



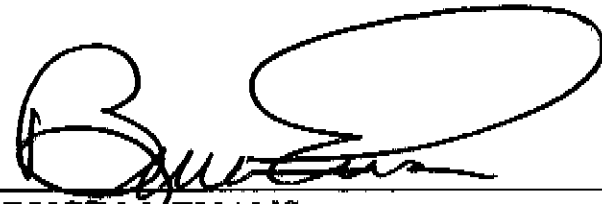
TO HAVE AND TO HOLD said Right of Way and Easement unto said COMPANY, its successors and assigns, until such pipeline be constructed and so long thereafter as a pipe line is maintained thereon; and the undersigned hereby bind themselves, and their heirs, executors, administrators, successors and assigns, to warrant and forever defend all and singular said Right of Way and Easement unto said COMPANY, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

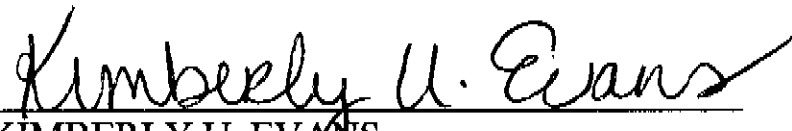
In the event that the Federal Energy Regulatory Commission gives COMPANY the authority to abandon the Right of Way and Easement described herein, and Company actually abandons said Right of Way and Easement, this Right of Way and Easement Agreement shall terminate and all rights granted herein shall terminate and Right of Way and Easement shall revert back to the Owner or Owner's successors and assigns, and, in that event, COMPANY shall record a release of this Right of Way and Easement Agreement upon the request from Owner, or its successors or assigns.

It is agreed that this Right of Way and Easement Agreement as written is assignable by COMPANY in whole or in part. This Agreement covers the entire agreement between the Parties as to the subject matter described herein, and the Parties agree that no other promises or representations have been made which would alter or otherwise modify the terms set forth herein. This Right of Way and Easement Agreement may be signed in counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

Executed this 29 day of May 2009

OWNER(s)

  
\_\_\_\_\_  
BRUCE M. EVANS

  
\_\_\_\_\_  
KIMBERLY U. EVANS

ACKNOWLEDGEMENT

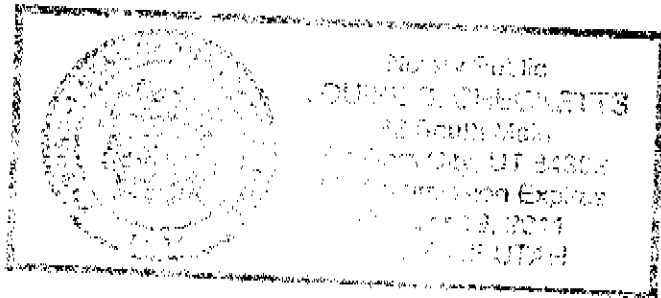
STATE OF UTAH )  
 )ss.  
COUNTY OF BOX ELDER )

BEFORE ME, THE UNDERSIGNED, A Notary Public, within and for said State and County on this 29 day of May, 2009, personally appeared BRUCE M. EVANS who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument as a free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Course B Cheekbells  
Notary Public

[Seal]



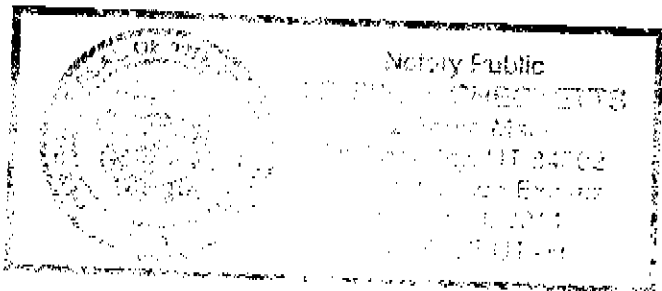
STATE OF UTAH )  
 )ss.  
COUNTY OF BOX ELDER )

BEFORE ME, THE UNDERSIGNED, A Notary Public, within and for said State and County on this 29 day of May, 2009, personally appeared KIMBERLY U. EVANS who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument as a free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Course B Cheekbells  
Notary Public

[Seal]



