

Land Use Agreement

RECITALS. Circle Four Realty desires to secure adequate protection for drinking water wells located as shown in Exhibit A of this Agreement. More specifically, the actual constructed location of these two wells are: Well # BMS1, North 110 feet and East 521 feet, from the Southwest Corner of Section 7, Township 31 South, Range 13 West, Salt Lake Base and Meridian; Well # BMS2, North 270 feet and East 715 feet from the South Quarter Corner of Section 7, Township 31 South, Range 13 West, Salt Lake Base and Meridian. The LAND identified on Exhibit A as Zones 1, 2, and 3, which partially lies within a portion of the Grantors land, specifically in the Northeast Quarter of Section 13, Township 31 South, Range 14 West, and also within the Northwest Quarter of Section 8, Township 31 South, Range 13 West, Salt Lake Base and Meridian is the subject LAND identified in this Agreement, owned by the Grantors of this instrument. It is the purpose of this instrument to provide said security to prevent contamination of the source of water by execution of this Agreement.

AGREEMENT.

Dean and Dona Carter (Grantors) hereby agree to comply with the Utah Division of Drinking Water Regulations, requiring the protection of ground water sources from contamination, in that they will not locate potential listed contamination sources within Zones 1, 2, or 3, or the LAND identified and described herein

The controls and limitations of this Agreement within Zones 1, 2, and 3 are binding with all successors, heirs, and assigns for as long as the well is used for culinary purposes.

Witness, the hand of said Grantors this ___ day of February, A.D, 2000.

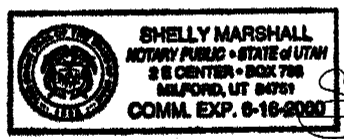
By: Dean Carter
Dean Carter, Grantor

By: Dona Carter
Dona Carter, Grantor

Witness: [Signature]
State of Utah, County of Iron.

00420842 Bk00712 Pg00804-00805
PATSY CUTLER - IRON COUNTY RECORDER
2000 MAY 02 15:36 PM FEE \$15.00 BY PTC
REQUEST: CIRCLE FOUR FARMS

On the 15 day of February, A.D., 2000, personally appeared before me, B.J. Meyer of Circle Four Realty, the witness of this instrument, who duly acknowledges to me the execution of the same.



Shelly Marshall
Notary Public

My Commission Expires 6-16-2000 Residing in Minersville Utah.

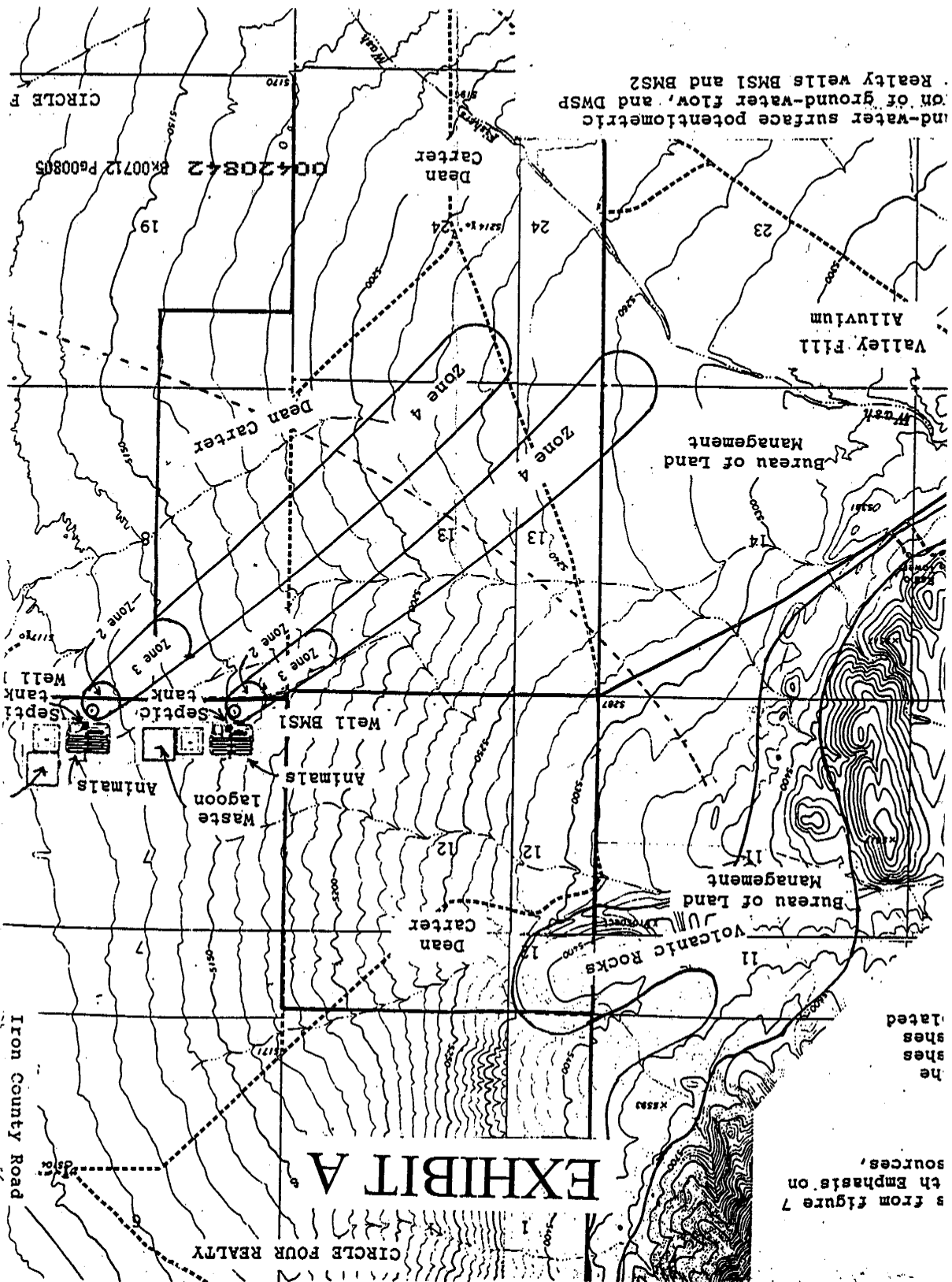


EXHIBIT A

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sources,

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on of ground-water flow, and DMS2
Realty wells BMS1 and BMS2