

Quit Claim Deed Page 1 of 4
Russell Shirts Washington County Recorder
05/24/2013 02:50:48 PM Fee \$24.00 By
SOUTHERN UTAH TITLE

When recorded mail deed and tax notice to:

Big Plains Water and Sewer Special
Service District
% Gary G. Kuhlmann
P.O. Box 910387
St. George, Utah 84791

CORPORATE QUIT-CLAIM DEED

CEDAR POINT WATER COMPANY, INC., a Utah Corporation, organized and existing under the laws of the State of Utah, with its principal office at Hurricane, County of Washington, State of Utah, grantor(s), hereby **QUIT-CLAIMS** to

BIG PLAINS WATER AND SEWER SPECIAL SERVICE DISTRICT, a Utah special service district, grantee(s) of St. George, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described easements in Washington County, State of UTAH:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

Dated this 23rd day of May, 2013.

CEDAR POINT WATER COMPANY, INC., a Utah corporation

BY: 
Roger Sanders, Authorized Agent

State of Utah)
County of Washington)

On the 23rd day of May, 2013, personally appeared before me, Roger Sanders, who being by me duly sworn, did say that the said Roger Sanders is the Authorized Agent of CEDAR POINT WATER COMPANY, INC., a Utah corporation, and that said instrument was signed in behalf of said corporation by authority of its by-laws (or by a resolution of its board of directors) and said Roger Sanders, duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.


Notary Public

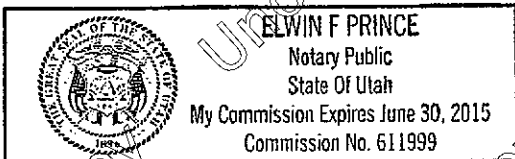


EXHIBIT A

PARCEL 3: DESCRIPTION OF PARCEL FOR INGRESS & EGRESS RIGHT OF WAY TO WATER TANK SITE, as created by Quit Claim Deed recorded January 30, 2013, as Doc # 20130003567, Official Washington County Records., described as follows:

Beginning at a point North 89°59'43" West along the Section line, 332.25 feet and South 52°31'14" West, 209.01 feet from the Northeast Corner of Section 30, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 37°00'00" East, 12.50 feet; thence South 52°31'14" West, 57.23 feet; thence South 57°01'38" West, 40.37 feet; thence South 73°08'31" West, 41.52 feet; thence South 85°41'19" West, 37.98 feet; thence North 47°42'57" West, 97.44 feet; thence North 75°34'21" East, 15.72 feet; thence South 47°42'57" East, 66.83 feet; thence North 85°41'19" East, 40.80 feet; thence North 73°08'31" East, 35.24 feet; thence North 57°01'38" East, 35.85 feet; thence North 52°31'14" East, 56.46 feet; thence South 37°00'00" East, 12.50 feet to the point of beginning.

PARCEL 4: DESCRIPTION OF CENTERLINE OF 15' WIDE RIGHT OF WAY, as created by Quit Claim Deed recorded January 30, 2013, as Doc # 20130003567, described as follows:

Beginning at a point North 89°59'43" West along the Section line 675.93 feet and South 0°00'00" East, 165.26 feet from the Northeast Corner of Section 30, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence North 28°47'19" East, 28.04 feet; thence North 11°18'02" West, 50.35 feet; thence North 38°44'59" West, 68.89 feet to the end of said right of way easement.

PARCEL 5:

TWENTY-FIVE FOOT (25') WIDE PERPETUAL EASEMENT FOR UNDERGROUND UTILITIES, AS CREATED BY GRANT OF EASEMENT DATED JULY 26, 1999 AND RECORDED ON AUGUST 3, 1999 AS DOCUMENT #00657038, BOOK 1342, PAGE 1162, WASHINGTON COUNTY, UTAH RECORDER'S OFFICE, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT N.89°59'43"W., ALONG THE SECTION LINE, 775.67 FEET FROM THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE N.89°59'43"W., ALONG THE SECTION LINE, 27.40 FEET; THENCE N.24°08'53"W. 45.95 FEET; THENCE S.89°57'28"W. 117.76 FEET; THENCE S.77°59'39"W. 21.05 FEET; THENCE N.42°41'51"W. 29.07 FEET; THENCE N.77°59'39"E. 38.51 FEET; THENCE N.89°57'28"E. 136.58 FEET; THENCE S.24°08'53"E. 73.37 FEET TO THE POINT OF BEGINNING.

PARCEL 6:

TWENTY-FIVE FOOT (25') WIDE PERPETUAL EASEMENT FOR UNDERGROUND UTILITIES, AS CREATED BY GRANT OF EASEMENT DATED JULY 22, 1999 AND RECORDED ON AUGUST 3, 1999 AS DOCUMENT #00657037, BOOK 1342, PAGE 1161, WASHINGTON COUNTY, UTAH RECORDER'S OFFICE, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT N.89°59'43"W., ALONG THE SECTION LINE, 925.66 FEET, AND N.42°41'51"W. 50.96 FEET FROM THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S.77°59'39"W. 119.99 FEET; THENCE N.80°44'48"W. 56.72 FEET; THENCE N.48°54'25"W. 22.33 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CARTLAND ROAD; THENCE N.28°35'00"W., ALONG SAID RIGHT-OF-WAY LINE, 32.59 FEET TO THE BEGINNING OF A 332.46 FOOT RADIUS CURVE; THENCE NORTHWESTERLY, TO THE LEFT, ALONG THE ARC OF SAID CURVE, 49.49 FEET, THRU A CENTRAL ANGLE OF 8°31'48"; THENCE DEPARTING SAID RIGHT-OF-WAY LINE AND RUNNING S.48°54'25"E. 93.27 FEET; THENCE S.80°44'48"E. 44.90 FEET; THENCE N.77°59'39"E. 100.46 FEET; THENCE S.42°41'51"E. 29.07 FEET TO THE POINT OF BEGINNING.

