



When Recorded, Please Return To:
Trevor Nielson, General Manager
Bear River Canal Company
275 North 1600 East
Tremonton, UT 84337

NOTICE OF PRESCRIPTIVE EASEMENT
(Central Canal Through Sections 3, 10 and 15)

BEAR RIVER CANAL COMPANY, a Utah nonprofit mutual water company (the "Company"), whose mailing address is 275 North 1600 East, Tremonton, Utah 84337, pursuant to and in conformance with the provisions of §57-13a-103, Utah Code Annotated, 1953, as amended (the "Statute"), hereby gives notice that it, as a water user as defined in the Statute, has duly established a perpetual prescriptive easement and right of way, including rights of ingress and egress, over, across and through the land burdened by the easement as described herein (the "Land"), by virtue of the continuous, open, notorious and adverse use thereof by the Company and its predecessors-in-interest for a period long exceeding 20 years. The described Land has been utilized by the Company and its predecessors-in-interest for the construction, placement, ownership, operation, maintenance, repair and replacement of a water canal (the "Canal"), utilized by the Company and its predecessors-in-interest for the transportation, distribution and delivery of water to its shareholders and others under water and contract rights duly recognized under state law; including, without limitation, in addition, the right, as necessary or convenient for the full and complete use, occupation and enjoyment of said easement, to cut and remove structures, timber, trees, brush, overhanging branches and other obstructions which may injure or interfere with the Company's full use, occupation and enjoyment of said easement; the right to go upon so much of the Land on either side of the Canal as is reasonably necessary to construct, operate, maintain, repair and replace the Canal; the right to place dirt and materials and use equipment upon the land adjacent to the Land burdened by said easement, as necessary for the purposes for which said easement has been established; and all other prescriptive rights and interests recognized under Utah law for water conveyances.

The land burdened by the prescriptive easement set forth herein is located solely in Box Elder County, State of Utah, and is more particularly described as follows:

A 100 foot wide perpetual easement, said easement being 50 feet on either side of and running along and adjacent to the following described centerline

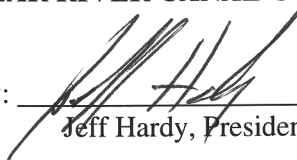
THE CENTERLINE OF THE CENTRAL CANAL - BEAR RIVER CANAL
ALONG THE FOLLOWING DESCRIBED ALIGNMENT SITUATED IN
THE WEST HALF & SOUTHEAST QUARTER OF SECTION 3, THE EAST
HALF OF SECTION 10 AND THE NORTHEAST QUARTER OF SECTION
15 TOWNSHIP 11 NORTH, RANGE 3 WEST OF THE SALT LAKE BASE
AND MERIDIAN.

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTHWEST
QUARTER LOCATED 78.58 FEET NORTH 88°37'15" EAST ALONG SAID
NORTH LINE FROM THE NORTHWEST CORNER OF SAID SECTION 3;

RUNNING THENCE SOUTH 00°53'57" EAST 3906.23 FEET; THENCE SOUTH 01°06'16" EAST 1135.30 FEET; THENCE SOUTHEASTERLY TO THE LEFT ALONG THE ARC OF A 225.00 FOOT RADIUS CURVE, A DISTANCE OF 362.90 FEET, CHORD BEARS SOUTH 47°18'37" EAST 324.82 FEET, HAVING A CENTRAL ANGLE OF 92°24'42"; THENCE NORTH 86°29'01" EAST 312.66 FEET; THENCE NORTH 88°14'59" EAST 2042.49 FEET; THENCE SOUTH 01°08'22" EAST 2702.34 FEET; THENCE SOUTHEASTERLY TO THE LEFT ALONG THE ARC OF A 90.00 FOOT RADIUS CURVE, A DISTANCE OF 145.27 FEET, CHORD BEARS SOUTH 47°22'50" EAST 130.01 FEET, HAVING A CENTRAL ANGLE OF 92°28'57"; THENCE NORTH 86°22'42" EAST 466.00 FEET; THENCE SOUTHEASTERLY TO THE RIGHT ALONG THE ARC OF A 125.00 FOOT RADIUS CURVE, A DISTANCE OF 207.73 FEET, CHORD BEARS SOUTH 46°00'49" EAST 184.64 FEET, HAVING A CENTRAL ANGLE OF 95°12'59"; THENCE SOUTH 01°35'41" WEST 259.60 FEET; THENCE SOUTH 01°02'40" EAST 2144.81 FEET; THENCE SOUTHEASTERLY TO THE LEFT ALONG THE ARC OF A 125.00 FOOT RADIUS CURVE, A DISTANCE OF 200.43 FEET, CHORD BEARS SOUTH 46°58'45" EAST 179.64 FEET, HAVING A CENTRAL ANGLE OF 91°52'09"; THENCE NORTH 87°05'10" EAST 350.77 FEET; THENCE SOUTHEASTERLY TO THE RIGHT ALONG THE ARC OF A 150.00 FOOT RADIUS CURVE, A DISTANCE OF 240.86 FEET, CHORD BEARS SOUTH 46°54'45" EAST 215.81 FEET, HAVING A CENTRAL ANGLE OF 92°00'08"; THENCE SOUTH 00°54'41" EAST 1633.96 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF INTERSTATE-15 BEING A POINT LOCATED SOUTH 37°20'01" EAST 2261.36 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 15 AND THE TERMINUS OF THIS EASEMENT.

DATED this 24 day of September, 2020.

BEAR RIVER CANAL COMPANY

By: 
Jeff Hardy, President

STATE OF UTAH)
 :SS.
County of Box Elder)

On the 24 day of Sept., 2020, personally appeared before me Jeff Hardy, known to me, or proved to me on the basis of satisfactory evidence, to be the person who executed the within instrument as President of Bear River Canal Company, who duly acknowledged to me that said company executed the same.


NOTARY PUBLIC

