

WATER TRANSPORTATION EASEMENT

7518837
SALT LAKE COUNTY WATER CONSERVANCY DISTRICT, a body politic of the State of Utah, Grantor, hereby warrants and conveys to DRAPER IRRIGATION COMPANY, a Utah non-profit corporation, Grantee, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, an easement for the transportation of raw water, as hereinafter described, through Grantor's Raw Water Collection System for the Southeast Regional Water Treatment Plant, as shown on Exhibit "A" attached hereto and incorporated by reference herein, generally located as follows:

Pipeline, diversion and measurement structures and facilities related thereto, beginning at Bell's Canyon Creek in Salt Lake County, Utah, thence South to the Middle Fork of Dry Creek, thence South to the South Fork of Dry Creek, then South to a certain treatment plant diversion structure, thence South to Rocky Mouth Creek, thence South to Big Willow Creek, thence from the aforescribed treatment plant diversion and measurement structure to the point of intersection of the pipe from the treatment plant diversion to the Southeast Regional Water Treatment Plant, owned and operated by the Salt Lake County Water Conservancy District, and the feeder line to the Draper Irrigation Company water treatment plant immediately adjacent to the Southeast Regional Water Treatment Plant, and located in an easement 20 feet wide lying in Sections 13, 14, 22 and 23, T3S, R1E, SLB&M.

-POOR COPY-
CO. RECORDER

This Water Transportation Easement is granted in accordance with and subject to the provisions of paragraph 1(c) of that certain Amendment to Agreement between Salt Lake County Water Conservancy District and the Draper Irrigation Company, dated the 6th day of April, 1983, specifically for the purpose of allowing and permitting Draper Irrigation Company to convey and transport through Grantor's Raw Water Collection System, that quantity and quality of raw water to which Draper Irrigation Company is legally entitled by virtue of the water rights owned by Draper, but expressly limited by said Amendment to Agreement to the present maximum capacity of the existing Draper ditch, therein defined as the highest operating flow achievable in certain described sections of said ditch, determined by field measurements as follows:

1. 24.0 cfs - Bell's Canyon Creek diversion to Middle Fork Dry Creek confluence

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2. 20.0 cfs - Middle Fork Dry Creek confluence to South Forth Dry Creek confluence

3. 27.0 cfs - South Fork Dry Creek confluence to Southeast Regional Water Treatment Plant diversion

The above stated flows are not cumulative.

In addition, the Raw Water Collection System shall have sufficient additional capacity to the above flows, to provide delivery of 5.0 cfs to the Draper treatment plant, according to the terms of said Amendment to Agreement.

The easement granted herein is expressly subject to the condition that if the Grantee shall fail to affirmatively use said easement for the purposes herein set forth, for a continuing and uninterrupted period of five (5) consecutive years, then the interest hereby granted to Grantee shall automatically revert, by operation of law, to the Grantor; subject further to the condition that any period of non-use which results from or is otherwise attributable to acts of God or other physical causes beyond the control of the Grantee, such as earthquakes, flood, drought, condemnation, etc., shall be disregarded in ascertaining whether or not the aforesaid five (5) years of non-use have transpired.

WITNESS the hand of the Grantor this 15th day of DEC., _____



SALT LAKE COUNTY WATER CONSERVANCY DISTRICT, A Body Politic of the State of Utah

BY: Neal C. Bateman

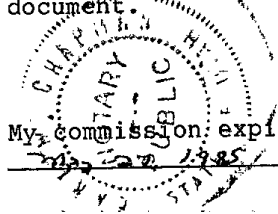
ITS: VICE - PRESIDENT

Attest:

[Signature]
Secretary, Salt Lake County Water Conservancy District

STATE OF UTAH)
)
COUNTY OF SALT LAKE)

On the 15th day of December, 1983, personally appeared before me Neal C. Bateman, who being by me first duly sworn on oath deposed and stated that he is the vice President of the Salt Lake County Water Conservancy District, that he has read the foregoing Water Transportation Easement, knows the contents thereof, that he is the signator hereto on behalf of said District and that he has been authorized by said District to execute this document.



Carl W. Chapman
NOTARY PUBLIC
Residing in Salt Lake

My commission expires: _____

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11/23/1999 01:30 PM 12.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
WATER PRO, INC
PO BOX 275
DRAPER UT 84020
BY: RDJ, DEPUTY - WI 2 P.

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