

EASEMENT AGREEMENT

Private Easement
Individual(s) as Grantor

The undersigned Leland R. and Susan K. McDonald, ("Grantor") for and in consideration of Ten and no/100 Dollars (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey a joint use easement unto QWEST CORPORATION, a Colorado corporation ("Grantee"), whose address is 1801 California St., Suite 5200, Denver, CO 80202, and MONTANA DAKOTA UTILITIES RESOURCES GROUP, INC., ("Grantee"), a corporation, whose address is 400 North Fourth Street, Bismark, North Dakota 58501 and also unto both their successors, assigns, affiliates, lessees, licensees, and agents, a perpetual non-exclusive easement to construct, modify, add to, maintain, and remove such telecommunications facilities, electrical and gas facilities, and other appurtenances, from time to time, as Grantee may require upon, over, under and across the following described property situated in the County of Sheridan, State of Wyoming, which Grantor owns or in which Grantor has an interest ("Easement Area"), to wit:

An easement which is described in its entirety on Exhibit "A" and depicted as to location on Exhibit "B" which both exhibits are attached hereto and by this reference made a part thereof, all of which is situated in Tract 1, Johnson & Brown Subdivision to Sheridan County, NW1/4NW1/4 and the S1/2NW1/4 of Section 14, Township 54 North, Range 83 West, of the 6th P.M., Sheridan County, Wyoming.

Grantor further conveys to Grantee the right of ingress and egress to and from the Easement Area during all periods of construction, maintenance, installation, reinforcement, repair and removal over and across Grantor's lands with the right to clear and keep cleared all trees and other obstructions as may be necessary for Grantee's use and enjoyment of the Easement Area.

Grantee shall indemnify Grantor for all damages caused to Grantor as a result of Grantee's negligent exercise of the rights and privileges herein granted. Grantee shall have no responsibility for environmental contamination, which is either pre-existing or not caused by Grantee.

Grantor reserves the right to occupy, use and cultivate the Easement Area for all purposes not inconsistent with the rights herein granted.

Grantor covenants that Grantor is the fee simple owner of the Easement Area or has an interest in the Easement Area. Grantor will warrant and defend title to the Easement Area against all claims.

Grantor hereby covenants that no excavation, structure or obstruction will be constructed, or permitted on the Easement Area and no change will be made by grading or otherwise that would adversely affect Grantee's use and enjoyment of the Easement Area.

The rights, conditions and provisions of this Agreement shall run with the land and shall inure to the benefit of and be binding upon Grantor and Grantee and their respective successors and assigns.

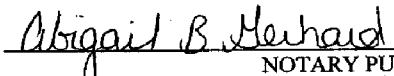

GRANTOR: Leland R. McDonald

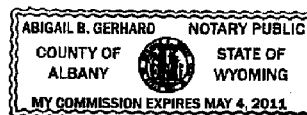

GRANTOR: Susan K. McDonald

STATE OF WYOMING)
)§
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 22 day of October, 2007, by Leland R. and Susan K. McDonald

Witness my hand and official seal:
My Commission Expires: 05/04/2011


NOTARY PUBLIC



R/W# 38950 Job # 527A760
Exchange: Sheridan
County: Sheridan
Tract 1, Johnson & Brown Subdivision to Sheridan County, NW1/4NW1/4 and the S1/2NW1/4 of Section 14, Township 54 North, Range 83 West

EXHIBIT "A"

