

**LAND USE AGREEMENT
FOR ZONE TWO DWSP AREA FOR
ROSE HILL WELL FOR THE
WILKINSON COTTONWOOD MUTUAL WATER COMPANY**

I, TREVIN R. WALLIN, the undersigned landowner, acknowledge the Zone Two Drinking Water Source Protection (DWSP) area for the Rose Hill Well. The Public Land Survey (PLS) location of the Rose Hill Well is approximately North 1047 feet, East 794 feet from the Southwest corner of Section 30, Township 5 North, Range 2 East, Salt Lake Base and Meridian (SLB&M), in Morgan County, Utah. As indicated on the attached map, Trevin Wallin is the owner of a portion of the property (**LOT 37, THE COTTONWOODS AT ROSE HILL; 03-CORH-0037**) that is located within the Zone Two DWSP area.
00-0049-8705

I will not locate or allow the location of uncontrolled pollution sources as defined in UAC R309-600-6(1)(v) within the Zone Two DWSP area unless design standards are implemented to prevent contaminated discharges to groundwater. A copy of these definitions is attached. This agreement will be binding upon all heirs, successors, and assigns for so long as the Rose Hill Well is utilized as a source of public drinking water.

By: Trevin Wallin
 Title: landowner
 Signature: Trevin Wallin

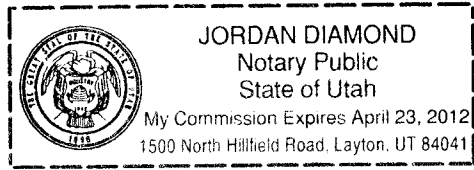
Ent 134972 Bk 319 Pg 1241
 Date: 21-MAY-2015 8:28:51AM
 Fee: \$15.00 Credit Card
 Filed By: CB
 BRENDA NELSON, Recorder
 MORGAN COUNTY
 For: COTTONWOOD MUTUAL WATER COMPANY

STATE OF UTAH)
 DAVIS RD :
 COUNTY OF MORGAN)

The forgoing instrument was acknowledged before me this 26 Day of March, 2010.

[Signature]
 NOTARY PUBLIC
 Residing at Wells Fargo Bank

My Commission Expires
04/23/12



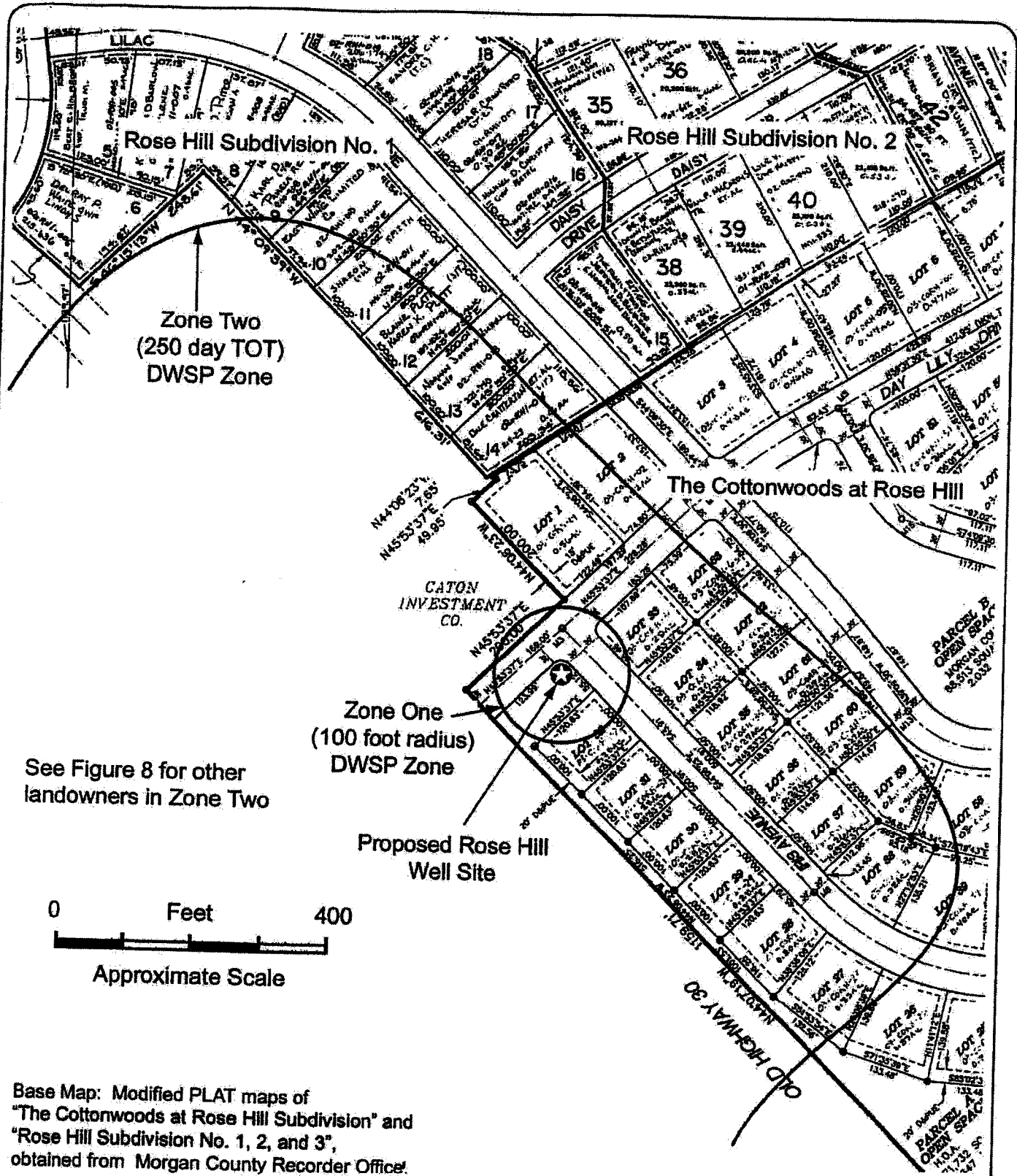
"Land use agreement" means a written agreement wherein the owner(s) agrees not to locate or allow the location of uncontrolled potential contamination sources or pollution sources within zone one of new wells in protected aquifers. The owner(s) must also agree not to locate or allow the location of pollution sources within zone two of new wells in unprotected aquifers and new springs unless the pollution source agrees to install design standards which prevent contaminated discharges to ground water. This restriction must be binding on all heirs, successors, and assigns. Land use agreements must be recorded with the property description in the local county recorder's office. Refer to R309-600- 13(2)(d).

