

04-021-0015, 0016, 0017, 0019

04-025-0013, 0015, 0016

04-026-0005, 0006, 0026

04-084-0006, 0007

### TRANSFER AND CONVEYANCE

The State of Utah, acting through the BOARD OF WATER RESOURCES, GRANTOR, for the full payment of the purchase price, receipt of which is hereby acknowledged, of the Agreements dated March 6, 1975 and May 9, 1977, with Acme Water Company, a corporation of the State of Utah, does hereby transfer and convey to the ACME WATER COMPANY, the following easements and rights-of-way, together with the right of ingress into and egress from said properties, to-wit:

A. Easements originally conveyed to the Grantor by corrected Transfer and Conveyance dated June 8, 1976 and recorded March 29, 1978, No. 62317H, Book 303, Pages 550-552.

Perpetual easements and rights-of-way, dated April 21, 1975, from LeWayne Walker and Grace Walker, his wife, and Ethel W. Walker, of Box Elder County, State of Utah, Grantors, to the ACME WATER COMPANY, Grantee, upon, across, and over the following described tracts of land, and alignment:

Part of the Southeast 1/4 of Section 4, and part of the Northeast 1/4 of Section 9, T10N, R2W, SLB&M; beginning at a point located North 877.3 feet and West 538.3 feet from the Southeast corner of said Section 4, said point being located on Grantor's Easterly property line, and running thence South 57°25'52" West 1876.87 feet; thence South 60°38'40" West 439.5 feet to the Easterly right-of-way line on a State Highway.

Part of the North 1/2 of Section 9, T10N, R2W, SLB&M, beginning at a point located on the Westerly right-of-way line of a State Highway; said point being 214.8 feet South and 2495.0 feet West of the Northeast corner of said Section 9, and running thence South 52°41'28" West 3502.6 feet to Grantor's Westerly property line.

A perpetual easement and right-of-way, dated January 14, 1975, from LeWayne Walker and Grace N. Walker, his wife, of Box Elder County, State of Utah, Grantors, to the ACME WATER COMPANY, Grantee, upon, across, and over the following described tracts of land, and alignment:

Part of the Southeast 1/4 of Section 4, and part of the Northeast 1/4 of Section 9, T10N, R2W, SLB&M; beginning at a point located North 193.9 feet and West 1608.1 feet from the Southeast corner of said Section 4 and running thence South 57°25' 52" West 119.9 feet to Grantor's Westerly property line. Also, beginning at a point located North 129.4 feet and West 1709.1 feet from the Northeast corner of said Section 9, and running thence South 57° 25'52" West 352.6 feet; thence South 60°38'40" West 23.0 feet to Grantor's Northwesterly property line.

A perpetual easement and right-of-way, dated April 14, 1975, from Herbert Orme and Burma C. Orme, his wife, of Box Elder County, State of Utah, Grantors, to the ACME WATER COMPANY, Grantee, upon, across, and over the following described tracts of land, and alignment:

Part of the Southeast 1/4 of the Northeast 1/4 of Section 8, T10N, R2W, SLB&M; beginning at a point located on the East line of said Section 8; said point being located 2294.0 feet South of the Northeast Corner of the Section and running thence South 52°41'28" West 601.8 feet to Grantor's South property line.

C. Assignment in Trust dated March 6, 1975, and recorded April 4, 1975, No. 44683H, Book 272, Pages 485-487 for a license and right-of-way from the State Road Commission of the State of Utah dated January 23, 1975 and described as follows:

A part of Section 9, Township 10 North, Range 2 West, SLB&M; beginning at a point located 240.74 feet South and 2890.20 feet East of the Northwest corner of said Section 9, said point being located on the Easterly right-of-way line of Highway U-69, and running thence South 60°38'40" West 57.98 feet; thence North 26°07'26" West 102.63 feet; thence South 52°41'28" West 10.19 feet to the Westerly right-of-way line of U-69; said point being located Northerly along the Westerly right-of-way line of said Highway 55.55 feet from an existing right-of-way marker. (Book 272, Page 485)

D. Assignment in Trust dated March 6, 1975, and recorded April 4, 1975, No. 44682H, Book 272, Pages 482-484 for a license and right-of-way from the State Road Commission of the State of Utah dated January 22, 1975 and described as follows:

Part of Section 8, Township 10 North, Range 2 West, SLB&M; beginning at a point located 2720.71 feet South and 847.60 feet West of the Northeast corner of Section 8, said point being located on the Easterly right-of-way line of Interstate Highway I-15 and running thence North 89°13'47" West 270.0 feet along the line of an existing 24" diameter corrugated metal pipe to the Westerly right-of-way line of said highway, said end point being located North 26°47'17" West 57.90 feet from a highway right-of-way marker. (Road I-15)

E. Assignment in Trust dated March 6, 1975, and recorded April 4, 1975, No. 44681H, Book 272, Pages 479-481 for an Easement for Pipeline from Box Elder County dated February 11, 1975 and described as follows:

Beginning at the Bear River Bridge, in Section 7, T10N, R2W, SLB&M, thence Southeasterly along 5600 North to a point East (825 ft.) of the NW Corner of Section 17. (Intersection of 5600 North and 3600 West). Thence South along 3600 West 3,000 feet from the NW Corner of Section 17, T10N, R2W, SLB&M. (Road)

F. Assignment in Trust dated March 6, 1975, and recorded April 4, 1975, No. 44680H, Book 272, Pages 476-478 for an Easement for Pipeline from Bear River City dated January 10, 1975 and described as follows:

A perpetual easement for pipeline along and across all of city street right-of-way within the corporate limits of the city, together with the right to install and maintain necessary service lines crossing the roadway as may be required to supply culinary service to the area. Located in Section 7, T10N, R2W, and Section 12, T10N, R3W, SLB&M. (Road)

G. All right, title, and interest the Board of Water Resources holds in the physical facilities constructed by virtue of the aforesaid Agreements.

A perpetual easement and right-of-way, dated April 10, 1975, from Clinton W. Burt and Vita R. Burt, his wife, of Box Elder County, State of Utah, Grantors, to the ACME WATER COMPANY, Grantee, upon, across, and over the following described tracts of land, and alignment:

Part of the South 1/2 of Section 8, T10N, R2W, SLB&M beginning at a point located South 2658.8 feet and West 478.7 feet from the Northeast corner of said Section 8, said Point being on Grantor's North property line, and running thence South 52°41'28" West 94.5 feet; thence North 89°13'47" West 292.6 feet to the Easterly right-of-way of the Interstate Highway; thence North 89°13'47" West 270.0 feet across the Interstate Highway; thence North 89°13'47" West 10.7 feet; thence south 52°46'13" West 4223.3 feet to Grantor's South property line. 04-025-0015, 0016

A perpetual easement and right-of-way, dated April 16, 1975, from Marlo A. Checketts and Melba C. Checketts, his wife, of Box Elder County, State of Utah, Grantors, to the ACME WATER COMPANY, Grantee, upon, across, and over the following described tracts of land, and alignment:

Part of the Southwest 1/4 of Section 7, T10N, R2W, SLB&M, lying in Block 9A, Plat A, Bear River City; beginning at a point located 181.19 feet East and 652.37 feet South of the Southwest corner of Block 21, Plat A, Bear River City, said point being located on the North bank of the Bear River and running thence North 17°13'19" East 187.78 feet to Grantor's North property line. 04-054-0007

Perpetual easements and rights-of-way, dated April 1, 1975, April 4, 1975 (2), and April 16, 1975, from Gayle Holmgren of Orange County, California; Lorraine Holmgren of Los Angeles County, California; Ralph C. Holmgren of Utah County, Utah; and Gordon R. Holmgren and Phyllis A. Holmgren, his wife, of Box Elder County, State of Utah, Grantors, to the ACME WATER COMPANY, Grantee, upon, across, and over the following described tracts of land, and alignment:

Part of the Southwest 1/4 of Section 7, T10N, R2W, SLB&M; lying in Block 9A, Plat A, Bear River City; beginning at a point located 236.78 feet East and 473.01 feet South of the Southwest corner of Block 21, Plat A, Bear River City, and running thence North 17°13'19" East 269.72 feet, more or less, to the Easterly right-of-way line of a County Road. 04-054-0006

A perpetual easement and right-of-way over the property owned by ACME WATER COMPANY;

A part of the Southeast 1/4 of Section 4, T10N, R2W, SLB&M, United States Survey. Beginning at the Southwest corner of the Acme Water Company Reservoir located North 949.9 feet and West 424.6 feet from the Southeast corner of said Section 4; running thence South 57°25'52" West 135.0 feet to a point located North 877.3 feet and West 538.3 feet from the Southeast corner of said Section 4. 04-054-0006

B. Assignment in Trust dated February 11, 1976, and recorded May 11, 1976, No. 50205H, Book 282, Pages 563-564 for a right-of-way from Oregon Short Line Railroad Company, Union Pacific Railroad Company, located at Mile Post 29.53 near Honeyville, Utah, 555.3 feet South of North line, Section 9, T10N, R2W, SLB&M, along centerline of 66 foot Railroad right-of-way.

IN WITNESS WHEREOF, we have herewith set our hands this 15th day of April, 2004.

State of Utah, Acting Through the  
BOARD OF WATER RESOURCES

ATTEST:

D. Larry Anderson  
Director

J. Paul Riley  
Chairman

STATE OF UTAH )  
:  
County of Salt Lake )

On the 15th day of April, 2004, personally appeared before me J. Paul Riley and D. Larry Anderson, who being by me duly sworn, did say that they are the Chairman and Director, respectively, of the BOARD OF WATER RESOURCES and that the foregoing instrument was signed in behalf of the State of Utah acting through the Board of Water Resources.

Boyd E. Phillips  
Notary Public

