

2010-009969

Klamath County, Oregon



08/23/2010 09:09:42 AM

Fee: \$62.00

AMENDMENT TO EASEMENT

STATE OF OREGON

LL 300A Ruby Pipeline LL# 4098;4100

COUNTY OF KLAMATH

CO 128576

After Recording please return to:  
Ruby Pipeline LLC  
2 N Nevada Ave - 5th Flr  
Colorado Springs, CO 80903

By original Right of Way Easement dated the 5th day of October, 2009, recorded at 2009-014023 on October 30, 2010 of the Clerk & Recorder Records of Klamath County, State of Oregon, here referred to, a right-of-way for the construction, operation and maintenance of a natural gas pipe line or lines, and all appurtenances thereto, as granted unto RUBY PIPELINE, L.L.C. by, JWTR, LLC, over and across the following described property, lying and being situated in Klamath County, State of Oregon, to wit:

Realignment of the pipeline across a portion of:  
Section 19, Township 41 South, Range 15 East - Plat 300AU-4098  
Section 24, Township 41 South, Range 14.5 East - Plat 300AU-4100

RUBY PIPELINE, L.L.C., the legal holder and owner of said right-of-way, has paid to the undersigned an amount agreed upon by both parties, the receipt of which is hereby acknowledged, and in consideration of such payment the undersigned hereby does amend said original Right Of Way Agreement and does grant, convey and confirm unto RUBY PIPELINE, L.L.C. a right-of-way and easement being 115 feet in width during construction and thereafter 50 feet in width throughout, extending on, over and across the above described land.

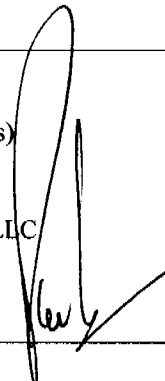
All of the rights and privileges granted to RUBY PIPELINE, L.L.C. and all of the obligations assumed by it in said original Right Of Way Agreement shall be and are hereby made applicable to the realignment right-of-way granted herein and are incorporated herein and made a part hereof in the same manner and with the same force and effect as if set out herein and as if said original Right Of Way Agreement included the realignment according to updated Plat No(s) 300AU-4098 & 300AU-4100, Exhibit A, hereby conveyed.

To have and to hold the above described right-of-way and easement, rights and privileges unto RUBY PIPELINE, L.L.C., its successors and assigns forever, and the terms and provisions hereof shall likewise be binding upon and inure to the benefit of the undersigned, his successors, heirs and assigns.

EXECUTED this 30th day of July, 2010

OWNER(s)

JWTR, LLC

By: 

Title: CFO

Plat No(s). 300AU-4098,4100

4098 & 4100  
Ruby 300A

CORPORATE ACKNOWLEDGEMENT

STATE OF Oregon )  
COUNTY OF Klamath )ss.

BEFORE ME, THE UNDERSIGNED, A Notary Public, within and for said State and County on this 30th day of July, 2010, personally appeared Thomas Ludlow a CFO/General Mgr. for JWTR, LLC, 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 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.

[Seal]



Catherine Marie Chapel  
Notary Public

P.O. Box 404, Midland, OR 97634  
Address

My Commission expires:

May 7, 2012

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )ss.

BEFORE ME, THE UNDERSIGNED, A Notary Public, within and for said State and County on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, personally appeared \_\_\_\_\_ a \_\_\_\_\_, for \_\_\_\_\_, 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 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.

[Seal]

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Address

My Commission expires:

