

STEPHEN G. BOYDEN # 0410  
 PHILIP C. PUGSLEY # 2661  
 Assistant Attorneys General  
 MARK L. SHURTLEFF # 4666  
 Attorney General for the State of Utah  
 1594 West North Temple #300  
 Box 140855  
 Salt Lake City, Utah 84114-0855  
 Telephone: (801) 538-7227

Attorneys for Plaintiff

FILED IN UNITED STATES DISTRICT  
 COURT, DISTRICT OF UTAH

SEP 17 2001

MARKUS B. ZIMMER, CLERK

DEPUTY CLERK

I hereby certify that the annexed document is a true  
 and correct copy of the original on file in this office.

ATTEST: MARKUS B. ZIMMER, CLERK  
 Deputy Clerk  
 U.S. District Court  
 District of Utah

By: *[Signature]*  
 Date: *[Signature]* Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
 DISTRICT OF UTAH, CENTRAL DIVISION

STATE OF UTAH, by and through its  
 DIVISION OF FORESTRY, FIRE &  
 STATE LANDS,

Plaintiff,

vs.

UNITED STATES OF AMERICA;  
 DEPARTMENT OF THE INTERIOR;  
 BUREAU OF RECLAMATION; ELUID  
 MARTINEZ, in his official capacity as  
 Commissioner; RICHARD W. DAVIS, JOHN  
 DOE and MARY DOE, *et al.*,

Defendants.

ENT 94662:2001 PG 1 of 34  
 RANDALL A. COVINGTON  
 UTAH COUNTY RECORDER  
 2001 Sep 18 2:40 pm FEE 0.00 BY 95  
 RECORDED FOR STATE OF UTAH

STIPULATION FOR PARTIAL  
 SETTLEMENT OF UTAH LAKE  
 BOUNDARY BETWEEN  
 THE STATE OF UTAH

AND

THE UNITED STATES OF AMERICA

Civil No. 2:97CV 0927K

Magistrate Judge Alba

Plaintiff State of Utah (hereinafter the "STATE") by and through its Division of Forestry,  
 Fire & State Lands and Defendant United States of America (hereinafter the "UNITED STATES"),  
 pursuant to the following terms and covenants, do hereby stipulate to the dismissal of the above-  
 entitled matter as to all claims against the UNITED STATES as contained in Plaintiff's First  
 Amended Complaint with the exception of Powell Slough Parcels 8 and 10 as more particularly

described in Paragraph 8 herein, and Exhibit C attached hereto and incorporated by reference.

### RECITALS

A. On December 3, 1997, the STATE filed a lawsuit in the United States District Court, District of Utah, Central Division, under the caption State of Utah v. United States, et al., Civil No. 2:97CV 0927K, seeking to quiet title to the lands below the ordinary high water mark of Utah Lake based on the approximate location of the high water mark at the time of Utah's statehood, and to enjoin the UNITED STATES from entering upon, possessing, or occupying said lands without the consent of the STATE. Thus, the STATE's action is for a declaratory judgment, to quiet title, and for injunctive relief.

B. The UNITED STATES' sovereignty over the area now known as the State of Utah was formally recognized by Mexico with the signing of the Treaty of Guadalupe Hidalgo on February 2, 1848, exchange of ratification on May 30, 1848, and proclamation on July 4, 1848 (9 Stat. 922).

C. Utah Lake is a natural body of water located wholly within Utah County, State of Utah, and said Lake was navigable on July 4, 1848, and at all subsequent times up to and including January 4, 1896, when the STATE was admitted into the Union of the United States. Utah Lake has at all times since been navigable, and is now a navigable body of water.

D. Under the equal footing doctrine, the UNITED STATES holds the lands under navigable waters in the Territories in trust for the future states, and a state acquires title to such lands upon entering the Union on an "equal footing" with the original Thirteen States. Pollard's Lessee v. Hagan, 3 How. 212 (1845).

E. At the date of Utah's statehood, by virtue of its Enabling Act (Act of July 16, 1894, 28 Stat. 107) and its admission into the Union on an equal footing with the original Thirteen States, the

STATE became the owner in a sovereign and proprietary capacity of the beds of all navigable lakes and streams located within the exterior boundaries of the STATE. Therefore, at the date of statehood, the STATE became the owner, has ever since been the owner, and now is the owner of the entire bed of Utah Lake, and also is the owner of all natural resources associated therewith or located therein.

ENT 94662:2001 PG 3 of 34

F. The STATE and the UNITED STATES previously litigated, as between themselves, the ownership of the bed of Utah Lake in Utah Division of State Lands v. United States, 482 U.S. 193 (1987), in which the United States Supreme Court held that “Utah Lake is a navigable body of freshwater covering 150 square miles,” id. at 198, and that under the equal footing doctrine the “bed of Utah Lake passed to Utah upon that State’s entry into statehood on January 4, 1896.” Id. at 209.

G. The sovereign lands that a state acquires under the equal footing doctrine consist of those lands which lie below the ordinary high water mark of the navigable bodies of water in the state at statehood. See Shively v. Bowlby, 152 U.S. 1 (1894). Thus, the sovereign lands in the bed of Utah Lake acquired by the STATE pursuant to the equal footing doctrine are those lands lying below the ordinary high water mark of Utah Lake upon the STATE’S admission to the Union. However, neither the United States Supreme Court nor any courts of the STATE have determined the ordinary high water mark of Utah Lake at the time of statehood and, thus, the exact location of the boundary of the bed of Utah Lake as it existed at that time has likewise not been determined.

H. The United States Surveyor General caused certain surveys to be made of the bed of Utah Lake between 1856 and 1878, in which the respective surveyors were instructed to locate and document the approximate position of the ordinary high water mark of the bed of Utah Lake at the time of their survey. The description of the ordinary high water mark of the Lake resulting from the

information gathered through such surveys shall be referred to in this Stipulation as “the Meander Line” and is defined herein as the description of the ordinary high water mark of Utah Lake resulting from the information compiled in the federal surveys from 1856 to 1878. The Meander Line is depicted on the maps attached as Exhibit C to this Stipulation, and the legal description of the Meander Line is set forth in the Affidavit of Gary Ratcliffe attached hereto as Exhibit D and incorporated by reference.

I. The bed of Utah Lake and adjacent lands are relatively flat. Thus, each one-foot rise in the elevation of the Lake will inundate approximately 1,000 acres of land, and each one-foot drop in the Lake’s elevation will expose approximately 1,000 acres of land. See Provo City v. Jacobsen, 176 P.2d 130, 138 (Utah 1947) (Larson, dissenting). The waters of Utah Lake are subject to frequent and recurrent fluctuations due to variations in annual snow pack and other weather-related conditions. Further, since settlement of the area, water has been diverted from the tributaries of Utah Lake for domestic, municipal, industrial, and irrigation uses, thereby reducing the amount of water naturally flowing into Utah Lake. See id. at 143.

J. The only outlet of Utah Lake is the Jordan River, which originates at the northern end of the Lake and eventually flows through Salt Lake County and into the Great Salt Lake. Beginning in 1872 and continuing through the present time, releases of water from Utah Lake into the Jordan River have been controlled by a dam which facilitated the use of the Lake for water storage purposes. In addition, since approximately 1885, the amount of water stored in and released from the Lake has been regulated pursuant to an agreement entered into at that time among certain landowners adjacent to the Lake and Salt Lake County water users limiting the amount of water that could be stored in the Lake by reference to a specific “compromise” elevation. Attempts have also been made to

dredge the Jordan River to allow water to flow faster from Utah Lake to prevent, insofar as possible, seasonal flooding of lands both adjacent to the Lake and the Jordan River. Finally, at times the water in Utah Lake has been pumped into the Jordan River to meet irrigation needs, thereby lowering the level of Utah Lake. See Salt Lake City v. Salt Lake City Water & Electrical Power Co., (3d Dist. Ct., Salt Lake County, Utah, July 15, 1901), affirmed in Salt Lake City v. Gardner, 114 P. 147 (Utah 1911).

K. The traditionally accepted indicator of the horizontal location of the ordinary high water mark is the line where the terrestrial vegetation has been suppressed by the continuous presence and action of the water. See Provo City v. Jacobsen, 176 P.2d 130, 137 (Utah 1947) (Larson, dissenting). However, when man-caused influences affect the elevation of the water over long periods of time, this “vegetation rule” is impractical and of no value in establishing the ordinary high water mark. See id. at 138.

L. On April 6, 1889, Major John Wesley Powell, the Director of the United States Geological Survey, submitted a report to the Secretary of the Interior stating that the “site of Utah Lake in Utah County in the Territory of Utah is hereby selected as a reservoir site, together with all lands situate within two statute miles of the border of said lake at high water.” The Commissioner of the General Land Office subsequently informed the Land Office at Salt Lake City of the selection of “the site of Utah Lake” as a “reservoir site” and instructed the Land Office “to refuse further entries or filing on the lands designated, in accordance with the [Sundry Appropriations] Act of October 2, 1888.” (Letter of Apr. 11, 1889). The selection of Utah Lake as a reservoir was confirmed in the official reports of the Geological Survey to Congress. See Utah Division of State Lands v. United States, 482 U.S. 193, 199 (1987).

M. The UNITED STATES claims or may claim ownership to lands that are adjacent to Utah

Lake, including, but not limited to:

1. Lands located between the Meander Line and the water's edge of Utah Lake including:

(a) The land upon which the United States Bureau of Reclamation Building is located and the adjoining 9.64 acres which are depicted and more particularly described in Exhibit A attached hereto and incorporated herein by reference and also depicted as Parcel 14 in attached Exhibit C.

(b) All lands that may have been "omitted," that is, omitted from the public domain and which are situated below the Meander Line due to gross errors in survey.

(c) Any other lands which are adjacent to lands owned by the UNITED STATES, are below the Meander Line, and are above the ordinary high water mark of Utah Lake at the date of statehood.

(d) Any lands between the ordinary high water mark of Utah Lake at the date of statehood and the Meander Line based on the continuing claim of the UNITED STATES to the lands within the original 1889 Reservoir Withdrawal.

2. Certain lands presently in federal ownership subject to the 1889 Reservoir Withdrawal or otherwise remaining in federal ownership that are located adjacent to and above the Meander Line. Portions of these lands may be below what may be determined to be the ordinary high water mark at statehood. These lands include:

(a) All lands located below the meander line as determined by the 1856 survey and above the meander line as determined in surveys subsequent to 1856 that have been retained in federal ownership, including but not limited to, Powell Slough Parcels 8, 9 and 10 described in Paragraph 8 herein and also depicted in attached Exhibit C.

(b) Lands described in the United States' Counterclaim to Plaintiff's First Amended Complaint.

