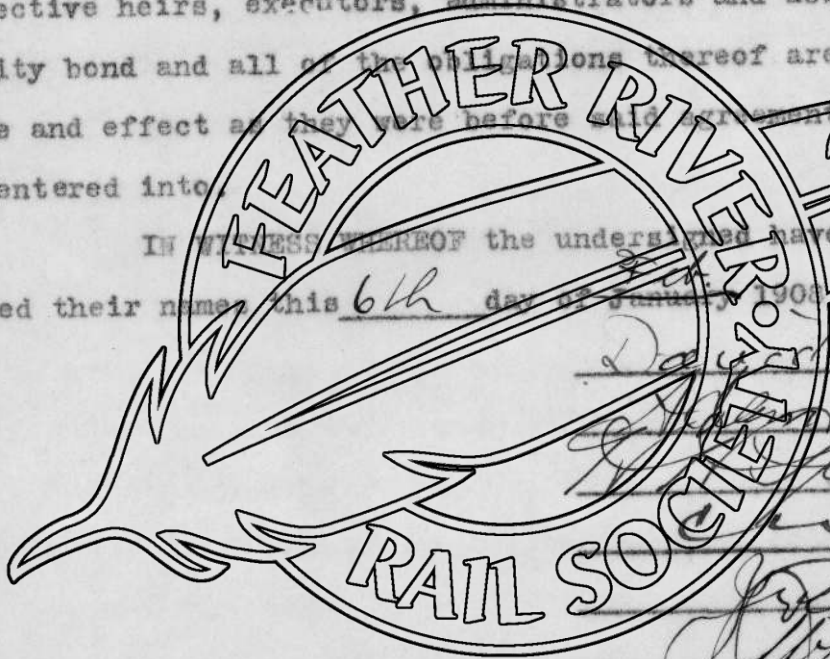


The undersigned being the sureties in the indemnity bond attached to the so-called "Permanent Contract D", dated October 31st, 1905, and mentioning the foregoing agreement entered into between Western Pacific Railway Company and ^{The} Utah Construction Company, do hereby acknowledge and declare that they had full knowledge of all the terms and conditions of the foregoing agreement dated ~~January~~ ^{Feb.} 6th 1908, and that said agreement of ~~January~~ ^{Feb.} 6th 1908 was entered into at their solicitation and with their consent and upon the condition that their liability and the liability of each of them upon said indemnity bond should in no wise be affected by reason of said agreement of ~~January~~ ^{Feb.} 6th 1908, and that they do and each of them does hereby agree for themselves and their respective heirs, executors, administrators and assigns that said indemnity bond and all of the obligations thereof are now of the same force and effect as they were before said agreement of ~~January~~ ^{Feb.} 6th 1908 was entered into.

IN WITNESS WHEREOF the undersigned have hereto respectively signed their names this 6th day of ~~January~~ ^{Feb.} 1908.



David Eagles
John Patterson
James
Worripley
John Lewis
W. H. Matter
[Signature]