

8243689

Recorded at the request of
Kern River Gas Transmission
Company

When Recorded Mail to:
Kern River Gas Transmission
Company
1615 West 2200 South, Suite C
Salt Lake City, UT 84119
Attn: Paragon Partners, Ltd.
Title Supervisor

8243689
05/24/2002 04:03 PM 18-00
Book - 8601 Pg - 6911-6915
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
KERN RIVER GAS TRANSMISSION
1615 W 2200 S STE C
SLC UT 84119
BY: ZJM, DEPUTY - W 5 P.

Assessor Parcel Number: Public Utility

AMENDMENT TO RIGHT-OF-WAY and EASEMENT

This Amendment to Right-of-Way Contract ("Amendment") is dated this ^{MAY} 15th day of, 2002, by and between Kern River Gas Transmission Company ("Grantee"), located at P.O. Box 58900, Salt Lake City, Utah 84158-0900 and Salt Lake Garfield and Western Railway Company ("Grantor"), whose address is P.O. Box 16047, Salt Lake City, Utah 84116.

RECITALS:

- A. Whereas, by that certain Exclusive Right-of-Way and Easement filed April 23, 1991 ("Easement"), Land Number UT-SL-137.23, recorded in the records of Salt Lake County as Document No. 5055380 in Book 6308, Page 1624 (as-built centerline legal description recorded as Document No. 5417799 in Book 6591, Page 0044), in the Official Records of Salt Lake County, Utah, Grantor granted and conveyed unto Grantee a right-of-way and easement on, over and through certain real property situated in Salt Lake County, State of Utah, as described and identified in the Easement.
- B. Whereas, the undersigned Grantor warrants that it is now the owner of a perpetual right of way of the following described property:

TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN

Section: 6 A portion of Government Lot 4, described as follows: "Beginning in the west line of said Section 6 at a point approximately 106.82 ft. south from the NW. corner of said Section 6; thence South 61.13 ft. along the west line of said Section 6 to a point on a 5699.58-foot radius curve to the right; thence Southeasterly 2034.02 ft. along the arc of said curve (Note: Tangent to said curve at its point of beginning bears S. 78°54'53" E.); thence S. 57°47'56" E. 199.74 ft.; thence S. 57°27'23" E. 328.82 ft.; thence S. 57°07'57" E 99.48 ft. to a point on a 2834.79-foot radius curve to the right; thence Southeasterly 281.81 ft. along the arc of said curve to the east line of the NW 1/4 of Said Section 6 (Note: Tangent to said curve at its point of beginning bears S. 56°27'53" E.); thence North 72.38 ft. along said east line; thence East 5.33 ft. along the south line of Lot 2 of said Section 6; thence Northwesterly 246.45 ft. along the arc of a 2894.79- foot radius curve to the left (Note: Tangent to said curve at its point of beginning bears N. 51°35'12" W.); thence N. 57°07'49" W. 100.52 ft.; thence N. 57°27'53" W. 328.82 ft.; thence N. 57°47'59" W. 200.79 ft.; thence Northwesterly 2067.21 ft. along the arc of a 5759.58-foot radius curve to the left (Note: Tangent to said curve at its point of beginning bears N. 58°28'02" W.) to the point of beginning, and containing 4.05 acres, more or less."

Tract # K-UT-SL-137.23W

15-06-100003

BK 8601 PG 69 1111

AGREEMENT:

