

RECORDED SEPTEMBER 16, 1996 BK 382 PG 96 NO 237216 RONALD L. DAILEY, COUNTY CLERK

SECOND AMENDMENT TO WATER SERVICE AGREEMENT

THIS SECOND AMENDMENT TO WATER SERVICE AGREEMENT made, dated, and signed this 6th day of September, 1996, by and between Powder Horn Ranch, L.L.C., (hereinafter referred to as "Developer"), and the Sheridan Area Water Supply Joint Powers Board (hereinafter referred to as "Board").

WITNESSETH:

WHEREAS, on June 8, 1995, Developer and Board entered into a Water Service Agreement for service to lands comprising the Powder Horn Ranch Subdivision - Phase I (hereinafter referred to as "the Subdivision"); and,

WHEREAS, on August 13, 1996, Developer and Board entered into an Amendment to Water Service Agreement, said amendment increasing the number of 3/4" connections (or equivalent) allocated for the Subdivision from 146 to 154; and

WHEREAS, due to the replatting of Lots 18, 19, and 20, Block G of the Subdivision and a mathematical error associated with the increase in number of connections and resultant August 14, 1996 amendment, it is necessary to now decrease the number of 3/4" connections (or equivalent) for the Subdivision from 154 to 143.

NOW, THEREFORE, IT IS HEREBY AGREED AMONG THE PARTIES AS FOLLOWS:

1. Paragraph 7.A. of the June 8, 1995 Water Service Agreement for service to the Subdivision, as first amended on August 13, 1996, is now hereby amended to read as follows:

"A. Developer shall not exceed one hundred forty-three (143) 3/4" residential connections, or equivalent. Connections shall be for residential dwelling units only (as opposed to commercial use), unless specific permission is otherwise granted by the Board."

All other provisions and stipulations of the June 8, 1995 Water Service Agreement and August 13, 1996 Amendment to Water Service Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties to this Second Amendment execute it as of the date first above written.

Attest:

SHERIDAN AREA WATER SUPPLY
JOINT POWERS BOARD

By: Kenneth D. Kerns
Carey E. Ketchum
Secretary
Kenneth D. Kerns
Vice-Chairman

Della M. Herbst
Della M. Herbst
Chairman

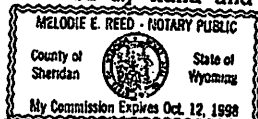
DEVELOPER

Homer Scott, Jr.
Powder Horn Ranch, L.L.C.
Homer Scott, Jr., Manager

STATE OF WYOMING)
COUNTY OF SHERIDAN) ss.

The foregoing instrument was acknowledged before me this 12th day of September, 1996, by the Chairman of the Sheridan Area Water Supply Joint Powers Board.

Witness my hand and official seal.



Melodie E. Reed
Notary Public

My Commission Expires: October 12, 1996

STATE OF WYOMING)
COUNTY OF SHERIDAN) ss.
The foregoing instrument was acknowledged before me by Homer Scott, Jr., personally known to me as the Manager of the Powder Horn Ranch, L.L.C. this 6th day of September, 1996.

Witness my hand and official seal.

Melodie E. Reed
Notary Public

My Commission Expires: June 11, 1999