N. The STATE claims or may claim ownership to the following lands:

1. All lands located above the Meander Line and below the ordinary high water mark of the Lake at the date of statehood.

2. Lands located below the meander line as determined by the 1856 survey and above the meander line as determined in surveys subsequent to 1856 that have been retained

in federal ownership, including but not limited to, Powell Slough Parcels 8, 9, and 10, including the Parcel occupied by the Utah Department of Transportation (hereafter the "UDOT Parcel"), which UDOT Parcel is described as Parcel No. 9 in Paragraph 8 herein, and more particularly described in Exhibit B attached hereto and incorporated herein by reference, and also depicted as Parcel 9 in Exhibit C.

### AGREEMENT

NOW THEREFORE, in consideration of the mutual covenants and releases of claims contained herein, the UNITED STATES and the STATE hereby agree as follows:

1. Under the equal footing doctrine, the STATE, as of January 4, 1896, became the owner of all lands lying below the ordinary high water mark of Utah Lake.
2. Because of the special circumstances heretofore enumerated in the preceding Recital Paragraphs I, J, and K that affect the level of Utah Lake, the commonly used "vegetation rule" in determining the ordinary high water mark of navigable bodies of water is presently impractical and of no value in establishing the ordinary high water mark of Utah Lake as of January 4, 1896, or any time subsequent thereto.
3. The federal surveys referred to in the preceding Recital Paragraph H resulting in the Meander Line represent the best remaining documentary evidence of the ordinary high water mark of Utah Lake as of January 4, 1896, with the exception of Powell Slough Parcels 8, 9, and 10 described in Paragraph 8 herein.
4. The special circumstances of Utah Lake heretofore enumerated in the preceding Recital Paragraphs I, J, and K compel the STATE and the UNITED STATES to agree upon and jointly recognize the Meander Line, defined herein as the description of the ordinary high water mark of Utah Lake resulting from the information compiled in the federal surveys from 1856 to 1878, as the ordinary high water mark of Utah Lake at the time of statehood, with the exception of Powell Slough

Parcels 8, 9, and 10, which three parcels involve two meander line surveys commenced in 1856 and 1874. It is hereby agreed that the Meander Line, as depicted on the oversized maps attached as Exhibit C to this Stipulation, and more particularly described in the Affidavit of Gary Ratcliffe attached as Exhibit D to this Stipulation, shall constitute the present and future fixed and limiting boundary between STATE sovereign lands and lands of the UNITED STATES with respect to the entire shoreline of Utah Lake, with the exception of Powell Slough Parcels 8, 9, and 10. The legal description of the Meander Line set forth in the Affidavit of Gary Ratcliffe attached as Exhibit D to this Stipulation does not alter in any way the accuracy of the Meander Line as depicted on the oversized maps attached as Exhibit C to this Stipulation, nor does it alter the description of Parcels 1-29 in paragraph 8 herein.

5. The property interests hereafter conveyed by the STATE and the UNITED STATES will, with the exception of Powell Slough Parcels 8, 9 and 10, establish, as between the parties, the Meander Line as the boundary of Utah Lake.

6. The STATE releases and quit claims to the UNITED STATES all of its title, ownership, claims, rights, choses in action, rights-of-way, easements, and all other rights appurtenant or separate to the United States Bureau of Reclamation Parcel, more particularly described in Exhibit A and also depicted as Parcel 14 in Paragraph 8 herein and in attached Exhibit C, and to all lands located above the Meander Line that are more specifically identified as certain parcels of real property in Paragraph 8 herein.

7. The UNITED STATES releases and quit claims to the STATE all of its title, ownership, claims, rights, choses in action, rights-of-way, easements, and all other rights appurtenant or separate to all lands lying below the Meander Line that are more specifically identified as certain parcels of



real property in Paragraph 8 herein, including the UDOT Parcel more particularly described in Exhibit B and also depicted as Parcel 9 on Exhibit C, but excluding Powell Slough Parcels Nos. 8 and 10 and the United States Bureau of Reclamation Parcel more particularly described in Exhibit A and also depicted as Parcel 14 in Exhibit C. With the exception of Powell Slough Parcels Nos. 8 and 10, this provision includes a quit claim by the UNITED STATES to the STATE of claims to lands that may be claimed or proven hereafter to have been omitted from the public domain and situated below the Meander Line due to errors in the above-referenced federal surveys from 1856 to 1878, including assignment of the right to pursue claims of omission against adjoining landowners.

8. Certain properties in federal ownership are located above the Meander Line and are subject to inundation by the waters of Utah Lake during periods of high water. Since these properties are located above the Meander Line, they are by this Stipulation retained in ownership by the UNITED STATES. In order to identify the parcels of real property subject to this Stipulation and to clarify the intent of the parties as set forth in this and the immediately preceding two Paragraphs, oversize maps which are included as Exhibit C have been prepared indicating the individual parcels of land which are either owned or subject to claims of the UNITED STATES and the STATE. Said individual parcels have been identified by numbers 1 through 29, and are to be disposed of as follows:

**SPECIFIC PARCELS:**

PARCEL NO. 1: That property lying adjacent to Sections 19, 20, 29 and 30, T5S R1E, SLB&M, located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 2: Lots 1 and 2 of Section 29, T5S R1E, SLB&M.

DISPOSITION: The STATE quit claims any and all interest to the UNITED STATES.

PARCEL NO. 3: That property lying adjacent to Sections 27, 28, and 29, T5S R1E, SLB&M, located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 4: Lot 1 of Section 34, T5S R1E, SLB&M.

DISPOSITION: The STATE quit claims any and all interest to the UNITED STATES.

PARCEL NO. 5: That property lying adjacent to Sections 35 and 36, T5S R1E, SLB&M, located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 6: That property lying adjacent to Section 36, T5S R1E, SLB&M; Section 31, T5S R2E, SLB&M; and Section 6, T6S R2E, SLB&M, located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 7: That property lying adjacent to Sections 6, 7, and 18, T6S R2E, SLB&M, located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 8: That property known as the "POWELL SLOUGH PARCEL 8," which consists of the following properties located in T6S R2E, SLB&M: Section 18, Lot 5; Section 19, Lots 3, 4, 5, 6 and the NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; Section 20, Lots 5, 6, and the SW $\frac{1}{4}$  SW $\frac{1}{4}$ ; Section 28, Lot 4; Section 29, Lots 3, 4, 5, 6, 7, 8, and SW $\frac{1}{2}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; Section 30, Lot 1; and Section 32, Lot 1.

DISPOSITION: The title to this parcel remains in dispute and shall not be conveyed or affected by this Stipulation.

PARCEL NO. 9: That 2.62 acre parcel known as the "UDOT PARCEL" located west of the Orem Center Business Park in the NE $\frac{1}{4}$  of Section 29, T6S R2E, SLB&M, and more particularly described in attached Exhibit B.

DISPOSITION: The UNITED STATES quit claims any and all interest to the State.

PARCEL NO. 10: That property known as the "POWELL SLOUGH PARCEL 10" which consists of the following properties located in T6S R2E, SLB&M: Lots 6 and 11, Section 33; Lot 2 and SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 32.

DISPOSITION: The title to this parcel remains in dispute and shall not be conveyed or affected by this Stipulation.

PARCEL NO. 11 That property lying adjacent to Sections 4, 9, 10, 14, and 15, T7S R2E, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 12: Lot 1, Section 15, T7S R2E, SLB&M.

DISPOSITION: The STATE quit claims any and all interest to the UNITED STATES.

PARCEL NO. 13: That property lying adjacent to Sections 13,14, and 25, T7S R2E, SLB&M, and Sections 18, 19, and 30, T7S R3E, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE, with the exception of the 9.64 acres identified herein as PARCEL 14.

PARCEL NO. 14: That 9.64 acre parcel located in the East Bay of Utah Lake below the Meander Line. The United States Bureau of Reclamation building is located on this parcel of land, which is more particularly described in attached Exhibit A.

DISPOSITION: The STATE quit claims any and all interest to the UNITED STATES.

PARCEL NO. 15: Lots 2,3, and the SE¼ SW¼ of Section 25, T7S R2E, SLB&M.

DISPOSITION: The STATE quit claims any and all interest to the UNITED STATES.

PARCEL NO. 16: Lots 1, 2, 3, and 4 of Section 26; and Lot 1 of Section 27, T7S R2E, SLB&M.

DISPOSITION: The STATE quit claims any and all interest to the UNITED STATES.

PARCEL NO. 17: That property lying adjacent to Sections 32 and 33, T7S R2E, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 18: That property lying adjacent to Sections 5 and 6, T8S R2E, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE. The STATE will manage the surface of this land in a manner consistent with the management plan for the Central Utah Project Mitigation Refuge.

PARCEL NO. 19: That property lying adjacent to Sections 29 and 32, T8S R1E, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 19A: Lot 4 of Section 32, T8S, R1E, SLB&M.

DISPOSITION: The STATE quit claims any and all interest to the UNITED STATES.

PARCEL NO. 20: That property lying adjacent to Sections 5 and 6, T9S R1E, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE. The STATE will manage the surface of this land in a manner consistent with the management plan for the Central Utah Project Mitigation Refuge.

PARCEL NOS. 21, 21A, and 21B: That property lying adjacent to Sections 6, 7, and 18, T9S R1E, and Sections 11, 13, 14, 23 and 24, T9S R1W, SLB&M.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE to all lands lying below the Meander Line. The STATE quit claims any and all interest to the UNITED STATES to all lands lying above the Meander Line.

PARCEL NO. 22: That property lying adjacent to Sections 1 and 2, T9S R1W, SLB&M, and Sections 27, 34, and 35, T8S R1W, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 23: That property lying adjacent to Sections 15, 16, 22, and 27, T8S R1W, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 24: That property lying adjacent to Sections 3, 4, and 9, T8S R1W, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 25: That property lying adjacent to Sections 24 and 26, T7S R1W, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 26: That property lying adjacent to Sections 5, 6, and 7, T7S, R1E, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 27: Lot 1 and the NE¼ SE¼, Section 6; and Lot 1 Section 7, T7S R1E, SLB&M, all located above the Meander Line.

DISPOSITION: The STATE quit claims any and all interest to the UNITED STATES.

PARCEL NO. 28: That property lying adjacent to Sections 29 and 32, T6S R1E, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

PARCEL NO. 29: That property lying adjacent to Sections 23, 24, 25, and 26, T5S R1W, SLB&M, and located below the Meander Line.

DISPOSITION: The UNITED STATES quit claims any and all interest to the STATE.

9. The lands conveyed by the UNITED STATES to the STATE by the terms of this Stipulation shall be sovereign lands subject to the rights of the public to access the lands and to use the lands consistent with the public trust.