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

1. The parties desire and agree to amend the Easement 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 pipeline and all parts thereof within the property of Grantor shall be constructed in such manner as not to cause interference with Grantor's railroad tracks.
3. Grantor approves the construction of the additional pipeline in accordance with the Exhibit "A" and construction drawings dated December 4, 2001, attached hereto and made a part hereof.
4. Prior to future construction, maintenance, repair, renewal, modification, relocation, reconstruction or removal of the pipeline where it passes underneath the roadbed and track or tracks of the Grantor, Grantee shall submit for Grantor's review and approval, plans substantially similar to Exhibit "A" and the December 4, 2001 construction drawing. Grantor agrees to process the request in an expeditious manner and not to unreasonably withhold approval.
5. In the event federal or state railway regulations require protective flagging during construction, Grantor shall so notify Grantee and upon presentation of an invoice for the reasonable cost of such services, Grantee shall pay said invoice.
6. Nothing in this Amendment or the Easement shall be construed to prevent Grantor from constructing an additional rail facility on its right-of-way. In such event, however, Grantor shall notify Grantee no less than 60 days prior to construction and shall provide plans and specifications showing the loading over and protection of Grantee's pipelines for Grantee's review and approval, such approval not to be unreasonably withheld.

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 Exclusive Right-of-Way and Easement will remain and continue in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of this 15th day of MAY, 2002.

DONALD M. HOGE

Salt Lake Garfield and Western Railway Company

By:

Donald M. Hoge

Title PRESIDENT

KERN RIVER GAS TRANSMISSION COMPANY

Paula Rueter

Attorney-in-Fact

Tract # K-UT-SL-137.23W

BK8601 PG6912

ACKNOWLEDGMENT

STATE OF UTAH

COUNTY OF SALT LAKE

The foregoing instrument was acknowledged before me this 15th day of MAY 2002 by DONALD M HOGLER

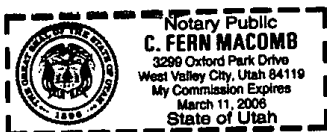
My Commission Expires:

C Fern Macomb
Notary Public in and for

3-11-2006

SALT LAKE County,

State of UTAH



ACKNOWLEDGMENT---ATTORNEY-IN-FACT

STATE OF Utah

COUNTY OF Salt Lake

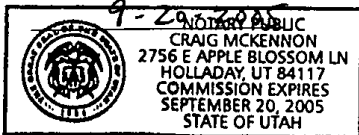
On this 24th day of May, 2002, Paula Rueter, personally appeared before me and being by me duly sworn, did say that she is the Attorney-in-Fact of Kern River Gas Transmission Company, and that the Agreement was signed on behalf of Kern River Gas Transmission Company and said Paula Rueter acknowledged to me that she as such Attorney-in-Fact executed the same.

My Commission Expires:

Craig McKennon
Notary Public in and for

Salt Lake County,

State of Utah



Tract # K-UT-SL-137.23W

BK 8601 PG 69 of 3

PLACE ARROW INDICATING NORTH DIRECTION RELATIVE TO CROSSING

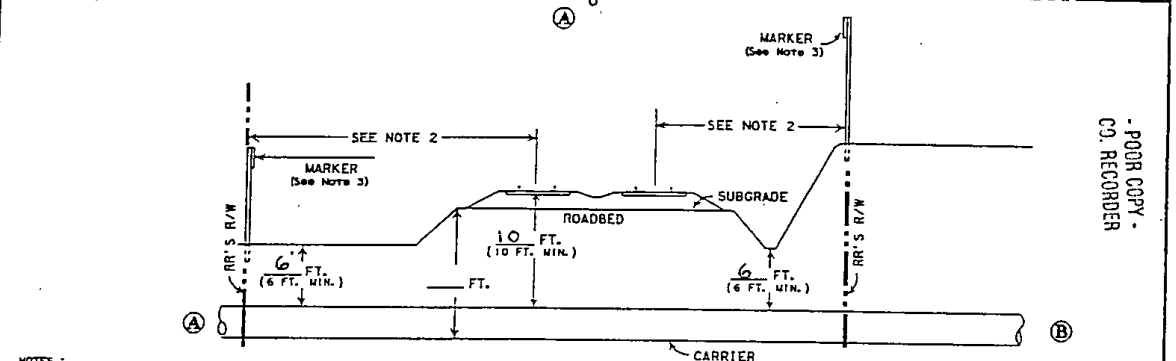
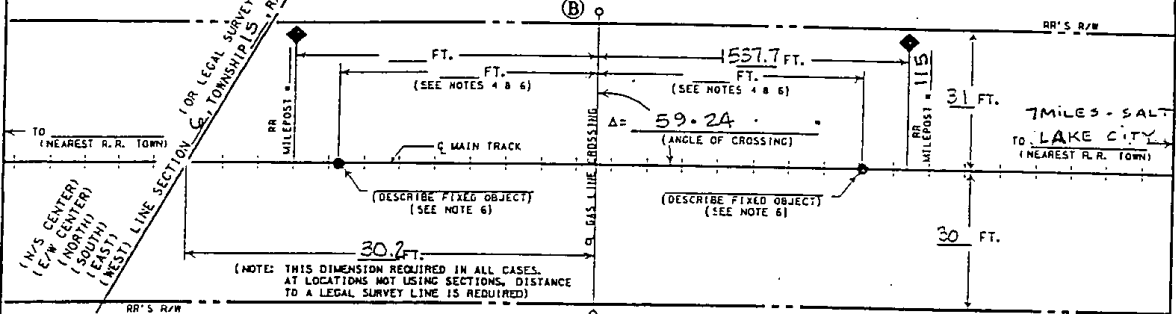
FORM DR-0404-C
REV. 12-12-00

