

LICENSE AGREEMENT

AGREEMENT MADE this day by and between LOREN L. SMITH AND CATHERINE C. SMITH, 33 RED FOX DRIVE, SHERIDAN, WYOMING 82801, being the legal owner(s) (hereinafter referred to as "Licensors"), of TRACT 16, DON ENA ESTATES SUBDIVISION, SHERIDAN COUNTY, WYOMING, a subdivision in Sheridan County, Wyoming, as recorded April 5, 1974, in Book 1 of Plats, Page 122, (hereinafter referred to as "Subdivision"), and the Sheridan Area Water Supply Joint Powers Board, a joint powers board existing by and pursuant to the laws of the State of Wyoming, a body politic and body corporate, of Sheridan County, Wyoming (hereinafter referred to as "Licensee"):

WHEREAS:

1.

All of the lot owners of said Subdivision have an easement appurtenant for the use of the roads and streets of said Subdivision, as platted and dedicated by that certain plat of said Subdivision.

2.

By application dated APRIL 28, 1989, Licensor has applied for a tap to receive potable domestic water from Licensee.

3.

In order for Licensee to deliver potable domestic water to Licensor, Licensee must install, construct, maintain, repair and replace a water pipeline and appurtenant facilities within, along, under and beside the roads and streets of said Subdivision.

WHEREFORE, PREMISES CONSIDERED, Licensor grants to Licensee the right, permission and authority to construct, install, maintain, repair and replace a water pipeline and necessary facilities above or below ground surface within, along, on or below the roads and streets of the Subdivision.

Further, Licensee agrees that:

1. Installation, construction, maintenance, repair and replacement of the water pipeline and appurtenant facilities will be accomplished in a manner that will reasonably cause the least

interference with use of the roads and streets of said Subdivision by others entitled to use of said roads and streets.

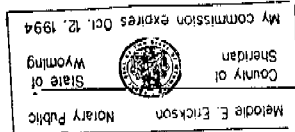
2. All disturbance of roads and streets and their surfaces will be reclaimed and restored to the condition prior to disturbance at the sole cost of Licensee.

3. The water pipelines and necessary facilities shall be placed within the roads and streets of the Subdivision.

4. Licensee is responsible for coordinating the placement of its water pipeline and appurtenant facilities with other utilities within the roads and streets of said Subdivision as appropriate.

5. All buried water pipelines shall be minimum depth of six feet to the top of the line unless otherwise stated. All fire hydrants, flushing hydrants, air and vacuum valves, pressure-reducing valves, gate valves, booster stations, manholes, meter pits, curb stops, vent pipes, enclosures and other appurtenances, extending to the ground surface, shall be located as close as possible to the edge of the road and street right-of-way lines where practicable. Wherever located, they shall be designed for traffic, drainage or other conditions as applicable. All disturbed surfaces shall be restored as nearly as possible to their original condition.

6. If undue settlement of trenches occurs within one (1) year, Licensee shall establish by regrading or other methods all trenches to a uniform and acceptable condition.



My Commission Expires:

Melodie E. Erickson
Notary Public

Witness my hand and official seal.

Subscribed and sworn to before me this 17th day of June, 1991, by Loren L. Smith, the Licensor hereinabove named.

STATE OF WYOMING)
: ss.)
County of Sheridan)

Secretary

Loren L. Smith

Attest:



Chairman

By: M. A. Ball

Licensor:
Sheridan Area Water Supply
Joint Powers Board

Licensor

Loren L. Smith

Licensor

Loren L. Smith

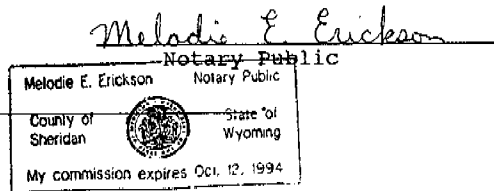
Dated this 17th day of June, 1991.

This License Agreement shall be binding upon the heirs, assigns, representatives, trustees and successors-in-interest to the parties hereto.

STATE OF WYOMING)
 : ss.
 County of Sheridan)

Subscribed and sworn to before me this 19TH day of JUNE, 1991, by CATHERINE C. SMITH, the Licensor hereinabove named.

Witness my hand and official seal.



STATE OF WYOMING)
 : ss.
 County of Sheridan)

The foregoing instrument was acknowledged before me this 9TH day of October, 1991, by Max DeBolt, the Chairman of the Sheridan Area Water Supply Joint Powers Board on behalf of said corporation.

Witness my hand and official seal.

