

RECORDED NO: 46784H ✓ RECORDED: SEP 5 1975
FEE \$35.80 | TIME 2:20 PM | BOOK 276 | PAGE 916
Margaret R. Evans, Box Elder Co. Recorder *Mavis Keith* Deputy

BOOK 276 PAGE 916

TRANSFER AND CONVEYANCE OF EASEMENT

WHEREAS, agreement was entered into under date of November 17, 1961, and amended on March 22, 1967, by and between the State of Utah, acting through the UTAH WATER AND POWER BOARD, now designated as the BOARD OF WATER RESOURCES, and HIGHLAND DITCH COMPANY, a corporation, under and pursuant to the provisions of Chapter 10, Title 73, Utah Code Annotated, 1953, for the construction of 18,520 feet of concrete lined canal and appurtenant facilities, for the conservation of water; and

WHEREAS, under the provisions of Section 73-10-7, Utah Code Annotated, 1953, HIGHLAND DITCH COMPANY transferred and conveyed to the BOARD OF WATER RESOURCES certain rights-of-way and properties hereinafter described; and

WHEREAS, by Conveyance of Easements, stockholders of HIGHLAND DITCH COMPANY, Grantors, transferred and conveyed to the BOARD OF WATER RESOURCES, Grantee, certain rights-of-way and easements to the use of land for the construction, operation and maintenance of the said concrete ditch upon, over and across the lands hereinafter described, and all rights of any kind to the land, concrete ditch and appurtenant works constructed thereon by HIGHLAND DITCH COMPANY; and

WHEREAS, by the terms of said agreement, HIGHLAND DITCH COMPANY promised and agreed to construct for and thereafter purchase from the BOARD OF WATER RESOURCES the said project and appurtenances; and

WHEREAS, the said agreement has been fully performed and all payments due thereunder made to the BOARD OF WATER RESOURCES by HIGHLAND DITCH COMPANY and pursuant to the requirements of Section 73-10-4, Utah Code Annotated, 1953, as amended by Chapter 133, Laws of Utah, 1953; as amended by Section 73-10-19, Laws of Utah, 1969; the BOARD OF WATER RESOURCES executed this Transfer and Conveyance.

NOW, THEREFORE, in consideration of the premises and of full payment aforesaid the BOARD OF WATER RESOURCES does hereby transfer and convey to HIGHLAND DITCH COMPANY all right, title and interest in the following described rights-of-way and easements to the use of land and concrete ditch and appurtenances constructed thereon by HIGHLAND DITCH COMPANY that vested in the State of Utah and the BOARD OF WATER RESOURCES by virtue of that certain agreement with the BOARD OF WATER RESOURCES dated November 17, 1961, and amended March 22, 1967, and with the office of the County Recorder of Box Elder County, State of Utah, in Book 156, page 8, and Book 205, page 137 and particularly described but not by way of limitation, to-wit

Easement dated November 14, 1961, by HIGHLAND DITCH COMPANY, a corporation doing business at Bear River City, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, to use of all facilities, ditches and canals owned by Grantor in Sections 24, 25 and 26, T11N, R3W, SLB&M, and recorded as Instrument 81538 G with the office of the County Recorder of Box Elder County, Utah, in Book 156, page 13.

Easement dated March 27, 1967, by HIGHLAND DITCH COMPANY, a corporation of Bear River City, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, to the use of land for the construction, maintenance and operation of a concrete ditch and appurtenant works upon, across and over the land hereinafter described, and all rights of any kind to the said land, concrete ditch and appurtenant works constructed thereon by Grantor by virtue of and pursuant to the following executed rights-of-way easements in Box Elder County, State of Utah, to-wit:

- a. Right-of-way easement dated February 23, 1967, by ALVIN E. ANDERSON and MARY S. ANDERSON of Box Elder County, State of Utah, Grantors, to HIGHLAND DITCH COMPANY, Grantee, upon, across, and over the following described tract of land:

SE $\frac{1}{4}$ Sec. 36, T11N, R3W, SLB&M.

- b. Right-of-way easement dated February 23, 1967, by AUSTIN L. JOHNSEN and VERNON J. JOHNSEN of Box Elder County, State of Utah, Grantors, to HIGHLAND DITCH COMPANY, Grantee, upon, across and over the following described tract of land:

SE $\frac{1}{4}$ Sec. 36, T11N, R3W, SLB&M.

