

APR 17 2019

ENT 56088:2019 PG 1 of 4  
Jeffery Smith  
Utah County Recorder  
2019 Jun 20 09:11 AM FEE 46.00 BY MA  
RECORDED FOR Strawberry Water  
ELECTRONICALLY RECORDED

Change of Place of Use

Finch Family Properties, LLC, of 2170 S. Alveo Dr., Washington, Utah 84780 the undersigned owners of the water right for irrigation of 32.18 acres of land, evidenced by water right application for lands in Private Ownership, Serial No. 229.004, 229.005, 663.028, 663.030, 229.008 and 229.009 Recorded in 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 81.70 acre feet of said water-right from the following Project Land, designed as Tract No. 1-3, and described as follows:

**Tax Parcel: 29:012:0021**

COM E 12.14 FT & S 422.9 FT & S 13 DEG 30' 0" W 51.4 FT & S 0 DEG 30' 0" W 300 FT FR CENTER OF SEC. 13, T9S, R1E, SLB&M.; S 89 DEG 25' 0" E 5.36 FT; N 0 DEG 30' 5" E 3.96 FT; S 89 DEG 44' 5" E 339.4 FT; S 0 DEG 19' 5" E 5.85 FT; S 89 DEG 25' 0" E 666.89 FT; S 0 DEG 27' 15" W 344.22 FT; E 172.3 FT; S 0 DEG 0' 24" W 51.33 FT; S 37 DEG 49' 32" E 15.2 FT; S 0 DEG 0' 24" W 168.89 FT; S 89 DEG 38' 49" W 1189.36 FT; N 0 DEG 31' 12" W 593.97 FT; N 88 DEG 19' 51" E 4.19 FT TO BEG. AREA 14.588 AC.

**Parcel: 29-012-022**

COM E 12.14 FT & S 422.9 FT & S 13 DEG 30' 0" W 51.4 FT & S 0 DEG 30' 0" W 300 FT & S 89 DEG 25' 0" E 1011.73 FT FR CENTER OF SEC. 13, T9S, R1E, SLB&M.; S 89 DEG 25' 0" E 577.27 FT; S 5 DEG 45' 0" W 103 FT; S 45 DEG 10' 0" E 206.7 FT; S 36 DEG 30' 0" E 75.15 FT; S 35 DEG 51' 44" W 36.66 FT; W 739.46 FT; N 0 DEG 27' 15" E 344.22 FT TO BEG. AREA 5.065 AC.

**Parcel: 29-012-0023**

COM S 0 DEG 31' 25" E 3.08 FT ALONG SEC. LINE FR E 1/4 COR. SEC. 13, T9S, R1E, SLB&M.; S 0 DEG 31' 25" E 1106.03 FT ALONG SEC. LINE; S 76 DEG 8' 12" W 1014.95 FT; N 35 DEG 51' 44" E 1664.76 FT TO BEG. AREA 12.530 AC.

This water is to be made appurtenant to the following Project Land, designated as Tract No. 3-6 and described as follows:

**Proposed Lot 1, West Mountain Sunset Subdivision(229.004 = 16.62AF)**

Beginning at a point on the north line of an existing lane, as defined by portions of fence lines, and found corner markers from a previous survey, and called out in the subject and adjoining deeds, which is located North 0°29'09" West 1886.55 feet along the measured Quarter Section line, and East 664.93 feet from the found monument at the South Quarter Corner of Section 13, Township 9 South, Range 1 East, Salt Lake Base and Meridian, and running: thence South 89°32'45" East 337.97 feet along the north line of said existing lane; thence South 0°27'15" West 361.33 feet; thence East 172.30 feet to the northwest corner of the Strawberry Highline Canal Company Property; thence South 0°00'24" West 51.33 feet along the westerly boundary of said property; thence South 37°49'32" East 15.20 feet along said boundary; thence South 0°00'24" West 168.89 feet along said boundary, to a found rebar and cap marked LS 317443, at the southwest corner of said property; thence South 89°38'49" West 513.00 feet along that boundary line which is the subject of that Boundary Line Agreement recorded May 29, 2015, under Entry no.

46817:2015, which also follows closely an existing line of sprinkler risers thence North 0°21'11" West 599.40 feet, to the Point of Beginning. Parcel contains: 241,228 square feet, or 5.54 acres.