PARCEL 10: Access Easement, as created by Quit Claim Easement recorded January 30, 2013, as Doc # 20130003569, Official Washington County Records, for Well #1 & Well #2, described as follows:

Commencing at the Southeast corner of Section 30, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence North 0°03'32" West, along the Section line 1302.40 feet; thence North 89°42'03" West, 3015.16 feet; thence North 19°04'26" West, 26.74 feet to the true point of beginning, said point being on the North right of way line of South Apple Valley Drive; thence North 89°42'03" West, along said right of way line, 13.25 feet; thence North 19°04'26" West, 53.18 feet; thence North 35°46'54" West, 88.26 feet; thence North 22°34'55" West, 180.23 feet to a point on a 100.00 foot radius curve, with radius line bearing North 22°34'55" West; thence Northeasterly, to the left, along the arc of said curve, 25.27 feet; thence South 22°34'55" East, 180.51 feet; thence South 35°46'54" East, 89.04 feet; thence South 19°04'26" East, 65.64 feet to a point on said right of way line, thence North 89°42'03" West, along said right of way line, 13.25 feet to the true point of beginning.

PARCEL 11: An Easement for a Protection Area for Well #1, as created by Land Use Agreement-Source Protection recorded January 30, 2013, as Doc # 20130003568 and Quit Claim Easement recorded January 30, 2013, as Doc # 20130003569, Official Washington County Records, described as follows:

RS

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE N.0°03'32"W. ALONG THE SECTION LINE 1389.02 FEET; THENCE N.90°00'00"W. 3077.55 FEET; THENCE S.62°43'18"E. 100.00 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE ARC OF A 100.00 FOOT RADIUS CURVE AND ON THE NORTH RIGHT OF WAY LINE OF SOUTH APPLE VALLEY DRIVE; THENCE N.89°42'03"W., ALONG SAID RIGHT OF WAY LINE, 178.24 FEET TO A POINT ON A 100.00 FOOT RADIUS CURVE, WITH RADIUS LINE BEARING N.63°19'16"E.; THENCE NORTHEASTERLY, TO THE RIGHT, ALONG THE ARC OF SAID CURVE, 408.33 FEET, THROUGH A CENTRAL ANGLE OF 233°57'26" TO THE TRUE POINT OF BEGINNING.

PARCEL 12: An Easement for a Protection Area for Well #2, as created by Land Use Agreement-Source Protection recorded January 30, 2013, as Doc # 20130003568 and Quit Claim Easement recorded January 30, 2013, as Doc # 20130003569, Official Washington County Records, described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE N.0°03'32"W. ALONG THE SECTION LINE 1724.05 FEET; THENCE N.90°00'00"W. 3213.27 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING THE CENTER POINT OF A CIRCULAR PARCEL OF LAND EXTENDING 100.00 FEET IN EVERY DIRECTION.

PARCEL 15:

A RIGHT-OF-WAY EASEMENT, 25.0 FEET IN WIDTH, TWELVE AND ONE-HALF (12-1/2) FEET ON EACH SIDE OF THE HEREAFTER DESCRIBED CENTERLINE, AS CREATED BY RIGHT-OF-WAY EASEMENT, RECORDED 5/22/13, AS ENTRY NO. 20130019840 OFFICIAL RECORDS.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 00°55'52" EAST ALONG THE SECTION LINE 3970.50 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 85°36'01" EAST, A DISTANCE OF 5.51 FEET, TO THE POINT OF CURVATURE TO THE LEFT, HAVING A RADIUS OF 150.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 109.15 FEET; THROUGH THE CENTRAL ANGLE OF 41°41'36"; THENCE NORTH 51°35'29" EAST, A DISTANCE OF 99.41 FEET, TO THE POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 500.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 67.16 FEET; THROUGH THE CENTRAL ANGLE OF 7°41'47"; THENCE NORTH 43°53'42" EAST, A DISTANCE OF 440.94 FEET; TO THE POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 500.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 94.85 FEET; THROUGH THE CENTRAL ANGLE OF 10°52'07"; THENCE NORTH 30°31'57" EAST, A DISTANCE OF 184.38 FEET; TO THE POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 600.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 235.63 FEET; THROUGH THE CENTRAL ANGLE OF 22°30'05"; TO THE POINT OF REVERSE CURVATURE TO THE LEFT HAVING A RADIUS OF 250.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 104.23 FEET; THROUGH THE CENTRAL ANGLE OF 23°53'12"; THENCE NORTH 30°33'21" EAST, A DISTANCE OF 58.98 FEET; TO THE POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 355.78 FEET; THROUGH THE CENTRAL ANGLE OF 40°46'11"; THENCE NORTH 71°19'32" EAST, A DISTANCE OF 84.46 FEET; TO THE POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 150.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 131.16 FEET; THROUGH THE CENTRAL ANGLE OF 50°05'53"; THENCE NORTH 21°13'39" EAST, A DISTANCE OF 8.85 FEET; TO THE POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 150.00; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 55.52 FEET; THROUGH THE CENTRAL ANGLE OF 21°12'32"; THENCE NORTH 42°26'11" EAST, A DISTANCE OF 16.91 FEET; TO THE POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 500.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 80.70 FEET; THROUGH THE CENTRAL ANGLE OF 9°14'52"; THENCE NORTH 33°11'19" EAST, A DISTANCE OF 17.47 FEET; THENCE NORTH 56°48'41" WEST, A DISTANCE OF 19.00 FEET; THENCE NORTH 11°48'41" WEST, A DISTANCE OF 53.56 FEET; THENCE NORTH 10°41'19" EAST, A DISTANCE OF 20.00 FEET; TO THE POINT OF ENDING.

PARCEL 16:

Non-Exclusive rights of way and easements for access roads, utilities and drainage facilities, also the non-exclusive right to construct, install, service, repair and maintain water wells, pumps, storage facilities, pipes, valves and distribution systems as set forth and reserved in Declaration of Covenants, Conditions and Restrictions, recorded July 11, 1977, as Entry No. 185195, in Book 222, at Pages 491-504, Official Washington County Records

PARCEL 17:

A right of way and easement for ingress, egress, installation and maintenance of a well and water distribution system, as created by Corporate Quit-Claim Deed, recorded February 14, 2013, as Doc. No. 20130005684, Official Washington County Records, with a 50 foot radius, the center point being located South 89°03'23" East 1245.87 feet and South 00°56'37" West 51.63 feet from the Northwest corner of Section 23, Township 43 South, Range 11 West, Salt Lake Base and Meridian. (The center point being the location of an existing well.

