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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
RODNEY DANSIE BY: NEH, DEPUTY
7198 W 13090 S - W1 4 P.
HERRIMAN UT 84065

WARRANTY DEED

The State of Utah, acting through the BOARD OF WATER RESOURCES, GRANTOR, for the full payment of the purchase price of the Agreement dated December 1, 1970, with the Herriman Irrigation Company, a corporation of the State of Utah, receipt of which is hereby acknowledged, hereby conveys and warrants to the HERRIMAN IRRIGATION COMPANY, GRANTEE, the following-described water rights:

All rights, title, and interest the GRANTOR holds to the use of water conveyed through the HERRIMAN IRRIGATION COMPANY pipeline, and particularly the use of the water from mining operations as included in the Judgement, Civil No. C-236-64 made and entered on September 28, 1966, in the United States District Court for the District of Utah, Central Division, in an action entitled "Herriman Irrigation Company, a corporation, Plaintiff, vs. United States Smelting, Refining, and Mining Company, a corporation, and Kennecott copper Corporation, a corporation, Defendants."

Also the right (Diligence Claim) to use the water flowing from Butterfield Canyon Creek which issues from the Oquirrh Range one and one-half miles west of Herriman and drains an area of 12 square miles in Salt Lake County; the point of issuance from Butterfield Canyon being situated West 600 feet and South 2,100 feet from the SW Corner, Section 34, T3S, R2W, SLB&M.

IN WITNESS WHEREOF, we have herewith set our hands this 20th day of March, 1991.

BOARD OF WATER RESOURCES

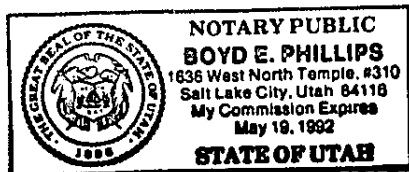
O. Eugene Johansen
Chairman

ATTEST:

D. Larry Anderson
Director

STATE OF UTAH)
County of Salt Lake) ss

On this 20th day of March, 1991, personally appeared before me O. Eugene Johansen and D. Larry Anderson, who being duly sworn did say that they are respectively the Chairman and Director of the BOARD OF WATER RESOURCES and that they executed the foregoing instrument for and in behalf of the said BOARD by authority of a resolution by said BOARD at a regular meeting thereof, and the said O. Eugene Johansen and D. Larry Anderson duly acknowledged to me that the said BOARD executed the same.



Boyd E. Phillips
Notary Public

TRANSFER AND CONVEYANCE

The State of Utah, acting through the BOARD OF WATER RESOURCES, GRANTOR, for the full payment of the purchase price of the Agreement dated December 1, 1970, with the Herriman Irrigation Company, a corporation of the State of Utah, receipt of which is hereby acknowledged, hereby transfers and conveys to the HERRIMAN IRRIGATION COMPANY, GRANTEE, the following-described agreements, easements, and property:

1. Agreement dated October 9, 1973 between UV Industries, Inc., formerly United States Smelting, Refining and Mining Company, a corporation of the State of Maine and authorized to do business in the State of Utah, and HERRIMAN IRRIGATION COMPANY, granting HERRIMAN IRRIGATION COMPANY the right to construct, use and maintain a pipeline across premises of UV Industries, Inc. situated in the south half of Section 29, T3S, R2W, SLB&M, in Salt Lake County, Utah, within a strip twenty (20) feet wide lying ten (10) feet on each side of the following described centerline:

