

IT IS ALSO AGREED that any contractor, operating under any agreement or contract with the second party that will extract and remove said material, shall be assigned the rights and obligations by the second party under this agreement, and will be permitted to use said parcel of land to stockpile and/or properly process said material for highway purposes. Compensation for such right shall be _____ and in addition to any and other consideration stated herein.

ADDITIONAL CONDITIONS:

1. The premises will be left in a neat condition ~~with back slopes no steeper than 3 to 1.~~

This agreement to apply to all material obtained from beyond the right-of-way lines by flattening cut slopes or by daylighting.

2. Under the word "process" used hereinabove, it is contemplated that there may be cases wherein controlled emission of smoke, fumes, dust and odors will result. In such event, second party, its assigns and contractors, will control said emission and odors as required and in conformity with the existing state anti-pollution laws.

IT IS DEFINITELY UNDERSTOOD AND AGREED BY THE PARTIES HERETO THAT THE SECOND PARTY IN NO WAY GUARANTEES OR ASSURES THE FIRST PARTY THAT ANY MATERIAL, WHETHER DESIRABLE OR NOT, WILL BE REMOVED IN MEASURABLE QUANTITIES FROM SAID PREMISES; THAT PAYMENT TO THE FIRST PARTY WILL BE MADE ONLY IF MATERIAL IS ACTUALLY REMOVED IN MEASURABLE QUANTITIES.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures this 16th day of December, 1970.

St. D. Alexander

Party of the First Part

STATE OF WYOMING)
COUNTY OF Sublette) ss.:

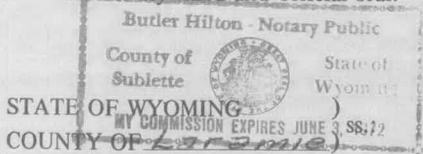
WYOMING STATE HIGHWAY DEPARTMENT

By [Signature]

Party of the Second Part

The foregoing instrument was acknowledged before me this 16th day of December, 1970, as to first party.

Witness my hand and official seal.



Butler Hilton
Notary Public

The foregoing instrument was acknowledged before me this 21st day of December, 1970 as to second party.

Witness my hand and official seal.

My Commission Expires August 28, 1973.

Carl J. Carmichael
Notary Public