

Special Warranty Deed Page 1 of 4
Russell Shirts Washington County Recorder
06/28/2013 04:09:26 PM Fee \$16.00 By
SOUTHERN UTAH TITLE

When Recorded Mail Deed and Tax Notice To:
Stephen M. Cooper
3439 S. Barcelona Dr, unit 38
St. George, Utah 84790

Order No. 172706
Tax I.D. No. SG-BR-5-20

Space Above This Line for Recorder's Use

SPECIAL WARRANTY DEED

American Pension Services- FUB Custodian for Bruce C. Williams IRA #2905, organized and existing under the laws of the State of Utah **CONVEYS and WARRANTS against all claiming by, through or under Grantor to**

Stephen M. Cooper and Kimberly A. Cooper, Husband and Wife, as Joint Tenants, grantee(s) of St. George, County of Washington, State of Utah, for the sum of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** the following described tract of land in Washington County, State of UTAH:

Lot Twenty (20), BLOOMINGTON RANCHES NO. 5 SUBDIVISION, according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.

SEE WATER RIGHTS ADDENDUM TO LAND DEEDS ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH all improvements and appurtenances thereunto belonging, and being **SUBJECT TO** easements, restrictions, reservations and rights of way currently appearing of record and those enforceable in law and equity.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor(s) has/have caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 27th day of June, A. D. 2013.

ATTEST:

American Pension Services- FUB
Custodian for Bruce C. Williams IRA
#2905

BY:

Curtis L. DeYoung
Curtis L. DeYoung, President

, Secretary

State of Utah)
County of Salt Lake)

On the 27th day of June, A. D. 2013, personally appeared before me, Curtis L. DeYoung, who being by me duly sworn, did say that the said Curtis L. DeYoung is the President of American Pension Services- FUB Custodian for Bruce C. Williams IRA #2905, and that said instrument was signed in behalf of said corporation by authority of its by-laws (or by a resolution of its board of directors) and said Curtis L. DeYoung, duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

Lori Pili

, Notary Public



WATER RIGHTS ADDENDUM TO LAND DEEDS

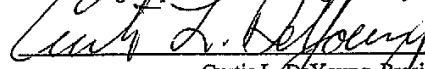
Grantor: American Pension Services- FUB Custodian for Bruce C. Williams IRA #2905
 Grantee: Stephen M. Cooper and Kimberly A. Cooper, Husband and Wife, as Joint Tenants
 Tax ID Number(s): SG-BR-5-20

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

- | | |
|---|---------------------------|
| Check one box only | Proceed to Section |
| 1 <input type="checkbox"/> All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed. | A |
| 2 <input type="checkbox"/> Only a portion of Grantor's water rights are being conveyed.
(County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked) | B |
| 3 <input checked="" type="checkbox"/> No water rights are being conveyed. | C |
| 4 <input type="checkbox"/> Water rights are being conveyed by separate deed. | C |

	Section	Important Notes (see other side)
A	The water right(s) being conveyed included Water Right No(s). _____ _____ along with all applications pertaining to the water rights (s) listed in this Section A, and all other appurtenant water rights. (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) <input type="checkbox"/> All of Water Rights No(s). _____ <input type="checkbox"/> _____ acre-feet from Water Right No. _____ for: _____ families _____ acres of irrigated land; stock water for _____ Equivalent Liver Units; and/or for the following other uses _____ <input type="checkbox"/> _____ acre-feet from Water Right No. _____ for: _____ families _____ acres of irrigated land; stock water for _____ Equivalent Livestock Units; and/or for the following other uses _____ Along with all applications pertaining to the water rights (s) listed in this Section B. (Proceed to Section C)	N1 N4 N5 N5 N2
C	Disclosures By Grantor: (check all boxes that apply) <input type="checkbox"/> Grantor is endorsing and delivering To Grantee stock certificates for _____ Shares stock in the following water company: <input type="checkbox"/> Culinary water service is provided by: _____ <input type="checkbox"/> Out door water service is provided by: _____ <input type="checkbox"/> There is no water service available to Grantor's Parcel(s). <input checked="" type="checkbox"/> Other water related disclosures: 2 shares of Irrigation water in Bloomington Canal Company -(no certificates are available)	N6 N7 N8 N9 N10
Attach and sign additional copies of this for if more space is needed.		