Record Owners: Leland R. and Susan K. McDonald
August 14, 2006

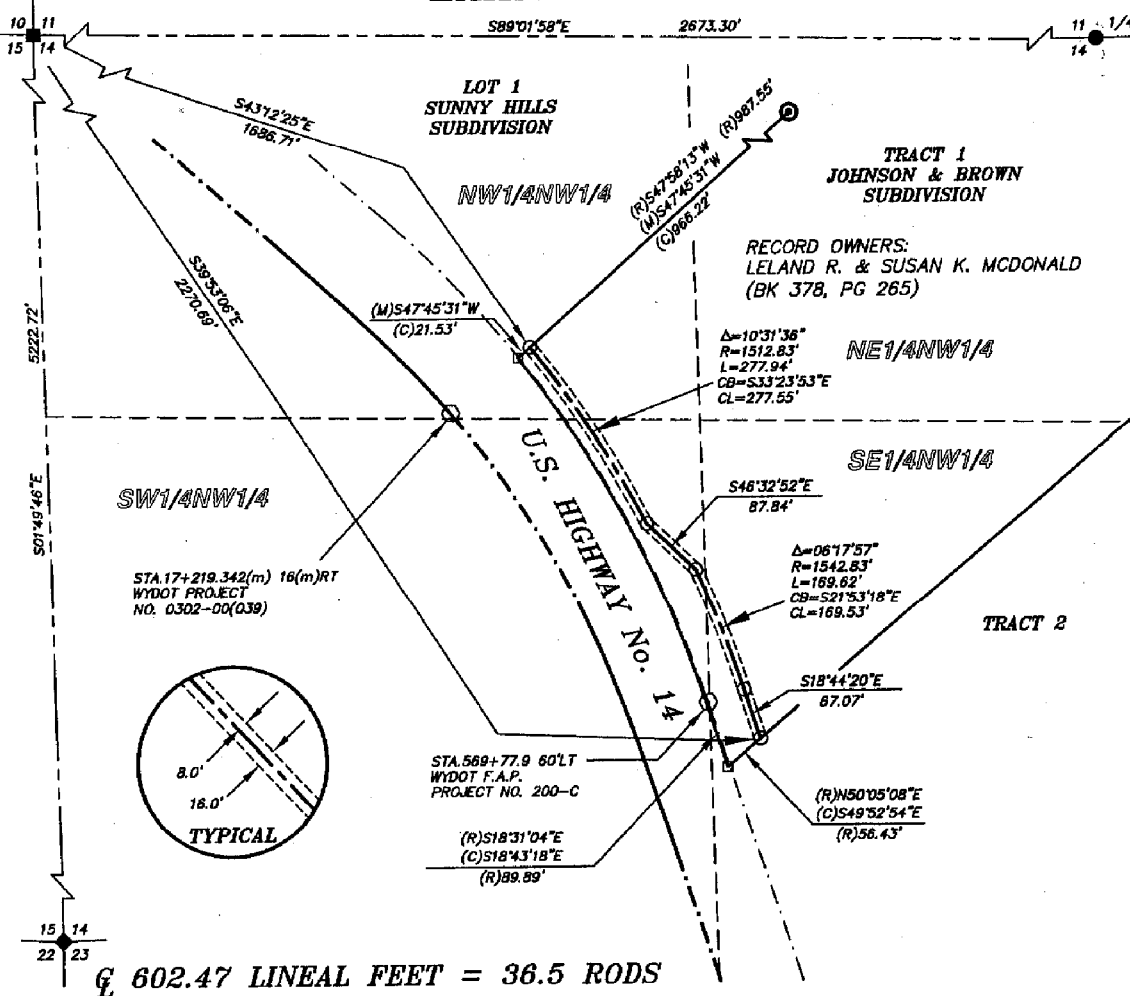
Re: 16.0' Exclusive Utility Easement for QWEST Communications, Inc., and Montana-Dakota Utilities Company, A Division of MDU Resources Group, Inc., and or any of their respective successors and assigns.

An easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in Tract 1, Johnson & Brown Subdivision to Sheridan County, NW $\frac{1}{4}$ NW $\frac{1}{4}$, and the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 14, Township 54 North, Range 83 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the northwest corner of said Section 14 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615); thence S43°12'25"E, 1686.71 feet to the **POINT OF BEGINNING** of said easement, said point lying on the southerly line of Lot 1, Sunny Hill Subdivision; thence, along said centerline, through a non-tangent curve to the right, having a radius of 1512.83 feet, a central angle of 10°31'36", an arc length of 277.94 feet, a chord bearing of S33°23'53"E, and a chord length of 277.55 feet to a point; thence S46°32'52"E, 87.84 feet along said centerline to a point; thence, along said centerline, through a non-tangent curve to the right, having a radius of 1542.83 feet, a central angle of 06°17'57", an arc length of 169.62 feet, a chord bearing of S21°53'18"E, and a chord length of 169.53 feet to a point; thence S18°44'20"E, 67.07 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on the southerly line of said Tract 1, Johnson & Brown Subdivision, and being S39°53'06"E, 2270.69 feet from said northwest corner of Section 14.

