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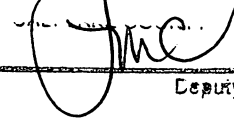
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FILED DISTRICT COURT  
Third Judicial District

MAY 11 2012

By



Deputy Clerk

**IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH**

PACIFICORP, an Oregon corporation,  
Plaintiff,

v.

STATE OF UTAH; UTAH SCHOOL &  
INSTITUTIONAL TRUST LANDS  
ADMINISTRATION, an agency of the  
State of Utah; and JOHN DOES 1-20,  
Defendants.

**PACIFICORP'S MOTION FOR  
IMMEDIATE OCCUPANCY**

Civil No. 120903179

The Honorable Tyrone E. Medley

Pursuant to Utah Code § 78B-6-510, plaintiff PacifiCorp, an Oregon corporation (“PacifiCorp”), moves the Court for an Order permitting PacifiCorp to take immediate possession of the easement and property described in Exhibit “B” to the Complaint (the

“Easement”) for the purpose of constructing a new 345 kV transmission line (the “Transmission Line”). The grounds for this motion are:

1. The Easement is necessary for the construction of the Transmission Line.
2. The Transmission Line is a public use for which eminent domain is authorized pursuant to Utah Code Ann. § 78B-6-501(8).
3. The Transmission Line is a compatible use on the Subject Property and is a more necessary public use.
4. PacifiCorp needs to occupy the Easement immediately to perform necessary construction activities and to meet its overall construction schedule.
5. Pursuant to Utah Code Ann. § 78B-6-510(3), PacifiCorp is prepared to deposit into Court \$70,800, PacifiCorp’s appraised value of the Easement.

This motion is based upon the accompanying memorandum in support and attached exhibits filed concurrently herewith and upon such other evidence or argument as may be adduced in connection with the hearing on this motion.

DATED this 10<sup>th</sup> day of May, 2012.

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