Route 318

Updated: December 2005

From SR-9 via Quail Creek Access Road, northerly to the eastern boundary of Quail Creek Lake State Park. *(A) Commission Action: June 19, 1992.

1993 Legislative Description:
From route 9 northerly to Quail Creek State Park pay gate.

1994 Legislature: Description remains the same.
1995 Legislature: Description remains the same.
1996 Legislature: Description remains the same.
1997 Legislature: Description remains the same.
1998 Legislature: Description remains the same.
1999 Legislature: Description remains the same.
2000 Legislature: Description remains the same.
2001 Legislature: Description remains the same.
2002 Legislature: Description remains the same.
2003 Legislature: Description remains the same.
2004 Legislature: Description remains the same.

* Refers to resolution index page following.

Route 318

COUNTY/VOLUME & RESOLUTION NUMBER

A. Wash1ngton Co.9/10

DESCRIPTION OF RESOLUTION CHANGE

(A). Addition -	From SR-9 northerly to Quail Creek Lake State Park eastern boundary.

SR-318 Quail Lake Rd wash 19

19

RESOLUTION

Addition of SR-318
Quail Lake Access Road
Washington County

Whereas, Sections 27-12-27, and 27-12-96 of the Utah Code 1991 provides for the addition to or deletion from the State Highway System, and acquisition of rights-of-way and other real property, and

Whereas, the Washington County Water Conservancy District has conveyed to the Utah Department of Transportation tracts of land pertaining to area associated with the Quail Lake Access Road as described within the Warranty Deed passed by stated districts duly appointed officers, and

Whereas, pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 the Utah Department of Transportation agrees to the terms and conditions stipulated on the Right of Way Grant authorized by duly appointed officers of the Bureau of Land Management, and

Whereas, the District 5 Director recommends placement of the Quail Lake Access Road onto the State Highway System to provide sufficient access to Quail Lake State Park facilities, and

Whereas, the appropriate staff of the Transportation Planning Division have reviewed all appropriate documents and problems related to accessing the facilities inherent to Quail Lake State Park and concurs with placing the Quail Lake Access Road onto the State Highway System.

NOW THEREFORE, be it resolved as follows:

1. Roadway known as the Quail Lake Access Road traversing northerly from SR-9 to the easterly boundary of Quail Lake State Park a distance of 2.20± miles be placed on the State Highway System as SR-318.

2. This roadway will remain Functionally Classified Local Road with the 2.20± miles placed on the State Highway System, deleted from Washington Counties "B" System mileage.

3. The accompanying Memorandum, Warranty Deed, Right-of-Way Grant, Right-of-Way Amendment, and Map be made part of this resolution.

Dated on this 19th day of June 1992

UTAH TRANSPORTATION COMMISSION

Chairman

Vice-Chairman

Commissioner

Commissioner

Commissioner

Attest:

Secretary

R-234

Memorandum

UTAH DEPARTMENT OF TRANSPORTATION

DATE: May 14, 1992

TO : Mark Musuris, P.E.
Engineer for Transportation Planning

FROM : J. R. Chamberlain, P. E.
District Director

SUBJECT: Placing Quail Lake Access Road on to the State Highway System

Attached are copies of the Right-of-Way Grant from BLM and a Warranty Deed from the Washington County Water Conservancy District. These two instruments convey the right-of-way for the Quail Lake Access road to the Department. I believe this is all that remained to fulfill the requirements of the resolution adopted by the Transportation Commission to place this access road on to the state system.

Also attached is a copy of a quad sheet showing the general location of the highway. The solid green is the portion of the road that should be adopted on to the system and it extends from SR-9 to the easterly boundary of Quail Lake State Park with a length of approximately 2.2 miles. The dashed portion of the green line is the extension of the road, and it continues on to the I-15 frontage road and is currently under the jurisdiction of Hurricane City.

Would you please proceed with placing this roadway on to the State Highway system. If you need further information, please let me know.