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature: 
 Curtis L. DeYoung, President of American Pension Services- FUB Custodian for Bruce C. Williams IRA #2905

Grantee's Acknowledgement of Receipt: _____
 Stephen M. Cooper
 Kimberly A. Cooper

Grantee's Address: 3439 S. Barcelona Dr, unit 38, St. George, Utah, 84790

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

WATER RIGHTS ADDENDUM TO LAND DEEDS

Grantor: American Pension Services- FUB Custodian for Bruce C. Williams IRA #2905

Grantee: Stephen M. Cooper and Kimberly A. Cooper, Husband and Wife, as Joint Tenants

Tax ID Number(s): SG-BR-5-20

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

- Check one box only** Proceed to Section
- 1 All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed. A
- 2 Only a portion of Grantor's water rights are being conveyed. B
 (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked)
- 3 No water rights are being conveyed. C
- 4 Water rights are being conveyed by separate deed. C

Important Notes
(see other side)

Section	Important Notes (see other side)
<p>A The water right(s) being conveyed included Water Right No(s). _____</p> <p>_____</p> <p>along with all applications pertaining to the water rights (s) listed in this Section A, and all other appurtenant water rights. (Proceed to Section C)</p>	<p>N1</p> <p>N2</p> <p>N3</p>
<p>B Only the following water rights are being conveyed: (check all boxes that apply)</p> <p><input type="checkbox"/> All of Water Rights No(s). _____</p> <p><input type="checkbox"/> _____ acre-feet from Water Right No. _____ for: _____ families</p> <p>_____ acres of irrigated land; stock water for _____ Equivalent Liver Units; and/or for the following other uses _____</p> <p><input type="checkbox"/> _____ acre-feet from Water Right No. _____ for: _____ families</p> <p>_____ acres of irrigated land; stock water for _____ Equivalent Livestock Units; and/or for the following other uses _____</p> <p>Along with all applications pertaining to the water rights (s) listed in this Section B. (Proceed to Section C)</p>	<p>N1</p> <p>N4</p> <p>N5</p> <p>N5</p> <p>N2</p>
<p>C Disclosures By Grantor: (check all boxes that apply)</p> <p><input type="checkbox"/> Grantor is endorsing and delivering To Grantee stock certificates for _____ Shares stock in the following water company: _____</p> <p><input type="checkbox"/> Culinary water service is provided by: _____</p> <p><input type="checkbox"/> Out door water service is provided by: _____</p> <p><input type="checkbox"/> There is no water service available to Grantor's Parcel(s).</p> <p><input checked="" type="checkbox"/> Other water related disclosures: 2 shares of Irrigation water in Bloomington Canal Company -(no certificates are available)</p>	<p>N6</p> <p>N7</p> <p>N8</p> <p>N9</p> <p>N10</p>

Attach and sign additional copies of this for if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature: _____

Curtis L. DeYoung, President of American Pension Services- FUB Custodian for
 Bruce C. Williams IRA #2905

Grantee's Acknowledgement of Receipt: _____

Stephen M. Cooper Kimberly A. Cooper

Grantee's Address: 3439 S. Barcelona Dr, unit 38, St. George, Utah, 84790

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

NOTES TO WATER RIGHTS ADDENDUM TO LAND DEEDS

Please read the following notes carefully in order to avoid problems and the possible loss of the water rights being conveyed in connection with this transaction.