Executed rights-of-way easements by stockholders of HIGHLAND DITCH COMPANY of Box Elder County, Utah, Grantors, to the BOARD OF WATER RESOURCES, Grantee, recorded with the County Recorder of Box Elder County, Utah, upon, across and over the lands hereinafter described as follows:

1. Easement dated November 20, 1961, by Mack Hansen of Elwood, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81539 G with the office of the County Recorder of Box Elder County, State of Utah, in Book 156, page 14, described as follows:

Beg. at the NE corner of Sec. 24, TWP. 11N, R3W, SLM; thence running W 2020 Ft.; thence S 23°40' E 961.1 Ft.; thence E 1634.2 Ft.; thence N 880.2 Ft. to beg.

2. Easement dated November 1, 1961, by Jennie A. Hansen of Elwood, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, recorded as Instrument 81540 G with the office of the County Recorder of Box Elder County in Book 156, page 15, described as follows:

Jennie A. Hansen BB 169
 RFD
 Tremonton, Utah

Beg. at the NE corner of Lot 2, Sec. 36, TWP. 11 N, R3W, SLM; local survey, thence running S 1°37' W 667.5 Ft.; thence S 28°8' E 60 Ft.; thence W 648 Ft.; thence N 7°13' W 250 Ft.; thence N 45' W 485 Ft. thence E to beg.

3. Easement dated September 7, 1961, by Vaughn Keele Thompson of Los Angeles, California, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, recorded as Instrument 81541 G with the office of the County Recorder of Box Elder County, in Book 156, page 16, described as follows:

Vaughn Keele Thompson BB 109
 528 So. Hauser
 Los Angeles, Calif.

Beg. 1675.14 Ft. S and 382.8 Ft. W of NE corner sec., W 2260.2 Ft. S 489.10 Ft. E 2260.2 Ft. N 489.10 Ft. to beg. Sec. 24, TP 11N, R3W, Elwood Exc. of Res. Contg. 24.42 AC.

4. Easement dated September 12, 1961, by Austin and Vernon Johnsen of Bear River, Utah, Grantors, to the UTAH WATER AND POWER BOARD, Grantee, and recorded with the office of the County Recorder of Box Elder County in Book 156, page 17, described as follows:

Austin L. Johnsen ETAL D 669
 Bear River City, Utah

Lots 8, 12, 19, of Sec. 36, TWP. 11N, R3W, SLM.

5. Easement dated September 12, 1961, by Owen Y. Rasmussen of Elwood, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded with the office of the County Recorder of Box Elder County in Book 156, page 18, described as follows:

Owen Rasmussen BB 108
 Tremonton, Utah
 RFD 1

Beg. 378.4 Ft. S and 16.5 Ft. E of NW corner of NE $\frac{1}{4}$ Sec. E 742.3 Ft. S 23°40' E 547.9 Ft. W 962.3 Ft. N 501.8 Ft. to beg. Sec. 24, TP 11N, R3W, Cont. 09.82 A.

Owen Y. Rasmussen BB 120
 RFD 1
 Tremonton, Utah

Beg. at a point 28 Ft. S and 16.5 Ft. E of the NW corner of the NE $\frac{1}{4}$ of Sec. 24, TWP. 11N, R3W, SLM; thence running E 588.7 Ft. thence S 23°40' E 382.6 Ft.; thence W 742.3 Ft.; thence N 350.4 Ft. to beg.

6. Easement dated September 7, 1961, by Arthur Erickson of Elwood, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81544 G with the office of the County Recorder of Box Elder County in Book 156, page 19, described as follows:
 Beg. 132 Rds. E and 80 Rds. S of NW corner of Sec. 25, TP 11 N, R3W, SLM; thence S 40 Rds.; thence E 108 Rds.; thence N 40 Rds.; thence W 108 Rds. to beg. Exc. of Res.
 The $S\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Sec. 25, TWP. 11 N, R3W, SLM.

7. Easement dated September 7, 1961, by Alvin E. Anderson of Bear River City, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81545 G with the office of the County Recorder of Box Elder County in Book 156, page 20, described as follows:
 Alvin E. Anderson D 670
 Bear River City, Utah
 Lot 9 of Sec. 36, TWP. 11 N, R3W, SLM.