Thank you

JRC/kd

Attachments

Warranty Deed

(CORPORATION)
Washington County

(CORRECTION DEED)

WASHINGTON COUNTY WATER CONSERVANCY DISTRICT a corporation ORGANIZED AND EXISTING UNDER THE LAWS OF the State of UTAH, With its principal office at 148 East Tabernacle in St. George, County of Washington State of Utah, Grantor, hereby CONVEYS AND WARRANTS to the UTAH DEPARTMENT OF TRANSPORTATION, at 4501 South 2700 West, Salt Lake City, Utah 84119, Grantee, for the sum of $10.00 & other Valuable Considerations Dollars, the following described parcel of land in Washington County, State of Utah, towit:

ALL THAT PORTION OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, OF SECTION 26, T.41 S., R.14 W., S.L.B.& M., LYING 50.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

Beginning at a point 1031.88 ft. S.78°22'35"W. from the Southeast corner of Section 34, T.41 S.,R.14 W.,S.L.B.& M. said point being in the Northerly Right-Of-Way Line of HIGHWAY SR-9; thence N.7°57'34"E. 192.83 ft. to a point of tangency with a 500.00 ft. radius curve to the right; thence Northeasterly 414.22 ft. along the arc of said curve; thence N.55°25'33"E. 2929.31 ft. to a point of tangency with a 4701.01 ft. radius curve to the right; thence Northeasterly 363.06 ft. along the arc of said curve; thence N.59°51'02"E. 163.99 ft. to a point of tangency with a 783.38 ft. radius curve to the left; thence Northerly 737.43 ft. along the arc of said curve; thence N.05°54'56"E. 532.60 ft. to a point of tangency with a 813.25 ft. radius curve to the left; thence Northerly 349.88 ft. along the arc of said curve; thence N.18°44'03"W. 1194.82 ft. to a point of tangency with a 1307.25 ft. radius curve to the right; thence Northerly 733.40 ft. along the arc of said curve; thence N.13°24'37"E. 360.32 ft. to a point of tangency with a 694.25 ft. radius curve to the right; thence Northeasterly 431.93 ft. along the arc of said curve; thence N.49°03'24"E. 1240.70 ft. to a point of tangency with a 519.90 ft. radius curve to the left; thence Northeasterly 207.24 ft. along the arc of said curve; thence N.26°13'04"E. 997.50 ft. to a point of tangency with a 800.00 ft. radius curve to the left; thence Northerly 547.48 ft. along the arc of said curve; thence N.12°59'35"W. 106.48 ft. to a point 11440.23 ft. N.39°02'19"W. from the Southeast Corner of Section 36, T.41 S.,R.14 W., S.L.B.& M.

SUBJECT TO ALL EXISTING UTILITY EASEMENTS.
(This DEED is given to CORRECT the deed recorded Nov. 25 1991 in Book 629 on Page 520 Entry No. 395069 in the office of the Washington Co. Recorder.)

The officers who signed 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.

CONTINUED ON PAGE 2

IN WITNESS WHEREOF, said Washington County Water Conservancy District has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, this 1st day of April, A.D. 1992.

Attest:

Shirlene Hafen
Secretary

Washington County Water Conservancy District

By Ronald W. Thompson
Manager

[CORPORATE SEAL]

STATE OF UTAH)
) ss.
COUNTY OF Washington)

On the date first above written personally appeared before me, RONALD W. THOMPSON and SHIRLENE HAFEN, who, being by me duly sworn, did say, each for himself, that she, the said Shirlene Hafen is the Secretary of Washington County Water Conservancy District and that the within and forgoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Ronald W. Thompson and Shirlene Hafen each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

WITNESS my hand and official seal the date in this certificate first above written.

My Commission expires 8/15/95

Sheree G. Keller
Notary Public

NOTARY PUBLIC
SHEREE G. KELLER
660 West State Street
Hurricane, UT 84737
My Commission Expires
August 15th, 1995
STATE OF UTAH

4. There is reserved to the authorized officer, the right to grant additional rights-of-way or permits for compatible use on, over, under, or adjacent to the land involved in this grant. Grantee will be notified for comments prior to issuance of the grant, permit, etc.

5. The right-of-way shall be relinquished to the United States if the authorized uses are no longer needed.

6. All other terms and conditions as specified herein and in Exhibit A, attached hereto and made a part hereof.

7. Rental - Exempt/2803.1-2(c)(1)(Local Government Agency).

8. This right-of-way grant is perpetual, unless it is relinquished, abandoned, terminated, or otherwise modified pursuant to the terms and conditions of this grant or of any applicable Federal Law or regulation. It will be subject to review at the end of the twentieth year and at regular intervals thereafter not to exceed 10 years.

