

Change of Place of Use

John Darrell Zeeman and Helena Zeeman, the undersigned owners of the water right for irrigation of land, evidenced by water right application for lands in Private Ownership, Serial No. 142.088, recorded in Book 96, Page 136, of Contracts, in the office of the County Recorder of Utah, County, State of Utah, upon which the construction charges have been paid in full, has changed the place of use of 1.20 acre feet of said water-right from the following Project Land, designed as Tract No. 1, and described as follows:

That area of land north of tax parcel number 56 16 303 owned by John Darrell Zeeman which may be a public road, approximately .60 acres and is located in the NW1/4 of Section 20, T9S, R2E, SLB&M. Said land is between Zeeman's property #56 16 303 and land belong to the PBO LDS Church, tax parcel #56 15 201. Area is approximately .60 acres.

This water is to be made appurtenant to the following Project Land, designated as Tract No. 2, and described as follows:

That portion of tax parcel #30 84 65 located in Section 29, Township 9 South 2 East, SLB&M; thence the following: Beginning at a point which lies S 1548.03 feet and West 375.32 feet from the North $\frac{1}{4}$ quarter of Section 29, T9S R2E, SLB&M; running North Old05"28" West 200 feet; East 129 feet; South 200 feet; and West 129 feet to the beginning. Area approximately .60 acres. This 1.20 acre feet is to be represented by Serial Number 142.090.

The Strawberry Water Users Association and the Strawberry High Line Canal Company do hereby reserve all rights and interests as contained in Paragraph #9 of the Original Water Right Application covering Water Right Serial No.142 and pertaining to the above described parcels of land.

It is agreed that Tract No. 2 and all water-rights now or hereafter appurtenant thereto shall be subject to a lien to secure payment of the annual charges for operation and maintenance, as provided in said application.

There are no liens against the land designated as Tract No. 1, except the following:

This change shall not become effective until approved by the Strawberry Water Users Association, the Strawberry High Line Canal

INDEMNITY AGREEMENT
Change of Place of Use


ENT 53453:2007 PG 3 of 3

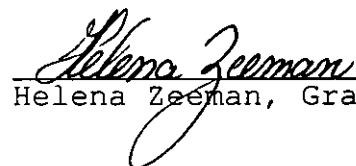
This Agreement dated this 12th day of October, 2006, by and between John Darrell Zeeman and Helena Zeeman, hereinafter referred to as the Owners, and the STRAWBERRY WATER USERS ASSOCIATION, AND THE STRAWBERRY HIGH LINE CANAL COMPANY.

WHEREAS: The OWNER has 1.20 acre feet of Strawberry Project Water, Serial No. 142.089 which he is desirous to transfer from Project lands owned by him, and described in the attached instrument,

The Owner hereby covenants and agrees as follows:

In the event that the Owner has the land, upon which the Project Water is appurtenant, encumbered by a mortgage or other encumbrance, and in the event the said land is sold or foreclosed upon and the Project water should be claimed by other individuals, the Owners hereby agree and covenant that they will hold the Strawberry Water Users Association and the Strawberry High Line Canal Company harmless from any actions which will include all damages, attorney's fees and all costs which may be expended by said Strawberry Water Users Association or the Canal Company.


John Darrell Zeeman, Grantor


Helena Zeeman, Grantee

K:\SWUA\Water Transfers\142-89-DZeeman.doc