

Warranty Deed Page 1 of 4
 Russell Shirts Washington County Recorder
 12/27/2017 04:28:53 PM Fee \$18.00 By
 SOUTHERN UTAH TITLE COMPANY

When recorded mail deed and tax notice to:

James H. Jacobs II
 1245 West Emerald Drive 201 El Camino Real
 St. George, UT 84770 Socorro NM,
 87801



SOUTHERN UTAH TITLE
 www.sutite.com
 Doing Good Deeds for Over 60 Years

Order No. 196540 - ALB
 Tax I.D. No. DVA-45-A-1-DA

Space Above This Line for Recorder's Use

WARRANTY DEED

Victoria Burns, grantor(s), of St. George, County of Washington, State of Utah, hereby **CONVEY and WARRANT to**

James H. Jacobs II and Susan M. Loveland, as Joint Tenants, grantee(s) of St. George, County of Washington, State of Utah, 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 24 day of December, 2017.

Victoria Burns
 Victoria Burns

STATE OF Utah)
) ss.
 COUNTY OF Washington)

On the 24 day of December, 2017, personally appeared before me, Victoria Burns, the signer of the within instrument who duly acknowledged to me that he/she executed the same.

NOTARY PUBLIC

My Commission Expires:



JENNIFER L. BAILEY
 Notary Public
 State Of Utah
 My Commission Expires 04-17-2021
 COMMISSION NO. 693925

Attachment to that certain Warranty Deed executed by Victoria Burns grantor(s), to James H. Jacobs II and Susan M. Loveland grantee(s).

Order No. 196540
Tax I.D. No. DVA-45-A-1-DA

EXHIBIT "A"

Parcel 1:

Lot Forty-Five (45), DIAMOND VALLEY ACRES, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

Parcel 2:

Lot Forty-Six (46), DIAMOND VALLEY ACRES, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

Parcel 3:

Beginning at the Southeast Corner of Lot 43, DIAMOND VALLEY ACRES SUBDIVISION, according to the Official recorded plat thereof, said point of beginning being North 85°12'16" West, 928.46 feet from the Southeast Corner of Section 35, Township 40 South, Range 16 West, Salt Lake Base and Meridian, Washington County, Utah; and running thence South 86°54' West, 165.62 feet; thence North 11°32'47" West, 106.60 feet to the Southwest Corner of Lot 45, of said DIAMOND VALLEY ACRES SUBDIVISION; thence South 89°48'08" East, 181.58 feet; thence South 3°06' East 95.00 feet to the point of beginning.

Initials LB

WATER RIGHTS ADDENDUM TO LAND DEEDS

Grantor: Victoria Burns
Grantee: James H. Jacobs II and Susan M. Loveland, as Joint Tenants
Tax ID Number(s): DVA-45-A-1-DA

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: <input type="checkbox"/> Culinary water service is provided by: <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: <u>Together with 1 share of stock in the Diamond Valley Acres water company. Certificate not available</u>	N6 N7 N8 N9 N10

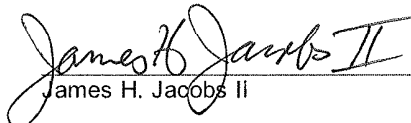
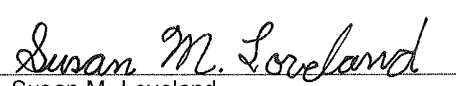
Attach and sign additional copies of this form if more space is needed.

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:


Victoria Burns

Grantee's Acknowledgment of Receipt:

 
James H. Jacobs II Susan M. Loveland

Grantee's Address: 1215 West Emerald Drive, St. George, Utah 84770

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