

(172167)

8k 15 Pg 241

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Henry Kidman and Vivian Kidman, his wife, hereinafter called "Grantors," of Cache County, State of Utah, for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, to them in hand paid, receipt whereof is hereby acknowledged, convey and warrant unto Utah Power & Light Company, a corporation of the State of Maine, lawfully doing business in the State of Utah, with its principal place of business therein at Salt Lake City, Salt Lake County, its successors and assigns, hereinafter called "Grantee," an easement to flood, impound and withdraw at will, water on, over and from the following described land located in Cache County, Utah:

The E 1/2 of the E 1/2 of the SW 1/4 of Section 28, and the E 1/2 of the North 20 rods of the NE 1/4 of the NW 1/4 of Section 33, Township 12 North, Range 1 West, S.L.M., containing 45 acres, more or less.

so long as the Grantee shall maintain the water level at any dam now owned or hereafter constructed by it in Bear River Canyon in Sections 26 and 27, Township 13 North, Range 2 West, at an elevation not to exceed 4404 feet above sea level, Utah Power & Light Company datum, as determined by bench mark located on the Northeast foundation anchor bolt of Oregon Short Line Railroad Company's Block Signal No. 453, the elevation of which is 4494.28 feet, being equivalent to elevation 4497.27 United States Geological Survey datum, or by any other bench mark which may hereafter be established in lieu thereof on the same datum.

WITNESS the hands of the Grantors this 22 day of January, A.D. 1938.

STATE OF UTAH,)
COUNTY OF CACHE.) ss.

\$ 2.00
3/3/38
C.L.Overd

Henry Kidman
Vivian A Kidman

On the 22 day of January, A.D. 1938, personally appeared before me Henry Kidman and Vivian Kidman, his wife, the signers of the above instrument, who duly acknowledged to me that they executed the same.

(NOTARIAL SEAL)

My Commission expires: July 13, 1940

Franklin D Richards
Notary Public
Residing at Logan Utah

APPROVED
L B Fuller
Chief Engineer

Approved as to
Form
A.R.C.

Filed for Record March 10th A.D. 1938 at 11:22 o'clock A.M.

(172181)

MAR 11 1938

IN THE CITY COURT OF LOGAN CITY, COUNTY OF CACHE, STATE OF UTAH.

DR. E. L. HANSON,

Plaintiff,

-vs-

EDWIN M. SMITH

Defendant.

NOTICE OF ATTACHMENT.

Notice is hereby given that pursuant, to the hereunto attached writ of attachment, all right, title and interest of the above named defendant, Edwin M. Smith, in and to the property herein described is attached, which said property is described as follows, to-wit:-

Beginning at a point 8 rods North of the Southeast corner of lot 4, block 39 Plat "A" Logan Farm Survey, and running thence North 4 rods; thence West 18 rods 6 feet; thence South 4 rods; thence East 18 rods and 6 feet to place of beginning, and being situated in the Northwest quarter of Section 34 Township 12 North Range One East of the Salt Lake Meridian.

Jeff Stowell
Sheriff of Cache County, Utah.

Dated this 11th day of March, 1938.

Served this Notice of Attachment
on the within named defendant
Mrs. Fred Hodgson County Rec.
on the 11th day of Mar. 1938
at Cache County, Utah.

JEFF STOWELL
Sheriff, Cache County, Utah
By Wesley G. Malmberg
Deputy