UNCASED GAS TRANSMISSION PIPELINE CROSSING



NO SCALE

NOTE: ALL AVAILABLE DIMENSIONS MUST BE FILLED IN TO PROCESS THIS APPLICATION.

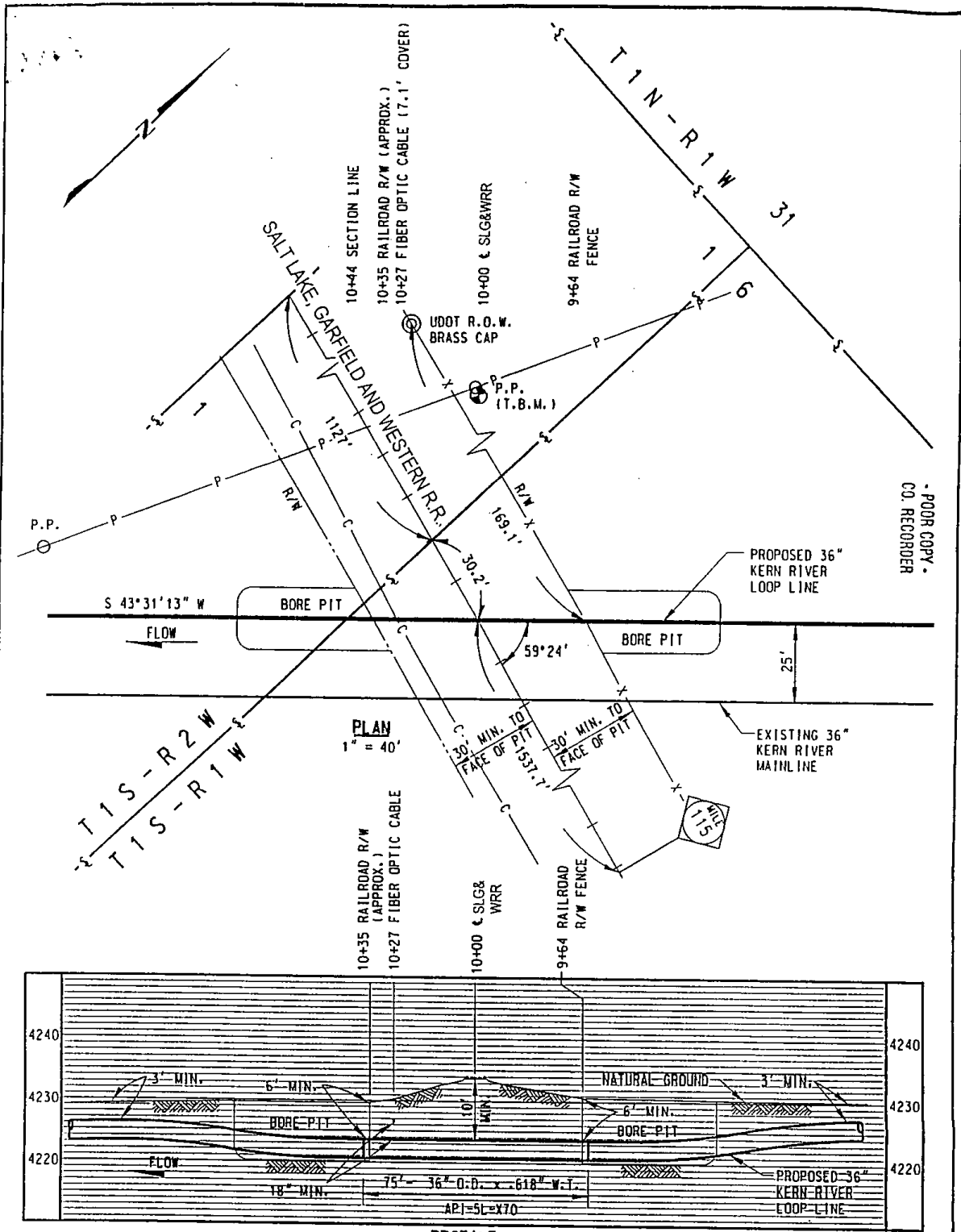


- NOTES:
- 1) ALL HORIZONTAL DISTANCES TO BE MEASURED AT RIGHT ANGLES FROM C OF TRACK.
 - 2) REQUISITES FOR CARRIER LINE PIPE SHALL APPLY FROM RIGHT-OF-WAY TO RIGHT-OF-WAY.
 - 3) MARKER TO INDICATE LOCATION OF PIPELINE AT RIGHT-OF-WAY LINE. IN ADDITION, MARKERS SHALL BE INSTALLED AT MINIMUM 500 FT. INTERVALS ALONG PIPELINE ENCROACHMENTS AND AT LOCATIONS OF MAJOR CHANGE OF DIRECTION.
 - 4) MINIMUM OF 30' FROM THE END OF ANY RAILROAD BRIDGE, E OF ANY CULVERT, OR FROM ANY SWITCHING AREA.
 - 5) SIGNAL REPRESENTATIVE MUST BE PRESENT DURING INSTALLATION IF RAILROAD SIGNALS ARE IN THE VICINITY OF CROSSING.
 - 6) ALLOWABLE FIXED OBJECTS INCLUDE: BACKWALLS OF BRIDGES; E OF ROAD CROSSINGS & OVERHEAD VIADUCTS (GIVE ROAD NAME), OR CULVERTS.
 - 7) CASING AND CARRIER PIPE MUST BE PLACED A MINIMUM OF 2 FEET BELOW THE EXISTING FIBER OPTIC CABLE. ANY EXCAVATION REQUIRED WITHIN 5 FEET OF THE EXISTING FIBER OPTIC CABLE MUST BE HAND DUG.
 - 8) CARRIER PIPE MUST BE OF STEEL CONSTRUCTION WITH CATHODIC PROTECTION PROVIDED.