9. The temporary construction easement for the main access road will be for a period of 3 years, beginning on May 12, 1984, and ending on May 11, 1987, unless it is relinquished, abandoned, terminated, or otherwise modified pursuant to the terms and conditions of this grant or of any applicable Federal Law or regulation.

10. The grantee shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of BLM administered lands under this right-of-way.

Section C

The effective date of this right-of-way grant is the date of execution by the authorized officer.

The undersigned agrees to the terms and conditions of this right-of-way grant.

WASHINGTON COUNTY WATER CONSERVANCY DISTRICT

(Grantee)

June 14, 1984

(Date)

The right-of-way grant is executed this 4th day of June, 1984.

BUREAU OF LAND MANAGEMENT

(Authorized Officer)

Area Manager

(Title)

EXHIBIT "A"

1. Prior to construction the state of Utah must give its concurrence as to the suitability of the engineering design and safety features.

2. Clearing of vegetation from within the pipeline, powerline, and access road rights-of-way will be limited to that area necessary to accomplish the installation of necessary structures.

3. Historic and Archaeological Values: The Grantee will carry out the actions outlined in the Archaeological and Historic Mitigation Plan attached to this grant. Additionally, the Grantee will be alert in construction operations to take all reasonable and necessary precautions to protect and preserve historic and prehistoric ruins and artifacts discovered during construction; the Grantee will immediately suspend construction work involving the area in question and advise BLM's Area Manager of the suspected values. The Area Manager will promptly have the area inspected to determine significance of the values and appropriate action to follow (salvage, etc., and resumption of construction). Cost of any salvage work will be borne by the Grantee. All objects of antiquity salvaged from public lands are the property of the United States Government and will be turned over to BLM.

4. Within 30 days after conclusion of construction operations all construction materials and related litter and debris, including vegetative cover accumulated through land clearing, will be disposed of in accordance with instructions of the Authorized Officer.

5. On a continuing basis, the Grantee will be responsible for the maintenance and cleanup associated with all recreation activities associated with the project. The Grantee will provide the funding and manpower necessary to assure compliance with this stipulation.

6. All disturbed areas along the pipeline, powerline, and access rights-of-way will be rehabilitated by leveling, seeding, and other practices as prescribed by the Area Manager. The seed mixture listed below will be used. Ninety percent pure live seed will be used. The seed shall be applied by a drill equipped with a depth regulator. Planting depth shall not exceed one-half inch. Where drilling is not possible seed shall be broadcast and the area shall be raked or chained to cover the seed. It is recommended that seeding be done during the months of September or October following construction completion. The seeding will be repeated until a satisfactory stand, as determined by the Authorized Officer, is obtained. Evaluation of growth will not be made before completion of the first growing season after seeding. The Authorized Officer is to be notified 15 days prior to seeding so that arrangements can be made for inspection of the seeding project.

Seed mixture

Quantity	Name
4 lbs/acre	Crested Wheatgrass (*Agropyron cristatum*) Nordham Variety
4 lbs/acre	Pubescent Wheatgrass (*Agropyron trichophorum*)
2 lbs/acre	Four-Wing Saltbush (*Atriplex canescens*)
1 1/2 lbs/acre	Yellow Sweetclover (*Melilotus officinalis*)
1/2 lbs/acre	Small Burnet (*Sanguisorba minor*)

7. When all development and rehabilitation have been completed, a joint compliance check of the right-of-way will be made by the Grantee and the Authorized Officer or his designated representative to determine compliance with the terms and conditions of this grant. Grantee will perform at his own expense any required modifications or additional reclamation work needed to comply with the terms of the grant.

8. The Grantee shall conduct his operations to minimize erosion and soil damage in connection with any operations under this grant, including but not limited to construction of water bars, cross ditches, or other structures in accordance with plans and specifications approved by the Authorized Officer.