Tax I.D.'s

AV_1313-A, AV-1313-B, AV-1334-C

AV-1361-C, AV-1363-A, AV-1363-B

AV-1363-C, AV-1377-F-1

RS

Special Warranty Deed Page 1 of 2
Russell Shirts Washington County Recorder
05/24/2013 02:50:48 PM Fee \$18.00 By
SOUTHERN UTAH TITLE

When Recorded Return To:

Gary G. Kuhlmann
P.O. Box 910387
St. George, Utah 84791

APNs: AV-1313-A; AV-1313-B;
AV-1319-D; AV-1334-C;
AV-1363-B; AV-1366-A-8-C

SPECIAL WARRANTY DEED

For the sum of Ten Dollars and other valuable consideration, Cedar Point Water Company, Inc., a Utah corporation, Grantor, of Washington County, Utah, hereby conveys and warrants against all who claim by, through, or under the Grantor to the Big Plains Water and Sewer Special Service District, a Utah special service district, Grantee, of Washington County, Utah, the following described tract(s) of land in Washington County, Utah:

(See Attached Legal Description)

Together with all improvements and appurtenances existing thereon or related thereto.

WITNESS the hand of said Grantor this 22 day of May, 2013.

CEDAR POINT WATER COMPANY, INC,
a Utah corporation


Jerry G. Eves, President

STATE OF UTAH

County of Washington

On the 22nd day of May, 2013, personally appeared before me Jerry Eves, the signer of the within document, who duly acknowledged to me that he is the President of Cedar Point Water Company, Inc, a Utah corporation, and that he executed the within document by authority of the corporation's Articles of Incorporation, Bylaws or a resolution of the Board of Directors of such corporation.




NOTARY PUBLIC

PARCEL 1: DESCRIPTION OF WATER TANKS SITE

Beginning at a point North 89°59'43" West along the Section line 745.58 feet from the Northeast Corner of Section 30, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 47°23'05" East, 45.69 feet; thence South 27°24'21" West, 14.51 feet; thence South 32°54'59" West, 6.55 feet; thence South 21°12'49" East, 52.55 feet; thence South 8°02'40" East, 18.47 feet; thence South 10°17'41" East, 21.04 feet; thence South 74°14'43" West, 7.81 feet; thence South 75°34'21" West, 26.22 feet; thence North 76°49'40" West, 7.54 feet; thence North 59°43'02" West, 8.01 feet; thence North 49°53'53" West, 10.25 feet; thence North 27°49'47" West, 10.72 feet; thence North 14°50'16" West, 20.83 feet; thence North 18°40'54" West, 29.31 feet; thence North 8°17'45" West, 40.12 feet; thence North 17°16'03" West, 38.23 feet; thence South 89°59'43" East, 43.13 feet to the point of beginning.

PARCEL 2: DESCRIPTION OF PARCEL 5 AS NOTED ON SURVEY

Beginning at a point North 89°59'43" West, along the Section line, 745.58 feet from the Northeast Corner of Section 30, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence North 89°59'43" West, along the Section line 43.13 feet; thence North 17°16'03" West, 1.72 feet; thence North 62°01'40" East, 30.05 feet; thence South 47°23'05" East, 23.24 feet to the point of beginning.

PARCEL 7: WELL #1

Commencing at the Southeast corner of Section 30, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence North 0°03'32" West, along the Section line 1389.02 feet; thence North 90°00'00" West, 3077.55 feet; thence North 42°47'54" West, 15.28 feet to the true point of beginning; thence South 78°59'46" East, 34.16 feet; thence South 10°30'43" West, 39.85 feet; thence North 78°59'46" West, 34.16 feet; thence North 10°03'43" East, 39.85 feet to the true point of beginning.

PARCEL 8: WELL #2

Commencing at the Southeast corner of Section 30, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence North 0°03'32" West, along the Section line 1724.05 feet; thence North 90°00'00" West, 3213.27 feet; thence North 54°13'04" West, 19.88 feet to the true point of beginning; thence South 79°56'02" East, 35.23 feet; thence South 10°07'50" West, 37.76 feet; thence North 80°07'23" West, 35.17 feet; thence North 10°02'16" East, 37.88 feet to the true point of beginning.

PARCEL 9: GENERATOR AND STORAGE TANK SITE

Commencing at the Southeast corner of Section 30, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence North 0°03'32" West along the section line 1302.40 feet; thence North 89°42'03" West, 3015.16 feet; thence North 19°04'26" West, 26.74 feet; thence North 89°42'03" West 13.25 feet; thence North 19°04'26" West, 53.18 feet; thence North 35°46'54" West, 88.26 feet to the true point of beginning; thence South 68°05'38" West, 34.06 feet; thence North 21°40'46" West, 74.76 feet; thence North 68°13'53" East, 32.88 feet; thence South 22°34'55" East, 74.69 feet to the true point of beginning.

PARCEL 13:

A parcel of land in Washington County, Utah, located in the Southwest Quarter of the Southeast Quarter of Section 15, Township 43 South, Range 11 West, Salt Lake Base and Meridian, Utah. Said parcel being more particularly described as follows:

Bearings in the following description are based on the line from the Southeast corner to the South Quarter corner of said Southeast Quarter bearing South 89°59'16" West.

Beginning at a point which lies South 89°59'16" West, 1319.51 feet along the Section line and North 00°01'30" East 466.10 feet from the Southeast corner of said Section 15 at a point on the East line of said Southwest Quarter of the Southeast Quarter; thence North 89°58'30" West 161.89 feet to a point on a non-tangent curve with a radius of 325.00 feet; the radius point of said curve at said point bears North 30°07'37" East; thence Northeasterly along the arc of said curve through a central angle of 59°11'13" a distance of 335.76 feet to a point tangent to said East line; thence South 00°01'30" West 277.30 feet, more or less, along said East line, to point of beginning.