\_\_\_\_\_

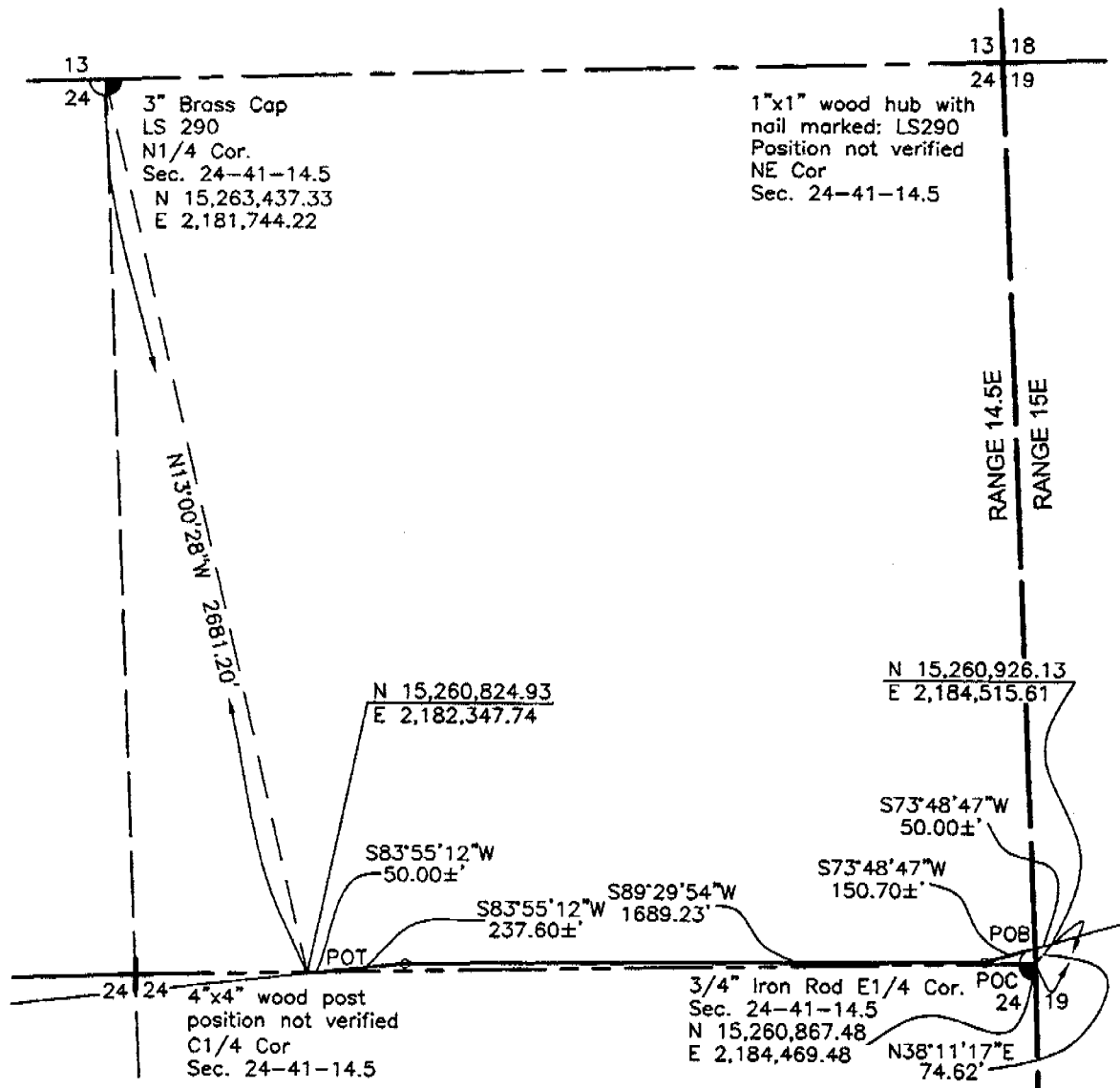


**JWTR, LLC**  
2078± FEET  
125.9± RODS  
1.91± ACRES

SCALE: 1" = 500'  
0 250' 500'

**LEGEND**

- FOUND SECTION CORNER
- FOUND QUARTER CORNER
- FOUND SIXTEENTH CORNER
- CALCULATED CORNER
- EASEMENT PI
- POC POINT OF COMMENCING
- POB POINT OF BEGINNING
- POT POINT OF TERMINUS



**CERTIFICATE OF SURVEYOR**

I, Douglas E. Adkins, a Professional Land Surveyor in the State of Oregon, 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.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*DE Adkins*

OREGON  
DECEMBER 15, 1978  
DOUGLAS E. ADKINS  
1794

RENEWAL DATE 12/31/11

**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 any rights-of-way and easements shown.
- 4.) Basis of bearings - UTM bearings, Zone 10N, as established by GPS static survey, July 1, 2008 - June 29, 2009, NAD1983 Datum, NAVD1988 Datum, Geoid Model 03, and adjusted to established CORS stations.
- 5.) All distances shown are grid distances (US Survey Feet).

