

63100

AMENDMENT OF LEASE AND AGREEMENT (SHORT FORM)

THIS AGREEMENT, made this 14TH day of JANUARY, 1977, between the party or parties whose names are subscribed hereto under the designation of "Lessor", hereinafter called "Lessor", and CHEVRON OIL COMPANY, a corporation, and AMERICAN THERMAL RESOURCES, INC., a corporation, hereinafter called "Lessee",

W I T N E S S E T H:

THAT, REFERENCE IS HEREBY MADE to that certain Lease and Agreement dated April 26, 1972, a short form of which is of record in the Office of the County Recorder of Eureka County, Nevada, in Book 43 at Page 459, et seq. of Official Records, whereby Lessor did grant, lease and let unto American Thermal Resources, Inc. for the purposes therein described certain lands situate in said County and State particularly described in said lease;

AND, WHEREAS, by that certain Assignment dated June 15, 1976, recorded in the Office of the County Recorder of Eureka County, Nevada, in Book 55 at Page 322, et seq. of Official Records, and in the Office of the County Recorder of Lander County, Nevada, in Book 139 at Page 375, et seq. of Official Records, American Thermal Resources, Inc. assigned to Chevron Oil Company an undivided 62 1/2% interest in said lease;

AND, WHEREAS, Lessor and Lessee have agreed to amend said lease in the particulars hereinafter set forth:

NOW, THEREFORE, in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration paid to Lessor by Lessee, receipt of which is hereby acknowledged, Lessor and Lessee agree as follows:

1. The second paragraph of said lease (short form) which now reads in part as follows:

"The term of this lease and agreement is for a period of five (5) years commencing. . ."

shall be and hereby is amended to read as follows:

"The term of this lease and agreement is for a period of fifteen (15) years commencing. . ."

2. Said lease is further amended as set forth in that certain Amendment of Lease and Agreement bearing even date herewith by and between the parties hereto and covering the lands described therein and by this reference incorporated into this Amendment of Lease and Agreement.

3. To implement the foregoing, Lessor does hereby grant, demise, lease and let unto Lessee all those certain lands particularly described in said lease for the term and purposes and subject to all of the other provisions of said lease as hereby amended. Lessor agrees that said lease as hereby amended

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is in good standing and in full force and effect. Lessor acknowledges receipt of rental in full under said lease to April 25, 1978.

4. This agreement shall bind and inure to the benefit of the respective heirs, executors, administrators, successors, and assigns of the parties hereto.

IN WITNESS WHEREOF, this agreement has been executed as of the day and year first herein written.

LESSEE

LESSOR

CHEVRON OIL COMPANY *Now* CHEVRON U.S.A. INC.

By *[Signature]*
Its Attorney in Fact

[Signature]
DAVID M. CORBETT, (50% Surf., 25% M. R.)

[Signature]
SHIRLEY K. CORBETT, his wife

AMERICAN THERMAL RESOURCES, INC.

By *[Signature]*

[Signature]
KEITH E. JONES (50% Surf., 25% M. R.)

[Signature]
ED FRIESEN

[Signature]
ELSIE FRIESEN, his wife (50% M. R.)

Addresses:

Corbett: 1208 Adaho St.
Elko, Nevada

Friesen: 6400 Snell Rd.,
San Jose, Calif.

Jones: 3070 PLUMAS ST.
RENO, NEV. 84509

SUBSCRIBING WITNESS TO SIGNATURE OF
KEITH E. JONES:

[Signature]

SUBSCRIBING WITNESS TO SIGNATURES
OF DAVID M. CORBETT and SHIRLEY K.
CORBETT

[Signature]

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TO 8084 NV (4-67)
(Subscribing Witness)

TI

STATE OF NEVADA

COUNTY OF Elko } SS.

On January 20, 1977 personally appeared before me, a Notary Public in and for said County and State, ROY M. RAINS known to me to be the person whose name is subscribed to the within instrument as a witness thereto, who being by me duly sworn, deposed and said: that he is a resident of HUNTINGTON BEACH, CALIFORNIA

that he was present and saw DAVID M. CORBETT and SHIRLEY K. CORBETT personally known to HIM

to be the persons described in and whose names are subscribed to the within and annexed instrument, execute the same, and that affiant subscribed HIS name thereto as a witness to said execution.