PARCEL 14:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 89°01'01" WEST ALONG THE SECTION LINE 1046.46 FEET; THENCE NORTH 00°58'59" EAST, A DISTANCE 186.13 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 83°28'16" WEST, A DISTANCE OF 124.95 FEET; THENCE NORTH 41°22'32" WEST, A DISTANCE OF 172.64 FEET; THENCE NORTH 02°16'54" WEST, A DISTANCE OF 68.38 FEET; THENCE NORTH 49°56'06" EAST, A DISTANCE OF 71.60 FEET; THENCE NORTH 17°24'31" EAST, A DISTANCE OF 55.81 FEET; THENCE SOUTH 73°33'01" EAST, A DISTANCE OF 109.00 FEET; THENCE SOUTH 59°03'18" EAST, A DISTANCE OF 94.37 FEET; THENCE SOUTH 04°29'30" WEST, A DISTANCE OF 204.25 FEET TO THE POINT OF BEGINNING.

DOC ID 20130020222

Assignment Page 1 of 6
Russell Shirts Washington County Recorder
05/24/2013 02:50:48 PM Fee \$28.00 By
SOUTHERN UTAH TITLE

When Recorded Return To:
Gary G. Kuhlmann
P.O. Box 910387
St. George, Utah 84791

APNs: AV-1313-A; AV-1313-B;
AV-1334-C; AV-1361-C;
AV-1363-A; AV-1363-B;
AV-1363-C; AV-1377-F-1

ASSIGNMENT OF EASEMENTS

This Assignment of Easements ("Assignment"), is made as of the 24th day of May, 2013, by and between Cedar Point Water Company, Inc., a Utah corporation, having its principal office at 55 South 300 West, Suite 1, Hurricane, Utah, 84737 ("Seller") and Big Plains Water and Sewer Special Service District, a Utah special service district, having its principal office at 1777 N. Meadowlark Drive, Apple Valley, Utah 84737 ("District").

WHEREAS, Seller has entered into an Agreement for Purchase and Sale of Assets dated April 5, 2013, with District ("Agreement") which, among other things, provides for Seller to assign all right, title and interest in all easement rights held by Seller related to the operation of Seller's water systems to District.


NOW, THEREFORE, pursuant and subject to the terms of the Agreement and in consideration of the mutual covenants set forth below and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and the District agree as follows:


1. Seller hereby assigns and transfers all right, title and interest which Seller may have in any easements, rights-of-way, rights of ingress or egress, or otherwise, in the property described on Exhibit A attached hereto, to the District, and the District hereby accepts such assignment.
2. Seller and the District agree, on behalf of themselves and their respective successors and assigns, to do, execute, acknowledge, and deliver, or to cause to be done, executed, acknowledged, and delivered, all such further acts, documents, and instruments that may reasonably be required to give full effect to the intent of this Assignment.
3. This Assignment is being delivered pursuant to the Agreement and will be construed consistently therewith. This Assignment is not intended to, and does not, in any manner enhance, diminish, or otherwise modify the rights and obligations of the parties under the Agreement. To the extent that any provision of this Assignment conflicts or is inconsistent with the terms of the Agreement, the terms of the Agreement will govern.
4. This Assignment and all of the provisions hereof will be binding upon and inure to the benefit of Seller and the District and their respective successors and permitted assigns.

IN WITNESS WHEREOF, the Seller and the District have caused this Assignment to be signed by their respective duly authorized officers as of the date first above written.

SELLER:

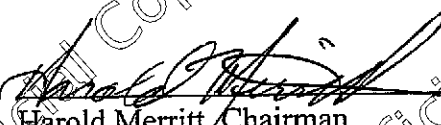
Cedar Point Water Company, Inc


Jerry Eves, President


Patricia W. Eves, Secretary

DISTRICT

Big Plains Water and Sewer
Special Service District:


Harold Merritt, Chairman

ATTEST:

Neil Duncan, Secretary

NOTARY SELLER:

STATE OF UTAH

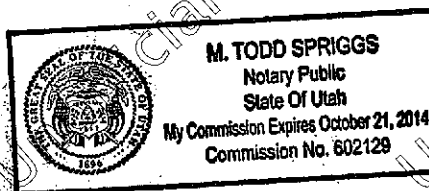
:SS

COUNTY OF WASHINGTON

On the 22nd day of May, 2013, personally appeared before me, Jerry E. Eves, President and Patricia W. Eves, Secretary, of CEDAR POINT WATER COMPANY, INC. the corporation that executed the above and foregoing instrument and that said instrument was signed in behalf of said corporation by authority of its by-laws (or by authority of a resolution of its board of directors) and said acknowledged to me that said corporation executed the same.

Notary Public

My commission expires: 10/21/14
residing at: Washington ut.



IN WITNESS WHEREOF, the Seller and the District have caused this Assignment to be signed by their respective duly authorized officers as of the date first above written.

SELLER
Cedar Point Water Company, Inc.

Jerry Eves, President

Patricia W. Eves, Secretary

DISTRICT

Big Plains Water and Sewer
Special Service District:

~~_____
Harold Merritt, Chairman~~

ATTEST:

~~_____
Neil Duncan, Secretary~~
Richard S. Muser
copy of

EXHIBIT A

PARCEL 3: DESCRIPTION OF PARCEL FOR INGRESS & EGRESS RIGHT OF WAY TO WATER TANK SITE, as created by Quit Claim Deed recorded January 30, 2013, as Doc # 20130003567, Official Washington County Records., described as follows:

Beginning at a point North 89°59'43" West along the Section line, 332.25 feet and South 52°31'14" West, 209.01 feet from the Northeast Corner of Section 30, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 37°00'00" East, 12.50 feet; thence South 52°31'14" West, 57.23 feet; thence South 57°01'38" West, 40.37 feet; thence South 73°08'31" West, 41.52 feet; thence South 85°41'19" West, 37.98 feet; thence North 47°42'57" West, 97.44 feet; thence North 75°34'21" East, 15.72 feet; thence South 47°42'57" East, 66.83 feet; thence North 85°41'19" East, 40.80 feet; thence North 73°08'31" East, 35.24 feet; thence North 57°01'38" East, 35.85 feet; thence North 52°31'14" East, 56.46 feet; thence South 37°00'00" East, 12.50 feet to the point of beginning.

