree to amend the Contract to allow construction of an additional pipeline and appurtenances. The additional pipeline will be located approximately 25-feet from the existing pipeline and the right-of-way configuration will be 25-feet from the edge of the right-of-way to each pipeline and 25-feet between pipelines. The total width of the right-of-way easement for the pipelines is 75-feet.
2. The parties agree that in the event that Grantee determines that its pipeline is in need of repair, maintenance or replacement, Grantee will use its best efforts not to disturb Grantors improvements within the 75-foot easement area.

APN 5191-A

Tract # K-UT-MI-274, 275

This Amendment will be binding upon and inure to the benefit of the heirs, successors and assigns of the parties to this Amendment.

Except as amended, all terms, conditions and provisions of the existing Right-of-Way Contract will remain and continue in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of this 5th day of DECEMBER, 2001.

**GRANTOR:**

Roger L. Nielson and Nyra Nielson, husband and wife, as joint tenants

*Roger L. Nielson*

Roger L. Nielson  
as Joint Tenant

*Nyra L. Nielson*

Nyra  
L. Nielson  
rep  
Nyra Nielson  
as Joint Tenant

**KERN RIVER GAS TRANSMISSION COMPANY:**

*Daniel Chavez*

By Daniel Chavez

Right-of-Way Acquisition Supervisor

Title *As Attorney-in-Fact*

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ACKNOWLEDGMENT

STATE OF Utah

COUNTY OF Sanpete

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of December, 2001, by

Roger L. Nielson and Nyra B. Nielson

My Commission Expires:

4-27-03

Mary Patterson  
Notary Public in and for

Sanpete

State of Utah



MARY PATTERSON  
Notary Public - State of Utah  
NORTH MAIN P.O. BOX 701  
EPHRAIM, UT 84627  
COMM. EXP. 04-27-2003

ACKNOWLEDGMENT--ATTORNEY-IN-FACT

STATE OF Utah

COUNTY OF Iron

On this 6 day of December, 2001, Daniel Chavez personally appeared before me and being by me duly sworn, did say that he is the Attorney-in-Fact of Kern River Gas Transmission Company, and that the Agreement was signed on behalf of Kern River Gas Transmission Company and said Daniel Chavez, Right-of-Way Acquisition Supervisor acknowledged to me that he, as such Attorney-in-Fact, executed the same.

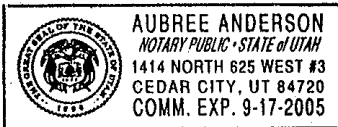
My Commission Expires:

9/17/2005

Aubree Anderson  
Notary Public in and for

Iron County,

State of Utah



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