REFER TO SHEET 2 OF 2  
FOR LEGAL DESCRIPTION

REF. DWG:

LINE LIST NO.: 4100


**ADKINS**

SURVEYED AND PREPARED BY:

CONSULTING  
ENGINEERS, INC.  
2950 Shasta Way  
(541) 884-4666

Engineers & Planners & Surveyors  
Klamath Falls, Oregon 97603  
FAX (541) 884-5335

Division: ROCKY MOUNTAIN	Op. Area: ELKO
State: OREGON	Co./Par.: KLAMATH
Section: 24	Township: 41S
Dft: HEP	Date: 7-23-09
Chk: DEA	Date: 8-10-10
Appr: DEA	Date: 8-10-10
Project ID: 128576	Scale: 1"=500'
Filename: 0300-AU-4100	



2	6-17-2010	TLJ	ALIGNMENT RE ROUTE		
NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
REVISIONS					
LAND PLAT RUBY PIPELINE - LN 300A CROSSING JWTR, LLC PROPERTY			 RUBY PIPELINE LLC		
			300AU-4100	Sheet: 1 of 2 Type: LANDDEV	Rev. 2

**JWTR, LLC**  
2078± FEET  
125.9± RODS  
1.91± ACRES

A 50.00 foot easement for pipeline purposes across a portion of the Northeast Quarter of Section 24, Township 41 South, Range 14.5 East of the Willamette Meridian, Klamath County, Oregon. Said easement being 25.00 feet on each side of the following described centerline:

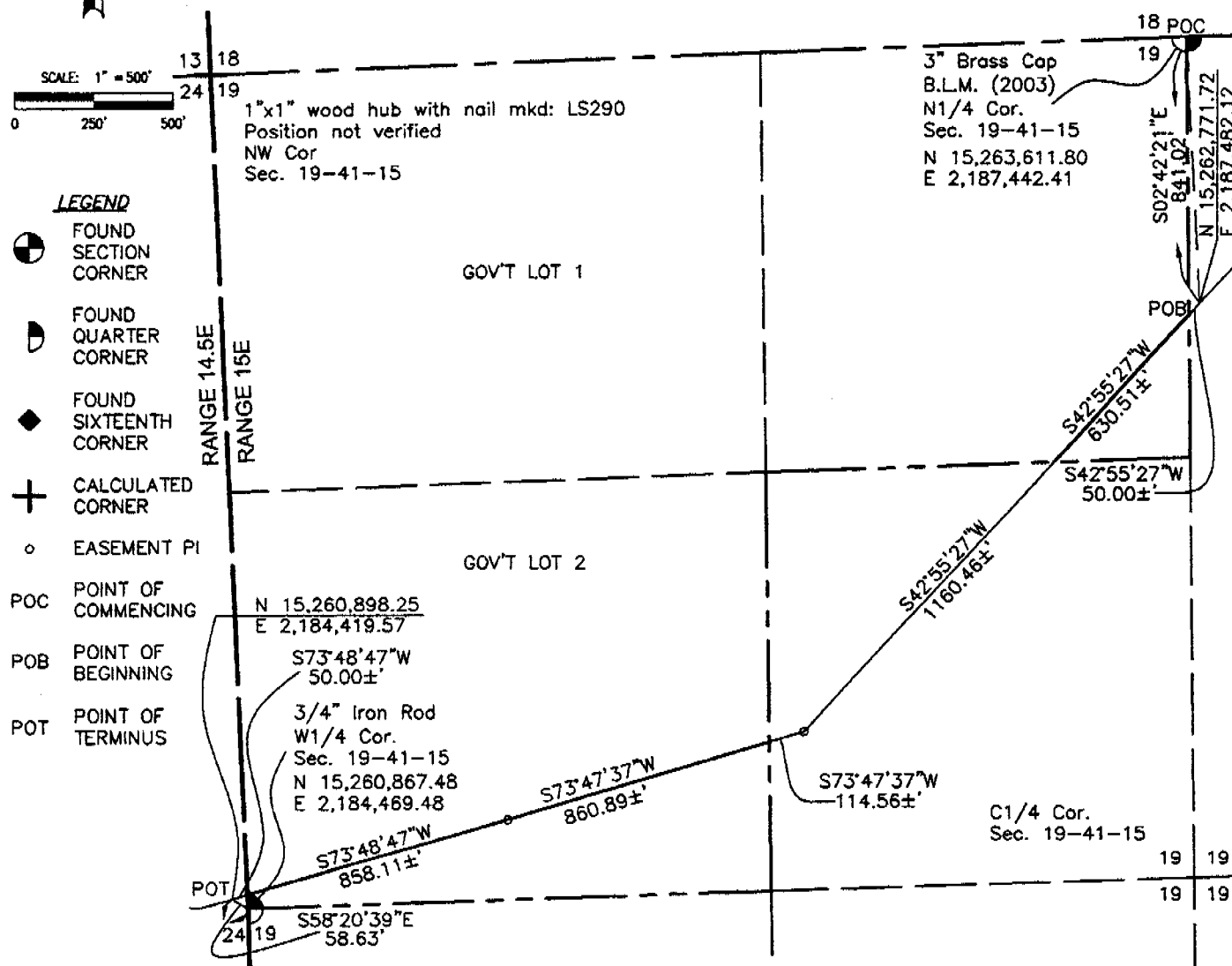
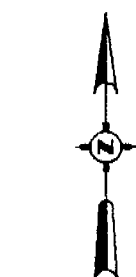
Commencing from the East Quarter Corner of said Section 24, being Universal Transverse Mercator Zone 10 Coordinate North 15,260,867.48 East 2,184,469.48 (US survey feet); thence North 38 degrees 11 minutes 17 seconds East, a distance of 74.62 feet, to Universal Transverse Mercator Zone 10 Coordinate North 15,260,926.13 East 2,184,515.61; thence South 73 degrees 48 minutes 47 seconds West, a distance of 50.00 feet, more or less, to the East Line of the Northeast Quarter of said Section 24 and the Point of Beginning; thence continuing South 73 degrees 48 minutes 47 seconds West, a distance of 150.70 feet, more or less; thence South 89 degrees 29 minutes 54 seconds West, a distance of 1689.23 feet; thence South 83 degrees 55 minutes 12 seconds West, a distance of 237.60 feet, more or less, to the South line of said Northeast Quarter and the Point of Terminus; thence continuing South 83 degrees 55 minutes 12 seconds West, a distance of 50.00 feet, more or less, to Universal Transverse Mercator Zone 10 Coordinate North 15,260,824.93 East 2,182,347.74, from which the North Quarter Corner of said Section 24, being Universal Transverse Mercator Zone 10 Coordinate North 15,263,437.33 East 2,181,744.22, bears North 13 degrees 00 minutes 28 seconds West, a distance of 2681.20 feet.  
Extending or shortening the side lines to close upon the East and South Lines of the Northeast Quarter of said Section 24. Containing 83,139 Square Feet or 1.91 Acres more or less.