9. Disturbance of improvements such as fences, roads, and watering facilities, etc., outside of high water line and including pipeline, powerline, and access road rights-of-way encountered during construction and maintenance of the right-of-way must be kept to an absolute minimum. The Grantee is required to immediately restore any damaged improvements to at least their former state. Functional use of these improvements must be maintained at all times.

10. Cattleguards or other suitable means for livestock control must be placed on reservoir access roads during construction and following completion.

11. The Grantee will comply with all existing Federal, state, county, and local laws and regulations pertaining to the protection and preservation of game and nongame wildlife species, water quality, public health, and public safety.

12. Conditions and stipulations contained in the U.S. Fish and Wildlife Service's Biological Opinion are hereby made a condition of the right-of-way grant. The reservoir will be operated as outlined in the pruposal submitted to the University of Nevada, Las Vegas, for analysis of the impacts of the reservoir operation on the woundfin and its habitat, except as modified to allow conducting monitoring studies for Endangered species.

13. A minimum pool of 6,000 acre feet will be maintained for the support of a fishery.

14. The reservoir will be open to the general public for fishing and other recreational activities. Operation of the reservoir will, to the extent practical, accommodate the needs of any established fisheries-recreational developments.

15. Monitoring studies on the woundfin stipulated in the December 7, 1982, Biological Opinion will be expanded to include monitoring of bass and bluegill population trends in the Virgin River.

16. The Grantee agrees to establish riparian vegetation around the reservoirs shoreline within 5 years. Riparian vegetation will consist of trees, shrubs, and grasses to a reasonable density as determined suitable by the Authorized Officer.

17. The Grantee shall extinguish, without expense to the Government, all fires on or in the vicinity of the project set or caused by him or his employees whether set directly or indirectly as a result of construction operations.

18. Surface disturbance on previous or amended easements will be rehabilitated to Bureau specifications.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,

AND

2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL . . . . Within 30 days file a *Notice of Appeal* in the office which issued this decision (see 43 CFR Secs. 4.411 and 4.413). You may state your reasons for appealing, if you desire.

2. WHERE TO FILE NOTICE OF APPEAL . . . Area Manager
Dixie Resource Area
Bureau of Land Management
225 North Bluff Street
St. George, Utah 84770

SOLICITOR ALSO COPY TO . . . . Regional Solicitor
Department of the Interior
Federal Building #6201
Salt Lake City, Utah 84138

3. STATEMENT OF REASONS . . Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, Virginia 22203 (see 43 CFR Sec. 4.412 and 4.413). If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary.

