

PROPOSED CHANGES TO BOILERPLATE FORM ROW 14-123251

4.1 ___ The purpose of this Right of Way is the location, construction, operation, and maintenance of:
PLACEHOLDER Access and Service Road(s), 6 Pipelines, Electrical and Telecommunication
Lines.

PROPOSED CHANGES TO ADDITIONAL CONDITIONS OF ROW 14-123251

1.4 ___ The purpose of this Right of Way is for Non-Exclusive Access and Service Road(s), Overhead
Electric Transmission Lines(s), a 48-count fiber optic communication line for internal purposes only and
6-24" pipelines.

7. MISCELLANEOUS

7.1 Grantee shall relocate that portion(s) of the Grantee's facilities within the Right of Way and any
associated appurtenances or
portion(s) thereof constructed pursuant to this Right of Way (the "Affected Facilities") if Grantor
determines, in its reasonable discretion, that the relocation of the Affected Facilities during the
Term of this Right of Way is in the best interests of the Trust and facilitates the use and/or
development of the balance of the surrounding State Trust Lands.

7.1.1 Prior to relocation of the Affected Facilities, Grantor, Grantee, and any 3rd party
applicant, lessee, grantee, or permittee whose use of the surrounding State Trust Lands shall
be facilitated by the relocation, shall agree to the new alignment of this Right of Way and
location of the Affected Facilities. The realignment and relocation shall not, without the
approval of Grantee, change the locations at which the Affected Facilities currently enter and
exit State Trust lands. Realignment of the Right of Way may require an amendment to the
Subject Land, and may require additional rent to Grantor, but in no case a diminution in rent, if
necessary to compensate for any greater value of the amended Subject Land.

7.1.2 The proposed relocation shall not cause an interruption in Grantee's use of the

Affected Facilities.

7.1.3 The proposed relocation may only proceed if Grantee can obtain all clearances,
permits, approvals, and acceptable title insurance necessary to operate and relocate the
Affected Facilities within the new right of way alignment.

7.1.4 The 3rd party applicant, lessee, grantee, or permittee seeking the relocation of the
Affected Facilities or this Right of Way to facilitate its use and development of the surrounding

Deleted: ¶

Deleted: r

Deleted: p

Deleted: e

Deleted: t

Formatted: Indent: First line: 0.5", Space After: 0 pt, Line spacing: 1.5 lines

Deleted: l

Deleted: a

Deleted: 24

Deleted: water transmission

Deleted: 7.1 → Grantor, or its successors or assigns, reserves the right, upon the request of Lessee / Certificate of Purchase Holder / Permittee to relocate all or any portion of this Right of Way, provided however that the Lessee / Certificate of Purchase Holder / Permittee of the underlying State Trust land

Deleted: overhead 138kV transmission line with ¶ an overhead 48-count fiber optic line (internal use only)

Deleted: third

Formatted: Indent: Left: 0.5", Right: 0", Space After: 0 pt, Line spacing: 1.5 lines

Deleted: bear

Deleted: full cost

Deleted: expense

Deleted: of any facilities on

Deleted: the Subject Land and on neighboring land regardless of ownership necessary to accommodate the

Deleted: relocation

Deleted: . Relocation

Deleted: shall

Deleted: description of the

Deleted: payment

Deleted: of

Deleted: rental

Deleted: rental

Deleted: overhead 138kV transmission line with an overhead 48-count fiber optic line (internal use only)

Deleted: third

State Trust Land shall reimburse Grantee, in a manner to be agreed prior to relocation, for (a) Grantee's costs to apply for, process, and obtain all clearances, permits, and approvals necessary to relocate the Affected Facilities or this Right of Way to the new right of way alignment, (b) Grantee's cost to relocate and reconstruct the Affected Facilities in the new right of way alignment, (c) Grantee's cost to remove the Affected Facilities from this Right of Way, and (d) any increase in the Rent charged by Grantor for any amendment to the acreage and location of the Subject Land.

Deleted: Base R

7.2 NO CHANGE

7.3 No altering of existing drainages or drainage structures is authorized under this instrument except as otherwise authorized by appropriate state and federal permits.