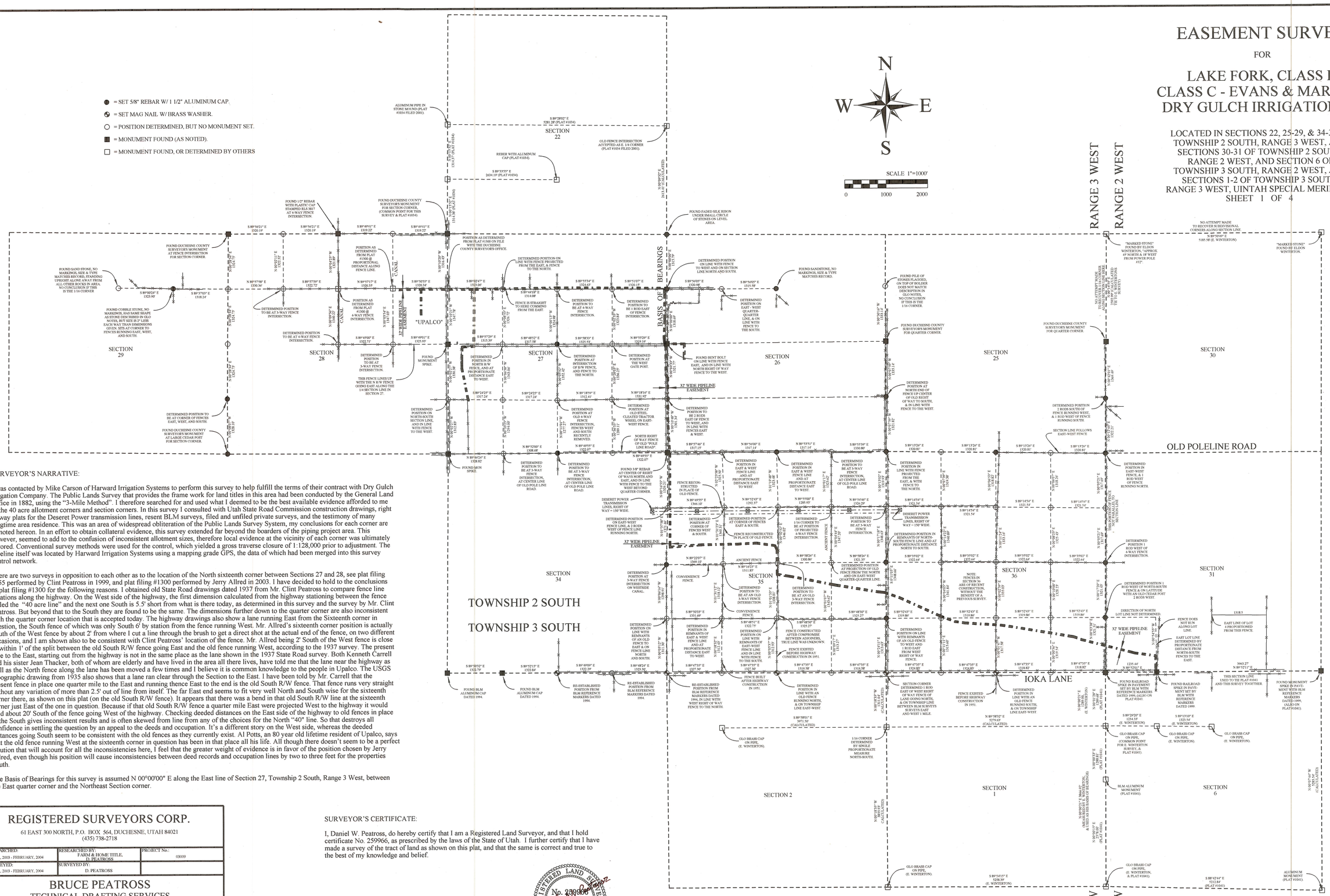
EASEMENT SURVEY

FOR

LAKE FORK, CLASS D, CLASS C - EVANS & MARRETT, DRY GULCH IRRIGATION CO.

LOCATED IN SECTIONS 22, 25-29, & 34-36 OF TOWNSHIP 2 SOUTH, RANGE 3 WEST, AND SECTIONS 30-31 OF TOWNSHIP 2 SOUTH, RANGE 2 WEST, AND SECTION 6 OF TOWNSHIP 3 SOUTH, RANGE 2 WEST, AND SECTIONS 1-2 OF TOWNSHIP 3 SOUTH, RANGE 3 WEST, UINTAH SPECIAL MERIDIAN.