The mere purchase of a water right does not guarantee: (1) that the water right is in good standing with the Utah Division of Water Rights; (2) that the owner has clear title to the water right; (3) that the Division will recognize the ownership change; or (4) that the Division will approve any proposed changes or extensions regarding the water right. You are encourage to conduct proper "due diligence" research into any water right before purchasing it.

- N1 Once this Water Rights Addendum has been recorded at the County Recorder's Office, Grantee must prepare a "Report of Water Right Conveyance" or "ROC" (available from the Utah Division of Water Rights) and file it with the Utah Division of Water Rights in order to: (1) have the Division's records updated with current ownership and address information; (2) file any application on these water rights; and (3) receive notifications concerning deadlines and other essential information pertaining to these rights. **Failure to do so PROMPTLY may result in the loss of these water rights.** Help with reviewing the water rights and completing the ROC can be obtained from the Utah Division of Water Rights and/or water professionals, such as attorneys, engineers, surveyors, and title professionals with experience in water rights and water law.
- N2 A water right often has one or more applications on file with the Utah Division of Water Rights that affect that water right, such as change applications, extension requests, and non-use applications. These applications should be transferred with the water right. The Grantee should review the water right applications and other documents on file with the Utah Division of Water Rights.
- N3 Water rights owned by the Grantor and used on Grantor's Parcel may be "appurtenant" to Grantor's Parcel. Not all appurtenant water rights have been assigned a water right number because not all water rights are "of record." If Section A is being completed, this conveyance includes all appurtenant water rights, whether or not they are listed by water right number or are of record. Grantee should investigate each water right listed and determine if there are any water rights that are not of record. If there are water rights not of record, Grantee should seriously consider making them of record by filing the appropriate forms with the Utah Division of Water Rights.
- N4 100% of the water rights listed here are being conveyed to Grantee. A Report of Water Right Conveyance (see N1 above) should be filed on each water right listed here. The Water Rights listed in Section B may not provide sufficient water for all of the historic water uses.
- N5 Less than 100% of the water right listed is being conveyed to Grantee. The exact portion to be conveyed, expressed in terms of the beneficial uses associated with this portion of the water right must be described. This description generally consists of: (1) the number of families for domestic (indoor culinary) uses (generally quantified as 0.45 acre-feet per family for a year-round residence and 0.25 acre-feet per family for a seasonal residence); (2) the number of acres irrigated (this involves issues of "irrigation duty" [the number of acre-feet of water allowed per acre of irrigated land] and "sole supply/supplemental supply" [the amount of water allocated to each water right when more than one right is used on the same land or for the same livestock]; and (3) the number of livestock being watered (expressed in terms of equivalent livestock units or "ECUS" which are quantified at the rate of 0.028 acre-feet per EAU for full-year use. Any other uses being conveyed should be similarly described. Help with evaluating, quantifying, and/or describing the uses can be obtained from the Utah Division of Water Rights and/or water professionals.
- N6 Shares of stock in water companies (including irrigation, canal, and ditch companies) are generally not transferred by deed. Each company has procedures for transferring ownership. The company should be contacted to ascertain the appropriate procedures to follow. The most common procedure is for the Grantor to endorse and deliver the stock certificate to the Grantee, who then presents that certificate to company for issuance of a new certificate in the Grantee's name. If another procedure is to be followed, that should be noted on the "Other water related disclosures" line in Section C of this form. Each company also defines how much water is associated with a particular share and what fees and assessments are charged. The Grantee should contact the company about all such issues.
- N7 If culinary water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N8 If outdoor/secondary/irrigation water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N9 If this box is checked, the Grantee should investigate what water IF ANY is available for use on the Grantor's Parcel.
- N10 This space should be used for any other information that the Grantor has which is relevant to water issues associated with the Grantor's Parcel.

The Utah Division of Water Rights (often referred to as the State Engineer's Office) is located at 1594 W. North Temple, Suite 220, PO Box 146300, Salt Lake City, Utah 84114-6300 Telephone: 801-553-7240 Web Address: www.waterrights.utah.gov