PARCEL 4: DESCRIPTION OF CENTERLINE OF 15' WIDE RIGHT OF WAY, as created by Quit Claim Deed recorded January 30, 2013, as Doc # 20130003567, described as follows:

Beginning at a point North 89°59'43" West along the Section line 675.93 feet and South 0°00'00" East, 165.26 feet from the Northeast Corner of Section 30, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence North 28°47'19" East, 28.04 feet; thence North 1°18'02" West, 50.35 feet; thence North 38°44'59" West, 68.89 feet to the end of said right of way easement.

PARCEL 5:

TWENTY-FIVE FOOT (25') WIDE PERPETUAL EASEMENT FOR UNDERGROUND UTILITIES, AS CREATED BY GRANT OF EASEMENT DATED JULY 26, 1999 AND RECORDED ON AUGUST 3, 1999 AS DOCUMENT #00657038, BOOK 1342, PAGE 1162, WASHINGTON COUNTY, UTAH RECORDER'S OFFICE, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT N.89°59'43"W., ALONG THE SECTION LINE, 775.67 FEET FROM THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE N.89°59'43"W., ALONG THE SECTION LINE, 27.40 FEET; THENCE N.24°08'53"W. 45.95 FEET; THENCE S.89°57'28"W. 117.76 FEET; THENCE S.77°59'39"W. 21.05 FEET; THENCE N.42°41'51"W. 29.07 FEET; THENCE N.77°59'39"E. 38.51 FEET; THENCE N.89°57'28"E. 136.58 FEET; THENCE S.24°08'53"E. 73.37 FEET TO THE POINT OF BEGINNING.

PARCEL 6:

TWENTY-FIVE FOOT (25') WIDE PERPETUAL EASEMENT FOR UNDERGROUND UTILITIES, AS CREATED BY GRANT OF EASEMENT DATED JULY 22, 1999 AND RECORDED ON AUGUST 3, 1999 AS DOCUMENT #00657037, BOOK 1342, PAGE 1161, WASHINGTON COUNTY, UTAH RECORDER'S OFFICE, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT N.89°59'43"W., ALONG THE SECTION LINE, 925.66 FEET, AND N.42°41'51"W. 50.96 FEET FROM THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S.77°59'39"W. 119.99 FEET; THENCE N.80°44'48"W. 56.72 FEET; THENCE N.48°54'25"W. 22.33 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CARTLAND ROAD; THENCE N.28°35'00"W., ALONG SAID RIGHT-OF-WAY LINE, 32.59 FEET TO THE BEGINNING OF A 332.46 FOOT RADIUS CURVE; THENCE NORTHWESTERLY, TO THE LEFT, ALONG THE ARC OF SAID CURVE, 49.49 FEET, THRU A CENTRAL ANGLE OF 8°31'48"; THENCE DEPARTING SAID RIGHT-OF-WAY LINE AND RUNNING S.48°54'25"E. 93.27 FEET; THENCE S.80°44'48"E. 44.90 FEET; THENCE N.77°59'39"E. 100.46 FEET; THENCE S.42°41'51"E. 29.07 FEET TO THE POINT OF BEGINNING.

PARCEL 10: Access Easement, as created by Quit Claim Easement recorded January 30, 2013, as Doc # 20130003569, Official Washington County Records, for Well #1 & Well #2, described as follows:

Commencing at the Southeast corner of Section 30, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence North 0°03'32" West, along the Section line 1302.40 feet; thence North 89°42'03" West, 3015.16 feet; thence North 19°04'26" West, 26.74 feet to the true point of beginning, said point being on the North right of way line of South Apple Valley Drive; thence North 89°42'03" West, along said right of way line, 13.25 feet; thence North 19°04'26" West, 53.18 feet; thence North 35°46'54" West, 88.26 feet; thence North 22°34'55" West, 180.23 feet to a point on a 100.00 foot radius curve, with radius line bearing North 22°34'55" West; thence Northeasterly, to the left, along the arc of said curve, 25.27 feet; thence South 22°34'55" East, 180.51 feet; thence South 35°46'54" East, 89.04 feet; thence South 19°04'26" East, 65.64 feet to a point on said right of way line; thence North 89°42'03" West, along said right of way line, 13.25 feet to the true point of beginning.

PARCEL 11: An Easement for a Protection Area for Well #1, as created by Land Use Agreement-Source Protection recorded January 30, 2013, as Doc # 20130003568 and Quit Claim Easement recorded January 30, 2013, as Doc # 20130003569, Official Washington County Records, described as follows:

RS

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE N.0°03'32"W, ALONG THE SECTION LINE 1389.02 FEET; THENCE N.90°00'00"W. 3077.55 FEET; THENCE S.62°43'18"E. 100.00 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE ARC OF A 100.00 FOOT RADIUS CURVE AND ON THE NORTH RIGHT OF WAY LINE OF SOUTH APPLE VALLEY DRIVE, THENCE N.89°42'03"W., ALONG SAID RIGHT OF WAY LINE, 178.24 FEET TO A POINT ON A 100.00 FOOT RADIUS CURVE, WITH RADIUS LINE BEARING N.63°19'16"E., THENCE NORTHEASTERLY, TO THE RIGHT, ALONG THE ARC OF SAID CURVE, 408.33 FEET, THROUGH A CENTRAL ANGLE OF 233°57'26" TO THE TRUE POINT OF BEGINNING.

PARCEL 12: An Easement for a Protection Area for Well #2, as created by Land Use Agreement-Source Protection recorded January 30, 2013, as Doc # 20130003568 and Quit Claim Easement recorded January 30, 2013, as Doc # 20130003569, Official Washington County Records, described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE N.0°03'32"W, ALONG THE SECTION LINE 1724.05 FEET; THENCE N.90°00'00"W. 3213.27 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING THE CENTER POINT OF A CIRCULAR PARCEL OF LAND EXTENDING 100.00 FEET IN EVERY DIRECTION.