10. This Stipulation is entered into in full settlement of this pending litigation between the STATE and the UNITED STATES except as to Powell Slough Parcels 8 and 10.

11. The boundary established by this Stipulation is intended by the parties to be a fixed and limiting boundary as between the STATE and the UNITED STATES. This Stipulation represents the entire agreement between the STATE and the UNITED STATES with respect to the real properties set forth herein.

12. The parties hereto agree to work toward a resolution of their conflicting claims to Powell Slough Parcels 8 and 10, but this Stipulation is independent of and shall in no way be affected by any such continuing negotiations and/or subsequently executed agreement(s), unless expressly agreed to in writing by the undersigned parties.

13. This Stipulation shall be recorded at the office of the Utah County Recorder.

14. This Stipulation is entered into for the purpose of settlement. This Stipulation shall not be considered as an admission of liability by either party. Nothing in this Stipulation or the judgment entered pursuant to it shall be used as precedent or for the purpose of argument in any other matter.

15. Each party shall bear its own costs and attorneys fees.

IN WITNESS WHEREOF, the parties hereto have executed this Stipulation with full authority to bind the parties hereto.

DATED this 17<sup>th</sup> day of September, 2001.

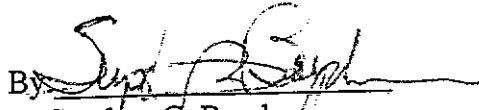
STATE OF UTAH

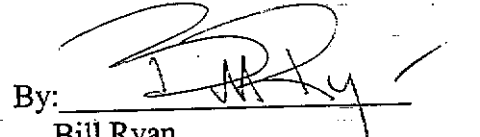
By: Gary B. Doxey  
Gary B. Doxey, General Counsel  
Office of the Governor

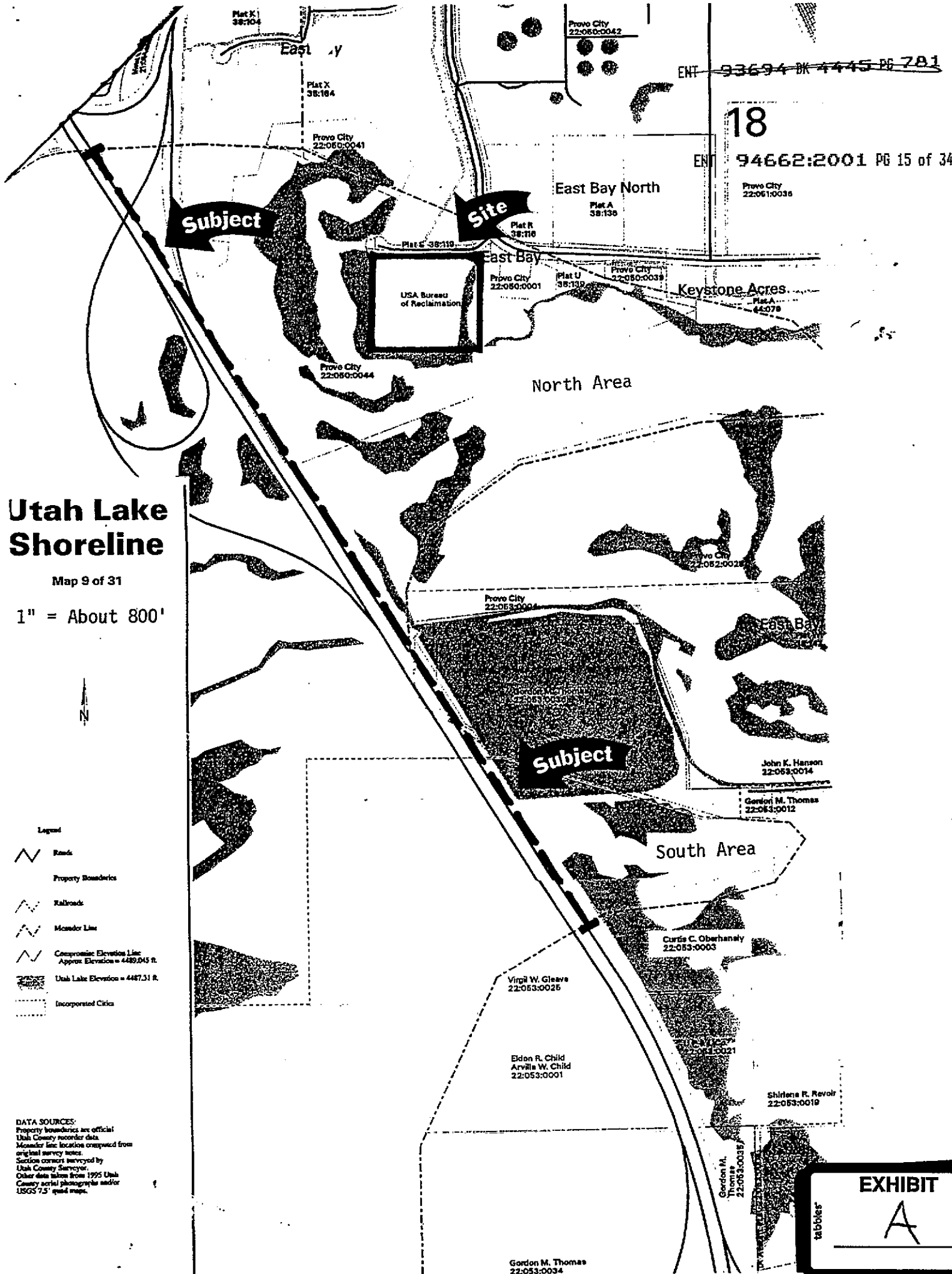
UNITED STATES OF AMERICA

By: Donna S. Fitzgerald  
Donna S. Fitzgerald  
Connecticut Bar #411810

General Litigation Section  
Environment & Natural Resources  
Division  
United States Department of Justice  
P.O. Box 663  
Washington D.C. 20044-0663

By:   
Stephen G. Boyden  
Assistant Attorney General

By:   
Bill Ryan  
Assistant United States Attorney



ENT 93694 BK 4445 PG 7A1

18

ENT 94662:2001 PG 15 of 34

**Subject**

**Site**

North Area

South Area

**Subject**

# Utah Lake Shoreline

Map 9 of 31

1" = About 800'

- Legend**
- Road
  - Property Boundary
  - Railroad
  - Meander Line
  - Contour Elevation Line  
Approx. Elevation = 4489.045 ft.
  - Utah Lake Elevation = 4487.31 ft.
  - Incorporated City

**DATA SOURCES:**  
 Property boundaries are official Utah County recorder data.  
 Meander line location compiled from original survey notes.  
 Section corners surveyed by Utah County Surveyor.  
 Other data taken from 1995 Utah County aerial photography and/or USGS 7.5' quad maps.

**EXHIBIT**

A

TABLES

Gordon M. Thomas 22:053:0034

SALT LAKE MERIDIAN:

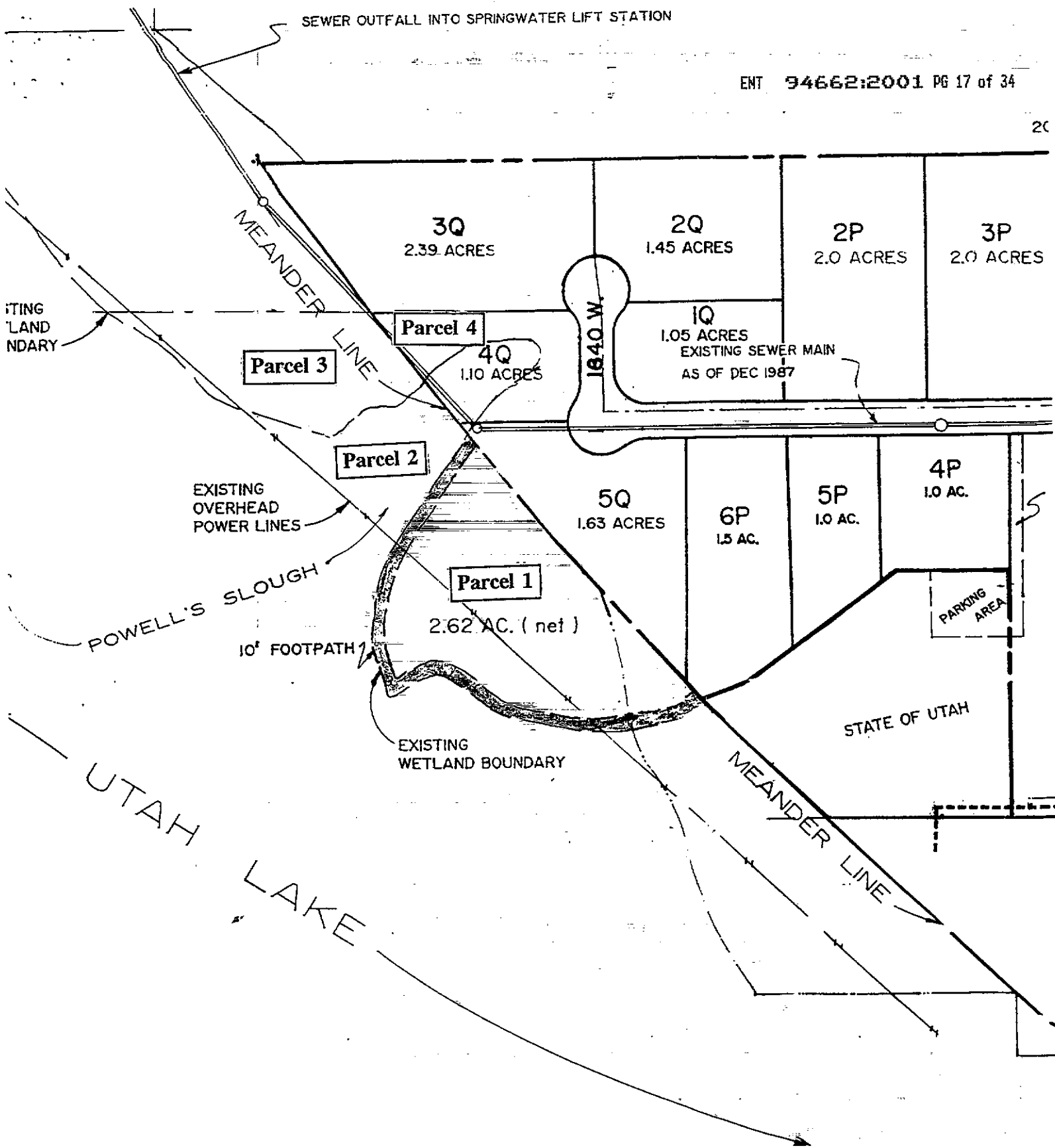
Township 7 South, Range 3 East

A parcel of land lying in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Eighteen (18), Township Seven (7) South, Range Three (3) East, containing Nine and Sixty-Four Hundredths (9.64) acres, more or less, and being more particularly described as follows:

Beginning at a point which lies North 89°22' East Three Hundred Ninety-Eight (398.0) feet along the section line and South 00°38' East Thirty-One Hundred Thirty and One Tenth (3130.1) feet from the Northwest corner of said Section 18; said point has U.S.C. and G.S. plane grid coordinates North 683,103.99 and East 1,957,054.81; thence South 89°38' East Seven Hundred (700.0) feet to a point which lies South 01°05' West Thirty-Eight and One Tenth (38.1) feet from found monument; thence South 01°05' West Six Hundred (600.0) feet; thence North 89°38' West Seven Hundred (700.0) feet; thence North 01°05' East Six Hundred (600.0) feet, more or less to the point of beginning. (The foregoing bearings are based on the Utah Coordinate System, Central Zone.) Based on the Utah Coordinate System, the Northwest corner of said Section 18 has plane grid coordinates North 686,230.47 and East 1,956,622.41 and the North Quarter (N $\frac{1}{4}$ ) corner of said Section 18 has plane grid coordinates North 686,264.17 and East 1,959,297.92.

