



"W3124699"

EA 3124699 PG 1 OF 4  
LEANN H KILTS, WEBER COUNTY RECORDER  
09-FEB-21 1003 AM FEE \$40.00 DEP TH  
REC FOR: PREVEDEL

**NOTICE OF INTEREST  
OF THE RIGHTS OF WAYS FOR  
THE EXISTING PREVEDEL LATERAL  
--An Irrigation Ditch Located in Weber County, Utah**

Be it known to all and who it may concern: That all land patents from either the Federal Government or the State of Utah, contained the following reservations for ditches and canals.

Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs and laws, and decisions of courts, OR, Excepting and reserving to the United States or the State of Utah: A right of way thereon for ditches and canals.

**57-13a-101. Definitions.**

As used in this chapter:

- (1) "Water conveyance" means a canal, ditch, pipeline, or other means of conveying water.
- (2) "Water user" means a water user or the water user's predecessor whose water being conveyed is represented by a water right recognized under state law or by shares in a mutual irrigation company.

**57-13a-102. Prescriptive easement of water conveyance.**

- (1) A prescriptive easement may be established if a water user has maintained a water conveyance for a period of 20 years during which the use has been:
  - (a) continuous;
  - (b) open and notorious; and
  - (c) adverse,
- (2) If Subsections (1) (a) and (b) are established, there is a rebuttable presumption that the use has been adverse.

See also: 73-1-6, 73-1-8, 73-1-15

**WHEREAS:**

The Prevedel Lateral hereby gives notice to all property owners in Section 3, T5N,R2W,SLB&M, Weber County, of the existence, maintenance, and use of the said Prevedel Lateral shown on the attached map as, Exhibit "A".

**WHEREAS:**

- 1, Said irrigation ditch of the **Prevedel Lateral** crosses Weber County Parcel #080290071.
- 2. The irrigation ditch as part of said **Prevedel Lateral** was constructed prior to 1930 to irrigate farm land. Water from the ditch is under irrigation water rights maintained by the Wilson Irrigation Company.

WITNESS, the hand of said grantors, this 4<sup>th</sup> day of February, 2021.



**David A. Prevedel**

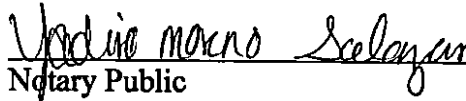


**Glenna O. Prevedel**

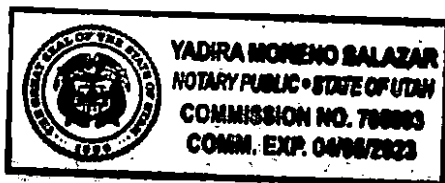
**Trustees of the Prevedel Family  
Living Trust**

STATE OF UTAH        )  
                                  )ss  
COUNTY OF WEBER    )

On the 4<sup>th</sup> day of Feb, 2021, personally appeared before me **David A. Prevedel and Glenna O. Prevedel**, the signers of the within instrument, who duly acknowledged to me that they executed the same.

  
Notary Public

My commission expires 04/05/2023 Residing in Roy, Utah



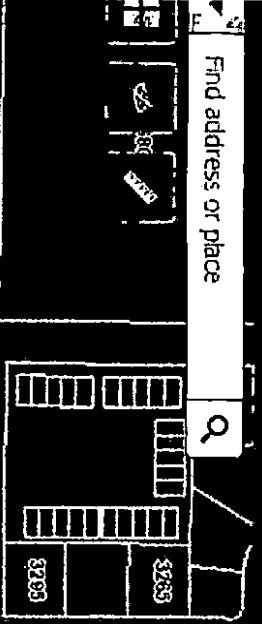
**DESCRIPTION OF THE PREVEDEL LATERAL**  
**An Irrigation Ditch in Weber County**

PART OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 5 NORTH,  
RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY:

USING THE NORTH 1/4 CORNER OF SEC 3 T5N, R2W, SLB & M, ON 3300  
SOUTH, AS THE TIE POINT, PROCEEDING 1513.3 FT., S 44 D, 57' 55"W TO  
PLACE OF BEGINNING AT INTERSECTION OF THE WATER RELEASE GATE  
OF THE WILSON IRRIGATION CANAL. THENCE WESTWARD, 711.6 FT. N 44 D,  
59'59"W, THENCE NORTHWARD 324.7 FT. N 9 D 45'55" W, THENCE  
WESTWARD 66.4 FT. 45 D 0'0" DUE WEST, TO ENDING POINT. CLOSING  
REFERENCE POINT IS 1169 FT. N 63 D 26'5" W AT INTERSECTION OF 3500  
WEST AND 3300 SOUTH, N.W. COR. SEC.3, T5N, R2W, S.L.B.& M. TOTAL  
LENGTH IS 1102.7 FT, MORE OR LESS.