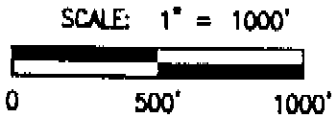
22 23  
27 26

Ent 279376 Bl 1096 Pg 583  
23 24  
26 25



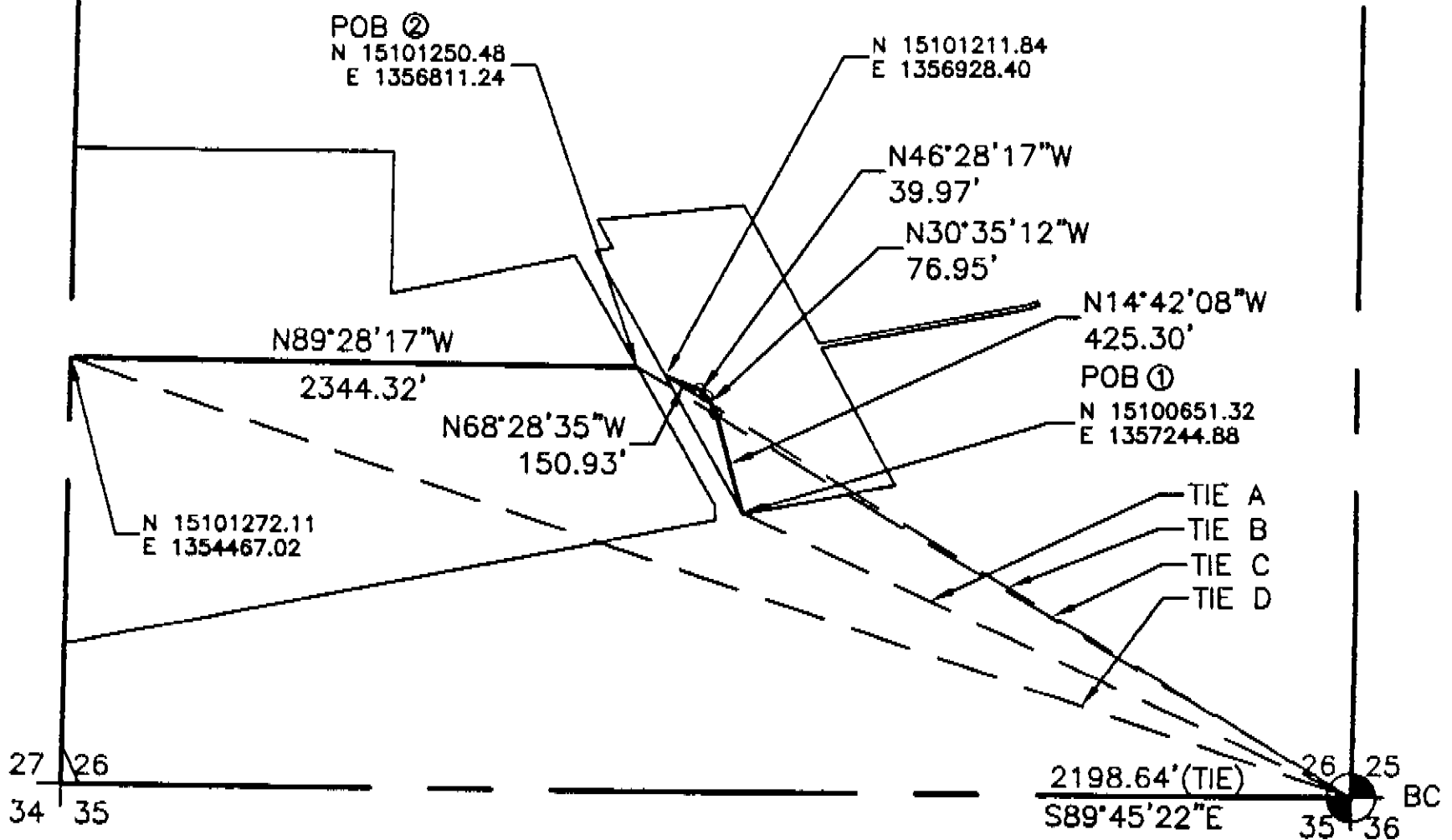
TIE TABLE  
 A S64°55'03"E 2764.32'  
 B S58°26'17"E 3309.71'  
 C S58°54'45"E 3429.88'  
 D S71°15'07"E 5577.44'

BRUCE M. EVANS &  
 KIMBERLY U. EVANS



LEGEND

- FOUND SECTION CORNER
- FOUND QUARTER CORNER
- FOUND SIXTEENTH CORNER
- CALCULATED CORNER
- EASEMENT P.I.
- BRASS CAP
- ALUMINUM CAP
- WITNESS CORNER
- POINT OF BEGINNING



