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Entry No. 101528

RECORDED AT THE REQUEST OF

Clyde, Meham & Pratt

Aug. 11 AD 1965 at 9:15 o'clock A.M.

TRANSFER AND CONVEYANCE in Part M 2 of Page 276-279

Stanley J. Sprigg
Recorder, Summit County, Utah

Fee \$14.00

WHEREAS, an agreement was entered into September 1, 1961,

by and between the State of Utah, acting through the Utah Water and Power Board and South Kamas Irrigation Company and Washington Irrigation Company, Utah corporations, and amended August 22, 1962, for the construction of Little Deer Creek Dam and appurtenant works as a Water development project; and

WHEREAS, under the provisions of Section 73-10-7 Utah Code Annotated, South Kamas Irrigation Company and Washington Irrigation Company, transferred, conveyed and assigned to the Utah Water and Power Board certain rights and properties hereinafter described; and

WHEREAS, under the terms of said agreement South Kamas Irrigation Company and Washington Irrigation Company promised and agreed to construct for and thereafter purchase from the Utah Water and Power Board, the said project and appurtenances; and

WHEREAS, the Little Deer Creek Dam was constructed but failed on the 16th day of June, 1963, and it now appears impractical to rebuild the Little Deer Creek Dam as contemplated under Application to Appropriate Water No. 16063 filed with the State Engineer of the State of Utah; and

WHEREAS, the water accruing under said water application No. 16063 can be diverted through the existing tunnel known as the Duchesne Tunnel and stored in the Deer Creek Reservoir in Provo Canyon, which reservoir and tunnel were constructed by the United States Bureau of Reclamation, under contract with the Provo River Water Users Association; provided, that South Kamas Irrigation Company and Washington Irrigation

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Company enter into a contract to buy water from the Provo River Water Users Association for a period of years and the two said irrigation companies assign their interest in the Application No. 16063 to Provo River Water Users Association; and

WHEREAS, Provo River Water Users Association will dismiss with prejudice its case against the two irrigation companies and the Utah Water and Power Board filed in the District Court, in and for Utah County, State of Utah, said case is designated Civil No. 27303; and

WHEREAS, the South Kamas Irrigation Company and the Washington Irrigation Company filed a claim with the Thirty-Sixth Session of the Utah Legislature to be relieved of repaying the obligation incurred under the contracts with the Utah Water and Power Board; and

WHEREAS, the Utah Legislature granted the claim of said irrigation companies and further provided that the construction fund of the Utah Water and Power Board was to be reimbursed from the general fund for the amount of the claim and the Attorney General was to deliver warrants against the appropriation only upon submission of complete release of claims by the parties; and

WHEREAS, the Utah State Senate, pursuant to the requirements of Section 73-10-4, Utah Code Annotated, 1953, as amended by Chapter 133, Laws of Utah, 1953, by Senate Resolution No. 13 has consented to the execution by the Utah Water and Power Board of this transfer and conveyance; and

WHEREAS, the South Kamas Irrigation Company and Washington Irrigation Company on the 21st day of April, 1965, executed said release and subsequently filed the release with the office of the Attorney General, and on the 27th day of July, 1965, the sum of Eighty-two thousand eight-hundred forty five and fifty one-hundredths (\$82,845.50) Dollars was

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transferred into the construction fund of the Utah Water and Power Board.

NOW THEREFORE, in consideration of the premises as aforesaid, the Utah Water and Power Board does hereby quit claim to South Kamas Irrigation Company and Washington Irrigation Company, all right title and interest that vested in the State of Utah and the Utah Water and Power Board by virtue of that certain agreement with the Utah Water and Power Board dated September 1, 1961, and amended August 22, 1962, and more particularly described as follows:

"Application to Appropriate Water No. 16063 together with all water rights evidenced thereby, on file with the State Engineer of the State of Utah," and

"Easement to the full use of the irrigation distribution system of South Kamas Irrigation Company through which the water appropriated under Application No. 16063 will be put to beneficial use and situated across and upon the following described section of land in Summit County, Utah:

Sections 18, 19, 27, 28, 29, 30, 31, 32, 33, 34, and 35, T2S, R6E; Sections 1, 2, 3, 4, 11 and 12, T3S, R6E; and Sections 7 and 18, T3S, R7E; and Section 24, T2S, R5E, SLB&M," and

"Easement to the full use of the irrigation distribution system of Washington Irrigation Company through which the water appropriated under Application No. 16063 will be put to beneficial use and situated across, and upon the following described Sections of land in Summit County, Utah:

Sections 18, 19, 27, 28, 29, 30, 31, 32, 33, 34, and 35, T2S, R6E; Sections 1, 2, 3, 4, 11 and 12, T3S, R6E; Sections 7 and 18, T3S, R7E; and Section 24, T2S, R5E; SLB&M."

IN WITNESS WHEREOF, we have here with set our hands this

30 day of July 1965.

UTAH WATER AND POWER BOARD

By: Leo P. Harvey
CHAIRMAN

By: Walter L. Bingham
EXECUTIVE DIRECTOR

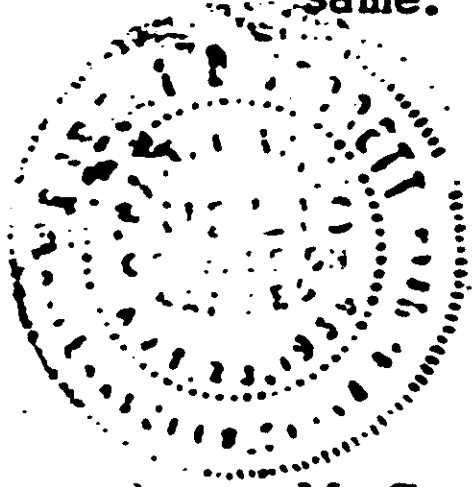
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STATE OF UTAH

SS

COUNTY OF SALT LAKE

On this 30 day of July 1965, personally appeared before me LEO P. HARVEY AND JAY R. BINGHAM who being duly sworn did say that they are respectively the Chairman and Executive Director of the Utah Water and Power Board and that they executed the foregoing instrument for and on behalf of the said Board by authority of a resolution by said Board at a regular meeting thereof, and the said Leo P. Harvey and Jay R. Bingham duly acknowledge to me that said Board executed the same.



Robert D. Bennett
NOTARY PUBLIC

My Commission Expires

August 28, 1965