REFER TO SHEET 1 OF 2  
FOR EXHIBIT DRAWING

REF. DWG:		LINE LIST NO.: 4100	
 <b>ADKINS</b> CONSULTING ENGINEERS, INC. 2950 Shasta Way (541) 884-4666		SURVEYED AND PREPARED BY: Engineers & Planners & Surveyors Klamath Falls, Oregon 97603 FAX (541) 884-5335	
Division: ROCKY MOUNTAIN		Op. Area: ELKO	
State: OREGON		Co./Par.: KLAMATH	
Section: 24		Township: 41S Range: 14.5E	
Dft: HEP		Date: 7-23-09 Project ID: 128576	
Chk: DEA		Date: 8-10-10 Scale: 1"=500'	
Appr: DEA		Date: 8-10-10 Filename: 0300-AU-4100	
<b>LAND PLAT</b> <b>RUBY PIPELINE - LN 300A</b> <b>CROSSING</b> <b>JWTR, LLC</b> <b>PROPERTY</b>		<b>REVISIONS</b>	
 <b>RUBY PIPELINE LLC</b>			
300AU-4100A		Sheet: 2 of 2	Rev. 2
		Type: LANDDEV	

# JWTR, LLC

2350± FEET  
142.4± RODS  
2.70± ACRES



## CERTIFICATE OF SURVEYOR

I, Douglas E. Adkins, a Professional Land Surveyor in the State of Oregon, 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.

