

WHEN RECORDED, RETURN TO:  
Dry Creek Lateral Irrigation Company  
c/o Richard G. Nielson  
561 West 10000 South  
South Jordan, Utah 84095

12798917  
06/26/2018 02:04 PM \$14.00  
Book - 10687 Pg - 7683-7685  
ADAM GARDINER  
RECORDER, SALT LAKE COUNTY, UTAH  
DRY CREEK LATERAL IRRIGATION  
ATTN: RICHARD G NIELSON  
561 W 10000 S  
SOUTH JORDAN UT 84095  
BY: SRA, DEPUTY - WI 3 P.

### NOTICE OF PRESCRIPTIVE EASEMENT

Dry Creek Lateral Irrigation Company, a Utah nonprofit corporation (the “Company”), hereby gives notice to all concerned pursuant to Utah Code Annotated Section 57-13a-101, *et seq.*, of the prescriptive easement it holds within Salt Lake County (“Easement”). The legal description for this Easement and the Parcel ID Numbers of the individual tracts of property traversed by this Easement are set forth in **Exhibit A** and are shown on the map attached as **Exhibit B**. This Easement is held by the Company for the “North Branch” of its water conveyance system, both above and below ground, and for access thereto for the operation, maintenance, construction, replacement, and repair of the water conveyance system. The Company, and its predecessor(s)-in-interest, have openly, notoriously, adversely, and continuously maintained this water conveyance system across the parcels listed on Exhibit A for a period in excess of the required 20 years.

This Notice is not intended to alter, in any way, the historic ownership interests of Company regarding its water rights, water facilities, its other assets, or its overall system of ditches and pipes. Rather, this Notice is intended to provide notice of record to the public of: (1) the location of the Easement, to the best knowledge of the Company; and (2) the Company’s rights, privileges and interests in the Easement, in addition to any and all other existing rights of the Company. Pursuant to Utah Code Annotated Section 73-1-15, it is unlawful to encroach upon this Easement or to interfere with the water system located thereon.

This Notice is filed for and on behalf of Company by authority of its governing board. Any inquiries should be directed to the Company at the address set forth above.

DATED this 26 day of June, 2018.

Dry Creek Lateral Irrigation Company

By: Richard G. Nielson  
Richard G. Nielson, President

STATE OF UTAH            }  
                                      : ss.  
COUNTY OF SALT LAKE }

On this 26 day of June, 2018, Richard G. Nielson personally appeared before me and, being duly sworn, acknowledged that he is the President of Dry Creek Lateral Irrigation Company and that he was duly authorized by, and executed the foregoing document on behalf of, said Company for the purposes stated therein.



Jill Gardner

**EXHIBIT A**

**Legal Description of Prescriptive Easement and List of Affected Parcels**

The subject Easement is more particularly described as follows:

A fifteen-foot (15') wide easement and right-of-way for the conveyance of water located in the Southeast Quarter of Section 12 and the Northeast Quarter of Section 13, Township 3 South, Range 1 West, Salt Lake Base & Meridian, the basis of bearing being between the South Quarter Corner Monument and the Center Section Monument of Section 12 and bearing North 0°01'18" West. This Easement location is seven and one-half feet (7.5') on either side of the actual location of the existing ditches and pipelines, the centerline of which is, to the best of the Company's knowledge, described as follows:

Beginning at a point being 42.78 East and North 0°01'18" West for a distance of 500.44 feet along the Section Line, being at the intersection of the centerline of an open Irrigation Ditch located along the East side of 300 West Street;

and running thence North 39°08'58" East a distance of 122.00 feet following the centerline of said Irrigation Ditch to the beginning of a 24" Irrigation Pipe;

thence South 89°11'06" East for a distance of 336.95 feet beneath Interstate 15 and along the centerline of said Irrigation Pipe to the end of the 24" Irrigation Pipe on the East side of Interstate 15;

thence South 88°31'57" East for a distance of 312.46 feet along the centerline of an open Irrigation Ditch to and Irrigation Box and 24" Irrigation Pipe;

thence along the centerline of several 24" Irrigation Pipes and Irrigation Boxes the following 11 calls: (1) North 0°35'55" West 137.19 feet; (2) South 89°40'00" East 539.67 feet; (3) South 03°27'42" East 161.26 feet; (4) South 0°35'01" West 303.30 feet; (5) South 89°58'44" East 226.53 feet; (6) South 0°01'46" West 302.77 feet; (7) South 03°57'09" East 192.79 feet; (8) South 89°39'31" East 764.26 feet; (9) North 48°30'11" East 262.36 feet; (10) North 80°23'18" East 166.82 feet; (11) South 0°00'00" East 353.03 feet to a Diversion Box located on the West side of State Street.

In addition to public rights-of-way, this Easement crosses and/or runs along the boundaries of parcels of property with the following Parcel ID Numbers:

- |               |               |               |               |
|---------------|---------------|---------------|---------------|
| 27-12-451-011 | 27-12-453-007 | 27-12-453-006 | 27-12-453-009 |
| 27-12-453-048 | 27-12-453-055 | 27-12-453-047 | 27-12-476-036 |
| 27-12-476-039 | 27-12-476-037 | 27-13-226-010 | 27-13-226-011 |

Exhibit B

