

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: Cynthia Lowrey

00607782 Bk01427 Pg00014-00016

ALAN SPRIGGS, SUMMIT CO RECORDER
2002 JAN 07 13:54 PM FEE \$17.00 BY GGB
REQUEST: KERN RIVER GAS TRANSMISSION COM

Assessor Parcel Number NS-349-A, NS-349-B

AMENDMENT TO RIGHT-OF-WAY and EASEMENT CONTRACT

This Right-of-Way Contract Amendment ("Amendment") is dated this 3rd day of January, 2002 by and between Kern River Gas Transmission Company, located at P.O. Box 58900, Salt Lake City, Utah 84158-0900 ("Grantee"), and Thomas D. Rees and Eva W. Rees Husband and Wife as Joint Tenants, whose address is P.O. Box 223, Coalville, Utah 84017 ("current Grantor").

RECITALS:

- A. Whereas, by that certain Right-of-Way Contract filed 4/20/90, "The Contract", Land Number 41W, recorded in the records of Summit County, Book 561, Page 553-558, E. Dean Rees, Ivaloo Ann Rees and Thomas Rees, as Grantors, granted and conveyed unto Grantee a right-of-way on, over and through certain real property situated in Summit 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 described property:

Parcel 2:
Southwest ¼, Section 7, Township 2 North, Range 5 East, Salt Lake Base and Meridian.

Parcel 4:
Southeast ¼, Section 7, Township 2 North, Range 5 East, Salt Lake Base and Meridian.

Less and excepting to Coalville City; Beginning at a point west along the Section line 2265.33 feet and north 340.12 feet from the Southeast corner of Section 7, Township 2 North Range 5 East, and running thence north 36°09'17" east 243.36 feet; thence north 58°01'16" east 405.40 feet; thence north 88°04'34" east 236.30 feet; thence north 40°54'44" east 166.355 feet; thence north 27°43'35" west 281.37 feet to a fence corner, thence north 36°05'25" west along an old fence line 127.42 feet to a fence corner, thence south 63°30' west along an old fence line 655.00 feet; thence south 36°09'17" west 512.03 feet; thence south 53°50' 43" east 324.07 feet to the point of beginning. Contains 9.577 acres.

Also Less and Excepting: Beginning at a point which is west 1126.42 feet and north 2431.28 feet from the Southeast corner Section 7 Township 2 North Range 5 East Salt Lake Base and Meridian, and running thence west 208.72 feet; thence north 208.72 feet more or less to the northerly line of the Southeast ¼, thence east 208.72 feet along said line; thence south 208.72 feet to the point of beginning. Contains 1.00 acre.

Tract # K-UT-SU-41W

AGREEMENT:

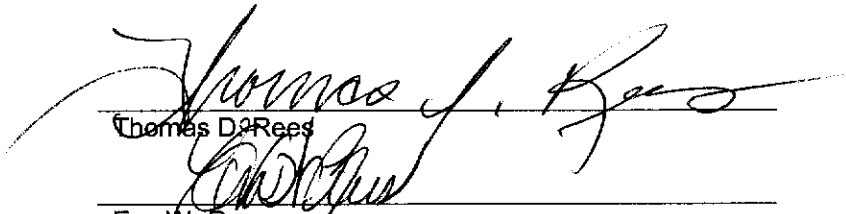
NOW THEREFORE, for and in consideration of the mutual promises contained in this Amendment, Grantor grants to Grantee an amendment as described below:

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.

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 3RD day of January, 2001. 2002



Thomas D. Rees

Eva W. Rees

KERN RIVER GAS TRANSMISSION COMPANY:



Attorney-in-Fact

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Tract # K-UT-SU-41W

ACKNOWLEDGMENT

STATE OF Utah)

COUNTY OF Summit)

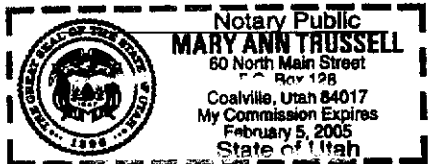
The foregoing instrument was acknowledged before me this 3rd day of January, 2002 by

Thomas D. Rees & Eva W. Rees

My Commission Expires:

Feb 5 2005

Mary Ann Trussell
Notary Public in and for



Summit County,

State of Utah

ACKNOWLEDGMENT---ATTORNEY-IN-FACT

STATE OF Utah)

COUNTY OF Salt Lake)

On this 5th day of January, 2002, Paula Rueter, personally appeared before me and being by me duly sworn, did say that she/~~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

Paula Rueter acknowledged to me that she/~~he~~ as such Attorney-in-Fact executed the same.

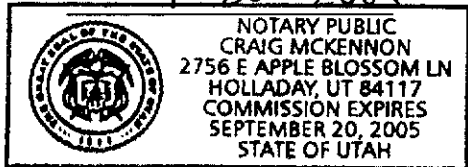
My Commission Expires:

9-20-2005

Craig McKennon

Notary Public in and for

Salt Lake County,



State of Utah

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Tract # K-UT-SU-41W