PARCEL 15:

A RIGHT-OF-WAY EASEMENT, 25.0 FEET IN WIDTH TWELVE AND ONE-HALF (12-½) FEET ON EACH SIDE OF THE HEREAFTER DESCRIBED CENTERLINE, AS CREATED BY RIGHT-OF-WAY EASEMENT, RECORDED 5/22/13, AS ENTRY NO. **20130019840, OFFICIAL RECORDS.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 00°55'52" EAST ALONG THE SECTION LINE 3970.50 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 85°36'01" EAST, A DISTANCE OF 5.51 FEET, TO THE POINT OF CURVATURE TO THE LEFT, HAVING A RADIUS OF 150.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 109.15 FEET; THROUGH THE CENTRAL ANGLE OF 41°41'36"; THENCE NORTH 51°35'29" EAST, A DISTANCE OF 99.41 FEET; TO THE POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 500.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 67.16 FEET; THROUGH THE CENTRAL ANGLE OF 7°41'47"; THENCE NORTH 43°53'42" EAST, A DISTANCE OF 440.94 FEET; TO THE POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 500.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 94.85 FEET; THROUGH THE CENTRAL ANGLE OF 10°52'07"; THENCE NORTH 30°31'57" EAST, A DISTANCE OF 184.38 FEET TO THE POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 600.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 235.63 FEET; THROUGH THE CENTRAL ANGLE OF 22°30'05"; TO THE POINT OF REVERSE CURVATURE TO THE LEFT HAVING A RADIUS OF 250.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 104.23 FEET; THROUGH THE CENTRAL ANGLE OF 23°53'12"; THENCE NORTH 30°33'21" EAST, A DISTANCE OF 58.98 FEET; TO THE POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 355.78 FEET; THROUGH THE CENTRAL ANGLE OF 40°46'11"; THENCE NORTH 71°19'32" EAST, A DISTANCE OF 84.46 FEET; TO THE POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 150.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 131.16 FEET; THROUGH THE CENTRAL ANGLE OF 50°05'53"; THENCE NORTH 21°13'39" EAST, A DISTANCE OF 8.85 FEET; TO THE POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 150.00; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 55.52 FEET THROUGH THE CENTRAL ANGLE OF 21°12'32"; THENCE NORTH 42°26'11" EAST, A DISTANCE OF 16.91 FEET; TO THE POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 500.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 80.70 FEET; THROUGH THE CENTRAL ANGLE OF 9°10'52"; THENCE NORTH 33°11'19" EAST, A DISTANCE OF 17.47 FEET; THENCE NORTH 56°48'41" WEST, A DISTANCE OF 19.00 FEET; THENCE NORTH 11°48'41" WEST, A DISTANCE OF 53.56 FEET; THENCE NORTH 10°41'19" EAST, A DISTANCE OF 20.00 FEET; TO THE POINT OF ENDING.

PARCEL 16:

Non-Exclusive rights of way and easements for access roads, utilities and drainage facilities, also the non-exclusive right to construct, install, service, repair and maintain water wells, pumps, storage facilities, pipes, valves and distribution systems as set forth and reserved in Declaration of Covenants, Conditions and Restrictions, recorded July 11, 1977, as Entry No. 185195, in Book 222, at Pages 491-504, Official Washington County Records

AS

PARCEL 17:

A right of way and easement for ingress, egress, installation and maintenance of a well and water distribution system, as created by Corporate Quit-Claim Deed, recorded February 14, 2013, as Doc. No. 20130005684, Official Washington County Records, with a 50 foot radius, the center point being located South 89°03'23" East 1245.87 feet and South 00°56'37" West 51.63 feet from the Northwest corner of Section 23, Township 43 South, Range 11 West, Salt Lake Base and Meridian. The center point being the location of an existing well.

RS

EXHIBIT A

<u>Water Right #</u>	<u>App #</u>	<u>Quantity (acre feet)</u>	<u>Cert. #</u>	<u>Priority Date</u>
81-4014	A39405	155	10502	5/28/1969
81-3106	A40599b	30.02 (of 52.02)	12054	4/22/1971
81-4599	A43996	259		8/5/1974
81-3011	A43996a	132.58	12955	8/15/1974
81-4600	A43996a	198	12955	8/15/1974
81-4676	A43996a	48	12955	8/15/1974
Total:		822.60 acre feet		

EXHIBIT B

WATER RIGHTS ADDENDUM TO WATER DEEDS

Grantor: Cedar Point Water Company

Grantee: Big Plains Water and Sewer Special Service District

Water Right No(s): 81-3011; 81-3106; 81-4014; 81-4599; 81-4600; 81-4676

In connection with the foregoing water rights conveyance, Grantor hereby assigns to Grantee all water rights listed which are not yet capable by law of being conveyed by deed (e.g., pending or unapproved water rights) and all applications pertaining to the water rights listed (e.g., all change applications, extension applications, non-use applications, etc.). Grantor also makes the following declarations and disclosures:

- SECTION 1 - TYPE OF DEED** Check one box only - Must match language in the deed
- The foregoing deed is a warranty deed. (Grantor is making all standard warranties.)
 - The foregoing deed is a special warranty deed. (Grantor is only warranting that Grantor has not previously conveyed title to others, i.e., a warranty of title as to all claiming by or through Grantor.)
 - The foregoing deed is a quit claim deed. (Grantor is making no warranties.)
 - The language in the foregoing deed is controlling as to the type of deed and associated warranties, if any. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if any box above is checked)

- SECTION 2 - APPURTENANT WATER RIGHTS** Check one box only
- All of Grantor's water rights approved for use on the following described parcel(s) are being conveyed.
 - In addition to any specifically identified rights, all other water rights owned by Grantor and approved for use on the following described parcel(s) are being conveyed.
 - No water rights other than those specifically identified by water right number are being conveyed.

