



ENT 114486:2017 PG 1 of 4  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2017 Nov 20 10:25 am FEE 23.00 BY MG  
RECORDED FOR STRAWBERRY WATER USERS ASSO

### Change of Place of Use

Landes Associates, LLC , of 6148 W 8400 S, Payson, Utah 84651, the undersigned owners of the water right for irrigation of 42.64 acres of land, evidenced by water right application for lands in Private Ownership, Serial No. 474.011, 69.002, 69.004, 69.005, 474.002, recorded in Book Page, of 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 67.56 acre feet of said water-right from the following Project Land, designed as Tract No. 1, and described as follows:

COM N 1318.01 FT & W 3972.74 FT FR E 1/4 COR. SEC. 35, T8S, R1E, SLB&M.; E 1289.24 FT; N 0 DEG 12' 57" E 22.48 FT; S 89 DEG 47' 7" E 1326.107 FT; S 0 DEG 35' 35" E 1297.9 FT; S 89 DEG 32' 26" W 125.47 FT; N 0 DEG 7' 37" W 639.12 FT; N 89 DEG 22' 58" W 1138.48 FT; S 0 DEG 7' 37" E 3.58 FT; S 89 DEG 55' 19" W 1242.98 FT; S 0 DEG 37' 12" W 673.68 FT; N 89 DEG 56' 17" W 128 FT; N 0 DEG 32' 2" E 705.71 FT; N 0 DEG 46' 20" E 603.1 FT TO BEG. AREA 42.644 AC.  
Utah County Tax Parcel: 28:022:0097

This water is to be made appurtenant to the following Project Land, designated as Tract No. 2-8 and described as follows:

**Lot 1 (18.00 SVP Shares, )**

Beginning at a point of the north line of 8400 South Street, which point is located N89°23'04"W 1343.96 feet along the section line and North 23.26 feet from the east quarter corner of Section 35, Township 8 South, Range 1 East, SLB&M; thence 89°32'26"W 69.48 feet, thence N00°07'37"W 731.56 feet, thence 401.20 feet along the arc of a 256.00 foot radius curve to the left (chord bears N45°01'26"W 361.39 feet, thence N89°55'14"W 894.84 feet, thence North 314.68 feet, thence S89°47'07"E 1208.16 feet, thence S00°35'35"E 1297.89 feet to the north line of 8400 South Street and the pint of beginning. Area of above described parcel contains 10.50 acres.

**Lot 2 (9.00 SVP Shares)**

Beginning at a point located N89°23'04"W 2294.46 feet along the section line and North 660.03 feet from the east quarter corner of Section 35, Township 8 South, Range 1 East, SLB&M; thence North 284.31 feet, thence S89°55'14"E 623.63 feet, thence 313.44 feet along the arc of a 200.00 foot radius curve to the Right (chord bears S45°01'26"E 282.33 feet), thence S00°07'37"E 92.76 feet, thence N89°22'58"W 823.61 feet to the point of beginning. Area of above described parcel contains 5.25 acres

**Lot 3 (9.00 SVP Shares)**

Beginning at a point located N89°23'04"W 2294.46 feet along the section line and North 660.03 feet from the east quarter corner of Section 35, Township 8 South, Range 1 East, SLB&M; thence N89°26'58"W 314.87 feet, thence S00°07'37"E 3.63 feet thence S89°55'19"W 489.75 feet, thence North 286.33 feet S89°55'14"E 804.60 feet, thence South 284.31 feet to the point of beginning. Area of above described parcel contains 5.25 acres

**Lot 4 (9.00 SVP Shares)**

Beginning at a point located N89°23'04"W 3291.93 feet along the section line and North 991.00 feet from the east quarter corner of Section 35, Township 8 South, Range 1 East, SLB&M; thence North 315.00 feet, thence S89°55'14"E 591.46 feet, thence South 314.68 feet N89°55'14"W 726.28 feet to the point of beginning.

Area of above described parcel contains 5.25 acres

**Lot 5 (9.00 SVP Shares)**

Beginning at a point located N89°23'04"W 3291.93 feet along the section line and North 991.00 feet from the east quarter corner of Section 35, Township 8 South, Range 1 East, SLB&M; thence N89°55'14"W 432.00 feet, thence 399.03 feet along the arc of a 256.00 foot radius curve to the left (chord bears S45°25'33"W 359.84 feet), thence N00°46'20"E 567.95 feet, thence S89°55'14"E 680.68 feet, thence South 315.00 feet to the point of beginning.