SHEET 1 OF 4



SURVEYOR'S NARRATIVE:

I was contacted by Mike Carson of Harward Irrigation Systems to perform this survey to help fulfill the terms of their contract with Dry Gulch Irrigation Company. The Public Lands Survey that provides the frame work for land titles in this area had been conducted by the General Land Office in 1882, using the "3-Mile Method". I therefore searched for and used what I deemed to be the best available evidence afforded to me of the 40 acre allotment corners and section corners. In this survey I consulted with Utah State Road Commission construction drawings, right of way plats for the Deseret Power transmission lines, resent BLM surveys, filed and unfiled private surveys, and the testimony of many longtime area residence. This was an area of widespread obliteration of the Public Lands Survey System, my conclusions for each corner are as noted hereon. In an effort to obtain collateral evidence, this survey extended far beyond the boarders of the piping project area. This however, seemed to add to the confusion of inconsistent allotment sizes, therefore local evidence at the vicinity of each corner was ultimately favored. Conventional survey methods were used for the control, which yielded a gross traverse closure of 1:128,000 prior to adjustment. The pipeline itself was located by Harward Irrigation Systems using a mapping grade GPS, the data of which had been merged into this survey control network.

There are two surveys in opposition to each other as to the location of the North sixteenth corner between Sections 27 and 28, see plat filing #955 performed by Clint Peatross in 1999, and plat filing #1300 performed by Jerry Allred in 2003. I have decided to hold to the conclusions of plat filing #1300 for the following reasons. I obtained old State Road drawings dated 1937 from Mr. Clint Peatross to compare fence line locations along the highway. On the West side of the highway, the first dimension calculated from the highway stationing between the fence called the "40 acre line" and the next one South is 5.5' short from what is there today, as determined in this survey and the survey by Mr. Clint Peatross. But beyond that to the South they are found to be the same. The dimensions further down to the quarter corner are also inconsistent with the quarter corner location that is accepted today. The highway drawings also show a lane running East from the Sixteenth corner in question, the South fence of which was only South 6' by station from the fence running West. Mr. Allred's sixteenth corner position is actually South of the West fence by about 2' from where I cut a line through the brush to get a direct shot at the actual end of the fence, on two different occasions, and I am shown also to be consistent with Clint Peatross' location of the fence. Mr. Allred being 2' South of the West fence is close to within 1' of the split between the old South R/W fence going East and the old fence running West, according to the 1937 survey. The present lane to the East, starting out from the highway is not in the same place as the lane shown in the 1937 State Road survey. Both Kenneth Carrell and his sister Jean Thacker, both of whom are elderly and have lived in the area all there lives, have told me that the lane near the highway as well as the North fence along the lane has been moved a few times and I believe it is common knowledge to the people in Upalco. The USGS topographic drawing from 1935 also shows that a lane ran clear through the Section to the East. I have been told by Mr. Carrell that the present fence in place one quarter mile to the East and running thence East to the end is the old South R/W fence. That fence runs very straight without any variation of more than 2.5' out of line from itself. The far East end seems to fit very well North and South wise for the sixteenth corner there, as shown on this plat (on the old South R/W fence). It appears that there was a bend in that old South R/W line at the sixteenth corner just East of the one in question. Because if that old South R/W fence a quarter mile East were projected West to the highway it would land about 20' South of the fence going West of the highway. Checking deeded distances on the East side of the highway to old fences in place to the South gives inconsistent results and is often skewed from line from any of the choices for the North "40" line. So that destroys all confidence in settling the question by an appeal to the deeds and occupation. It's a different story on the West side, whereas the deeded distances going South seem to be consistent with the old fences as they currently exist. Al Potts, an 80 year old lifetime resident of Upalco, says that the old fence running West at the sixteenth corner in question has been in that place all his life. All though there doesn't seem to be a perfect solution that will account for all the inconsistencies here, I feel that the greater weight of evidence is in favor of the position chosen by Jerry Allred, even though his position will cause inconsistencies between deed records and occupation lines by two to three feet for the properties South.

The Basis of Bearings for this survey is assumed N 00°00'00" E along the East line of Section 27, Township 2 South, Range 3 West, between the East quarter corner and the Northeast Section corner.