Beginning at a point where the U.S. and Lark Mine drainage ditch discharges into Herriman's New Concrete Intake, said Intake being North 1923.7 feet and West 688.5 feet, more or less, from the south quarter corner of Section 29, T3S, R2W, SLB&M, and running thence North 84° 37' East 401.3 feet; thence South 83° 42' East 330.0 feet; thence South 67° 42' East 83 feet, more or less, to Herriman's Old Concrete Intake, said Old Intake being North 1893.6 feet and East 115.8 feet, more or less, from said south quarter corner of said Section 29; thence South 82° 05' East 579.0 feet; thence South 89° 45' East 440.0 feet; thence South 51° 11' East 323.75 feet; thence South 42° 13' 30" East 387.85 feet; thence South 43° 07' East 951.2 feet; thence South 28° 21' 45" East 710.0 feet, more or less, to a point on the South boundary line of said Section 29, said point being westerly 10 feet, more or less, from the Southeast corner of said Section 29; also beginning at a point on the above described centerline, said point being North 67° 42' West 50 feet, more or less, from said Herriman's Old Concrete Intake and running thence South 80° 22' East 237.25 feet; thence North 64° 27' 30" East 392.55 feet; thence South 43° 48' East 55.3 feet; thence South 89° 06' East 218.85 feet; thence South 59° 35' East 446.25 feet; thence South 55° 21' East 73.5 feet; thence South 10° 00' 30" East 123.95 feet, more or less, to a point on said centerline described first above;

together with all rights and privileges incident to the rights granted hereby, including the right of reasonable ingress and egress.

2. Amendment to Agreement dated September 22, 1971, between Kennecott Copper Corporation, a corporation of the State of New York and authorized to do business in the State of Utah, and Herriman Irrigation Company the right to use, maintain, repair, alter, inspect, replace, and remove an existing 8-inch diameter pipeline and to install an additional pipeline through the premises of the Kennecott Copper Corporation situated in the NW¼ Section 33, T3S, R2W, SLB&M, in Salt Lake County, Utah, within a strip of land twenty (20) feet wide along the following described centerline:

Beginning at a point 5.00 feet West of the NW corner of said Section 33, running thence South 27° 03' 35" East 2719.0 feet; thence South 14° 25' 57" East 249± feet to the South boundary of Kennecott's property in said Section 33;

together with all rights and privileges incident to the rights granted hereby, including the right of reasonable ingress and egress.

3. Conveyance of Easement dated November 9, 1973 from E.P. Bastian and Margaret Bastian, his wife, of Salt Lake County, Utah, Grantors, to Herriman Irrigation Company, Grantee, 20 feet in width, along the following described line:

Beginning at a point on the North boundary line of the Bastian property, said point being easterly 1297 feet, more or less, from the West quarter corner of Section 33, T3S, R2W, SLB&M; and running thence South 7° 18' East 186.2 feet; thence South 6° 48' West 471.0 feet; thence South 0° 20' West 120.0 feet, to an outlet box near the northerly boundary line of a county roadway running between Herriman, Utah and Lark, Utah.

Also, all rights held by the GRANTOR in an easement to use the existing water distribution system of the GRANTEE from Butterfield Canyon Creek by which means all the land of the GRANTOR and its stockholders is irrigated; the irrigation system being located in Sections 25, 26, 27, 29, 32, 33, 34, 35, and 36 of T3S, R2W, SLB&M, conveyed to the GRANTOR on February 20, 1974.

Also, all right title, and interest held by the GRANTOR to the physical facilities constructed pursuant to said agreement dated December 1, 1970.

IN WITNESS WHEREOF, we have herewith set our hands this 20th
day of March, 1991.

BOARD OF WATER RESOURCES

O. Eugene Johansen
Chairman

ATTEST:

D. Larry Anderson
Director

STATE OF UTAH)
 : ss.
County of Salt Lake)

On this 20th day of March, 1991, personally appeared before me O. Eugene Johansen and D. Larry Anderson, who being duly sworn did say that they are respectively the Chairman and Director of the BOARD OF WATER RESOURCES and that they executed the foregoing instrument for and in behalf of the said BOARD by authority of a resolution by said BOARD at a regular meeting thereof, and the said O. Eugene Johansen and D. Larry Anderson duly acknowledged to me that the said BOARD executed the same.

Boyd E. Phillips
Notary Public