Area of above described parcel contains 5.25 acres

**Lot 6 (9.00 SVP Shares)**

Beginning at a point located N89°23'04"W 3099.11 feet along the section line and North 650.47 feet from the east quarter corner of Section 35, Township 8 South, Range 1 East, SLB&M; thence S89°55'19"W 826.25 feet, thence N00°32'00"E 90.19 feet, thence 312.57 feet along the arc of a 200.00 foot radius curve to the right (chord bears N45°18'23"E 281.72 feet), thence S89°55'14"E 625.14 feet, thence South 286.33 feet to the point of beginning.

Area of above described parcel contains 5.25 acres

**Lot 7 (4.56 SVP Shares)**

Beginning at a point located N89°23'04"W 3468.63 feet along the section line and South 4.22 feet from the east quarter corner of Section 35, Township 8 South, Range 1 East, SLB&M; thence S89°48'00"W 462.81 feet, thence N00°32'00"E 651.24 feet, thence N89°55'19"E 460.26 feet, thence S00°18'37"W 650.24 feet to the point of beginning.

Area of above described parcel contains 6.894 acres

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.474,69 and pertaining to the above described parcels of land.

It is agreed that Tract No. 2, 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:

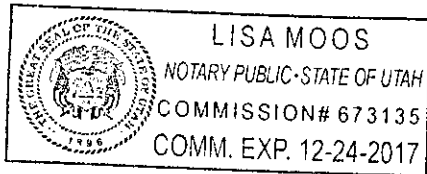
This change shall not become effective until approved by the Strawberry Water Users Association, the High Line Canal Company, and the Secretary of the Interior of the United States.

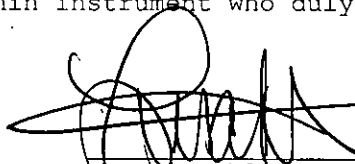
Dated this 22<sup>nd</sup> Day of August, 2017.

  
 Alan Landes

STATE OF UTAH ) SS  
 COUNTY OF UTAH )

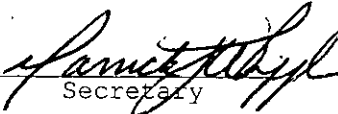
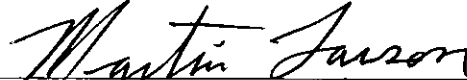
On the 22<sup>nd</sup> day of August, 2017, personally appeared before me Alan Landes and who by me duly sworn, did say that he is the Owner and that said document was signed by him in behalf of the Landes Associates, LLC, the Grantors of this document, signers of the within instrument who duly acknowledged to me that he executed the same.



  
 Notary Public

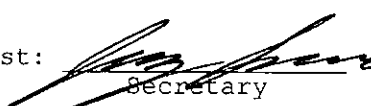
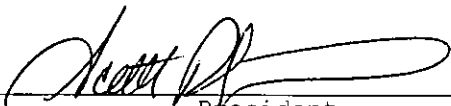
Approved:

High Line Canal Company

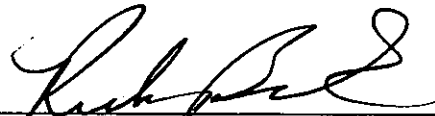
Attest:  Secretary By:  President

Approved:

Strawberry Water Users Association

Attest:  Secretary By:  President

Approved:

By:   
 Authorized Representative of  
 the Secretary of the Interior


INDEMNITY AGREEMENT  
Change of Place of Use

This Agreement dated this 22nd day of August, 2017, Landes Associates, LLC, hereinafter referred to as the Owner, and the STRAWBERRY WATER USERS ASSOCIATION, AND THE HIGH LINE CANAL COMPANY.

WHEREAS: The OWNER has 67.56 acre feet of Strawberry Project Water, Serial No. 474.013, 474.014, 474.015, 474.016, 474.017, 69.005, 69.004, 69.010, 69.011, 69.012, 69.013, 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.

  
Alan Landes