REGISTERED SURVEYORS CORP.
61 EAST 300 NORTH, P.O. BOX 564, DUCHESNE, UTAH 84021
(435) 738-2718

DATE RESEARCHED: APRIL, 2003 - FEBRUARY, 2004	RESEARCHED BY: FARM & HOME TITLE, D. PEATROSS	PROJECT No.: 03009
DATE SURVEYED: APRIL, 2003 - FEBRUARY, 2004	SURVEYED BY: D. PEATROSS	

BRUCE PEATROSS
TECHNICAL DRAFTING SERVICES
P.O. BOX 633, DUCHESNE, UTAH 84021
(435) 738-2089

DATE DRAFTED: APRIL, 2003 - FEBRUARY, 2004	DRAFTED BY: D. PEATROSS, B. PEATROSS	DATE PLOTTED: Wednesday 7/20/5
SHEET: 1 OF: 4	FILE NAME: Upalco Sheet 1	

County Surveyor's File# 1547 1/4

SURVEYOR'S CERTIFICATE:

I, Daniel W. Peatross, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No. 259966, as prescribed by the laws of the State of Utah. I further certify that I have made a survey of the tract of land as shown on this plat, and that the same is correct and true to the best of my knowledge and belief.

REGISTERED LAND SURVEYOR No. 259966 Daniel W. Peatross STATE OF UTAH

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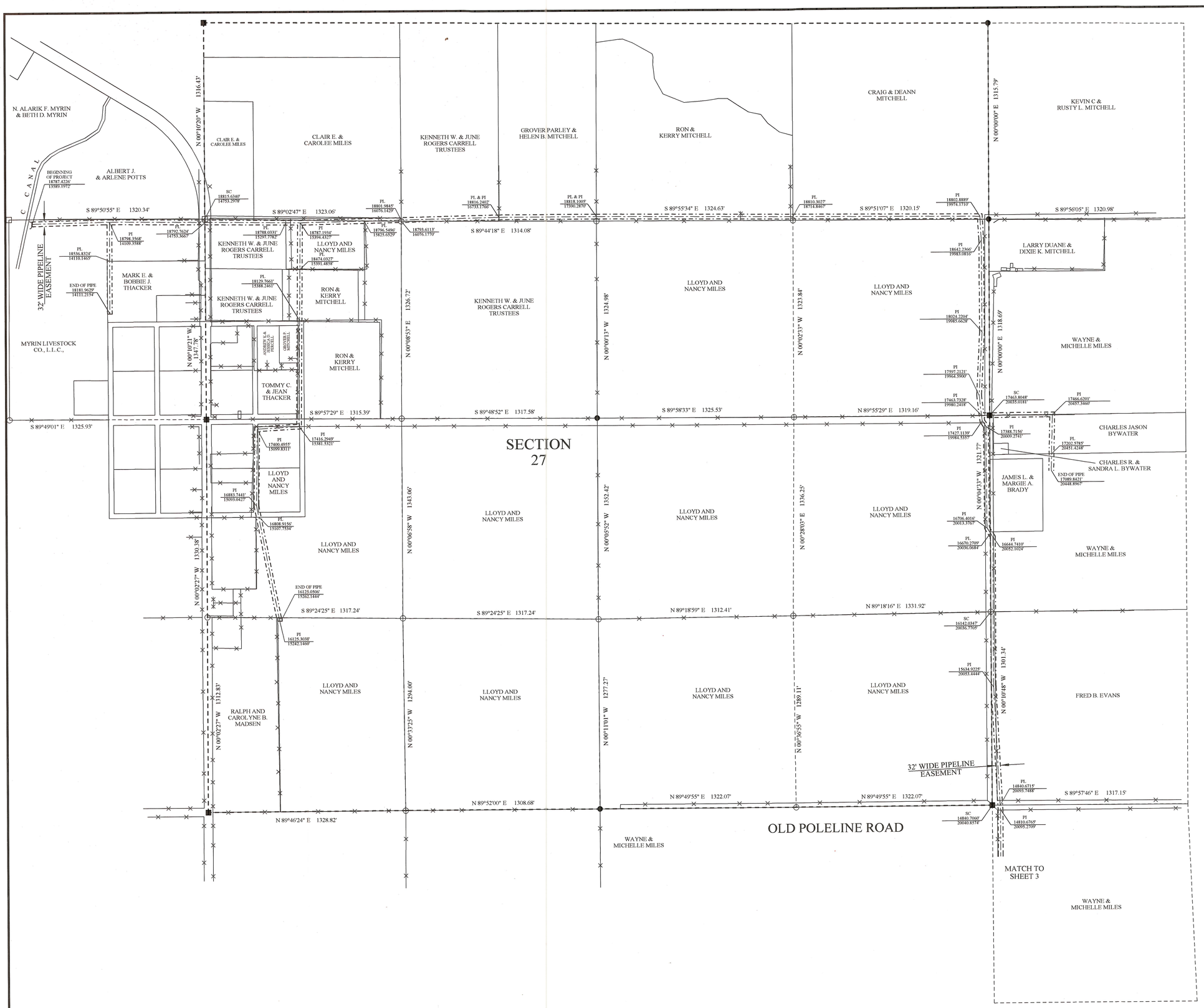
SHEET 2 OF 4