8. Easement dated September 7, 1961, by Tony Opary of Elwood, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81546 G with the office of the County Recorder of Box Elder County in Book 156, page 21, described as follows:
 Tony Opary BB 142
 RFD 1
 Tremonton, Utah
 Beg. at the SE corner of the $NW\frac{1}{4}$ of the $SE\frac{1}{4}$ of Sec. 25, TWP 11 N, R3W, SLM; thence running N 30 Rds.; thence W 160 Rds.; thence S 30 Rds.; thence E 160 Rds. to beg. less Res.

9. Easement dated September 12, 1961, by Pandi and Marina Pali of Elwood, Utah, Grantors, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81547 G with the office of the County Recorder of Box Elder County in Book 156, page 22, described as follows:
 Marina Pali ETAL BB 146
 RFD 1
 Tremonton, Utah
 Beg. at the NE corner of the $NW\frac{1}{4}$ of the $SE\frac{1}{4}$ of Sec. 25, TWP. 11 N, R3W, SLM; thence running S 20 Rds.; thence W 160 Rds.; thence N 20 Rds.; thence E 160 Rds. to beg.

10. Easement dated September 7, 1961, by Marion Miller of Tremonton, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81548 G with the office of the County Recorder of Box Elder County in Book 156, page 23, described as follows:

Marion Miller ETAL
Tremonton, Utah

BB 132

Beg. at a point 33 Ft. E and 16.5 Ft. N of the SW corner of Sec. 25, TWP. 11 N, R3W, SLM; thence running N 643.1 Ft.; thence E 2583 Ft.; thence S 643.5 Ft.; thence W 2583 Ft. to beg. Exc. of State Highway Cont. 37.95 Acres.

11. Easement dated September 7, 1961, by Elia Pali of Elwood, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81549 G with the office of the County Recorder of Box Elder County in Book 156, page 24, described as follows:

Elia Pali
RFD 1
Tremonton, Utah

BB 145

Beg. at a point 20 Rds. S of the NE corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 25, TWP. 11 N, R3W, SLM; thence running S 30 Rds.; thence W 160 Rds.; thence N 30 Rds.; thence E 160 Rds. to beg.

12. Easement dated September 7, 1961, by Drucilla K. Iversen, et al. of Brigham City, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81550 G with the office of the County Recorder of Box Elder County in Book 156, page 25, described as follows:

Drucilla K. Iversen ETAL
Brigham City, Utah
340 S 1st E

BB 164

From NE corner of Lot 2 of Sec. 36, T11N R3W, SLM, which corner is N 88° 43' E 3330 Ft. from NW corner of said Sec. S 1° 37' W 667.5 Ft., S 28° 08' E 310 Ft. to beg., S 28° 08' E 338 Ft., S 80° 57' W 793 Ft. to Pt. 6 Ft. E of B.R. Canal, N 3° 58' W 660 Ft. parallel to and 6 Ft. from said canal, E 448 Ft., SELY to a Pt. 200 Ft. W of beg. E 200 Ft. to beg.

Beg. at the NW corner of Lot 2 of Sec. 36, TWP 11 N, R3W, SLM, thence running S 1° 10' W 1850 Ft.; thence N 83° 57' E 2260 Ft.; thence N 13° 28' W 419 Ft. S 83° 57' W 799 Ft.; thence N 13° 58' W 660 Ft.; thence N 7° 13' W 250 Ft.; thence N 47° W 485 $\frac{1}{2}$ Ft.; thence S 88° 43' W 1044 Ft. to beg. less ROAD.

13. Easement dated September 11, 1961, by O. A. Christensen of Brigham City, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81551 G with the office of the County Recorder of Box Elder County in Book 156, page 26, described as follows:

Orson A. Christensen ETUX
36 S 2nd E
Brigham City, Utah

BB 131

N $\frac{1}{2}$ of S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 25, T11N, R3W, SLM, Reserving a 2 Rd. strip on E side for ditch and road cont. 38.81 acres.

