

Lease No. C89-102456 (2222)
Modification No. 9
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**MODIFICATION NO. 9
TO
LEASE NO. C89-102456 (2222)
BECHTEL BWXT IDAHO, LLC (BBWI)**

2525 Fremont Avenue
P. O. Box 1625, Idaho Falls, ID 83415-3521
OPERATING UNDER U. S. GOVERNMENT CONTRACT NO. DE-AC07-99ID13727

To: Mr. Brian Christensen, President
J.B.C. Construction
P.O. Box 2641
Idaho Falls, ID 83403

THIS MODIFICATION NO. 9, effective May 22, 2003, is to accomplish the following regarding the Lease at 369 May Street, Idaho Falls, Idaho:

- Change Parties to the Lease
- Change Lease Number
- Exercise Lessee Option Term
- Add Additional Option Terms
- Affirm and Establish Rental Rate
- Modify the Administration Article
- Include Notification Requirements

The parties hereto mutually agree to the following:

I. PARTY TO LEASE

As of February 1, 2003, Robert or Ina Oyler , as Lessor, executed an Agreement transferring ownership of the property located at 369 May Street, Idaho Falls, ID to J.B.C. Construction. Pursuant to this Lease Modification and a Novation Agreement executed March 10, 2003, J.B.C. Construction assumes any and all terms, covenants and conditions contained in this Lease.

II. LEASE NUMBER

Lease No. C89-102456 is hereby changed to Lease No. 2222.

III. ARTICLE 4 – TERM OF LEASE AND EXTENSION, is changed to include the following: Pursuant to terms of Modification No. 5, Lessee hereby exercises the third of three, one-year options from May 22, 2003 through May 21, 2004.

Additionally, Lessee shall have the option to extend the Lease for three, one-year terms. Payment by Lessee and acceptance of payment by Lessor of first month rent for an option term shall constitute exercise of the option term irrespective of timely submittal by Lessee of notice to exercise the option.

IV. ARTICLE 5 – RENTAL PAYMENTS, is changed to include the following:

Lessee will pay Lessor \$10,200.00 per annum, payable monthly, in arrears, at the rate of \$850.00 per month, for the period May 22, 2003 through May 21, 2004; and for each of three, one-year options, if exercised by Lessee.

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V. ARTICLE 10 – ADMINISTRATION

Lessee's responsibility under the subject lease shall be administered by Margit Larrieu (208) 526-7829.

VI. ARTICLE 14 – MAINTENANCE OF PREMISES, is changed to include the following paragraph:

Lessor shall notify and obtain advance concurrence from Lessee's facility representative regarding Lessor's planned work on power systems, plumbing , or any other action that may affect the facility function, or potentially affect the working ability, safety and/or health of the occupants.

Except only as changed by this Modification No. 9, and Modification Nos. 1 – 8, or to the extent rendered inconsistent herewith, all of the terms and conditions of this Lease Agreement shall remain in full force and effect.

LESSOR
J.B.C. CONSTRUCTION

LESSEE
BECHTEL BWXT IDAHO, LLC

By: 

By: 
Dennis G. Miller

Title: President

Title: Subcontract Administrator