

LAND USE AGREEMENT

00506679 Bk00980 Pg01061-01062

PATSY CUTLER - IRON COUNTY RECORDER
2005 JUL 05 10:53 AM FEE \$15.00 BY DBJ
REQUEST: CIRCLE FOUR FARMS

RECITALS.

Circle Four LLC desires to secure adequate protection for a new drinking water well located on lands in Iron County, Utah. More specifically, the location of the well is: Well # BMS4, located South 2,128 feet and West 2,406 feet from the Northeast quarter corner, Section 19, Township 31 South, Range 13 West, Salt Lake Base and Meridian. For the purpose of this Agreement, Zones 1, 2 and 3 lie within the Grantors land in Section 19, Township 31 South, Range 13 West, Salt Lake Base and Meridian as shown in the Drinking Water Source Protection Zones, Figure II-1 attached to this Land Use Agreement.

AGREEMENT.

Circle Four LLC (Grantor) acknowledges the Drinking Water Source Protection Plan for the above referenced well. Circle Four LLC agrees not to allow the location of any uncontrolled potential contamination sources, as defined in R309-600-6(1) of the Utah Administrative Code within Zone 1. Circle Four LLC also agrees not to locate or allow the location of any pollution sources as defined in R309-600-6(1)(t) of the Utah Administrative Code within Zone 2, unless design standards are implemented to prevent contaminated discharges.

The controls and limitations of this Agreement within Zones 1 and 2 are bonding with all successors, heirs, and assigns for as long as the well is used for culinary purposes.

Witness, the hand of said Grantor this 23 day of June, 2005.

By: [Signature]
K. Erik Jacobsen, Operations Manager, Circle Four LLC

State of Utah)
: ss
County of Beaver)

On the 23rd day of June, 2005, personally appeared before me, K. Erik Jacobsen of Circle Four LLC, as signer of the foregoing Land Use Agreement, who duly acknowledged to me that he executed the same.

[Signature]
Notary Public