The above-described lands contain a total of 9.64 acres.





STEPHEN G. BOYDEN # 410  
Assistant Attorneys General  
MARK L. SHURTLEFF # 4666  
Utah Attorney General  
1594 West North Temple #300  
SALT LAKE CITY UT 84116  
Telephone: (801) 538-7227

Attorneys for Plaintiff State of Utah

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

STATE OF UTAH, by and through its  
DIVISION OF FORESTRY, FIRE &  
STATE LANDS,

Plaintiff,

vs.

UNITED STATES OF AMERICA;  
DEPARTMENT OF THE INTERIOR;  
BUREAU OF RECLAMATION; ELUID  
MARTINEZ, in his official capacity as  
Commissioner, BUREAU OF LAND  
MANAGEMENT; SALLY WISELY, in her  
official capacity as Utah State Director, BLM;  
RICHARD W. DAVIS; JOHN DOE and  
MARY DOE; *et al.*,

Defendants.

**AFFIDAVIT OF  
GARY RATCLIFFE**

Civil No. 2:97CV 0927K

Magistrate Judge Alba

STATE OF UTAH            )  
                                  ):ss  
COUNTY OF UTAH        )

EXHIBIT  
D

COMES NOW Mr. Gary Ratcliffe, being first duly sworn upon oath, states the following is true and correct to the best of his knowledge:

1. Affiant, Gary Ratcliffe, is over the age of 18 years of age and competent to testify as to the matters contained herein.
2. I am a registered land surveyor in the State of Utah and have been employed as the Assistant Utah County Surveyor since 1985.
3. The primary statutory responsibilities of the Utah County Surveyor's Office are the preserving and perpetuating of the corner monuments originally established under government contract, and providing information and records regarding these monuments to the public as requested.
4. I have participated on behalf of the Office in surveying the various Utah Lake meander lines and other boundaries that the State of Utah and individual land owners around the lake have agreed to, and in preparing legal descriptions of said agreed boundaries. My office has been doing this since 1994.
5. It is my opinion in walking most of the agreed boundary areas and in viewing the types of vegetation that are prevalent and seeing the land that has been obviously used in recent years, that the Utah Lake Meander Line, as more particularly described in the attached Exhibit A, is a reasonable location for an agreed boundary.
6. The various government contracted section surveys in the Utah Valley area that began in 1856 were completed in order to define land boundaries for patent purposes. The 1856 contracted surveyor, Mr. Columbus L. Craig, was also instructed as part of his survey to survey the

Utah Lake meander line.

7. The 1856 C.L. Craig Survey was a "post and pit" survey. The posts Mr. Craig utilized were typically cedar. The subsequent section resurveys in the 1870's that took place were done utilizing marked stones as the corner monuments is as much as the General Land Office soon realized that cedar posts would rapidly deteriorate. In the early 1900's, the General Land Office began utilizing brass caps as an easier and more permanent way of marking section boundaries. In each "resurvey" evidence of the previous survey was used in the retracement.
8. As to the various boundary settlement areas that I have walked where one or the other of the government meander line surveys was utilized as the "agreed" boundary between the respective parties, it is clear to me that while not perfect by today's standards, and not accounting for every sinuosity of the lake, the major sinuosities were accounted for in determining the boundaries and a reasonable effort was made to account for a mean high water mark at the time. These areas include both areas involving obvious escarpments and flatter lowland areas. In one or two areas where there appear to be problems with the record meander line encroaching on upland property, the state has amicably settled the boundaries with the upland land owners involved.
9. Historically, the contracted government surveyors were instructed to establish and monument meander corners by extending section line boundaries out to a "mean high water mark". While I can find no evidence in the field note record that the interior "meanders" between the meander corners were physically monumented on the ground, they did traverse the meander

courses and kept reasonably accurate notes of the individual meanders. The fact that the major sinuosities of Utah Lake are defined by these notes is a testament to that.

10. While evidence today of the 1856 survey has been substantially obliterated in areas around the lake, in large part due to the type of materials used to monument the corners, the subsequent "stone" surveys performed in the late 1800's and the earliest brass cap surveys done in the early 1900's have provided us with good evidence of section line boundaries around the lake with each retracement resurvey having found some evidence of the previous survey.
11. The previous meander line description provided to the court in this case was something that was very generically created many years ago and has been in our GIS database primarily for mapping purposes.
12. I prepared the attached eleven pages of legal description of the Meander Line around Utah Lake. (A true and correct copy of my eleven page legal description is attached as Exhibit A to my declaration). I prepared the legal description by following the standards set out in the Manual of Surveying Instructions, 1973 published by the United States Department of the Interior, Bureau of Land Management. The attached legal description does not alter in any way the accuracy of the Meander Line as depicted on the oversize maps attached as Exhibit C to the Stipulation for Partial Settlement of Utah Lake Boundary Between the State of Utah and the United States of America. Likewise, the attached legal description does not alter in any way the depiction of the parcels on the oversize maps attached as Exhibit C to

the Stipulation for Partial Settlement of Utah Lake Boundary Between the State of Utah and the United States of America, nor does it alter the description of Parcels 1-29 in the Stipulation for Partial Settlement of Utah Lake Boundary Between the State of Utah and the United States of America.

13. The new description of the Meander Line is based on the best evidence we have----the position of the section lines directly adjoining the lake, as well as the field note records. Where meander corner monuments exist on the ground, those were surveyed.
14. If the surveys done in the 1800's could have been done with today's technology, the sections could have been surveyed to be nearly perfect with section lines being due North, South, East, and West, with 80 chain (5280 foot) miles and exactly 640 acres. If this had been the case, the meander lines would also have little or no error, and a modern day description of the meander lines would virtually be identical to the record. However, since today's technology was not available in the 1800's, the recorded meanders that invade a section need to be adjusted to "fit" between the meander corners. This is and always has been surveying practice and is according to the Manual of Surveying Instructions, 1973, and is proper procedure.
15. Finally, since man's influence has been a huge factor in determining the level of the lake over the past century and nature no longer is the only "player" involved, it would be nearly impossible to find an average "historical" high water mark. The only reliable evidence we have is the meander line surveys.

-6-

Gary Ratcliffe

Gary Ratcliffe

Subscribed and sworn before me this 16<sup>th</sup> day of August, 2001

WITNESS my hand and official seal.

My Commission expires: 5/01/05



Molly H. Davis  
Notary Public

COMMENCING AT THE MEANDER CORNER ON THE NORTH LINE OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SAID MEANDER CORNER BEING PART OF THE 1856 UTAH LAKE MEANDER LINE SURVEY, SAID MEANDER CORNER HAVING UTAH STATE PLANE COORDINATES OF X=1,925,857.17 FEET AND Y=728,581.60 FEET, THENCE THE FOLLOWING ALONG SAID MEANDER LINE:

SOUTH 53°01'40" EAST, 1132.19 FEET (17.15 CH.);  
SOUTH 15°50'14" EAST, 830.70 FEET (12.59 CH.);  
SOUTH 04°54'22" EAST, 2117.36 FEET (32.08 CH.);  
SOUTH 11°31'05" WEST, 1761.62 FEET (26.69 CH.) TO THE MEANDER CORNER COMMON TO SECS. 6 & 7; THENCE

SOUTH 08°31'48" WEST, 351.15 FEET (5.32 CH.);  
SOUTH 08°52'57" EAST, 1042.58 FEET (15.80 CH.);  
SOUTH 04°32'46" WEST, 1491.57 FEET (22.60 CH.);  
SOUTH 07°23'30" EAST, 1181.83 FEET (17.91 CH.);  
SOUTH 05°24'11" EAST, 1281.11 FEET (19.41 CH.) TO THE MEANDER CORNER COMMON TO SECS. 7 & 18; THENCE

SOUTH 07°27'58" EAST, 1581.96 FEET (23.97 CH.);  
SOUTH 11°40'38" WEST, 675.91 FEET (10.24 CH.) TO A POINT ON THE 1874 MEANDER LINE SURVEY; THENCE ALONG SAID SURVEY THE FOLLOWING:

SOUTH 04°35'33" WEST, 999.47 FEET (15.14 CH.);  
SOUTH 00°11'37" EAST, 1212.80 FEET (18.38 CH.);  
SOUTH 33°13'48" EAST, 147.76 FEET (2.24 CH.);  
SOUTH 07°27'58" EAST, 725.07 FEET (10.99 CH.) TO THE MEANDER CORNER COMMON TO SECS. 18 & 19; THENCE

SOUTH 06°44'01" EAST, 685.61 FEET (10.39 CH.);  
SOUTH 52°33'20" EAST, 805.30 FEET (12.20 CH.);  
SOUTH 04°43'52" EAST, 1027.94 FEET (15.57 CH.);  
SOUTH 80°01'12" WEST, 325.76 FEET (4.94 CH.);  
SOUTH 00°43'23" EAST, 414.77 FEET (6.28 CH.);  
SOUTH 17°43'55" EAST, 964.86 FEET (14.62 CH.);  
SOUTH 35°40'19" EAST, 1764.70 FEET (26.74 CH.);  
SOUTH 43°37'26" EAST, 305.66 FEET (4.63 CH.);  
SOUTH 67°24'47" EAST, 153.41 FEET (2.32 CH.) TO THE MEANDER CORNER COMMON TO SECS. 19 & 30; THENCE