Land use agreements for protection areas on publicly owned lands need not be recorded in the local county recorder office. However, a letter must be obtained from the Administrator of the land in question and meet the requirements described above.

"Pollution source" means point source discharges of contaminants to ground water or potential discharges of the liquid forms of "extremely hazardous substances" which are stored in containers in excess of "applicable threshold planning quantities" as specified in SARA Title III. Examples of possible pollution sources include, but are not limited to, the following: storage facilities that store the liquid forms of extremely hazardous substances, septic tanks, drain fields, class V underground injection wells, landfills, open dumps, landfilling of sludge and septage, manure piles, salt piles, pit privies, drain lines, and animal feeding operations with more than ten animal units.

The following definitions are part of R309-600 and clarify the meaning of "pollution source:"

- (i) **"Animal feeding operation"** means a lot or facility where the following conditions are met: animals have been or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12 month period, and crops, vegetation forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Two or more animal feeding operations under common ownership are considered to be a single feeding operation if they adjoin each other, if they use a common area, or if they use a common system for the disposal of wastes.
- (ii) **"Animal unit"** means a unit of measurement for any animal feeding operation calculated by adding the following numbers; the number of slaughter and feeder cattle multiplied by 1.0, plus the number of mature dairy cattle multiplied by 1.4, plus the number of swine weighing over 55 pounds multiplied by 0.4, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0.
- (iii) **"Extremely hazardous substances"** means those substances which are identified in the Sec. 302(EHS) column of the "Title III List of Lists: Consolidated List of Chemicals Subject to the Emergency Planning and Community Right-to-Know Act (EPCRA) and Section 112(R) of the Clean Air Act, As Amended," (550B98017). A copy of this document may be obtained from: NCEPI, PO Box 42419, Cincinnati, OH 45202. Online ordering is also available at <http://www.epa.gov/ncepihom/orderpub.html>.

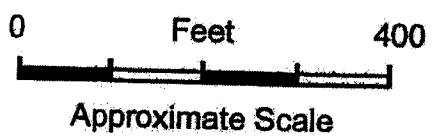


Zone Two
(250 day TOT)
DWSP Zone

Zone One
(100 foot radius)
DWSP Zone

Proposed Rose Hill
Well Site

See Figure 8 for other
landowners in Zone Two



Base Map: Modified PLAT maps of
"The Cottonwoods at Rose Hill Subdivision" and
"Rose Hill Subdivision No. 1, 2, and 3",
obtained from Morgan County Recorder Office.



Wilkinson Cottonwood Mututal Water Company
Land Ownership Map
Figure 7