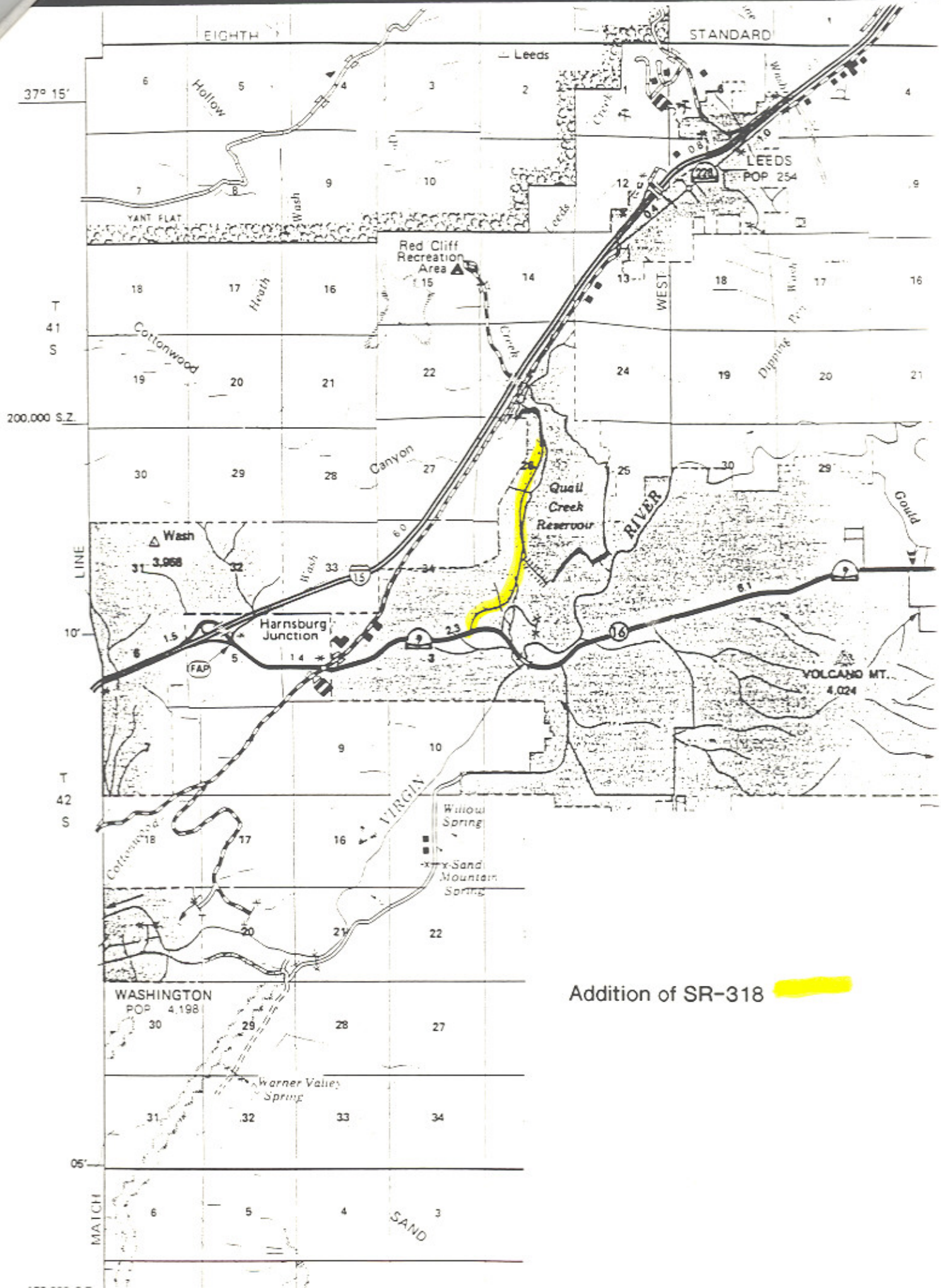
SOLICITOR ALSO COPY TO . . . . Regional Solicitor
Department of the Interior
Federal Building #6201
Salt Lake City, Utah 84138

4. ADVERSE PARTIES . . . . Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (see 43 CFR Sec. 4.413). Service will be made upon the Associate Solicitor, Division of Energy and Resources, Washington, D.C. 20240, instead of the Field or Regional Solicitor when appeals are taken from decisions of the Director (WO-100).

5. PROOF OF SERVICE . . . . Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (see 43 CFR Sec. 4.401(c)(2)).

Unless these procedures are followed your appeal will be subject to dismissal (see 43 CFR Sec. 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: *A document is not filed until it is actually received in the proper office (see 43 CFR Sec. 4.401(a))*



Addition of SR-318

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Dixie Resource Area Office
225 North Bluff Street
St. George, Utah 84770
Comm (801)673-4654 FTS 327-0200

TAKE PRIDE IN AMERICA

1992

2800
UTU-68590
(UT-047)

March 3, 1992

CERTIFIED MAIL NO. P 155 994 565
RETURN RECEIPT REQUESTED

DECISION

Mr. J. R. Chamberlain
District Director
Utah Department of Transportation
P.O. Box 1009
Cedar City, UT 84720

Application for
Right-of-Way

Right-of-Way Grant UTU-68590 Issued
Rental Determined

Enclosed is a copy of right-of-way (R/W) grant (serial number UTU-68590) which has been approved by the Bureau of Land Management. The rental for a linear R/W is determined according to regulations found at 43 CFR 2803.1-2. The Utah Department of Transportation is a government entity and is exempt from rental payments as provided by 43 CFR 2803.1-2(b)(1)(i).

The issuance of this R/W grant constitutes a final decision by the Bureau of Land Management in this matter. Within 30 days of receipt of this decision, you have the right of appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43 CFR 4.400. If an appeal is taken, you must follow the procedures outlined in the enclosed Form 1842-1, Information on Taking Appeals to the Board of Land Appeals. The appellant has the burden of showing that the decision appealed from is in error.