14. Easement dated September 12, 1961, by Marcus E. Wooley of Fielding, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81552 G with the office of the County Recorder of Box Elder County in Book 156, page 27, described as follows:

Marcus E. Woolley
Fielding, Utah

BB 107

Beg. 880.2 Ft. S of NE corner of Sec. 24, T11N, R3W, SLM; thence S 16.5 Ft., W 382.8 Ft., S 778.8 Ft., W 1039 Ft. to a Pt. 14 Ft. E of center line of HIGHLAND DITCH, NW along a line 14 Ft. E of said center line to a Pt. due W of beg., E 1638.3 Ft. to beg., Cont. 21.09 A.

15. Easement dated September 11, 1961, by Rasmus Christensen of Bear River, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81553 G with the office of the County Recorder of Box Elder County, in Book 156, page 28, described as follows:

Rasmus Christensen ETUX
Bear River City, Utah

BB 98

Beg. 1286 Ft. E of NW corner of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec., E 1316 Ft. S 44' E 448 Ft. S 20' W 566.7 Ft. S 83' 2' W 96.7 Ft. S 4' 47' W 100 Ft. W 1023.2 Ft. N 1048.7 Ft. to Beg. 31 Acres; also

Beg. 476.5 Ft. S of NE corner of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. S 20' W 602 Ft. S 400 Ft. E 205.9 Ft. N 965.7 Ft. to beg. 3.31 acres Sec. 24, T11N, R3W, Elwood, EXC. of Res. Cont. 32.00 A.

16. Easement dated September 12, 1961, by Lillie V. Mann Brenkman of Tremonton, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81554 G with the office of the County Recorder of Box Elder County in Book 156, page 29, described as follows:

Beg. at a point 2 Rds. S of the NE corner of Sec. 25, T11N, R3W, SLM; thence running W 80 Rds.; thence S 78 Rds.; thence E 2 Rds., thence N 2 Rds.; thence E 78 Rds.; thence N 76 Rds. to beg. less Res. Cont. 36.91 A.

17. Easement dated September 7, 1961, by La Vera C. Anderson of Elwood, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81555 G with the office of the County Recorder of Box Elder County in Book 156, page 30, described as follows:

The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 25, T11N, R3W, SLB&M, less Roads.

18. Easement dated September 11, 1961, by Elwood Town Corporation, Elwood, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81556 G with the office of the County Recorder of Box Elder County in Book 156, page 31, described as follows:

On road running E between Secs. 24 and 25, T11N, R3W, SLM, from State Highway 30S & 191 through town of Elwood, Box Elder County, Utah.

19. Easement dated September 7, 1961, by Raymond M. Hansen of Elwood, Utah, Grantor, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81557 G with the office of the County Recorder of Box Elder County in Book 156, page 32, described as follows:

Raymond M. Hansen BB 110
Tremonton, Utah
RFD 1

Beg. 880.2 Ft. S and 2643 Ft. W of NE corner of Sec. 24 T11N, R3W, SLM; S 795.3 Ft., E 1187.2 Ft. to a Pt. 20 Ft. W of center line of HIGHLAND DITCH, NW along a line 20 Ft. W of said center line to a Pt. due E of beg. W 970.7 Ft. to beg. Cont. 19.67 A.

20. Easement dated September 7, 1961, by Amos P. Hansen and Eva B. Hansen of Tremonton, Utah, Grantors, to the UTAH WATER AND POWER BOARD, Grantee, and recorded as Instrument 81558 G with the County Recorder of Box Elder County in Book 156, page 33, described as follows:

Amos P. Hansen ETUX BB 105
RFD 1
Tremonton, Utah

Beg. 765.5 Ft. W of SE corner of NE $\frac{1}{4}$ Sec., W 1887 $\frac{1}{5}$ Ft. N 473.8 Ft. E 1887.5 Ft. S 473.8 Ft. to beg. less ROAD; Sec. 24, T11N, R3W, Elwood Cont. 19.70 A.

Amos P. Hansen ETUX BB 106
Tremonton, Utah

Beg. 473.8 Ft. N of SW corner of NE $\frac{1}{4}$ Sec., N 1284 Ft. E 16.5 Ft. S 1284 Ft. W 16.5 Ft. to beg. Sec. 24, T11N, R3W, Elwood, Cont. .50 A.

IN WITNESS WHEREOF, we have herewith set our hands this 1st day of May, 1974.

BOARD OF WATER RESOURCES

Maion Olsen
Chairman

Janet Lawrence
Director