SOUTH 15°34'09" EAST, 473.06 FEET (7.17 CH.);  
SOUTH 19°35'09" EAST, 637.76 FEET (9.66 CH.) TO THE MEANDER CORNER COMMON TO SECS. 30 & 29; THENCE

SOUTH 35°38'35" EAST, 512.40 FEET (7.76 CH.);  
SOUTH 39°36'31" EAST, 1764.79 FEET (26.74 CH.);  
SOUTH 47°31'51" EAST, 640.20 FEET (9.70 CH.);  
SOUTH 51°29'18" EAST, 1314.56 FEET (19.92 CH.);  
SOUTH 56°55'33" EAST, 1649.45 FEET (24.99 CH.);  
SOUTH 65°19'21" EAST, 367.64 FEET (5.57 CH.);  
SOUTH 54°27'17" EAST, 220.30 FEET (3.34 CH.) TO THE MEANDER CORNER COMMON TO SECS. 29 & 32; THENCE

SOUTH 53°55'55" EAST, 482.11 FEET (7.30 CH.);  
SOUTH 44°41'19" EAST, 244.40 FEET (3.70 CH.) TO THE MEANDER CORNER COMMON TO SECS. 32 & 33; THENCE

SOUTH 44°33'44" EAST, 192.70 FEET (2.92 CH.);  
SOUTH 32°48'52" EAST, 1100.85 FEET (16.68 CH.);



SOUTH 15°02'32" EAST, 925.41 FEET (14.02 CH.);  
SOUTH 10°35'55" WEST, 1117.90 FEET (16.94 CH.);  
SOUTH 25°30'46" WEST, 1416.10 FEET (21.46 CH.) TO THE MEANDER CORNER COMMON TO  
SECS. 32 & 33; THENCE  
SOUTH 27°36'06" WEST, 714.27 FEET (10.82 CH.) TO THE MEANDER CORNER ON THE SOUTH  
LINE OF SECTION 32; THENCE  
SOUTH 89°54'41" EAST ALONG THE SOUTH LINE OF SECTION 32, 330.04 FEET (5.00 CH.) TO  
THE SOUTHWEST CORNER OF SECTION 33; THENCE  
SOUTH 89°53'01" EAST ALONG THE SOUTH LINE OF SECTION 33, 4818.02 FEET (73.00 CH.) TO  
THE MEANDER CORNER ON THE NORTH LINE OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 2  
EAST, SAID MEANDER CORNER BEING PART OF THE 1856 MEANDER LINE SURVEY;  
THENCE ALONG SAID MEANDER LINE IN TOWNSHIP 7 SOUTH RANGE 2 EAST THE  
FOLLOWING:  
SOUTH 26°33'04" EAST, 632.87 FEET (9.59 CH.);  
SOUTH 07°04'31" WEST, 1202.45 FEET (18.22 CH.);  
SOUTH 25°50'49" WEST, 1562.84 FEET (23.68 CH.);  
SOUTH 32°45'57" WEST, 801.13 FEET (12.14 CH.);  
SOUTH 20°54'24" WEST, 1623.25 FEET (24.59 CH.) TO THE MEANDER CORNER COMMON TO  
SECS. 4 & 9; THENCE  
SOUTH 15°02'10" EAST, 1383.15 FEET (20.96 CH.);  
SOUTH 36°00'22" EAST, 1511.65 FEET (22.90 CH.);  
SOUTH 68°56'52" EAST, 889.58 FEET (13.48 CH.) TO THE MEANDER CORNER COMMON TO  
SECS. 9 & 10; THENCE  
SOUTH 68°37'57" EAST, 2079.17 FEET (31.50 CH.);  
SOUTH 57°33'15" EAST, 1674.09 FEET (25.37 CH.);  
SOUTH 42°15'22" EAST, 968.00 FEET (14.67 CH.) TO THE MEANDER CORNER COMMON TO  
SECS. 10 & 15; THENCE  
SOUTH 67°16'45" EAST, 1484.27 FEET (22.49 CH.) TO THE MEANDER CORNER COMMON TO  
SECS. 15 & 14; THENCE  
SOUTH 42°12'38" EAST, 1655.65 FEET (25.09 CH.);  
SOUTH 35°43'43" EAST, 1157.30 FEET (17.53 CH.);  
SOUTH 68°32'53" EAST, 798.81 FEET (12.10 CH.);  
SOUTH 82°24'48" EAST, 1734.28 FEET (26.28 CH.);  
NORTH 88°11'31" EAST, 1101.74 FEET (16.69 CH.) TO THE MEANDER CORNER COMMON TO  
SECS. 14 & 13; THENCE  
NORTH 84°51'08" EAST, 1394.90 FEET (21.13 CH.);  
NORTH 69°57'07" EAST, 2325.86 FEET (35.24 CH.);  
NORTH 87°20'11" EAST, 1062.65 FEET (16.10 CH.);  
SOUTH 85°12'32" EAST, 683.79 FEET (10.36 CH.) TO THE MEANDER CORNER COMMON TO  
SECS. 13 & 18 OF TOWNSHIP 7 SOUTH, ON THE RANGE LINE BETWEEN 2 & 3 EAST;  
THENCE WITH MEANDERS IN SECTION 18 OF TOWNSHIP 7 SOUTH, RANGE 3 EAST:  
SOUTH 66°17'46" EAST, 2080.08 FEET (31.52 CH.);  
SOUTH 75°13'51" EAST, 1263.58 FEET (19.15 CH.);  
SOUTH 46°54'40" EAST, 530.53 FEET (8.04 CH.);  
SOUTH 02°01'18" WEST, 230.47 FEET (3.49 CH.);  
SOUTH 85°04'11" WEST, 281.37 FEET (4.26 CH.);  
NORTH 86°21'29" WEST, 713.44 FEET (10.81 CH.);  
SOUTH 77°00'01" WEST, 1203.90 FEET (18.24 CH.);  
SOUTH 52°47'50" WEST, 753.01 FEET (11.41 CH.);  
SOUTH 19°34'58" WEST, 394.15 FEET (5.97 CH.) TO THE MEANDER CORNER COMMON TO

-3-

## SECS. 18 &amp; 19; THENCE

SOUTH 03°16'43" EAST, 677.60 FEET (10.27 CH.);  
 SOUTH 55°18'59" EAST, 700.86 FEET (10.62 CH.);  
 SOUTH 72°16'20" EAST, 1324.44 FEET (20.07 CH.);  
 SOUTH 85°13'19" EAST, 570.06 FEET (8.64 CH.);  
 SOUTH 41°20'04" EAST, 145.26 FEET (2.20 CH.);  
 SOUTH 34°53'44" WEST, 367.56 FEET (5.57 CH.);  
 SOUTH 75°07'30" WEST, 439.80 FEET (6.66 CH.);  
 SOUTH 85°10'41" WEST, 656.73 FEET (9.95 CH.);  
 SOUTH 60°02'27" WEST, 800.55 FEET (12.13 CH.);  
 SOUTH 24°50'31" WEST, 1195.02 FEET (18.11 CH.);  
 SOUTH 00°16'03" EAST, 1118.09 FEET (16.94 CH.);  
 SOUTH 24°49'37" EAST, 606.45 FEET (9.19 CH.) TO THE MEANDER CORNER COMMON TO

## SECS. 19 &amp; 30; THENCE

SOUTH 04°26'31" EAST, 1152.19 FEET (17.46 CH.);  
 SOUTH 15°24'58" EAST, 760.05 FEET (11.52 CH.);  
 SOUTH 26°52'46" WEST, 465.64 FEET (7.06 CH.);  
 SOUTH 58°34'55" WEST, 1000.09 FEET (15.15 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 25 & 30 OF TOWNSHIP 7 SOUTH, RANGES 2 & 3 EAST; THENCE WITH  
 MEANDERS IN SECTION 25 OF TOWNSHIP 7 SOUTH, RANGE 2 EAST:

SOUTH 85°55'30" WEST, 1175.92 FEET (17.82 CH.);  
 SOUTH 80°56'01" WEST, 2554.19 FEET (38.70 CH.);  
 SOUTH 73°27'48" WEST, 1658.23 FEET (25.12 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 26 & 25; THENCE

SOUTH 74°40'26" WEST, 1768.64 FEET (26.80 CH.);  
 SOUTH 84°13'05" WEST, 2106.56 FEET (31.92 CH.);  
 NORTH 86°17'08" WEST, 1058.54 FEET (16.04 CH.);  
 SOUTH 86°43'18" WEST, 428.46 FEET (6.49 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 27 & 26; THENCE

SOUTH 78°01'13" WEST, 739.36 FEET (11.20 CH.);  
 SOUTH 58°53'41" WEST, 1201.65 FEET (18.21 CH.);  
 SOUTH 39°28'18" WEST, 476.02 FEET (7.21 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 27 & 34; THENCE

SOUTH 39°10'18" WEST, 1765.12 FEET (26.74 CH.);  
 SOUTH 50°17'26" WEST, 1499.69 FEET (22.72 CH.);  
 SOUTH 68°32'30" WEST, 942.37 FEET (14.28 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 33 & 34; THENCE

SOUTH 85°59'22" WEST, 786.11 FEET (11.91 CH.);  
 NORTH 72°51'21" WEST, 1133.79 FEET (17.18 CH.);  
 NORTH 65°48'27" WEST, 1376.77 FEET (20.86 CH.);  
 NORTH 87°27'43" WEST, 1342.96 FEET (20.35 CH.);  
 SOUTH 82°27'48" WEST, 786.13 FEET (11.91 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 32 & 33; THENCE

SOUTH 59°00'13" WEST, 1559.77 FEET (23.63 CH.) TO A POINT ON THE 1878 MEANDER LINE  
 SURVEY; THENCE ALONG SAID 1878 SURVEY THE FOLLOWING:

NORTH 83°02'08" WEST, 1509.88 FEET (22.88 CH.);  
 NORTH 47°14'37" WEST, 337.85 FEET (5.12 CH.);  
 SOUTH 29°15'50" WEST, 602.56 FEET (9.13 CH.);  
 SOUTH 28°42'04" EAST, 1251.27 FEET (18.96 CH.);

SOUTH 10°18'38" WEST, 1454.31 FEET (22.03 CH.) TO THE MEANDER CORNER ON THE NORTH LINE OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 2 EAST, THENCE CONTINUING WITH THE 1878 MEANDER LINE SURVEY IN SECTION 5 OF TOWNSHIP 8 SOUTH, RANGE 2 EAST, THE FOLLOWING:

SOUTH 26°11'44" WEST, 1636.18 FEET (24.79 CH.);