### 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 any rights-of-way and easements shown.
- 4.) Basis of bearings - UTM bearings, Zone 10N, as established by GPS static survey, July 1, 2008 - June 29, 2009, NAD1983 Datum, NAVD1988 Datum, Geoid Model 03, and adjusted to established CORS stations.
- 5.) Distances shown hereon are Grid Distances per said UTM Zone 10N.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*D E Adkins*

OREGON  
DECEMBER 15, 1978  
DOUGLAS E. ADKINS  
1794

RENEWAL DATE 12/31/11

REFER TO SHEET 2 OF 2  
FOR LEGAL DESCRIPTION

REF. DWG:

LINE LIST NO.: 4098

<b>ADKINS</b> CONSULTING ENGINEERS, INC. 2950 Shasta Way (541) 884-4666		SURVEYED AND PREPARED BY: Engineers • Planners • Surveyors Klamath Falls, Oregon 97603 FAX (541) 884-5335		1 6-17-2010 TLJ ALIGNMENT RE ROUTE	
Division: ROCKY MOUNTAIN Op. Area: ELKO State: OREGON Co./Par.: KLAMATH Section: 19 Township: 41S Range: 15E Dft: HEP Date: 7-15-09 Project ID: 128576 Chk: DEA Date: 8-10-10 Scale: 1"=500' Appr: DEA Date: 8-10-10 Filename: 0300-AU-4098		LAND PLAT RUBY PIPELINE - LN 300A CROSSING JWTR, LLC PROPERTY		RUBY PIPELINE LLC 300AU-4098 Sheet: 1 of 2 Rev. 1 Type: LANDDEV	

JWTR, LLC  
2350± FEET  
142.4± RODS  
2.70± ACRES


A 50.00 foot easement for pipeline purposes across a portion of the Northeast Quarter of the Northwest Quarter and Government Lot 2 of Section 19, Township 41 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon. Said easement being 25.00 feet on each side of the following described centerline:

Commencing from the North Quarter Corner of said Section 19, being Universal Transverse Mercator Zone 10 Coordinate North 15,263,611.80, East 2,187,442.41 (US survey feet); thence South 02 degrees 42 minutes 21 seconds East, a distance of 841.02 feet to Universal Transverse Mercator Zone 10 Coordinate North 15,262,771.72, East 2,187,482.12; thence South 42 degrees 55 minutes 27 seconds West, a distance of 50.00 feet, more or less, to the East Line of the Northeast Quarter of the Northwest Quarter of said Section 19 and the Point of Beginning; thence continuing South 42 degrees 55 minutes 27 seconds West, a distance of 630.51 feet, more or less, to the South Line of the Northeast Quarter of the Northwest Quarter of said Section 19 and an interruption of this easement; thence continuing South 42 degrees 55 minutes 27 seconds West, a distance of 1160.46 feet, more or less; thence South 73 degrees 47 minutes 37 seconds West, a distance of 114.56 feet, more or less, to the East Line of Government Lot 2 and a recommencement of this easement; thence continuing South 73 degrees 47 minutes 37 seconds West a distance of 860.89 feet, more or less; thence South 73 degrees 48 minutes 47 seconds West, a distance of 858.11 feet, more or less, to the West Line of Government Lot 2 of said Section 19 and the Point of Terminus; thence continuing South 73 degrees 48 minutes 47 seconds West a distance of 50.00 feet, more or less, to Universal Transverse Mercator Zone 10 Coordinate North 15,260,898.25, East 2,184,419.57, from which the Southwest Corner of said Government Lot 2, being Universal Transverse Mercator Zone 10 Coordinate North 15,260,867.48, East 2,184,469.48, bears South 58 degrees 20 minutes 39 seconds East, a distance of 58.63 feet. Containing 117,476 Square Feet or 2.697 Acres, more or less.

Extending or shortening the side lines of said easement to the East and South lines of the Northeast Quarter of the Northwest Quarter and the East and West lines of Government Lot 2 of said Section 19.

REFER TO SHEET 1 OF 2  
FOR EXHIBIT DRAWING

REF. DWG: LINE LIST NO.: 4098

<b>ADKINS</b> CONSULTING ENGINEERS, INC. 2950 Shasta Way (541) 884-4666		SURVEYED AND PREPARED BY:											
Engineers & Planners & Surveyors Klamath Falls, Oregon 97603 FAX (541) 884-5335		1		6-17-2010		TLJ		ALIGNMENT RE ROUTE					
NO.		DATE		BY		DESCRIPTION		PROJ. ID		APPR.			
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300AU-4098A				Sheet: 2 of 2		Rev. 1		Type: LANDDEV					