



EASEMENT

Easement No. 400 00270

Easement shall expire on May 11, 2022, unless otherwise extended under Condition 23 of this Agreement.

THE STATE OF UTAH, by and through the Division of Forestry, Fire & State Lands, GRANTOR, hereby grants to Earth Elements, INC., 5283 West 5725 South, Hooper, Utah 84315, GRANTEE, the right to install approximately 4,000 feet long, 4 inch wide above ground PVC pipeline and a temporary small shed to house the pump within sovereign lands of the Great Salt Lake at the location as provided in the following legal description:

LEGAL DESCRIPTION:

EASEMENT OUT OF THE NORTHERN FENCED AREA TO THE WATERS EDGE NEAR THE PUMP.

20 FOOT WATER LINE EASEMENT BEING 10 FEET RIGHT AND 10 FEET LEFT OF THE FOLLOW DESCRIBED CENTERLINE: BEGINNING AT A POINT 816.41 FEET WEST AND 3995.61 FEET SOUTH FROM THE NORTH QUARTER SECTION 11 TOWNSHIP 6 NORTH, RANGE 6 WEST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE S 64°57'14" W 246.20 FEET; THENCE S 80°02'37" W 55.90 FEET; THENCE S 68°02'03" W 420.21 FEET TO A 315 FOOT RADIAL CURVE TO THE LEFT WITH AN ARC LENGTH OF 301.30 FEET (CHORD BEARS S40°14'57" W 289.94 FEET); THENCE S 11°55'30" W 702.20 FEET; THENCE S 05°16'04" W 541.93 FEET; THENCE S 01°11'48" E 100.51 FEET; THENCE S 07°57'36" E 120.40 FEET; THENCE S 15°01'37" E 80.06 FEET TO A 251.50 FOOT RADIAL CURVE TO THE LEFT WITH AN ARC LENGTH OF 60.45 FEET (CHORD BEARS S24°23'43"E 60.30 FEET); THENCE S 30°50'45" E 188.27 FEET TO THE WATERS EDGE.

Contains: Approximately 1.5 acres

COUNTY:

Box Elder County

TO HAVE AND TO HOLD for a term of 9 years subject to the following terms and conditions and any valid and existing rights. This EASEMENT is granted only for the purpose described herewith as far as it is consistent with the principles and obligations in the Enabling Act of Utah (Act of July 16, 1894, Ch. 138, 28 Stat. 107) and the Constitution of the State of Utah.

1. **LIABILITY.** GRANTEE shall pay for all cost and expense in connection with the construction, operation, repair, replacement and maintenance of said pipeline and temporary small shed, and hold GRANTOR harmless from any and all liability (including expenses for attorney's fees) which may arise from the construction, operation, and maintenance of said easement structure, so long as the easement shall remain in force and effect.