SOUTH 52°20'46" WEST, 1920.86 FEET (29.10 CH.) TO THE MEANDER CORNER COMMON TO SECTIONS 6 & 5; THENCE

SOUTH 56°43'15" WEST, 2620.50 FEET (39.70 CH.);

SOUTH 63°35'29" WEST, 2693.41 FEET (40.81 CH.) TO THE MEANDER CORNER COMMON TO SECTIONS 6 & 7; THENCE

SOUTH 70°31'59" WEST, 940.29 FEET (14.25 CH.) TO THE MEANDER CORNER COMMON TO SECTIONS 12 & 7, TOWNSHIP 8 SOUTH, ON THE RANGE LINE BETWEEN 1 & 2 EAST; THENCE CONTINUING WITH THE 1878 MEANDER LINE IN SECTION 12 OF TOWNSHIP 8 SOUTH, RANGE 1 EAST, THE FOLLOWING:

SOUTH 72°00'59" WEST, 1932.56 FEET (29.28 CH.);

SOUTH 70°22'18" WEST, 2316.81 FEET (35.10 CH.);

SOUTH 76°21'06" WEST, 1324.76 FEET (20.07 CH.) TO THE MEANDER CORNER COMMON TO SECS. 11 & 12; THENCE

SOUTH 80°55'59" WEST, 2441.77 FEET (37.00 CH.);

NORTH 48°28'39" WEST, 590.45 FEET (8.95 CH.);

SOUTH 79°26'14" WEST, 992.84 FEET (15.04 CH.);

NORTH 12°10'59" WEST, 2006.48 FEET (30.40 CH.) TO THE MEANDER CORNER COMMON TO SECS. 2 & 11; THENCE

NORTH 18°33'38" WEST, 397.33 FEET (6.02 CH.);

NORTH 58°14'16" WEST, 1055.52 FEET (15.99 CH.) TO THE MEANDER CORNER COMMON TO SECS. 3 & 2; THENCE

NORTH 36°01'02" WEST, 120.65 FEET (1.83 CH.) TO THE END OF THE 1878 SURVEY AND TO A POINT ON THE 1911 MEANDER LINE SURVEY; THENCE ALONG SAID 1911 SURVEY THE FOLLOWING:

SOUTH 70°44'07" WEST, 261.76 FEET (3.97 CH.);

SOUTH 60°59'49" WEST, 1915.58 FEET (29.02 CH.) TO THE MEANDER CORNER COMMON TO SECS. 3 & 10; THENCE

SOUTH 78°26'55" WEST, 277.35 FEET (4.20 CH.);

SOUTH 62°41'54" WEST, 1715.27 FEET (25.99 CH.);

SOUTH 71°12'00" WEST, 990.08 FEET (15.00 CH.);

SOUTH 61°41'52" WEST, 659.67 FEET (10.00 CH.) TO THE MEANDER CORNER COMMON TO SECS. 9 & 10; THENCE

SOUTH 50°40'57" WEST, 1483.84 FEET (22.48 CH.);

SOUTH 27°39'04" WEST, 724.57 FEET (10.98 CH.);

SOUTH 66°11'15" WEST, 1584.17 FEET (24.00 CH.);

SOUTH 50°10'55" WEST, 1187.03 FEET (17.99 CH.);

SOUTH 34°39'48" WEST, 988.39 FEET (14.98 CH.) TO THE MEANDER CORNER COMMON TO SECS. 9 & 16; THENCE

SOUTH 45°12'47" WEST, 395.57 FEET (5.99 CH.);

SOUTH 08°38'09" WEST, 1052.72 FEET (15.95 CH.);

SOUTH 28°11'12" WEST, 922.02 FEET (13.97 CH.) TO THE MEANDER CORNER COMMON TO SECS. 17 & 16; THENCE

SOUTH 30°23'25" WEST, 633.75 FEET (9.60 CH.);

SOUTH 01°37'50" WEST, 1054.98 FEET (15.98 CH.);

SOUTH 47°07'49" WEST, 2246.13 FEET (34.03 CH.) TO THE MEANDER CORNER COMMON TO SECS. 17 & 20; THENCE

SOUTH 66°48'34" WEST, 270.63 FEET (4.10 CH.);

-5-

SOUTH 20°32'50" WEST, 1121.27 FEET (16.99 CH.);  
 SOUTH 04°02'04" WEST, 659.41 FEET (9.99 CH.);  
 SOUTH 22°32'58" WEST, 659.59 FEET (9.99 CH.);  
 SOUTH 21°59'27" EAST, 1516.42 FEET (22.98 CH.);  
 SOUTH 18°32'45" WEST, 1516.94 FEET (22.98 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 20 & 29; THENCE  
 SOUTH 28°17'34" WEST, 2246.79 FEET (34.04 CH.);  
 SOUTH 23°02'54" WEST, 1188.92 FEET (18.01 CH.);  
 SOUTH 35°16'53" WEST, 925.70 FEET (14.03 CH.);  
 SOUTH 11°18'07" WEST, 989.69 FEET (15.00 CH.);  
 SOUTH 09°58'34" EAST, 480.75 FEET (7.28 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 29 & 32; THENCE  
 SOUTH 14°05'40" EAST, 1601.43 FEET (24.26 CH.);  
 SOUTH 24°50'43" EAST, 1583.44 FEET (23.99 CH.);  
 SOUTH 29°50'50" EAST, 1517.12 FEET (22.99 CH.);  
 SOUTH 17°07'41" WEST, 1255.94 FEET (19.03 CH.) TO THE MEANDER CORNER ON THE SOUTH  
 LINE OF SECTION 32, ALSO ENDING THE 1911 MEANDER LINE SURVEY, SAID MEANDER  
 CORNER ALSO BEING COMMON WITH THE MEANDER CORNER ON THE NORTH LINE OF  
 SECTION 5, TOWNSHIP 9 SOUTH, RANGE 1 EAST, THIS ALSO BEING THE BEGINNING OF THE  
 1872 MEANDER LINE SURVEY THROUGH SECTION 5; THENCE THE FOLLOWING ALONG  
 SAID 1872 SURVEY:  
 SOUTH 02°18'21" WEST, 2311.08 FEET (35.02 CH.);  
 SOUTH 29°52'50" WEST, 2772.03 FEET (42.00 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 6 & 5; THENCE  
 NORTH, 1069.21 FEET (16.20 CH.) TO A POINT ON THE 1856 MEANDER LINE; THENCE ALONG  
 SAID 1856 SURVEY THE FOLLOWING:  
 SOUTH 65°00'26" WEST, 691.12 FEET (10.47 CH.);  
 SOUTH 19°53'42" WEST, 1844.29 FEET (27.94 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 6 & 7; THENCE  
 SOUTH 10°33'20" WEST, 1091.85 FEET (16.54 CH.);  
 SOUTH 27°59'00" WEST, 1619.11 FEET (24.53 CH.);  
 SOUTH 58°15'39" WEST, 2064.32 FEET (31.28 CH.);  
 SOUTH 10°33'18" WEST, 1720.49 FEET (26.07 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 7 & 18; THENCE  
 SOUTH 14°11'43" WEST, 1206.44 FEET (18.28 CH.);  
 SOUTH 02°18'29" WEST, 2397.35 FEET (36.32 CH.);  
 SOUTH 50°49'04" WEST, 893.23 FEET (13.53 CH.) TO THE MEANDER CORNER COMMON TO  
 SECTION 18 OF TOWNSHIP 9 SOUTH RANGE 1 EAST AND SECTION 13 OF TOWNSHIP  
 9 SOUTH RANGE 1 WEST; THENCE ALONG THE 1856 MEANDER LINE IN SECTION 13:  
 SOUTH 54°57'39" WEST, 1251.11 FEET (18.96 CH.);  
 SOUTH 82°01'31" WEST, 1316.88 FEET (19.95 CH.);  
 SOUTH 88°02'22" WEST, 1731.80 FEET (26.24 CH.);  
 SOUTH 65°59'13" WEST, 559.65 FEET (8.48 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 13 & 24; THENCE  
 SOUTH 69°47'40" WEST, 943.11 FEET (14.29 CH.) TO THE MEANDER CORNER COMMON TO  
 SECS. 23 & 24, THENCE  
 SOUTH 46°51'50" WEST, 2267.99 FEET (34.36 CH.);  
 SOUTH 29°04'35" WEST, 1041.21 FEET (15.78 CH.);  
 SOUTH 67°46'37" WEST, 710.82 FEET (10.77 CH.);  
 NORTH 54°06'04" WEST, 682.97 FEET (10.35 CH.);  
 NORTH 02°40'48" EAST, 995.00 FEET (15.08 CH.);

