



W2707083

EH 2707083 PG 1 OF 7
ERNEST D ROWLEY, WEBER COUNTY RECORDER
17-OCT-14 241 PM FEE \$.00 DEP JKC
REC FOR: WEBER BASIN WATER CONSERV DIST

Account No. 69216

ASSIGNMENT

THIS ASSIGNMENT, made this 15th day of January, 2014, by and between Wolf Mountain Ski Resort, LLC, as First Party, and SKYLINE MOUNTAIN BASE, LLC, as Second Party,

WITNESSETH

1. WHEREAS, under date of October 11, 2005, Wolf Creek Properties LLC, as Purchaser, entered into a contract with Weber Basin Water Conservancy District for the purchase of 35.0 acre-foot of water for replacement purposes, which contract was thereafter recorded in the office of the County Recorder of Weber County, Utah on February 10, 2006, entry #2159822; and

2. WHEREAS, under date of September 29, 2006, Wolf Creek Properties LLC, as Purchaser, entered into a contract with Weber Basin Water Conservancy District for the purchase of 1.0 acre-foot of water for replacement purposes, which contract was thereafter recorded in the office of the County Recorder of Weber County, Utah on November 2, 2006, entry #2219583; and

3. WHEREAS, under date of September 29, 2006, Wolf Creek Properties LLC, as Purchaser, entered into a contract with Weber Basin Water Conservancy District for the purchase of 1.0 acre-foot of water for replacement purposes, which contract was thereafter recorded in the office of the County Recorder of Weber County, Utah on November 2, 2006, entry #2219584; and

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RS

4. WHEREAS, under date of June 11, 2013, the 37 a.f. of replacement water was assumed by Wolf Mountain Ski Resort, LLC, which assumption of contract was thereafter recorded in the office of the County Recorder of Weber County, Utah on August 30, 2013, entry #2653510; and

5. WHEREAS, First Party now desires to assign and transfer to Second Party hereunder, First Party's right, title and interest in and to 37.0 acre-feet of water referred to in Paragraph 4 above,

NOW, THEREFORE, it is hereby agreed between First Party and Second Party as follows:

6. FIRST PARTY hereby assigns and transfers to Second Party, all of First Party's right, title and interest in and to 37.0 acre-feet of water referred to in Paragraph 4 above.

7. SECOND PARTY, in consideration of such assignment, hereby agrees with First Party, and with Weber Basin Water Conservancy District, to pay to Weber Basin Water Conservancy District, promptly upon receipt of billings from Weber Basin Water Conservancy District, an annual amount to consist of the total of the following items:

(a) \$99.66 per acre-foot of water. Such price per acre-foot shall continue until such time as the District may otherwise determine; provided, only, that an increase in such price shall become operative only at the beginning of the next calendar year.

(b) A fair proportionate amount of estimated operating and maintenance charges of the District for the then calendar year. Such fair proportionate amount shall be determined each year by the Board of Trustees of the District and the determination shall be final and conclusive. If such estimate is more or less than the actual cost thereof, an appropriate adjustment will be made in the annual amount for the year following the year for which the estimate was made.

8. The first annual payment under items (a) and (b) above shall be made to Weber Basin

Water Conservancy District upon such District's initial billing to Second Party therefor. Subsequent annual payments shall be paid as billed, whether or not any part of the water is called for or used.


9. SECOND PARTY further agrees to comply strictly with all of the terms and conditions of the contract referred to in Paragraph 4 above, and proposes to use the water referred to in said contract, and herein, on described lands in Weber County, Utah more particularly described in Exhibit "A" hereto.

10. All parties agree that this Assignment shall become operative only upon its approval by Weber Basin Water Conservancy District.

11. Weber Basin Water Conservancy District may, as a condition of this Assignment, require security to be pledged and committed by the Second Party in addition to that so required in the contract referred to in paragraph 4 above in order to insure payments so required in said contract. The sufficiency and form of security shall be determined by the Weber Basin Water Conservancy District.

12. The reuse of water delivered pursuant to this contract shall not be allowed without permission of the District. The waste, seepage, or return flow from water delivered pursuant to this contract shall belong to the United States or the Weber Basin Water Conservancy District for the use and benefit of the Weber Basin Project.