Lengthening or shortening the side lines of said easement to intersect said boundary lines.
Basis of Bearings is the Wyoming Coordinate System NAD 1983, East Central Zone.

EXHIBIT "B"



NOTES:

1. 16.0' EXCLUSIVE UTILITY EASEMENT FOR QWEST COMMUNICATIONS, INC., AND MONTANA-DAKOTA UTILITIES COMPANY, A DIVISION OF MDU RESOURCES GROUP, INC., AND OR ANY OF THEIR RESPECTIVE SUCCESSORS AND ASSIGNS.
2. SEE WYOMING DEPARTMENT OF TRANSPORTATION'S RIGHT-OF-WAY AND UTILITY PLANS; SHERIDAN - UCROSS, MURPHY GULCH SECTION (AKA U.S. HIGHWAY No. 14); PROJECT NUMBER 0302-00(039); FOR NEW AND OLD RIGHT-OF-WAY; DATED 05/03/2005.
3. THE SHERIDAN - UCROSS, MURPHY GULCH SECTION; PROJECT NUMBER 0302-00(039) IS A METRIC PROJECT. QWEST COMMUNICATIONS AND MDU DRAWINGS HAVE BEEN CONVERTED TO U.S. SURVEY FEET.
4. SEE RECORD OF SURVEY FILED IN DRAWER "A", PLAT NUMBER 248, AT THE SHERIDAN COUNTY COURT HOUSE.
5. MONUMENTATION WAS FOUND DURING PRIOR SURVEYS.

LEGEND:

- 3-1/4" ALUMINUM CAP PER PLS 2615
- 3-1/4" BRASS CAP PER PLS 520
- ◆ 3-1/4" BRASS CAP PER PLS 537 & PLS 520
- ⊙ 5/8" REBAR
- CALCULATED: HIGHWAY RIGHT-OF-WAY MONUMENT
- CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- (C) CALCULATED
- (m) METRIC
- SECTION LINE
- INTERIOR SECTION LINE
- PROPERTY LINE
- NEW HIGHWAY RIGHT-OF-WAY LINE
- OLD HIGHWAY RIGHT-OF-WAY LINE
- CENTERLINE OF PROPOSED 16.0' UTILITY EASEMENT
- PROPOSED UTILITY EASEMENT LINE

SURVEYOR'S CERTIFICATE

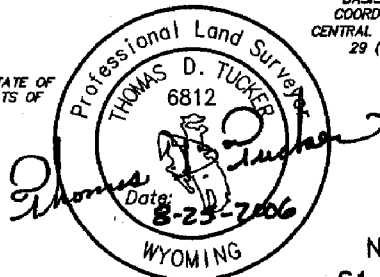
STATE OF WYOMING :88
COUNTY OF SHERIDAN

I, THOMAS D. TUCKER A DULY REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY STATE THAT THIS PLAT REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

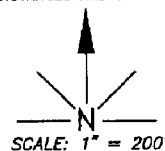
Date: JULY 25, 2006

Job No. 527A760

RL No.



BASIS OF BEARING IS THE WYOMING COORDINATE SYSTEM NAD 1983, EAST CENTRAL ZONE, DATUM: NAD 83(1993), NGVD 29 (U.S. FEET) DAF: 1,000244190 DISTANCES ARE SURFACE



NW1/4NW1/4 &
S1/2NW1/4, Sec.14
T-54-N, R-83-W
SHERIDAN COUNTY, WYOMING

"PLAT IS VALID ONLY IF PRINT HAS ORIGINAL SIGNATURE OF SURVEYOR SIGNED AND DATED"

QWEST Communications
EXHIBIT FOR RIGHT OF WAY NO. 38950
GRANTOR LELAND R. & SUSAN K. MCDONALD
795

RESTFELDT
SURVEYING

PO BOX 3082
SHERIDAN, WY 82901
307-672-7415
FAX 674-5000

JN: 25082
DN: 2005/2005082E19
PF: T2005082