NORTH 14°35'32" EAST, 1745.13 FEET (26.44 CH.) TO THE MEANDER CORNER COMMON TO SECS. 14 & 23; THENCE  
 NORTH 03°50'45" EAST, 2487.19 FEET (37.68 CH.);  
 NORTH 11°41'31" WEST, 1494.62 FEET (22.65 CH.);  
 NORTH 13°42'07" EAST, 1352.83 FEET (20.50 CH.) TO THE MEANDER CORNER COMMON TO SECS. 11 & 14; THENCE  
 NORTH 23°23'10" EAST, 2084.30 FEET (31.58 CH.);  
 NORTH 04°19'56" EAST, 1111.68 FEET (16.84 CH.);  
 NORTH 33°28'09" EAST, 2916.18 FEET (44.18 CH.) TO THE MEANDER CORNER COMMON TO SECS. 2 & 11; THENCE  
 NORTH 56°57'41" EAST, 1594.74 FEET (24.16 CH.);  
 NORTH 43°31'02" WEST, 1609.92 FEET (24.39 CH.);  
 NORTH 20°43'57" WEST, 647.00 FEET (9.80 CH.) TO THE MEANDER CORNER COMMON TO SECS. 2 & 1; THENCE  
 NORTH 48°24'17" WEST, 1641.70 FEET (24.87 CH.);  
 NORTH 23°09'17" WEST, 1664.35 FEET (25.22 CH.) TO THE MEANDER CORNER ON THE SOUTH LINE OF SECTION 35, TOWNSHIP 8 SOUTH, RANGE 1 WEST; THENCE CONTINUING WITH THE 1856 MEANDER LINE THROUGH SECTION 35 WITH THE FOLLOWING:  
 NORTH 22°29'57" WEST, 1392.50 FEET (21.10 CH.);  
 NORTH 48°49'39" WEST, 1363.94 FEET (20.67 CH.);  
 NORTH 65°40'44" WEST, 999.31 FEET (15.14 CH.);  
 NORTH 50°48'40" WEST, 1291.00 FEET (19.56 CH.) TO THE MEANDER CORNER COMMON TO SECS. 34 & 35; THENCE  
 NORTH 45°18'46" WEST, 1133.98 FEET (17.18 CH.)  
 NORTH 19°50'26" WEST, 1140.55 FEET (17.28 CH.) TO THE MEANDER CORNER COMMON TO SECS. 27 & 34; THENCE  
 NORTH 13°31'06" WEST, 1136.18 FEET (17.21 CH.)  
 NORTH 00°39'58" EAST, 1944.54 FEET (29.46 CH.)  
 NORTH 19°40'56" EAST, 2392.42 FEET (36.25 CH.) TO THE MEANDER CORNER COMMON TO SECS. 22 & 27; THENCE  
 NORTH 09°04'27" EAST, 1158.20 FEET (17.55 CH.)  
 NORTH 24°29'59" WEST, 1586.41 FEET (24.04 CH.)  
 NORTH 48°46'42" WEST, 2077.27 FEET (31.47 CH.)  
 NORTH 40°00'09" WEST, 1745.45 FEET (26.45 CH.) TO THE MEANDER CORNER COMMON TO SECS. 15 & 22; THENCE  
 NORTH 44°34'59" WEST, 1014.45 FEET (15.37 CH.)  
 NORTH 34°04'12" WEST, 1451.19 FEET (21.99 CH.) TO THE MEANDER CORNER COMMON TO SECS. 16 & 15; THENCE  
 NORTH 27°05'18" WEST, 769.02 FEET (11.65 CH.)  
 NORTH 16°38'31" WEST, 1294.35 FEET (19.61 CH.)  
 NORTH 08°56'21" WEST, 1461.44 FEET (22.14 CH.) TO THE MEANDER CORNER COMMON TO SECS. 9 & 16; THENCE  
 NORTH 10°31'08" WEST, 1296.26 FEET (19.64 CH.)  
 NORTH 00°30'18" EAST, 823.87 FEET (12.48 CH.)  
 NORTH 07°45'38" EAST, 1939.92 FEET (29.39 CH.)  
 NORTH 18°30'15" EAST, 1321.88 FEET (20.03 CH.) TO THE MEANDER CORNER COMMON TO SECS. 4 & 9; THENCE  
 NORTH 17°41'34" EAST, 658.12 FEET (9.97 CH.)  
 NORTH 30°43'26" EAST, 652.09 FEET (9.88 CH.) TO THE MEANDER CORNER COMMON TO SECS. 4 & 3; THENCE

NORTH 40°14'56" EAST, 1021.75 FEET (15.48 CH.)  
NORTH 54°45'30" EAST, 1148.29 FEET (17.40 CH.)  
NORTH 61°15'25" EAST, 1650.68 FEET (25.01 CH.)  
NORTH 49°15'23" EAST, 1207.15 FEET (18.29 CH.)  
NORTH 21°12'44" EAST, 1132.27 FEET (17.16 CH.) TO THE MEANDER CORNER COMMON TO SECTION 3 OF TOWNSHIP 8 SOUTH RANGE 1 WEST AND SECTION 34 OF TOWNSHIP 7 SOUTH RANGE 1 WEST; THENCE CONTINUING ALONG THE 1856 MEANDER LINE IN SECTION 34 THE FOLLOWING COURSES:  
NORTH 20°02'57" EAST, 1017.41 FEET (15.42 CH.)  
NORTH 49°41'46" EAST, 755.72 FEET (11.45 CH.) TO THE MEANDER CORNER COMMON TO SECS. 34 & 35; THENCE  
NORTH 36°52'58" EAST, 1150.29 FEET (17.43 CH.)  
NORTH 23°23'42" EAST, 1518.06 FEET (23.00 CH.)  
NORTH 34°53'09" EAST, 1830.79 FEET (27.74 CH.) TO THE MEANDER CORNER COMMON TO SECS. 26 & 35, SAID MEANDER CORNER ALSO REPRESENTING THE BEGINNING OF THE 1910 MEANDER LINE SURVEY; THENCE  
NORTH 25°13'15" EAST, 2447.42 FEET (37.08 CH.)  
NORTH 33°41'58" EAST, 1853.11 FEET (28.08 CH.)  
NORTH 17°14'13" EAST, 1599.86 FEET (24.24 CH.) TO THE MEANDER CORNER COMMON TO SECS. 24 & 26; THENCE  
NORTH 89°38'08" EAST, 992.96 FEET (15.04 CH.)  
NORTH 39°13'14" EAST, 990.07 FEET (15.00 CH.)  
NORTH 21°12'42" EAST, 527.40 FEET (7.99 CH.)  
NORTH 56°27'31" EAST, 773.12 FEET (11.71 CH.)  
NORTH 76°55'14" EAST, 992.37 FEET (15.04 CH.)  
NORTH 62°56'57" EAST, 79.32 FEET (1.20 CH.)  
NORTH 44°43'08" EAST, 409.37 FEET (6.20 CH.)  
NORTH 04°41'07" EAST, 987.88 FEET (14.97 CH.)  
NORTH 19°42'36" EAST, 1318.38 FEET (19.98 CH.)  
NORTH 55°12'36" EAST, 858.96 FEET (13.01 CH.) TO THE MEANDER CORNER COMMON TO SECTION 24 OF TOWNSHIP 7 SOUTH RANGE 1 WEST AND SECTION 19 OF TOWNSHIP 7 SOUTH RANGE 1 EAST; SAID MEANDER CORNER HAVING NAD '83 STATE PLANE COORDINATES OF X = 467125.365 METERS AND Y = 2207176.072 METERS; THENCE IN SECTION 19 THE FOLLOWING:  
NORTH 77°59'57" EAST, 760.69 FEET (11.53 CH.)  
NORTH 58°02'34" EAST, 793.66 FEET (12.03 CH.)  
NORTH 30°35'37" EAST, 515.58 FEET (7.81 CH.)  
NORTH 08°07'11" EAST, 396.31 FEET (6.00 CH.) TO THE MEANDER CORNER COMMON TO SECS. 18 & 19; THENCE  
NORTH 18°29'04" EAST, 300.49 FEET (4.55 CH.)  
NORTH 44°29'58" EAST, 1122.44 FEET (17.01 CH.)  
NORTH 30°14'51" EAST, 329.77 FEET (5.00 CH.)  
NORTH 09°13'02" EAST, 790.26 FEET (11.97 CH.)  
NORTH 23°44'30" EAST, 988.83 FEET (14.98 CH.)  
NORTH 16°28'52" EAST, 2306.07 FEET (34.94 CH.) TO THE MEANDER CORNER COMMON TO SECS. 7 & 18; THENCE  
NORTH 22°28'29" EAST, 2178.82 FEET (33.01 CH.)  
NORTH 08°13'24" EAST, 3298.01 FEET (49.97 CH.) TO THE MEANDER CORNER COMMON TO SECS. 6 & 7; THENCE

NORTH 11°17'22" EAST, 360.07 FEET (5.46 CH.) TO THE MEANDER CORNER COMMON TO SECS. 6 & 5, SAID CORNER ALSO REPRESENTING THE END OF THE 1910 SURVEY AND THE BEGINNING AGAIN OF THE 1856 MEANDER LINE SURVEY; THENCE IN SECTION 5:

NORTH 16°15'31" EAST, 1342.92 FEET (20.35 CH.)

NORTH 12°13'38" EAST, 824.65 FEET (12.49 CH.)

NORTH 35°51'21" EAST, 737.27 FEET (11.17 CH.)

NORTH 05°09'49" EAST, 686.18 FEET (10.40 CH.)

NORTH 21°47'45" EAST, 472.28 FEET (7.16 CH.)

NORTH 42°21'59" EAST, 1463.88 FEET (22.18 CH.) TO THE MEANDER CORNER OF SECS. 5 & 32 LOCATED ON THE TOWNSHIP BOUNDARY OF 6 SOUTH AND 7 SOUTH, RANGE 1 EAST; THENCE CONTINUING WITH THE 1856 SURVEY IN SECTION 32:

NORTH 08°06'04" EAST, 165.16 FEET (2.50 CH.)

NORTH 09°24'34" WEST, 2403.59 FEET (36.42 CH.)

NORTH 23°57'35" WEST, 1379.40 FEET (20.90 CH.)

NORTH 25°03'29" EAST, 940.93 FEET (14.26 CH.)

NORTH 58°20'24" EAST, 1204.98 FEET (18.26 CH.) TO THE MEANDER CORNER COMMON TO SECS. 29 & 32; THENCE

NORTH 02°29'33" WEST, 907.85 FEET (13.76 CH.)

NORTH 57°03'19" EAST, 1332.80 FEET (20.19 CH.)

NORTH 47°09'00" EAST, 626.22 FEET (9.49 CH.)

NORTH 51°36'28" EAST, 852.88 FEET (12.92 CH.)

NORTH 68°26'39" EAST, 426.49 FEET (6.46 CH.)

NORTH 89°44'46" EAST, 79.89 FEET (1.21 CH.)

NORTH 20°52'22" EAST, 152.90 FEET (2.32 CH.)

NORTH 63°02'47" WEST, 170.61 FEET (2.59 CH.)

NORTH 89°44'30" WEST, 170.11 FEET (2.58 CH.)

NORTH 74°37'16" WEST, 491.43 FEET (7.45 CH.)

SOUTH 68°03'07" WEST, 1235.26 FEET (18.72 CH.)

NORTH 72°36'25" WEST, 235.94 FEET (3.57 CH.)

NORTH 37°26'59" WEST, 863.06 FEET (13.08 CH.)

NORTH 40°57'25" WEST, 1053.50 FEET (15.96 CH.)

NORTH 20°56'40" WEST, 1195.81 FEET (18.12 CH.) TO THE MEANDER CORNER COMMON TO SECS. 20 & 29; THENCE

NORTH 32°11'59" WEST, 765.04 FEET (11.59 CH.)

NORTH 19°54'43" WEST, 940.21 FEET (14.25 CH.)

NORTH 08°21'55" WEST, 1974.36 FEET (29.91 CH.)

NORTH 19°54'43" WEST, 456.67 FEET (6.92 CH.)

NORTH 10°34'35" WEST, 201.48 FEET (3.05 CH.)

NORTH 43°30'59" WEST, 462.43 FEET (7.01 CH.) TO THE MEANDER CORNER COMMON TO SECS. 19 & 20; THENCE

NORTH 42°38'59" WEST, 1089.56 FEET (16.51 CH.) TO THE MEANDER CORNER COMMON TO SECS. 18 & 19; THENCE

NORTH 29°12'38" WEST, 171.30 FEET (2.60 CH.)

NORTH 42°43'41" WEST, 1015.54 FEET (15.39 CH.)