THIS INFORMATION IS NOT MEANT TO SUPERCEDE AN OFFICIAL SURVEY.

Find address or place



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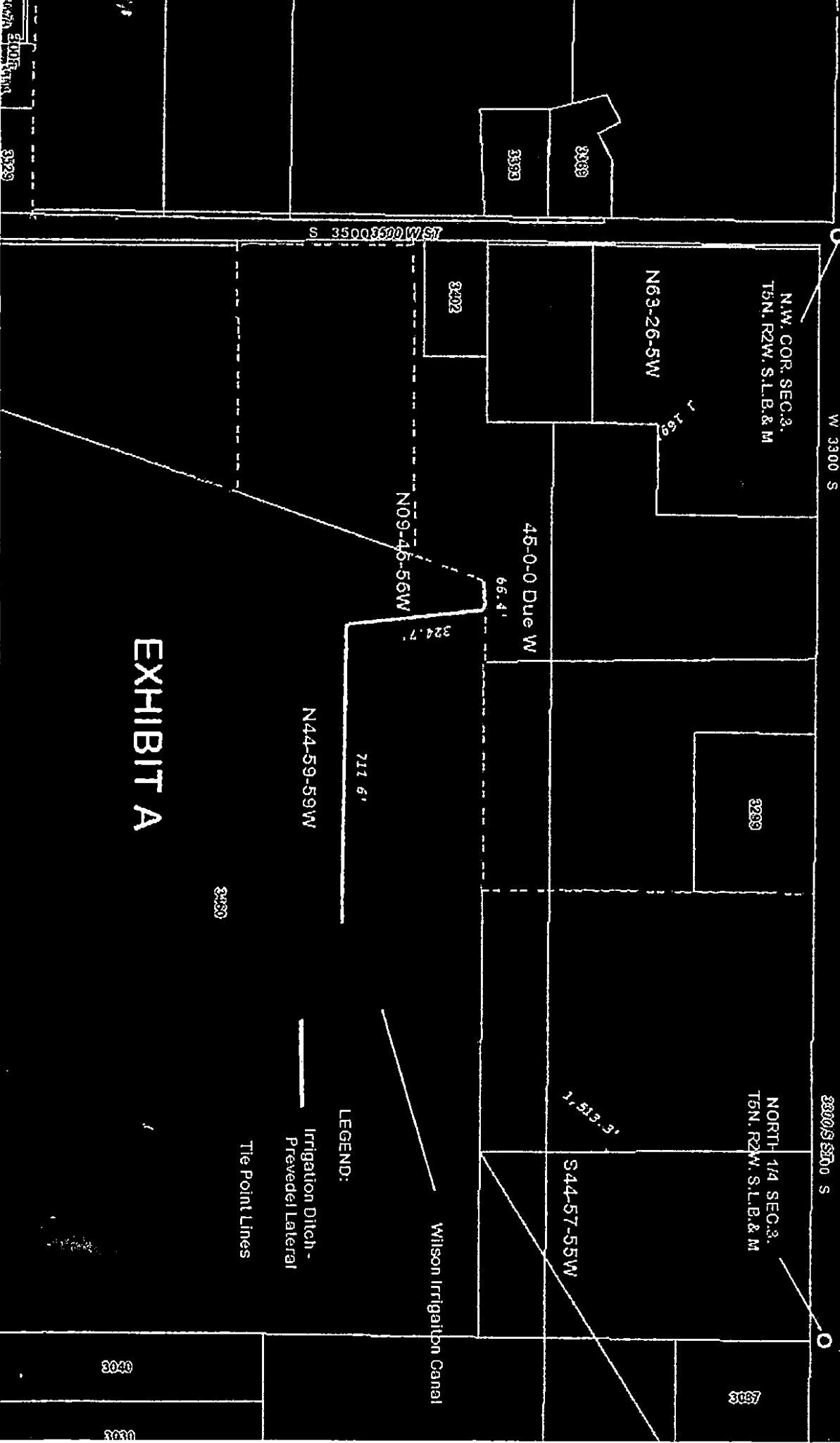


EXHIBIT A