

15307

TRANSFER AND CONVEYANCE

The State of Utah, acting through the BOARD OF WATER RESOURCES, formerly known as the Utah Water and Power Board, GRANTOR, for the full payment of the purchase price of the Agreement dated July 11, 1961, with the SMITH DITCH COMPANY, a corporation of the State of Utah, receipt of which is hereby acknowledged, hereby transfers and conveys to the SMITH DITCH COMPANY, GRANTEE, the following described easements, rights-of-way, and physical facilities in Utah County, Utah:

An easement from Provo City, a municipal corporation to Smith Ditch Company, dated June 19, 1961, to construct, establish and maintain a ditch over and through Provo City's property, said ditch and easement more particularly described as follows: Beginning at a point, on the present ditch, such point is 1390 feet East and 445 feet North of the Southwest Corner of Section 5, T6S, R3E, SLB&M; thence West 500 feet to the existing ditch; said easement 40 feet in width.

An easement from Jesse N. Smith and Myrle J. Smith his wife, of Utah County, Utah, to the Utah Water and Power Board, dated June 13, 1961, to erect, install, operate, and maintain a 12-inch pipe with appurtenant structures, upon, over or across land described as follows: NW¼ of SE¼ of Section 7. T6S, R3E, SLB&M; said easement being 33 feet in width.

A Special Use Permit dated June 16, 1961, from the Forest Service, U. S. Department of Agriculture, to the Smith Ditch Company granting a right-of-way 20 feet on either side of the centerline and approximately two miles in length through the SE¼SE¼ Section 5, and the W¼ Section 8, and the NE¼ Section 7, T6S, R3E, SLB&M, as shown on the map which is on file in the office of the Forest Supervisor, prepared by M. S. Wright June 11, 1961. This permit covers two miles and was issued for the purpose of constructing and maintaining a 12-inch concrete pipeline with flume to transport water.

An easement to use and maintain the entire distribution system of the Smith Ditch Company, in Sections 4, 5, 7, and 8, T6S, R3E, SLB&M.

All existing physical facilities which were originally constructed pursuant to the said Agreement dated July 22, 1961, consisting of approximately 14,700 feet of 12-inch concrete pipe and 200 feet of 8-inch concrete pipe - running through lands north of Provo, Utah County, Utah, in Sections 4, 5, 7, and 8, T6S, R3E, SLB&M.

IN WITNESS WHEREOF, we have herewith set our hands this 3rd day of May, 1979.

ATTEST:

Daniel F. Lawrence
Director

BOARD OF WATER RESOURCES

Quin T. Shepherd
Chairman

15307
RECORDED AT THE REQUEST
of
1979 MAY 24 PM 3:30
B. J. Phillips

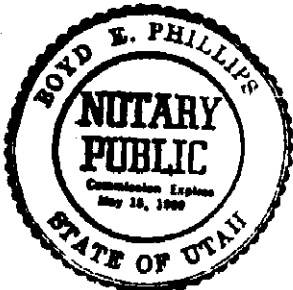
STATE OF UTAH :
County of Salt Lake : ss.

On this 3rd day of May, 1979, personally appeared me Quin T. Shepherd and Daniel F. Lawrence, 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 on behalf of the said BOARD by authority of a resolution by said BOARD at a regular meeting thereof, and the said Quin T. Shepherd and Daniel F. Lawrence duly acknowledged to me that said BOARD executed the same.

Boyd E. Phillips
Notary Public

Residing at: Bountiful, Utah

My Commission Expires: May 19, 1980



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