FIRST PARTY: Wolf Mountain Ski Resort, LLC
ADDRESS: P.O. Box 193
Eden, UT 84310

By: 
Its: Manager

SECOND PARTY: Skyline Mountain Base, LLC
ADDRESS: 1391 North 5900 East
Eden, Utah 84310

By: [Signature]
Its: [Signature]

APPROVED:

WEBER BASIN WATER CONSERVANCY DISTRICT

[Signature: Kym O. BaltScharas]
President

ATTEST:

[Signature: Tage I. Flint]
Tage I. Flint, Secretary

(SEAL)



ATTESTATIONS

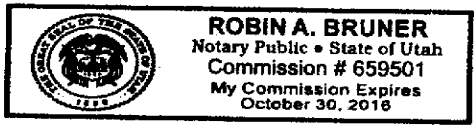
FIRST PARTY

STATE OF UTAH)
COUNTY OF Weber :SS

On this 15 day of January, 2014, personally appeared before me
REV KOTTO, the signer(s) of the above instrument,
who duly acknowledged to me that he executed the same.

Robin A. Bruner
Notary Public

(SEAL)



SECOND PARTY

STATE OF UTAH)
COUNTY OF Salt Lake) :SS

On this 15 day of January, 2014, personally appeared before me
Joshua Mark Richards, the signer(s) of the above instrument,
who duly acknowledged to me that he executed the same.

[Signature]
Notary Public

(SEAL)

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Exhibit "A"

Parcel #22-029-0010 *SPB*

PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT SOUTH 55D WEST 111.01 FEET FROM THE MOST NORTHERLY CORNER OF LOT 99, SILVER BELL ESTATES NO. 2; THENCE SOUTH 2DEAST 987.74 FEET; THENCE SOUTH 35D EAST 1736.47 FEET; THENCE SOUTH 56D10' EAST 1014.59 FEET; THENCE SOUTH 71D47' EAST 531.56 FEET; THENCE SOUTH 79D EAST 50 FEET; THENCE SOUTH 11D WEST 121.51 FEET; THENCE ALONG THE ARC OF A 607.21 FOOT RADIUS CURVE TO THE RIGHT FOR A LENGTH OF 49.95 FEET; THENCE SOUTH 74D17'13" EAST 239.89 FEET TO THE WEST LINE OF LOT 49, SILVER BELL ESTATES NO. 1; THENCE SOUTH 20D WEST TO A POINT 140.39 FEET NORTH 1D EAST OF THE SOUTHWEST CORNER OF SAID LOT 49; THENCE SOUTH 1D WEST 140.39 FEET; THENCE SOUTH 16D WEST 134.78 FEET; THENCE SOUTH 29D EAST 132.5 FEET; THENCE SOUTH 19D WEST 96.54 FEET; THENCE SOUTH 9D WEST 253.28 FEET; THENCE SOUTH 45D WEST 140.34 FEET; THENCE SOUTH 8D44' WEST 190.45 FEET; THENCE SOUTH 18D WEST 114.38 FEET; THENCE NORTH 73D44'30" WEST 205.30 FEET; THENCE SOUTH 29D15' WEST 140 FEET; THENCE SOUTH 37D58'50" WEST 254.04 FEET; THENCE SOUTH 8D42' WEST 60 FEET; THENCE NORTH 83D56' EAST 45.91 FEET; THENCE SOUTH 6D04' EAST 50 FEET; THENCE SOUTH 83D56' WEST 220.00 FEET; THENCE SOUTH 29D05'51" WEST 234.61 FEET; TO THE SOUTH LINE OF SAID SECTION 32; THENCE WEST ALONG SAID SOUTH LINE 3530.89 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID SECTION 32; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION TO A POINT SOUTH 55D WEST FROM THE POINT OF BEGINNING; THENCE NORTH 55D EAST 2300 FEET MORE OR LESS TO POINT OF BEGINNING.