Signature Phyllis Kirkham

Phyllis Kirkham
Name (Typed or Printed)



PHYLLIS KIRKHAM
Notary Public - State of Nevada
Elko County, Nevada
Commission Expires March 16, 1980

(This area for official notarial seal)

TO 8084 NV (4-67)
(Subscribing Witness)

TI

STATE OF NEVADA

COUNTY OF Elko } SS.

On January 20, 1977 personally appeared before me, a Notary Public in and for said County and State, ROY M. RAINS known to me to be the person whose name is subscribed to the within instrument as a witness thereto, who being by me duly sworn, deposed and said: that he is a resident of HUNTINGTON BEACH, CALIFORNIA

that he was present and saw KEITH E. JONES personally known to HIM

to be the person described in and whose names are subscribed to the within and annexed instrument, execute the same, and that affiant subscribed HIS name thereto as a witness to said execution.

Signature Phyllis Kirkham

Phyllis Kirkham
Name (Typed or Printed)



PHYLLIS KIRKHAM
Notary Public - State of Nevada
Elko County, Nevada
Commission Expires March 16, 1980

(This area for official notarial seal)

TO 1984 CA (P 74)
(Individual)

TITLE INSURANCE
AND TRUST
A TICOR COMPANY

STATE OF CALIFORNIA

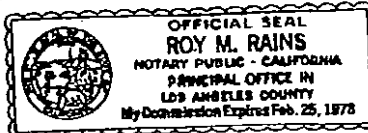
COUNTY OF SANTA CLARA } SS.

On JAN 14 1977 before me, the undersigned, a Notary Public in and for said State, personally appeared ED FRIESEN and ELSIE FRIESEN

known to me
to be the person S whose name S ARE subscribed
to the within instrument and acknowledged that THEY
executed the same.

WITNESS my hand and official seal.

Signature Roy M. Rains
ROY M. RAINS



(This area for official notarial seal)

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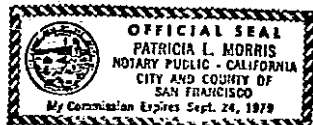
624 RV-21

State of California
City and County of San Francisco

On March 28, 1977, before me, the undersigned, a Notary Public in and for said City and County and State, residing therein, duly commissioned and sworn, personally appeared Clair Ghylin known to me to be an Attorney in Fact of CHEVRON U.S.A. INC. the Corporation described in and that executed the within instrument, and also known to me to be the person who executed it on behalf of the said Corporation therein named, and he acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal, the day and year in this certificate above written.

Patricia L. Morris
PATRICIA L. MORRIS
Notary Public in and for said City and
County of San Francisco, State of California



LD-116 (CD-1 77)
Printed in U.S.A.

STATE OF CALIFORNIA,

COUNTY OF ORANGE



ON April 28, 1977,
before me, the undersigned, a Notary Public in and for the said State, personally appeared
ROY PARODI, known to me to be the
President, XXX

XXXX XXXX of
AMERICAN THERMAL RESOURCES, INC.
the Corporation that executed the within instrument, known to me to be the persons who
executed the within instrument, on behalf of the Corporation herein named, and acknowledged
to me that such Corporation executed the within instrument pursuant to its by-laws or a
resolution of its board of directors.
WITNESS my hand and official seal.

Anthony Sgroi
Notary Public in and for said State.

ACKNOWLEDGMENT—Corp.—Pres. & Sec.—Notarials Form 226—Rev. 3-64

RECORDED AT THE REQUEST OF Title Insurance & Trust Co.
on June 16, 19 77 at 34 mins. past 10 A.M. in
Book 59 of OFFICIAL RECORDS, pages 232-235, RECORDS OF
EUREKA COUNTY, NEVADA. WILLIS A. DePAOLI Recorder
File No. 63100 Fee \$ 6.00

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