

Warranty Deed Page 1 of 5  
 Russell Shirts Washington County Recorder  
 06/14/2017 01:47:53 PM Fee \$20.00 By  
 SOUTHERN UTAH TITLE COMPANY

**When recorded mail deed and tax notice to:**  
 Back Country Holdings LLC, a California Limited  
 Liability Company  
 3101 Clement Street  
 San Francisco, CA 94121



Order No. 193381 - CP  
 Tax I.D. No. AV-1365-J

Space Above This Line for Recorder's Use

## WARRANTY DEED

**Beard Properties, LLC, a Utah Limited Liability Company**, grantor(s), of St. George, County of Washington, State of Utah, hereby **CONVEY** and **WARRANT** to

**Back Country Holdings LLC, a California Limited Liability Company**, a ~~Utah Limited Liability Company~~, grantee(s) of San Francisco, County of , State of California, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

See Attached Exhibit "A"

See Water Rights Addendum to Land Deeds attached hereto and made a part hereof

TOGETHER WITH all improvements and appurtenances there unto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 7<sup>th</sup> day of June, 2017.

BEARD PROPERTIES, LLC, a Utah Limited Liability Company

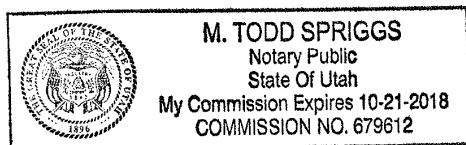
By: Michael Beard  
 Michael A. Beard, Manager

STATE OF Utah )  
 :ss.  
 COUNTY OF Washington )

On the 7<sup>th</sup> day of June, 2017, personally appeared before me, Michael A. Beard, who being by me duly sworn, did say that he/she is the Manager of BEARD PROPERTIES, LLC, a Utah Limited Liability Company, and that said instrument was signed by him/her in behalf of said limited liability company by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and said Michael A. Beard acknowledged to me that said limited liability company executed the same.

  
 NOTARY PUBLIC

My Commission Expires: 10/21/18



**WATER RIGHTS ADDENDUM TO LAND DEEDS**

Grantor: Beard Properties, LLC, a Utah Limited Liability Company  
 Grantee: Back Country Holdings LLC, a California Limited Liability Company, a Utah Limited Liability Company  
 Tax ID Number(s): AV-1365-J

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

**Check one box only**

1  All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed.  
 2  Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked)  
 3  No water rights are being conveyed.  
 4  Water rights are being conveyed by separate deed.

Proceed to Section

A  
B

C  
C

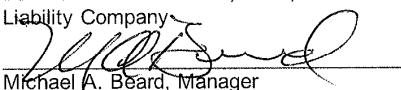
**Important Notes  
(see other side)**

Section		
A	The water right(s) being conveyed included Water Right No(s). along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) <input type="checkbox"/> All of Water Rights No(s). <input type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses <input type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5  N5  N2
C	Disclosures By Grantor: (check all boxes that apply) <input type="checkbox"/> Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: <b>Big Plains WATER</b> <input checked="" type="checkbox"/> Culinary water service is provided by: <b>Apple Valley Town</b> <input type="checkbox"/> Outdoor water service is provided by: <input type="checkbox"/> There is no water service available to Grantor's Parcel(s). <input checked="" type="checkbox"/> Other water related disclosures: **3 Standby Water Hookups transfer with the property. No Water shares or stock certificates will be issued.	N6 N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

*The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.*

Grantor's Signature: BEARD PROPERTIES, LLC, a Utah Limited  
 Liability Company

  
 Michael A. Beard, Manager

Grantee's Acknowledgment of Receipt: Back Country Holdings LLC, a  
 California Limited Liability Company

See Counterpart \_\_\_\_\_  
 Timothy M. Polishook, Manager \_\_\_\_\_ Greg G. Gahagan, Manager

Grantee's Address: 3101 Clement Street, San Francisco, California 94121

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

**WATER RIGHTS ADDENDUM TO LAND DEEDS**

Grantor: Beard Properties, LLC, a Utah Limited Liability Company  
 Grantee: Back Country Holdings LLC, a California Limited Liability Company  
 Tax ID Number(s): AV-1365-J

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**Check one box only**

1  All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed.  
 2  Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked)  
 3  No water rights are being conveyed.  
 4  Water rights are being conveyed by separate deed.

Proceed to Section

A  
B

C  
C

Important Notes  
(see other side)

Section		
A	The water right(s) being conveyed included Water Right No(s). along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) <input type="checkbox"/> All of Water Rights No(s). <input type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses <input type="checkbox"/> acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5  N5  N2
C	Disclosures By Grantor: (check all boxes that apply) <input type="checkbox"/> Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: <b>Big Plains Water</b> <input checked="" type="checkbox"/> Culinary water service is provided by: <b>Apple Valley Town**</b> <input type="checkbox"/> Outdoor water service is provided by: <input type="checkbox"/> There is no water service available to Grantor's Parcel(s). <input checked="" type="checkbox"/> Other water related disclosures: **3 Standby Water Hookups transfer with the property. No Water shares or stock certificates will be issued.	N6  N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

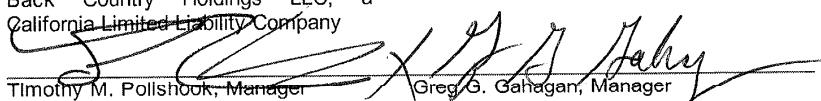
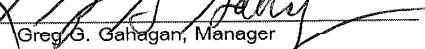
*The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.*

Grantor's Signature: BEARD PROPERTIES, LLC, a Utah Limited  
 Liability Company

**See Counterpart**

Michael A. Beard, Manager

Grantee's Acknowledgment of Receipt: Back Country Holdings LLC, a  
 California Limited Liability Company

  
 Timothy M. Pollishook, Manager   
 Greg G. Gahagan, Manager

Grantee's Address: 3101 Clement Street, San Francisco, California 94121

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

NOTES TO WATER RIGHTS ADDENDUM TO LAND DEEDS

Please read the following notes carefully in order to avoid problems and the possible loss of the water rights being conveyed in connection with this transaction.