Parcel #22-029-0008 *SPB*

PART OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT SOUTH 55D WEST 111.01 FEET FROM THE MOST NORTHERLY CORNER OF LOT 99, SILVER BELL ESTATES NO. 2; RUNNING THENCE NORTH 35D WEST 80 FEET, THENCE NORTH 61D45'23" EAST TO NORTH LINE OF SECTION 32, THENCE WEST ALONG SECTION LINE TO NORTHWEST CORNER OF SAID SECTION 32; THENCE SOUTH ALONG SECTION LINE TO A POINT SOUTH 55D WEST FROM POINT OF BEGINNING, THENCE NORTH 55D EAST 2300 FEET MORE OR LESS TO POINT OF BEGINNING.

Parcel #22-023-0086 *SPB*

PART OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING 20 FEET NORTH AND 50 FEET WEST OF THE NORTHEAST CORNER OF SILVER BELL ESTATES NO. 2; RUNNING THENCE NORTH 1140 FEET, THENCE WEST 467 FEET; THENCE SOUTH 1160 FEET; THENCE EAST 140.39 FEET; THENCE NORTH 61D45'23" EAST 41.85 FEET; THENCE EAST 289.74 FEET TO THE PLACE OF BEGINNING.

Parcel #22-023-0060 *SPB*

PART OF THE SOUTH 1/2 OF SECTION 29 AND A PART OF THE NORTH 1/2 OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT 50 FEET EAST OF THE NORTHEAST CORNER OF LOT 102, SILVER BELL ESTATES NO. 2 IN WEBER COUNTY, UTAH, AND RUNNING THENCE EAST 8 FEET; THENCE NORTH 0D57'41" EAST ALONG THE EAST RIGHT OF WAY LINE OF 3500 EAST STREET 468.81 FEET; THENCE SOUTH 52D27' EAST 464.33 FEET; THENCE SOUTH 13D35' WEST 288 FEET; THENCE SOUTH 73D05' WEST 256.02 FEET TO THE EASTERLY LINE OF 3500 EAST STREET; THENCE NORTHERLY ALONG THE ARC OF A 106.24 FOOT RADIUS CURVE TO THE LEFT FOR A DISTANCE OF 4.51 FEET; THENCE NORTHERLY ALONG THE ARC OF A 125 FOOT RADIUS CURVE TO THE RIGHT FOR A DISTANCE OF 128.68 FEET; THENCE NORTH 59.09 FEET TO THE POINT OF BEGINNING. CONTAINING 3.60 ACRES.

Parcel #22-023-0045 *SPB*

THE EAST 1/2 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, U.S. SURVEY: ALSO: PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29, AND RUNNING THENCE EAST 30 FEET; THENCE SOUTHWESTERLY TO A POINT 30 FEET SOUTH FROM THE PLACE OF BEGINNING; THENCE NORTH 30 FEET TO THE PLACE OF BEGINNING.

Parcel #22-023-0020 *SPJ*

PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN. S. SURVEY: BEGINNING AT A POINT 1355.28 FEET EAST AND 1258 FEET SOUTH OF THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EAST 765.00 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF PARCEL 22-023-0086 AND THE NORDIC VALLEY SEWER IMPROVEMENT DISTRICT LINE, THENCE SOUTH 567.14 FEET, MORE OR LESS, ALONG SAID PARCEL TO THE NORTHEASTLY CORNER OF PARCEL 22-023-0019, THENCE ALONG SAID PARCEL THE FOLLOWING 2 CALLS: WEST 281.86 FEET AND SOUTH 500' EAST 746.92 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID QUARTER SECTION, THENCE WEST 570.00 FEET, MORE OR LESS, ALONG SAID LINE TO THE SOUTHEAST CORNER OF PARCEL 22-023-0045 AND THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29, THENCE ALONG SAID PARCEL THE FOLLOWING 2 CALLS: NORTH 1290 FEET AND NORTHEASTLY 30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Parcel #22-023-0019 *SPJ*

PART OF SECTIONS 29 AND 32, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING 376.60 FEET WEST FROM THE NORTHEAST CORNER OF SILVER BELL ESTATES NO. 2, AND RUNNING THENCE SOUTH 61°45'23" WEST 401.29 FEET; THENCE NORTH 500' WEST 785.77 FEET; THENCE EAST 281.86 FEET; THENCE SOUTH 592.86 FEET, THENCE EAST 140.39 FEET TO THE POINT OF BEGINNING. CONTAINING 4.29 ACRES, MORE OR LESS.