**BRUCE M. EVANS & KIMBERLY U. EVANS**

3037.47 FEET 184.09 RODS 3.487 ACRES

EASEMENT DESCRIPTION

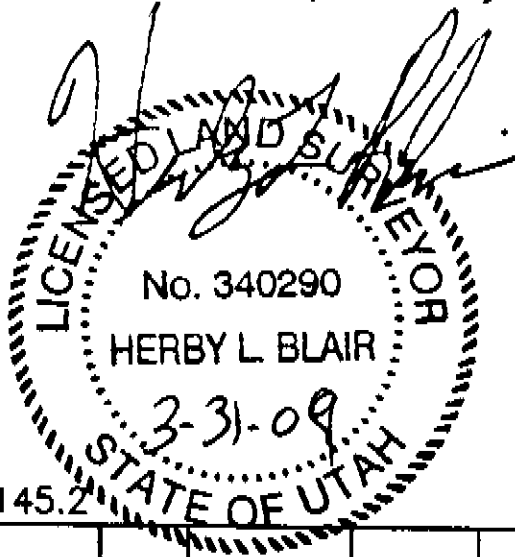
A 50.00 foot easement for pipeline purposes across a portion of Section 26, Township 10 North, Range 2 West of the Salt Lake Base & Meridian, Box Elder County, Utah. (Section lines are indeterminate based on lack of field evidence. Section lines and subsequent breakdowns are based on the Bureau of Land Management Geographic Control Database grid.) Said Easement being 25.00 feet on each side of the following described centerline:

- 1) Also, beginning at a point on the Easterly line of said abandoned railroad exception at coordinates N 15100651.32, E 1357244.88, from which the Southeast Corner of said Section 26 bears S64°55'03"E, 2764.32 feet; thence N14°42'08"W, 425.30 feet; thence N30°35'12"W, 76.95 feet; thence N46°28'17"W, 39.97 feet; thence N68°28'35"W, 150.93 feet to a point on said Easterly line, at coordinates N 15101211.84, E 1356928.40 and said centerline there terminating, from which the Southeast Corner of said Section 26 bears S58°26'17"E, 3309.71 feet;
- 2) Also, beginning at a point on the Westerly line of said abandoned railroad exception at coordinates N 15101250.48, E 1356811.24; thence N89°28'17"W, 2344.32 feet to a point on the West line of said Section 26 at coordinates N 15101272.11, E 1354467.02, and said centerline there terminating, from which the Southeast Corner of said Section 26 bears S71°15'07"E, 5577.44 feet.

CERTIFICATE OF SURVEYOR

I, Herby L. Blair, a Professional Land Surveyor in the State of Utah, do hereby state that, to the best of my knowledge, information, and belief, this map was prepared from field notes taken during an actual survey made by me or under my direct supervision and that this map correctly shows the results of said survey and that the monuments found are as shown.

Herby L. Blair  
 LS 340290

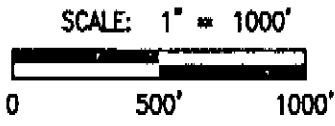


NOTES:

- 1.) The accompanying plat does not constitute a boundary survey.
- 2.) Easement centerline may not represent location of pipeline.
- 3.) Client did not want rights-of-way and easements shown.
- 4.) Basis of bearings - Geodetic bearings as established by static GPS observations and relative to NAD 83 (CORS 96), UTM Zone 12 North, calculated by NGS-OPUS.
- 5.) Project elevations relative to NAVD 88 (Geoid 03) as determined from the same NGS-OPUS calculation.
- 6.) Combined adjustment factor: 1.000514384 (Grid to Ground).
- 7.) Calculated corner positions are determined from record information as shown on available GLO/BLM plats. Section lines are relative to the BLM GCDB or occupation lines in areas where PLSS corners were not found.

REF. DWG:		LINE LIST NO.: 2145.2			
SURVEYED AND PREPARED BY: Inberg-Miller Engineers 124 E. Main St. Riverton, WY 82501 307-856-8136					
Division: ROCKY MOUNTAIN		Op. Area: ELKO			
State: UTAH		Co./Par.: BOX ELDER			
Section: 26		Township: 10N		Range: 2W	
Dft: MDH		Date: 12/4/08		Project ID: 128575	
Chk: RSS		Date:		Scale: AS SHOWN	
Appr:		Date:		Filename: 0300-AU-2145.2	
<p><b>LAND PLAT</b>                  RUBY PIPELINE-LN 300A                  CROSSING                  BRUCE M. EVANS &amp; KIMBERLY U.                  EVANS PROPERTY</p>				<p><b>RUBY PIPELINE LLC</b></p>	
				300AU-2145.2	
				Sheet: 1 of 1	
				Type: ACAD	
				Rev. 1	