**The mere purchase of a water right does not guarantee: (1) that the water right is in good standing with the Utah Division of Water Rights; (2) that the owner has clear title to the water right; (3) that the Division will recognize the ownership change; or (4) that the Division will approve any proposed changes or extensions regarding the water right. You are encouraged to conduct proper "due diligence" research into any water right before purchasing it.**

- N1 Once this Water Rights Addendum has been recorded at the County Recorder's Office, Grantee must prepare a "Report of Water Right Conveyance" or "ROC" (available from the Utah Division of Water Rights) and file it with the Utah Division of Water Rights in order to: (1) have the Division's records updated with current ownership and address information; (2) file any application on these water rights; and (3) receive notifications concerning deadlines and other essential information pertaining to these rights. **Failure to do so PROMPTLY may result in the loss of these water rights.** Help with reviewing the water rights and completing the ROC can be obtained from the Utah Division of Water Rights and/or water professionals, such as attorneys, engineers, surveyors, and title professionals with experience in water rights and water law.
- N2 A water right often has one or more applications on file with the Utah Division of Water Rights that affect that water right, such as change applications, extension requests, and non-use applications. These applications should be transferred with the water right. The Grantee should review the water right applications and other documents on file with the Utah Division of Water Rights.
- N3 Water rights owned by the Grantor and used on Grantor's Parcel may be "appurtenant" to Grantor's Parcel. Not all appurtenant water rights have been assigned a water right number because not all water rights are "of record." If Section A is being completed, this conveyance includes all appurtenant water rights, whether or not they are listed by water right number or are of record. Grantee should investigate each water right listed and determine if there are any water rights that are not of record. If there are water rights not of record, Grantee should seriously consider making them of record by filing the appropriate forms with the Utah Division of Water Rights.
- N4 100% of the water rights listed here are being conveyed to Grantee. A Report of Water Right Conveyance (see N1 above) should be filed on each water right listed here. The Water Rights listed in Section B may not provide sufficient water for all of the historic water uses.
- N5 Less than 100% of the water right listed is being conveyed to Grantee. The exact portion to be conveyed, expressed in terms of the beneficial uses associated with this portion of the water right must be described. This description generally consists of: (1) the number of families for domestic (indoor culinary) uses (generally quantified as 0.45 acre-feet per family for a year-round residence and 0.25 acre-feet per family for a seasonal residence); (2) the number of acres irrigated (this involves issues of "irrigation duty" [the number of acre-feet of water allowed per acre of irrigated land] and "sole supply/supplemental supply" [the amount of water allocated to each water right when more than one right is used on the same land or for the same livestock]; and (3) the number of livestock being watered (expressed in terms of equivalent livestock units or "ECUS" which are quantified at the rate of 0.028 acre-feet per EAU for full-year use. Any other uses being conveyed should be similarly described. Help with evaluating, quantifying, and/or describing the uses can be obtained from the Utah Division of Water Rights and/or water professionals.
- N6 Shares of stock in water companies (including irrigation, canal, and ditch companies) are generally not transferred by deed. Each company has procedures for transferring ownership. The company should be contacted to ascertain the appropriate procedures to follow. The most common procedure is for the Grantor to endorse and deliver the stock certificate to the Grantee, who then presents that certificate to company for issuance of a new certificate in the Grantee's name. If another procedure is to be followed, that should be noted on the "Other water related disclosures" line in Section C of this form. Each company also defines how much water is associated with a particular share and what fees and assessments are charged. The Grantee should contact the company about all such issues.
- N7 If culinary water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N8 If outdoor/secondary/irrigation water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N9 If this box is checked, the Grantee should investigate what water IF ANY is available for use on the Grantor's Parcel.
- N10 This space should be used for any other information that the Grantor has which is relevant to water issues associated with the Grantor's Parcel.

**The Utah Division of Water Rights (often referred to as the State Engineer's Office) is located at 1594 W. North Temple, Suite 220, PO Box 146300, Salt Lake City, Utah 84114-6300 Telephone: 801-553-7240 Web Address: [www.waterrights.utah.gov](http://www.waterrights.utah.gov)**

Attachment to that certain Warranty Deed executed by Beard Properties, LLC, a Utah Limited Liability Company grantor(s), to Back Country Holdings LLC, a California Limited Liability Company grantee(s).

Order No. 193381  
Tax I.D. No. AV-1365-J

**EXHIBIT "A"**

**PARCEL 1:**

The Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian.

LESS AND EXCEPTING THEREFROM the following described Parcels A and B:

Parcel A:

The North One-Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian.

Parcel B:

The East One-Half of the Northeast Quarter of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 14, Township 43 South, Range 11 West, Salt Lake Base and Meridian.

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Initials 