

Change of Place of Use

Kathleen M. Hiatt and Michael Earl Hiatt, as Trustees of The William Darrell Hiatt Family Revocable Trust dated the 22<sup>nd</sup> day of February, 2001, of 740 South 700 West, Payson, Utah 84651 the undersigned owners of the water right for irrigation of **20.62 acres** of land, evidenced by water right application for lands in Private Ownership, Serial No. **539.008, 839.009 and 539.010** Recorded in Contracts, in the office of the County Recorder of Utah, County, State of Utah, upon which the construction charges have been paid in full, has changed the place of use of **2.70 acre feet** of said water-right from the following Project Land, designated as Tract No. 1, and described as follows:

Parcel: 29:023:0021 (539.008, 539.009 and 539.010)

COM W 14.5 FT FR NE COR. SEC. 24, T9S, R1E, SLB&M.; S 0 DEG 0' 11" W 557.98 FT; W 35.12 FT; S 0 DEG 37' 26" E 2.96 FT; S 89 DEG 24' 50" W 420.79 FT; S 89 DEG 44' 37" W 829.4 FT; S 89 DEG 53' 36" W 335.61 FT; N 6 DEG 51' 0" E 12.49 FT; N 6 DEG 51' 0" E 561.19 FT; E 1552.47 FT TO BEG. AREA 20.625 AC.

This water is to be made appurtenant to the following Project Land, designated as Tract No. 2-4 and described as follows:

Parcel: 29-023-0041 (539.008)

COM S 0 DEG 13' 47" E 501.44 FT ALONG SEC. LINE & W 2253.75 FT FR NE COR. SEC. 24, T9S, R1E, SLB&M.; N 423.13 FT; S 89 DEG 30' 35" E 590.72 FT; ALONG A CURVE TO L (CHORD BEARS: S 6 DEG 23' 59" W 169.41 FT, RADIUS = 3040.28 FT); S 6 DEG 4' 3" W 251.12 FT; W 545.27 FT TO BEG. AREA 5.476 AC.

Parcel 29-023-0042 (539.009)

COM S 0 DEG 13' 47" E 501.44 FT ALONG SEC. LINE & W 2253.75 FT FR NE COR. SEC. 24, T9S, R1E, SLB&M.; W 586.54 FT; N 0 DEG 5' 38" W 302.99 FT; N 46 DEG 10' 34" E 179.16 FT; S 89 DEG 30' 35" E 457.79 FT; S 423.13 FT TO BEG. AREA 5.545 AC.

Parcel: 29:023:0043 (539.010)

COM S 0 DEG 13' 47" E 934.32 FT ALONG SEC. LINE & W 1756.23 FT FR NE COR. SEC. 24, T9S, R1E, SLB&M.; W 1085.09 FT; N 0 DEG 5' 38" W 432.88 FT; E 1131.81 FT; S 6 DEG 4' 3" W 435.32 FT TO BEG. AREA 11.008 AC.

The Strawberry Water Users Association and High Line Canal Company do hereby reserve all rights and interests as contained in Paragraph #9 of the Original Water Right Application covering Water Right Serial No. 539 pertaining to the above described parcels of land.

It is agreed that Tract No. 2-4, and all water-rights now or hereafter appurtenant thereto shall be subject to a lien to secure payment of the annual charges for operation and maintenance, as provided in said application.

There are no liens against the land designated as Tracts No. 1, except the following.

This change shall not become effective until approved by the Strawberry Water Users Association, the High Line Canal Company, and the Secretary of the Interior of the United States.

Dated this 24th Day of October, 2019.

Michael Earl Hiatt  
Michael Earl Hiatt- Trustee

STATE OF UTAH ) SS  
COUNTY OF UTAH )

On the 24th day of October, 2019, personally appeared before me **Michael Earl Hiatt** and who by me duly sworn, did say that he is the Trustee and that said document was signed by him in behalf of The William Darrell Hiatt Family Revocable Trust dated the 22<sup>nd</sup> day of February, 2001, the Grantors of this document, signers of the within instrument who duly acknowledged to me that he executed the same.

[Signature]  
Notary Public



Approved:

High Line Canal Company

Attest: Martin Jensen  
Secretary

By: [Signature]  
President

Approved:

Strawberry Water Users Association

Attest: [Signature]  
Secretary

By: [Signature]  
President

Approved:

By: [Signature]  
Authorized Representative of  
the Secretary of the Interior

INDEMNITY AGREEMENT  
Change of Place of Use

This Agreement dated this 24<sup>th</sup> day of October, 2019, Kathleen M. Hiatt and Michael Earl Hiatt, as Trustees of The William Darrell Hiatt Family Revocable Trust dated the 22<sup>nd</sup> day of February, 2001, hereinafter referred to as the Owner, and the STRAWBERRY WATER USERS ASSOCIATION, AND THE HIGH LINE CANAL COMPANY.

WHEREAS: The OWNER has **2.70 acre feet** of Strawberry Project Water, Serial No. **539.008, 538.009 and 539.010**, which they are desirous to transfer from Project lands owned by them, and described in the attached instrument, The Owner hereby covenants and agrees as follows:

In the event that the Owner has the land, upon which the Project Water is appurtenant, encumbered by a mortgage or other encumbrance, and in the event the said land is sold or foreclosed upon and the Project water should be claimed by other individuals, the Owner hereby agrees and covenants that they will hold the Strawberry Water Users Association and the High Line Canal Company harmless from any actions which will include all damages, attorney's fees and all costs which may be expended by said Strawberry Water Users Association or the Canal Company.

Michael Earl Hiatt  
Michael Earl Hiatt - Trustee