Ent 279376 Bk 1095 Pg 584



**LEGEND**

- FOUND SECTION CORNER
- FOUND QUARTER CORNER
- FOUND SIXTEENTH CORNER
- CALCULATED CORNER
- EASEMENT P.I.
- BC BRASS CAP
- AC ALUMINUM CAP
- WC WITNESS CORNER
- POB POINT OF BEGINNING

BRUCE M. EVANS &  
KIMBERLY U. EVANS

N 15101278.72  
E 1353749.86

N89°28'17"W  
717.19'

POB  
N 15101272.11  
E 1354467.02

21 22  
28 27  
27 26  
28 27  
33 34  
27 26  
34 35

**BRUCE M. EVANS & KIMBERLY U. EVANS**

717.19 FEET 43.47 RODS 0.823 ACRES

EASEMENT DESCRIPTION

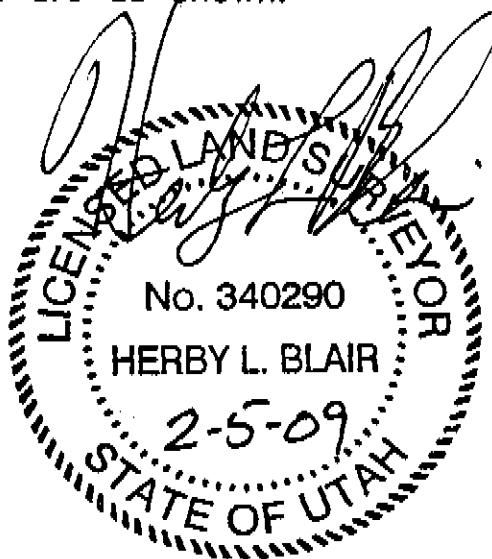
A 50.00 foot easement for pipeline purposes across a portion of Section 27, Township 10 North, Range 2 West of the Salt Lake Base & Meridian, Box Elder County, Utah. (Section lines are indeterminate based on lack of field evidence. Section lines and subsequent breakdowns are based on the Bureau of Land Management Geographic Control Database grid.) Said Easement being 25.00 feet on each side of the following described centerline:

Beginning at a point on the East line of said Section 27, at coordinates N 15101272.11, E 1354467.02; thence N89°28'17"W, 717.19 feet to a point on the West line of parcel in said Section 27, at coordinates N 15101278.72, E 1353749.86 and said centerline there terminating.

CERTIFICATE OF SURVEYOR

I, Herby L. Blair, a Professional Land Surveyor in the State of Utah, do hereby state that, to the best of my knowledge, information, and belief, this map was prepared from field notes taken during an actual survey made by me or under my direct supervision and that this map correctly shows the results of said survey and that the monuments found are as shown.

Herby L. Blair  
LS 340290



**NOTES:**

- 1.) The accompanying plat does not constitute a boundary survey.
- 2.) Easement centerline may not represent location of pipeline.
- 3.) Client did not want rights-of-way and easements shown.
- 4.) Basis of bearings - Geodetic bearings as established by static GPS observations and relative to NAD 83 (CORS 96), UTM Zone 12 North, calculated by NGS-OPUS.
- 5.) Project elevations relative to NAVD 88 (Geoid 03) as determined from the same NGS-OPUS calculation.
- 6.) Combined adjustment factor: 1.000505265 (Grid to Ground).
- 7.) Calculated corner positions are determined from record information as shown on available GLO/BLM plats. Section lines are relative to the BLM GCDB or occupation lines in areas where PLSS corners were not found.

REF. DWG: LINE LIST NO.: 2147

SURVEYED AND PREPARED BY: Inberg-Miller Engineers 124 E. Main St. Riverton, WY 82501 307-856-8136									
Division: ROCKY MOUNTAIN    Op. Area: ELKO State: UTAH    Co./Par.: BOX ELDER Section: 27    Township: 10N    Range: 2W Dft: MDH    Date: 12/2/08    Project ID: 128575 Chk: RSS    Date:    Scale: AS SHOWN Appr:    Date:    Filename: 0300-AU-2147		<b>LAND PLAT</b> RUBY PIPELINE-LN 300A CROSSING BRUCE M. EVANS & KIMBERLY U. EVANS PROPERTY			 <b>RUBY PIPELINE LLC</b>		300AU-2147	Sheet: 1 of 1 Type: ACAD	Rev. 0