Please note, however, that under the regulations in 43 CFR Group 2800, this decision is effective even if an appeal is filed.

Sincerely,

Debbie J. Pietrzak
Area Manager

Enclosures
Form 2800-14 with attachments
Form 1842-1

FORM 2800-14
(August 1985)

Issuing Office
Dixie Resource Area

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT ASSIGNMENT

SERIAL NUMBER UTU-68590

1. Right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

   a. By this instrument, the holder:

      Utah Department of Transportation
      P.O. Box 1009
      Cedar City, UT 84720

      receives a right to construct, operate, maintain, and terminate a road, on public lands described as follows:

      Salt Lake Meridian
      T. 41 S., R. 14 W.,
      sec. 23, 26, & 35
      (see Main Access Road description, Exhibit A)

   b. The right-of-way granted herein is 100 feet wide, 13,200 feet long and contains 30.3 acres, more or less.

   c. This instrument is perpetual from its effective date unless, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

   d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest. (Not applicable, right-of-way term is perpetual)

   e. Notwithstanding early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

The holder being a local government entity is exempt from rental payments as provided by 43 CFR 2803.1-2(b)(1)(i).

4. Terms and Conditions:

a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.

b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.

c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.

d. The stipulations, plans, maps, or designs set forth in Exhibit A, dated July 12, 1985, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.

e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.

f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

g. The holder of this right-of-way grant or the holder's successor in interest shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and the regulations of the Secretary of Interior issued pursuant thereto.

h. The holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.

i. The holder of Right-of-Way No. UTU-68590 agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 et seq.) on the right-of-way. This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

(Signature of Holder)	(Signature of Authorized Officer)
District Director	Area Manager
(Title)	(Title)
January 28, 1992	3 March 92
(Date)	(Effective Date of Grant)

EXHIBIT A

USO - [illegible]

United States Department of the Interior

IN REPLY REFER TO
2800
U-51374
(U-047)

BUREAU OF LAND MANAGEMENT
Dixie Resource Area Office
50 E. 100 S. #202, P. O. Box 726
St. George, Utah 84770
(801)673-4654

1985 JUL 12 AM 10:00
DEPT. OF INTERIOR
BUR. OF LAND MGMT.

RIGHT-OF-WAY AMENDMENT

Section A

1. There is hereby granted, pursuant to Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1767) a nonexclusive, nonpossessory right-of-way to:

   Washington County
   Water Conservancy District
   P. O. Box 583
   St. George, Utah 84770

   In case of change of address, the Holder shall immediately notify the Authorized Officer.

2. To use, subject to terms and conditions set out below, the following described public land:

Reservoir Site

T. 41 S., R. 14 W.

Sec. 23
- lot 1
- lot 2
- SW¼SE¼SE¼

Sec. 26
- lot 1
- lot 2
- lot 7
- lot 8
- SE¼NE¼
- E½SW¼NE¼

Sec. 25
- lot 5
- SW¼NW¼
- SW¼SE¼NW¼
- W½NE¼SW¼
- NW¼SW¼
- W½W½SE¼SW¼

Sec. 35
- E½E½NW¼
- S½NE¼
- NE¼NE¼SW¼
- N½NW¼SE¼
- N½S½NW¼SE¼
- NE¼SE¼
- lot 11

Containing 656.67 acres

RECORDS NOTED
Date JUN 5 1986
By

Main access road - a 100' wide right-of-way (50' each side of center), beginning at a point S66°42'37"W, 1,027.09' from the SE corner of Section 34, T. 41 S., R. 14 W., SLBM; said point being on the center line of state Highway U-9; thence N0°57'00"W, 340.26' to the point of curvature of a 500.0' radius curve; thence northeasterly 490.42' along the arc of said curve; thence N55°14'51"E, 3,433.17'; thence N39°43' 41"E, 676.20'; thence N0°59'54"W, 784.90'; thence N19°04'28"W, 1,705.75'; thence N14°01'49"E, 967.39'; thence N48°56'33"E, 1,595.86'; thence N25°44'04"E, 1,219.25'; thence N8°28'42"W, 1,808.76'; thence N7°03' 32"W, 450.44'; thence N29°52'11"E, 494.71'; thence N27°23'25"E, 240.17'; thence N50°19'41"W, 1,089.88'; thence N81°46'18"W, 339.24'; thence N59°58'12"W, 286.90'; to a point on the center line of an existing I-15 frontage road in the SE¼SW¼ of Section 23, T. 41 S., R. 14 W., as per attached right-of-way map (Amended Attachment A).