A) IS PIPELINE CROSSING WITHIN DEDICATED STREET? YES; NO;
 B) IF YES, NAME OF STREET _____
 C) CARRIER PIPE:
 COMMODITY TO BE CONVEYED (NO LIQUIDS ALLOWED) NATURAL GAS
 OPERATING PRESSURE 1200 PSI
 WALL THICKNESS 0.618; DIAMETER 36"
 D) METHOD OF INSTALLING CARRIER PIPE UNDER TRACK(S):
 DRY BORE AND JACK (WET BORE NOT PERMITTED);
 TUNNEL; OTHER _____
 E) DISTANCE FROM CENTER LINE OF TRACK TO NEAR FACE OF BORING AND JACKING PITS WHEN MEASURED AT RIGHT ANGLES TO TRACK 20' (30' MIN.)
 F) WILL CONSTRUCTION BE BY AN OUTSIDE CONTRACTOR? YES; NO;
 G) APPLICANT HAS CONTACTED 1-800-336-9193,
 U. P. COMMUNICATION DEPARTMENT, AND HAS DETERMINED FIBER OPTIC CABLE _____ DOES; _____ DOES NOT; EXIST IN VICINITY OF WORK TO BE PERFORMED. TICKET NO. _____
 RE: DWG. 1601.31-X-202
 DWG. 1601.5-X-202
 KRGT M.P. - 131.3 - SPREAD 3
 SALT LAKE COUNTY, UTAH

EXHIBIT "A"
 (FOR RAILROAD USE ONLY - DO NOT WRITE IN THIS BOOK)
 SALT LAKE, GARFIELD AND WESTERN R.R.
 (SUBDIVISION)
 M. P. _____ E. S. _____
 UNCASED GAS PIPELINE AT
 (NEAREST RR STATION) (COUNTY) (STATE)
 FOR KERN RIVER GAS TRANSMISSION CO.
 (APPLICANT)
 RR FILE NO. _____
 BK8601PG69114

- POOR COPY -
C. RECORDER



- POOR COPY -
CO. REORDER

PLAN
1" = 40'

PROFILE

HORIZ.: 1" = 40'
VERT.: 1" = 20'

T.B.M. - BOLT IN TWR. #8,
73.1' RT. AT STA. 10+01
ELEV. 4233.01' (HAYD88)

NOTES TO CONTRACTOR

1. THE COMPANY HAS MADE AN EFFORT TO LOCATE ALL UNDERGROUND FACILITIES NOW EXISTING BUT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP NOR DOES IT ACCEPT ANY RESPONSIBILITY FOR ERRORS IN LOCATION OR FOR FAILURE TO INDICATE ANY SUCH FACILITIES.
2. A MINIMUM CLEARANCE OF 18 INCHES BETWEEN THE PROPOSED PIPELINE AND ANY EXISTING FACILITIES WILL BE MAINTAINED.
3. CONTRACTOR TO LOCATE ALL UNDERGROUND UTILITIES PRIOR TO BEGINNING CONSTRUCTION.

4. STATIONS SHOWN ARE ASSUMED.
5. MILE POSTS SHOWN ARE BASED ON EXISTING KERN RIVER MAIN LINE.
6. BEARINGS SHOWN ARE GRID AND REFER TO THE UTAH STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 1983.
7. ELEVATIONS SHOWN ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988.
8. LAND RIGHT-OF-WAY NO. 1 UT-SL-137.23
9. METHOD OF CONSTRUCTION: BORE
10. MAXIMUM OPERATING PRESSURE: 1200 PSIG



DRAWING NO.	REFERENCE TITLE
1601.51-X-202 1 OF 11	LOCATION MAP

KERN RIVER GAS TRANSMISSION CO.
2003 KERN RIVER EXPANSION PROJECT
RAILROAD CROSSING PERMIT SALT LAKE, GARFIELD
M.P. 131.5 AND WESTERN RAILWAY
SECTION 6, T1S-R1W
SALT LAKE COUNTY, UTAH

Williams
GAS PIPELINE

SPREAD 3

NO.	DATE	BY	REVISION DESCRIPTION	WD. NO.	CHK.	APP.	DRAWN BY:	SL	DATE:	9-19-2001	ISSUED FOR BD:	SCALE:	AS SHOWN
0	12-01-2001	SL	ISSUED FOR PERMIT				CHECKED BY:	JFC	DATE:	10-15-01	ISSUED FOR CONSTRUCTION:		
							DATE:	12/4/01	DRAWING NUMBER:	1601.5-X-202			SHEET 1

BK601PG69115