**Proposed Lot 2 West Mountain Sunset Subdivision (229.009=17.22af, 663.028=20.02af)**

A parcel of land, situate in the Southeast Quarter of Section 13, Township 9 South, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which is located North 0°29'09" West 1891.82 feet along the measured Quarter Section line, and North 89°32'45" West 13.20 feet from the found monument at the South Quarter Corner of Section 13, Township 9 South, Range 1 East, Salt Lake Base and Meridian, and running: thence South 89°32'45" East 9.78 feet along the north line of an existing lane, to the west line of the Fuller property; thence South 0°10'52" West 10.92 feet along said west line, to the southwest corner of said Fuller property; thence South 89°44'05" East 339.40 feet along the south line of said property, to the southeast corner thereof; thence North 0°19'05" West 9.80 feet along the east line of the Fuller property, to the north line of an existing lane, as defined by portions of fence lines, and found corner markers from a previous survey, and called out in the subject and adjoining deeds; thence South 89°32'45" East 329.10 feet along said north line; thence South 0°21'11" East 599.40 feet; thence South 89°38'49" West 676.36 feet along that boundary line which is the subject of that Boundary Line Agreement recorded May 29, 2015, under Entry no. 46817:2015, which also follows closely an existing line of sprinkler risers, to a found rebar and cap marked LS 317443; thence North 0°31'12" West 608.95 feet along and past the end of said Boundary Line Agreement, to the Point of Beginning.

Parcel contains: 405,652 square feet, or 9.31 acres.

**Proposed Lot 1, Red Bridge Meadow Subdivision (229.005=8.70af, 663.030=2.56af)**

Beginning at a found rebar and cap marked LS 317443, on the Westerly line of the UP&L railroad right-of-way (a 66.00-foot wide right-of-way), which is located South 0°31'25" East 1092.27 feet along the measured Section line, and West 878.70 feet from the found monument at the East Quarter Corner of Section 13, Township 9 South, Range 1 East, Salt Lake Base and Meridian, and running: thence South 35°51'44" West 61.50 feet along the Westerly line of the railroad right-of-way, to the northeast corner of the Strawberry Highline Canal Company Property; thence West 739.46 feet along and past the end of the north line of said property; thence North 0°27'15" East 361.33 feet, to the north line of an existing lane; thence South 89°32'45" East 598.51 feet along said north line, to a found rebar and cap marked LS 317443; thence South 5°38'05" West 110.35 feet to another found rebar and cap marked LS 317443; thence South 45°15'11" East 206.70 feet to another found rebar and cap marked LS 317443; thence South 36°35'11" East 64.02 feet, to the Point of Beginning. Parcel contains: 239,608 square feet, or 5.50 acres

**Proposed Lot 2, Red Bridge Meadow Subdivision (229.008 = 16.58af)**

Beginning at the intersection of the Easterly line of the UP&L railroad right-of-way (a 66.00-foot wide right-of-way), with the measured Section line, which is located South 0°31'25" East 3.08 feet along the measured Section line from the found monument at the East Quarter Corner of Section 13, Township 9 South, Range 1 East, Salt Lake Base and Meridian, and running: thence South 0°31'25" East 1106.03 feet along said Section line, to the Southerly line of the railroad right-of-way (a 100.00-foot wide right-of-way); thence South 76°08'12" West 1014.95 feet along said Southerly line, to its intersection with the Easterly

line of the railroad right-of-way; thence North 35°51'44" East 1664.76 feet along said Easterly line, to the Point of Beginning; Parcel contains: 546,141 square feet, or 12.54 acres.

The Strawberry Water Users Association and 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. 229 and 663 pertaining to the above described parcels of land.

It is agreed that Tract No. 3-6, 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 Tracts No. 1-3, except the following:

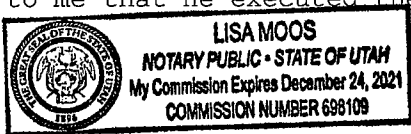
This change shall not become effective until approved by the Strawberry Water Users Association, the High Line Canal Company, and the Secretary of the Interior of the United States.

Dated this 16<sup>th</sup> Day of April, 2019.

[Signature]  
Doug Finch

STATE OF UTAH ) SS  
COUNTY OF UTAH )

On the 16<sup>th</sup> day of April, 2019, personally appeared before me Doug Finch and who by me duly sworn, did say that he is the Member and that said document was signed by him in behalf of Finch Family Properties, LLC, the Grantors of this document, signers of the within instrument who duly acknowledged to me that he executed the same.



[Signature]  
Notary Public

Approved:

High Line Canal Company

Attest: [Signature]  
Secretary

By: [Signature]  
President

Approved:

Strawberry Water Users Association

Attest: [Signature]  
Secretary

By: [Signature]  
President

Approved:

By: [Signature]  
Authorized Representative of  
the Secretary of the Interior


INDEMNITY AGREEMENT  
Change of Place of Use

This Agreement dated this 16<sup>th</sup> day of April, 2019, Finch Family Properties, LLC, hereinafter referred to as the Owner, and the STRAWBERRY WATER USERS ASSOCIATION, AND THE HIGH LINE CANAL COMPANY.

WHEREAS: The OWNER has 81.70 acre feet of Strawberry Project Water, Serial No. 229.004,229.005,663.028,663.030,229.008 and 229.009, which they are desirous to transfer from Project lands owned by them, 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 Owner hereby agrees and covenants that they will hold the Strawberry Water Users Association and the 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.

  
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Doug Finch