- SECTION 3 - WATER RIGHTS CONVEYED IN WHOLE OR IN PART** Check all applicable boxes
- 100% of the following water rights described in the deed are being conveyed. Water Right Nos. 81-3011; 81-4014; 81-4599; 81-4600; 81-4676.
 - Only the portion indicated of the following water rights described in the deed are being conveyed.
 - 30.02 acre-feet from Water Right No. 81-3106 for: _____ families; _____ acres of irrigated land; stock water for _____ Equivalent Livestock Units; and/or for the following other uses: municipal use.
 - _____ acre-feet from Water Right No. _____ for: _____ families; _____ acres of irrigated land; stock water for _____ Equivalent Livestock Units; and/or for the following other uses: _____
 - _____ acre-feet from Water Right No. _____ for: _____ families; _____ acres of irrigated land; stock water for _____ Equivalent Livestock Units; and/or for the following other uses: _____
 - The language in the foregoing deed is controlling as to quantity, if any.

- SECTION 4 - OTHER DISCLOSURES** Check all applicable boxes
- Grantor is endorsing and delivering to Grantee stock certificates for _____ shares of stock in the following water company _____
 - Other water related disclosures: _____

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature: [Signature]

Grantee's Acknowledgment of Receipt: [Signature]

Grantee's Mailing Address: 1777 North Meadowlark Drive, Apple Valley, Utah 84737

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS

NOTES TO WATER RIGHTS ADDENDUM TO WATER DEEDS

Please read the following notes carefully in order to avoid problems and the possible loss of the water rights being conveyed in connection with this transaction.

The mere purchase of a water right does not guarantee: (1) that the water right is in good standing with the Utah Division of Water Rights; (2) that the owner has clear title to the water right; (3) that the Division will recognize the ownership change; or (4) that the Division will approve any proposed changes or extensions regarding the water right. You are encouraged to conduct proper "due diligence" research into any water right before purchasing it.

Section

- 1-4 Once this Water Rights Addendum has been recorded at the County Recorder's Office, Grantee must prepare a "Report of Water Right Conveyance" or "ROC" (available from the Utah Division of Water Rights) and file it with the Utah Division of Water Rights in order to: (1) have the Division's records updated with current ownership and address information; (2) file any application on these water rights; and (3) receive notifications concerning deadlines and other essential information pertaining to these rights. Failure to do so PROMPTLY may result in the loss of these water rights. Help with reviewing the water rights and completing the ROC can be obtained from the Utah Division of Water Rights and/or water professionals, such as attorneys, engineers, surveyors, and title professionals with experience in water rights and water law.
- 1 There are three general types of deeds – warranty deeds, special warranty deeds, and quit claim deeds – which can be used to convey water rights. The primary difference between them is the type of warranty being given, which has a dramatic effect on the rights and responsibilities of both the Grantor and the Grantee. If you are unsure about the type of deed that you should use or accept, you should obtain legal advice on this issue.
- 2 Water rights owned by the Grantor and used on Grantor's Parcel may be "appurtenant" to Grantor's Parcel. Not all appurtenant water rights have been assigned a water right number because not all water rights are "of record." If either of the first two boxes in Section 2 are checked, this conveyance includes all appurtenant water rights, whether or not they are listed by water right number or are of record. Grantee should investigate each water right listed and determine if there are any water rights that are not of record. If there are water rights not of record, Grantee should seriously consider making them of record by filing the appropriate forms with the Utah Division of Water Rights.
- 3 A Water right can be conveyed in whole (100% of the right is conveyed) or in part (only a portion of the right is conveyed). If the whole right is conveyed, you do not need to describe the beneficial uses associated with the right. If only a part is being conveyed, you need to describe exactly what beneficial uses are being conveyed. This is usually expressed in terms of acre-feet and generally consists of: (1) the number of families for domestic (indoor culinary) uses (generally quantified as 0.45 acre-feet per family for a year-round residence and 0.25 acre-feet per family for a seasonal residence); (2) the number of acres irrigated (this involves issues of "irrigation duty" [the number of acre-feet of water allowed per acre of irrigated land] and "sole supply/supplemental supply" [the amount of water allocated to each water right when more than one right is being used on the same land or for the same livestock]; and (3) the number of livestock being watered (expressed in terms of equivalent livestock units or "ELUs" which are quantified at the rate of 0.028 acre-feet per ELU for full-year use). Any other uses being conveyed should be similarly described. Help with evaluating, quantifying, and/or describing the uses can be obtained from the Utah Division of Water Rights and/or water professionals.
- 4 Shares of stock in water companies (including irrigation, canal, and ditch companies) are generally not transferred by deed. Each company has procedures for transferring ownership. The company should be contacted to ascertain the appropriate procedures to follow. The most common procedure is for the Grantor to endorse and deliver the stock certificate to the Grantee, who then presents that certificate to company for issuance of a new certificate in the Grantee's name. If another procedure is to be followed, that should be noted on the "Other water related disclosures" line in Section 4 of this form. Each company also defines how much water is associated with a particular share and what fees and assessments are charged. The Grantee should contact the company about all such issues.

There is also space provided in this section for any other information that the Grantor believes may be relevant to the water rights being transferred or for any other water related issues.

The Utah Division of Water Rights (often referred to as the State Engineer's Office) is located at
 1594 W. North Temple, Suite 220, PO Box 146300, Salt Lake City, Utah 84114-6300
 Telephone: 801-538-7240 Web Address: www.waterrights.utah.gov

EXHIBIT A**Water Rights**

<u>Water Right #</u>	<u>App #</u>	<u>Quantity (acre feet)</u>	<u>Cert. #</u>	<u>Priority Date</u>
81-3169	A38149	202.5	11190	3/29/1967
81-1798	A38149a	5	12061	3/29/1967
81-2740	A39405	1	10502	5/28/1969
81-3200	A40199b	62.5	12055	11/23/1970
81-1799	A40199b	1	12055	11/23/1970
81-3106	A40599b	22(of 52.02)	12054	4/22/1971
Total:		294		

EXHIBIT B

WATER RIGHTS ADDENDUM TO WATER DEEDS

Grantor: Cedar Point Water Company

Grantee: Big Plains Water and Sewer Special Service District

Water Right No(s): 81-1798; 81-1799; 81-2740; 81-3106; 81-3169; 81-3200

In connection with the foregoing water rights conveyance, Grantor hereby assigns to Grantee all water rights listed which are not yet capable by law of being conveyed by deed (e.g., pending or unapproved water rights) and all applications pertaining to the water rights listed (e.g., all change applications, extension applications, non-use applications, etc.). Grantor also makes the following declarations and disclosures:

SECTION 1 - TYPE OF DEED Check one box only - Must match language in the deed

- The foregoing deed is a warranty deed. (Grantor is making all standard warranties.)
The foregoing deed is a special warranty deed. (Grantor is only warranting that Grantor has not previously conveyed title to others, i.e., a warranty of title as to all claiming by or through Grantor.)
The foregoing deed is a quit claim deed. (Grantor is making no warranties.)
The language in the foregoing deed is controlling as to the type of deed and associated warranties, if any. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if any box above is checked)

SECTION 2 - APPURTENANT WATER RIGHTS Check one box only

- All of Grantor's water rights approved for use on the following described parcel(s) are being conveyed.
In addition to any specifically identified rights, all other water rights owned by Grantor and approved for use on the following described parcel(s) are being conveyed.
No water rights other than those specifically identified by water right number are being conveyed.

