

Warranty Deed Page 1 of 7  
 Russell Shirts Washington County Recorder  
 03/14/2018 11:05:59 AM Fee \$23.00 By  
 SOUTHERN UTAH TITLE COMPANY

**When recorded mail deed and tax notice to:**

Sky Mountain Holdings, LLC, a Utah limited  
 liability company  
 3535 Sugar Leo Road  
 St. George, UT 84790



Order No. 196864 - DJP  
 Tax I.D. No. H-3-1-33-447-A

Space Above This Line for Recorder's Use

## WARRANTY DEED

Jupiter Real Estate Holding Company, L.L.C., a Utah limited liability company, which also appears of record as Jupiter Real Estate Holdings, LLC, a Utah limited liability company, grantor(s), of Salt Lake City, County of Salt Lake, State of Utah, hereby CONVEY and WARRANT to ~~Jed R. Christensen, as to an undivided 20% interest, and Randy T. Simonsen, as to an undivided 80% interest~~, 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 12 day of March, 2018.

Jupiter Real Estate Holding Company, L.L.C.,  
 a Utah limited liability company

By: Walter J. Plumb III Profit Sharing Plan  
 Its: Executive Manager

By: Walter J. Plumb, III  
 Walter J. Plumb, III, Trustee

By: Steven D. Peterson  
 Steven D. Peterson, Trustee

See attachment for notary acknowledgment.

Notary acknowledgment attachment to that certain Warranty Deed executed by Jupiter Real Estate Holding Company, L.L.C., a Utah limited liability company, which also appears of record as Jupiter Real Estate Holdings, LLC, a Utah limited liability company grantor(s), to ~~Jed R. Christensen, as to an undivided 20% interest, and Randy T. Simonson, as to an undivided 20% interest~~ grantee(s).  
Sky Mountain Holdings, LLC, a Utah limited liability company

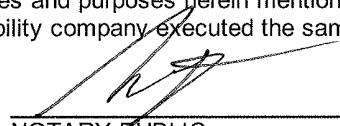
Order No. 196864

Tax I.D. No. H-3-1-33-447-A

STATE OF UTAH )  
COUNTY OF SALT LAKE ) :ss.

On the 12 day of March, 2018, personally appeared before me, Walter J. Plumb, III, who being by me duly sworn, did say that he/she is the Trustee of Walter J. Plumb III Profit Sharing Plan, Executive Manager of Jupiter Real Estate Holding Company, L.L.C., 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 Walter J. Plumb, III acknowledged to me that said limited liability company executed the same.

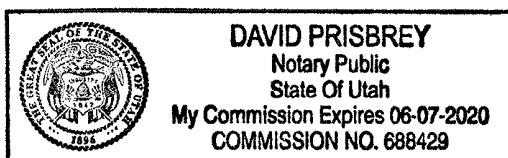


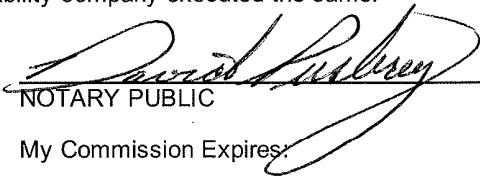
  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: 10-16-20

STATE OF Utah )  
COUNTY OF Washington ) :ss.

On the 14 day of March, 2018, personally appeared before me, Steven D. Peterson, who being by me duly sworn, did say that he/she is the Trustee of Walter J. Plumb III Profit Sharing Plan, Executive Manager of Jupiter Real Estate Holding Company, L.L.C., 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 Steven D. Peterson acknowledged to me that said limited liability company executed the same.



  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: 06-07-20

Attachment to that certain Warranty Deed executed by Jupiter Real Estate Holding Company, L.L.C., a Utah limited liability company, which also appears of record as Jupiter Real Estate Holdings, LLC, a Utah limited liability company grantor(s), to Sky Mountain Holdings, LLC, a Utah limited liability company grantee(s).

Order No. 196864  
Tax I.D. No. H-3-1-33-447-A

**EXHIBIT "A"**

Parcel 1:

Beginning at a point South 89°45'34" East, along the Quarter Section Line, 214.63 feet from the West Quarter Corner of Section 33, Township 41 South, Range 13 West, Salt Lake Base and Meridian; running thence North 00°04'05" East 0.20 feet to the point of curvature of a tangent curve, concave to the East, having a radius of 265.26 feet and a central angle of 06°28'52"; thence Northeasterly, to the right, along the arc of said curve 30.01 feet; thence South 89°47'55" East 28.67 feet; thence South 00°12'05" West 5.00 feet; thence South 89°47'55" East 155.01 feet; thence South 00°04'05" West 0.19 feet to the Southwest Corner of the Johnson property (Tax ID No. H-3-1-33-4401); thence South 89°45'37" East, along the South boundary line of said parcel, 375.00 feet to the Southeast Corner of said parcel; thence North 00°04'05" East, along the East boundary line of said parcel, 581.25 feet to the Northeast Corner of said parcel; thence North 89°47'55" West, along the North boundary line of said parcel, 2.58 feet to the Southeast Corner of the Ketter property (Tax ID No. H-3-1-33-4335); thence along the East boundary line of the Ketter parcel through the following 3 courses: North 26°28'05" East 284.38 feet to the point of curvature of a tangent curve, concave to the West, having a radius of 160.00 feet and a central angle of 67°39'00"; thence Northwesterly, to the left, along the arc of said curve, 188.91 feet; thence North 41°10'55" West 125.00 feet to the Southeast Corner of the Assetto property (Tax ID No. H-3-1-33-4435); thence along the East boundary line of the Assetto parcel and the Barker parcel (Tax ID No. H-3-1-33-4420), through the following 2 courses: North 01°47'55" West 410.00 feet; thence North 05°12'05" East 564.44 feet to the Northeast Corner of the Barker parcel; thence South 89°29'55" East 177.08 feet; thence North 00°04'05" East 403.65 feet to a point on the South boundary line of the Hurricane City property (Tax ID No. H-3-1-33-1445); thence South 89°49'59" East, along said boundary line, 341.74 feet to a point on a property line common to the Murie and Anderson parcels, Anderson (Tax ID No. H-3-1-33-2446); thence along the boundary lines common to said parcels through the following 6 courses: South 14°11'15" East 372.77 feet; thence South 26°41'15" East 300.00 feet; thence South 51°26'15" East 200.00 feet; thence South 14°07'15" East 263.40 feet; thence South 46°16'15" East 374.60 feet; thence South 10°07'15" East 456.00 feet to the Southeast Corner of the Anderson parcel; thence South 32°54'37" West 40.42 feet to the Northeast Corner of the Hinton property, Document No. 403505, Book 651, Page 530; thence along the Westerly boundary of said parcel through the following 4 courses: South 43°41'38" West 685.00 feet; thence South 45°26'38" West 213.00 feet; thence South 21°10'11" East 119.94 feet, more or less, to the East-West 1/4 Section line; thence North 89°45'34" West along said 1/4 Section line 1331.68 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM any portion lying within the bounds of 2000 West Street and 100 North Street, as dedicated on December 28, 2006, as Doc. No. 20060060404, Official Washington County Records.

Parcel 2:

BEGINNING NORTH 0°08'25" WEST 35.94 FEET ALONG THE WEST LINE OF SECTION 33, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN FROM THE WEST 1/4 CORNER OF SAID SECTION AND SOUTH 89°58'03" EAST 659.10 FEET SAID LINE BEING PARALLEL AND OFFSET 36.00 FEET FROM 200 WEST STREET

CENTERLINE AS DESCRIBED ON THE 200 WEST STREET & 100 NORTH STREET ROAD DEDICATION PLAT ON FILE AT WASHINGTON COUNTY RECORDER'S OFFICE, STATE OF UTAH TO A POINT ON A 20.00 FOOT RADIUS CURVE TO THE LEFT, AND RUNNING THENCE ALONG THE ARC OF SAID CURVE 30.60 FEET THROUGH A CENTRAL ANGLE OF 87°38'56" TO A POINT ON 224.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE 171.63 FEET THROUGH A CENTRAL ANGLE OF 43°54'05"; THENCE NORTH 46°17'06" EAST 36.56 FEET; THENCE SOUTH 0°08'25" EAST 207.93 FEET; THENCE NORTH 89°58'07" WEST 115.94 FEET; THENCE NORTH 0°01'53" EAST 10.85 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING ANY AND ALL MINERAL RIGHTS.

\*\*\*

Initials 

## WATER RIGHTS ADDENDUM TO LAND DEEDS

Grantor: Jupiter Real Estate Holding Company, L.L.C., a Utah limited liability company  
 Grantee: Sky Mountain Holdings, LLC, a Utah limited liability company  
 Tax ID Number(s): H-3-1-33-447-A

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. A  
 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) B  
 3  No water rights are being conveyed. C  
 4  Water rights are being conveyed by separate deed. C

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 checked="" type="checkbox"/> There is no water service available to Grantor's Parcel(s). <input type="checkbox"/> Other water related disclosures:	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: Jupiter Real Estate Holding Company, L.L.C., a Utah limited liability company

By: Walter J. Plumb III Profit Sharing Plan  
Executive Manager

Walter J. Plumb, III, Trustee

Steven D. Peterson, Trustee

Grantee's Acknowledgment of Receipt: Sky Mountain Holdings, LLC, a Utah limited liability company

By: Jed Christensen Construction, Inc., Member

Jed Christensen, President

By: Randy T. Simonsen, LTD., Member

20180010387 03/14/2018 11:05:59 AM  
Page 6 of 7 Washington County

  
Randy T. Simonsen, General Partner

Grantee's Address: 3535 Sugar Leo Road, St. George, Utah 84790

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)**