NORTH 27°42'29" WEST, 625.84 FEET (9.48 CH.)

NORTH 43°43'45" WEST, 573.76 FEET (8.69 CH.)

NORTH 19°11'23" WEST, 921.81 FEET (13.97 CH.)

NORTH 36°13'17" WEST, 1548.99 FEET (23.47 CH.)

NORTH 03°22'36" EAST, 1118.12 FEET (16.94 CH.)

NORTH 19°11'22" WEST, 177.78 FEET (2.69 CH.) TO THE MEANDER CORNER COMMON TO SECS. 7 & 18; THENCE  
NORTH 27°50'29" WEST, 394.64 FEET (5.98 CH.)  
NORTH 36°38'32" WEST, 1806.12 FEET (27.37 CH.)  
NORTH 08°06'19" WEST, 425.24 FEET (6.44 CH.)  
NORTH 13°43'09" EAST, 400.68 FEET (6.07 CH.)  
NORTH 30°57'00" WEST, 477.79 FEET (7.24 CH.)  
NORTH 37°09'33" WEST, 600.02 FEET (9.09 CH.) TO THE MEANDER CORNER COMMON TO SECS. 12 & 7 ON THE RANGE LINE BETWEEN 1 EAST & 1 WEST OF TOWNSHIP 6 SOUTH; THENCE ALONG THE 1856 MEANDER LINE IN SECTION 12:  
NORTH 35°07'13" WEST, 292.69 FEET (4.43 CH.)  
NORTH 22°27'38" WEST, 1039.12 FEET (15.74 CH.)  
NORTH 46°22'51" WEST, 337.17 FEET (5.11 CH.)  
NORTH 38°43'33" WEST, 432.15 FEET (6.55 CH.) TO THE MEANDER LINE COMMON TO SECS. 1 & 12; THENCE  
NORTH 52°00'32" WEST, 1449.17 FEET (21.96 CH.)  
NORTH 43°29'32" WEST, 948.55 FEET (14.37 CH.)  
NORTH 01°05'03" EAST, 1232.60 FEET (18.68 CH.)  
NORTH 27°57'45" WEST, 230.57 FEET (3.49 CH.)  
NORTH 13°35'53" EAST, 158.25 FEET (2.40 CH.)  
NORTH 34°58'32" WEST, 783.90 FEET (11.88 CH.)  
NORTH 14°05'55" EAST, 230.79 FEET (3.50 CH.)  
NORTH 42°29'25" WEST, 289.83 FEET (4.39 CH.)  
NORTH 15°05'58" EAST, 316.52 FEET (4.80 CH.)  
NORTH 49°30'14" WEST, 829.98 FEET (12.58 CH.)  
NORTH 63°31'51" WEST, 415.02 FEET (6.29 CH.) TO THE MEANDER CORNER ON THE TOWNSHIP LINE BETWEEN 5 SOUTH & 6 SOUTH, SAID MEANDER CORNER BEING LOCATED ON THE SOUTH LINE OF SECTION 36, TOWNSHIP 5 SOUTH RANGE 1 WEST, SAID MEANDER CORNER ALSO HAVING NAD '27 STATE PLANE COORDINATES OF X = 1888117.93 FEET AND Y = 728552.39 FEET, THENCE ALONG THE 1856 MEANDER LINE IN SECTION 36:  
NORTH 43°20'28" WEST, 156.07 FEET (2.36 CH.)  
NORTH 63°37'11" WEST, 1064.90 FEET (16.13 CH.) TO THE MEANDER CORNER COMMON TO SECS. 35 & 36; THENCE  
NORTH 62°28'41" WEST, 214.54 FEET (3.25 CH.)  
NORTH 67°14'42" WEST, 477.76 FEET (7.24 CH.)  
NORTH 54°21'58" WEST, 918.90 FEET (13.92 CH.)  
NORTH 40°57'57" WEST, 426.32 FEET (6.46 CH.)  
NORTH 01°10'23" WEST, 696.64 FEET (10.56 CH.)  
NORTH 19°10'28" EAST, 533.31 FEET (8.08 CH.)  
NORTH 12°11'14" EAST, 768.35 FEET (11.64 CH.)  
NORTH 30°44'45" EAST, 1121.33 FEET (16.99 CH.)  
NORTH 34°17'25" EAST, 422.51 FEET (6.40 CH.)  
NORTH 60°25'17" EAST, 331.51 FEET (5.02 CH.) TO THE MEANDER CORNER COMMON TO SECS. 35 & 36; THENCE  
NORTH 62°13'40" EAST, 398.42 FEET (6.04 CH.) TO THE MEANDER CORNER COMMON TO SECS. 25 & 36; THENCE  
NORTH 23°39'09" EAST, 1152.69 FEET (17.47 CH.)  
NORTH 31°07'07" EAST, 1804.52 FEET (27.34 CH.)  
NORTH 60°53'15" EAST, 1033.12 FEET (15.65 CH.)



NORTH 43°02'35" EAST, 1263.18 FEET (19.14 CH.)  
NORTH 18°09'25" EAST, 362.99 FEET (5.50 CH.)  
NORTH 67°10'53" EAST, 696.32 FEET (10.55 CH.)  
NORTH 85°36'38" EAST, 1191.30 FEET (18.05 CH.) TO THE MEANDER CORNER COMMON WITH SECTION 25 OF TOWNSHIP 5 SOUTH RANGE 1 WEST AND SECTION 30 OF TOWNSHIP 5 SOUTH RANGE 1 EAST; THENCE ALONG THE 1856 MEANDER LINE IN SECTION 30 THE FOLLOWING:

SOUTH 87°26'46" EAST, 528.61 FEET (8.01 CH.)  
SOUTH 72°41'56" EAST, 257.18 FEET (3.90 CH.)  
SOUTH 81°57'02" EAST, 647.06 FEET (9.80 CH.)  
NORTH 84°34'03" EAST, 238.13 FEET (3.61 CH.)  
SOUTH 86°26'50" EAST, 872.09 FEET (13.21 CH.)  
NORTH 79°49'47" EAST, 595.68 FEET (9.03 CH.)  
NORTH 88°33'35" EAST, 793.34 FEET (12.02 CH.)  
NORTH 28°36'54" EAST, 877.74 FEET (13.30 CH.) TO THE MEANDER CORNER COMMON TO SECS. 19 & 30; THENCE

NORTH 27°22'50" EAST, 205.87 FEET (3.12 CH.)  
NORTH 77°51'43" EAST, 73.02 FEET (1.11 CH.)  
NORTH 27°37'13" EAST, 247.02 FEET (3.74 CH.)  
NORTH 80°20'43" EAST, 563.21 FEET (8.53 CH.)  
SOUTH 78°04'27" EAST, 162.78 FEET (2.47 CH.) TO THE MEANDER CORNER COMMON TO SECS. 19 & 20; THENCE

SOUTH 79°01'28" EAST, 542.99 FEET (8.23 CH.)  
SOUTH 39°45'41" EAST, 562.95 FEET (8.53 CH.) TO THE MEANDER CORNER COMMON TO SECS. 20 & 29; THENCE

SOUTH 50°32'26" EAST, 897.40 FEET (13.60 CH.)  
SOUTH 80°03'16" EAST, 805.84 FEET (12.21 CH.)  
NORTH 84°13'08" EAST, 1678.16 FEET (25.43 CH.)  
NORTH 75°22'01" EAST, 885.37 FEET (13.41 CH.)  
NORTH 85°41'38" EAST, 443.07 FEET (6.71 CH.) TO THE MEANDER CORNER COMMON TO SECS. 29 & 28; THENCE

NORTH 89°26'06" EAST, 721.76 FEET (10.94 CH.)  
SOUTH 78°28'59" EAST, 818.60 FEET (12.40 CH.)  
SOUTH 72°56'17" EAST, 896.49 FEET (13.58 CH.)  
NORTH 85°24'47" EAST, 984.92 FEET (14.92 CH.)  
NORTH 79°23'09" EAST, 755.94 FEET (11.45 CH.)  
SOUTH 80°29'54" EAST, 1192.24 FEET (18.06 CH.) TO THE MEANDER CORNER COMMON TO SECS. 28 & 27; THENCE

SOUTH 64°49'43" EAST, 982.89 FEET (14.89 CH.)  
SOUTH 48°43'17" EAST, 721.59 FEET (10.93 CH.)  
SOUTH 18°05'00" EAST, 1342.68 FEET (20.34 CH.)  
SOUTH 61°18'13" EAST, 1441.87 FEET (21.85 CH.)  
SOUTH 34°08'34" EAST, 1083.93 FEET (16.42 CH.)  
SOUTH 41°40'51" EAST, 1122.47 FEET (17.01 CH.) TO THE MEANDER CORNER COMMON TO SECS. 27 & 34; THENCE

SOUTH 60°05'44" EAST, 965.73 FEET (14.63 CH.) TO THE MEANDER CORNER COMMON TO SECS 34 & 35; THENCE

SOUTH 70°08'26" EAST, 1730.31 FEET (26.22 CH.)  
SOUTH 79°33'38" EAST, 1997.09 FEET (30.26 CH.)  
SOUTH 70°08'25" EAST, 1031.54 FEET (15.63 CH.)

SOUTH 57°44'24" EAST, 911.08 FEET (13.80 CH.) TO THE MEANDER CORNER COMMON TO SECS. 35 & 36; THENCE  
SOUTH 62°25'50" EAST, 1311.89 FEET (19.88 CH.)  
SOUTH 69°47'23" EAST, 2017.65 FEET (30.57 CH.)  
SOUTH 80°50'03" EAST, 2358.17 FEET (35.73 CH.) TO THE MEANDER CORNER COMMON TO SECTION 36 OF TOWNSHIP 5 SOUTH RANGE 1 EAST AND SECTION 31 OF 5 SOUTH RANGE 2 EAST; THENCE IN SECTION 31 OF TOWNSHIP 5 SOUTH RANGE 2 EAST:  
SOUTH 61°20'15" EAST, 1097.48 FEET (16.63 CH.)  
SOUTH 36°03'02" EAST, 1120.49 FEET (16.98 CH.) TO THE POINT OF BEGINNING.

\*NOTE!! MOST OF THE DATA IS BASED ON PUBLISHED NAD '27 STATE PLANE COORDINATE VALUES.

A PORTION, HOWEVER, IS BASED ON NAD '83/94 STATE PLANE COORDINATES. TO KEEP THE DESCRIPTION CONSISTENT THE NAD '83 METRIC DISTANCE VALUES WERE CONVERTED TO FEET.

THE "CHAIN" DISTANCES IN PARENTHESIS ARE APPROXIMATE AND FOR COMPARISON PURPOSES ONLY.