SECTION 3 - WATER RIGHTS CONVEYED IN WHOLE OR IN PART Check all applicable boxes

- 100% of the following water rights described in the deed are being conveyed. Water Right Nos. 81-1798; 81-1799; 81-2740; 81-3169; and 81-3200
Only the portion indicated of the following water rights described in the deed are being conveyed. 22 acre-feet from Water Right No. 81-3106 for: families; acres of irrigated land; stock water for Equivalent Livestock Units; and/or for the following other uses: municipal use
acre-feet from Water Right No. for: families; acres of irrigated land; stock water for Equivalent Livestock Units; and/or for the following other uses:
acre-feet from Water Right No. for: families; acres of irrigated land; stock water for Equivalent Livestock Units; and/or for the following other uses:
The language in the foregoing deed is controlling as to quantity, if any.

SECTION 4 - OTHER DISCLOSURES Check all applicable boxes

- Grantor is endorsing and delivering to Grantee stock certificates for shares of stock in the following water company:
Other water related disclosures:

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature: [Signature]

Grantee's Acknowledgment of Receipt: [Signature]

Grantee's Mailing Address: 1777 North Meadowlark Drive, Apple Valley, Utah 84737

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS

NOTES TO WATER RIGHTS ADDENDUM TO WATER DEEDS

Please read the following notes carefully in order to avoid problems and the possible loss of the water rights being conveyed in connection with this transaction.

The mere purchase of a water right does not guarantee: (1) that the water right is in good standing with the Utah Division of Water Rights; (2) that the owner has clear title to the water right; (3) that the Division will recognize the ownership change; or (4) that the Division will approve any proposed changes or extensions regarding the water right. You are encouraged to conduct proper "due diligence" research into any water right before purchasing it.

Section

- 1-4 Once this Water Rights Addendum has been recorded at the County Recorder's Office, Grantee must prepare a "Report of Water Right Conveyance" or "ROC" (available from the Utah Division of Water Rights) and file it with the Utah Division of Water Rights in order to: (1) have the Division's records updated with current ownership and address information; (2) file any application on these water rights; and (3) receive notifications concerning deadlines and other essential information pertaining to these rights. Failure to do so PROMPTLY may result in the loss of these water rights. Help with reviewing the water rights and completing the ROC can be obtained from the Utah Division of Water Rights and/or water professionals, such as attorneys, engineers, surveyors, and title professionals with experience in water rights and water law.
- 1 There are three general types of deeds – warranty deeds, special warranty deeds, and quit claim deeds – which can be used to convey water rights. The primary difference between them is the type of warranty being given, which has a dramatic effect on the rights and responsibilities of both the Grantor and the Grantee. If you are unsure about the type of deed that you should use or accept, you should obtain legal advice on this issue.
- 2 Water rights owned by the Grantor and used on Grantor's Parcel may be "appurtenant" to Grantor's Parcel. Not all appurtenant water rights have been assigned a water right number because not all water rights are "of record." If either of the first two boxes in Section 2 are checked, this conveyance includes all appurtenant water rights, whether or not they are listed by water right number or are of record. Grantee should investigate each water right listed and determine if there are any water rights that are not of record. If there are water rights not of record, Grantee should seriously consider making them of record by filing the appropriate forms with the Utah Division of Water Rights.
- 3 A Water right can be conveyed in whole (100% of the right is conveyed) or in part (only a portion of the right is conveyed). If the whole right is conveyed, you do not need to describe the beneficial uses associated with the right. If only a part is being conveyed, you need to describe exactly what beneficial uses are being conveyed. This is usually expressed in terms of acre-feet and generally consists of: (1) the number of families for domestic (indoor culinary) uses (generally quantified as 0.45 acre-feet per family for a year-round residence and 0.25 acre-feet per family for a seasonal residence); (2) the number of acres irrigated (this involves issues of "irrigation duty" [the number of acre-feet of water allowed per acre of irrigated land] and "sole supply/supplemental supply" [the amount of water allocated to each water right when more than one right is being used on the same land or for the same livestock]; and (3) the number of livestock being watered (expressed in terms of equivalent livestock units or "ELUs" which are quantified at the rate of 0.028 acre-feet per ELU for full-year use). Any other uses being conveyed should be similarly described. Help with evaluating, quantifying, and/or describing the uses can be obtained from the Utah Division of Water Rights and/or water professionals.
- 4 Shares of stock in water companies (including irrigation, canal, and ditch companies) are generally not transferred by deed. Each company has procedures for transferring ownership. The company should be contacted to ascertain the appropriate procedures to follow. The most common procedure is for the Grantor to endorse and deliver the stock certificate to the Grantee, who then presents that certificate to company for issuance of a new certificate in the Grantee's name. If another procedure is to be followed, that should be noted on the "Other water related disclosures" line in Section 4 of this form. Each company also defines how much water is associated with a particular share and what fees and assessments are charged. The Grantee should contact the company about all such issues.

There is also space provided in this section for any other information that the Grantor believes may be relevant to the water rights being transferred or for any other water related issues.

The Utah Division of Water Rights (often referred to as the State Engineer's Office) is located at
1594 W. North Temple, Suite 220, PO Box 146300, Salt Lake City, Utah 84114-6300
Telephone: 801-538-7240 Web Address: www.waterrights.utah.gov