Main access road construction easement - a 200' wide temporary construction easement following the previously described alignment, as per attached right-of-way map (Amended Attachment A).

Spillway access road - 50' wide right-of-way (25' each side of center), beginning where it intersects the main access road in the NW¼SW¼, thence southeasterly through the NW¼SW¼, lots 8, 9, 10, and 11, and the NE¼SE¼, all Section 35, T. 41 S., R. 14 W., SLBM, as per attached right-of-way map (Amended Attachment A).

Powerline - a 20' wide right-of-way (10' each side of center), beginning near the south quarter corner of Section 35, thence running northeasterly through lots 10, 11, and NE¼SE¼ of Section 35, T. 41 S., R. 14 W., SLBM, as per attached right-of-way map (Amended Attachment A).

Pipeline right-of-way - a 50' wide right-of-way (25' each side of center), including a 200' wide construction easement (100' each side of center) which will terminate upon completion of the pipeline through the southern end of lot 1, Sec. 30, T. 41 S., R. 12 W., and the southern end of Sec. 29, T. 41 S., R. 13 W., as per attached rights-of-way maps (Attachments B and C to Original Grant).

Boat ramp parking area - a 100' wide right-of-way (50' each side of center), beginning at a point west 1,827.79' from the E¼ corner of Section 26, T. 41 S., R. 14 W., SLBM; thence N22°02'26"E, 569.90'; thence N21°23'31"W, 627.22', as per attached right-of-way map (Amended Attachment A).

Boat ramp - a 100' wide right-of-way (50' each side of center), beginning at a point N71°52'34"W, 1,698.18' from the E¼ corner of Section 26, T. 41 S., R. 14 W., SLBM, thence S86°25'53"E, 656.33', as per attached right-of-way map (Amended Attachment A).

Diversion site access road - a 50' wide right-of-way (25' each side of center), beginning at existing state Highway U-9 near the SW corner of the SE¼NW¼, thence south approximately 1/2 mile to a point near the SE corner of the SW¼SW¼, all in Section 20, T. 41 S., R. 12 W., SLBM, as per attached map (Amended Attachment C).

3. Description of the right-of-way facilities and purpose:

The right-of-way is for a water storage reservoir and water pipeline with associated access roads and powerlines. The reservoir will store approximately 40,000 acre feet of water which is to be used for irrigation, recreation, industrial, commercial, and municipal purposes.

The reservoir right-of-way is for 656.67 acres of public land. The pipeline consists of segments of 66, 60, and 54 inch diameter pipe. The pipeline right-of-way is 50 feet wide and 1.25 miles in length and contains 7.6 acres more or less.

The main access road right-of-way is 100 feet wide and 2.5 miles long and contains 30.3 acres more or less.

The main access road temporary construction easement is 200 feet wide and 5 miles long and contains 60.6 acres more or less.

The spillway access road right-of-way is 50 feet wide and .7 mile long and contains 4.4 acres more or less.

The boat ramp parking area right-of-way is 100 feet wide and .2 mile long and contains 2.7 acres more or less.

The right-of-way for the boat ramp is 100 feet wide and .1 mile long and contains 2.7 acres more or less.

The diversion site access road right-of-way is 50 feet wide and .5 mile long and contains 3.1 acres more or less.

Maps showing the location of the above described rights-of-way over the above described public land are attached hereto or to the original grant as Attachments A, B, and C.

Section B

TERMS AND CONDITIONS

1. The right-of-way holder agrees to comply with all the applicable regulations contained in 43 CFR 2800.

2. If the right-of-way holder violates any of the terms and conditions to this grant, the authorized officer, after giving written notice may declare the grant terminated.

3. This grant is subject to all valid rights existing on the effective date of this grant.