1547 2/4

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SHEET: 2 OF: 4	FILE NAME: Upalco Sheet 2	

EASEMENT SURVEY

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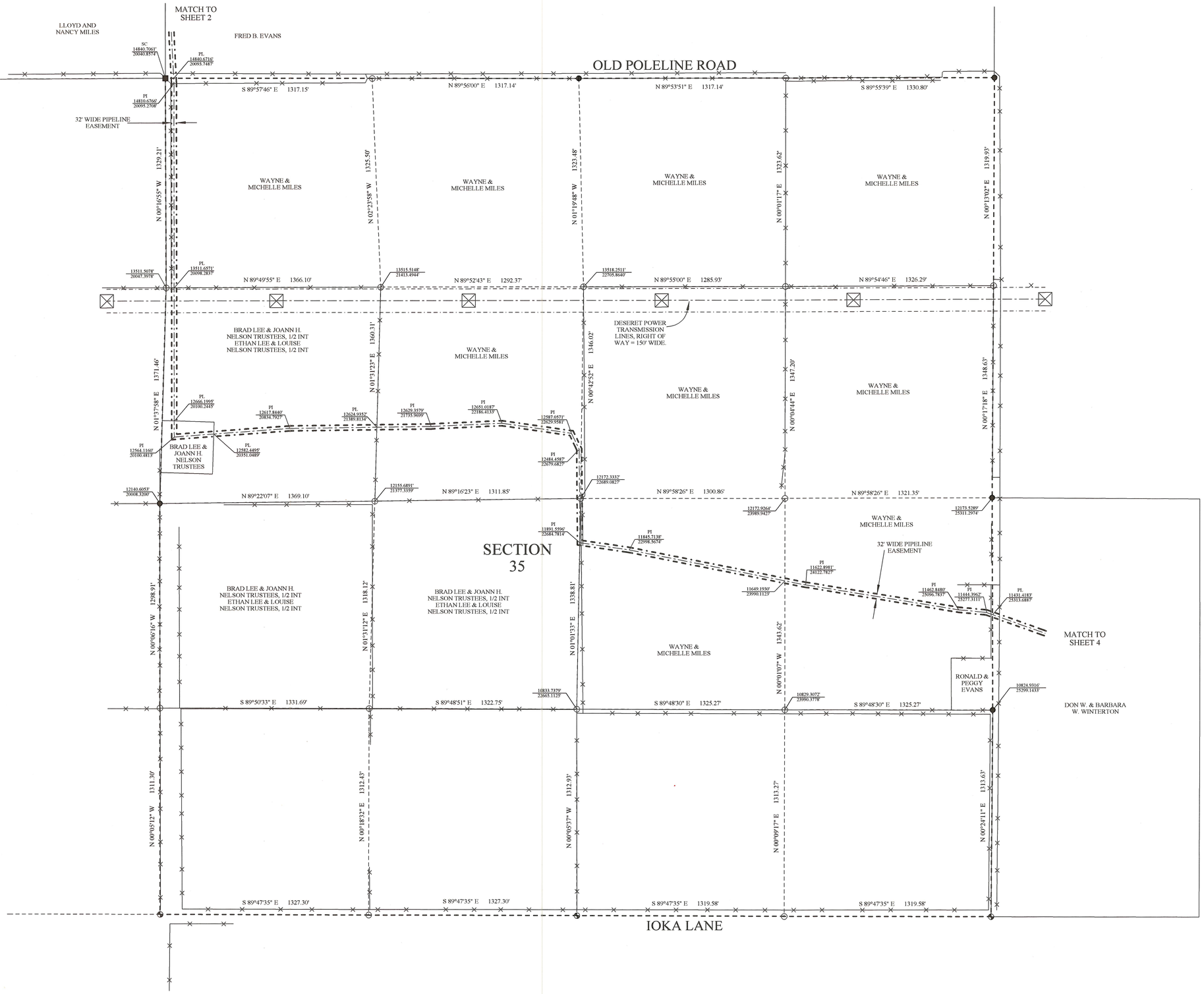
SHEET 3 OF 4



SCALE 1"=300'

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1547 3/4

REGISTERED SURVEYORS CORP.

61 EAST 300 NORTH, P.O. BOX 564, DUCHESNE, UTAH 84021
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BRUCE PEATROSS

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SHEET: 3 OF 4	FILE NAME: Upalco Sheet 3	

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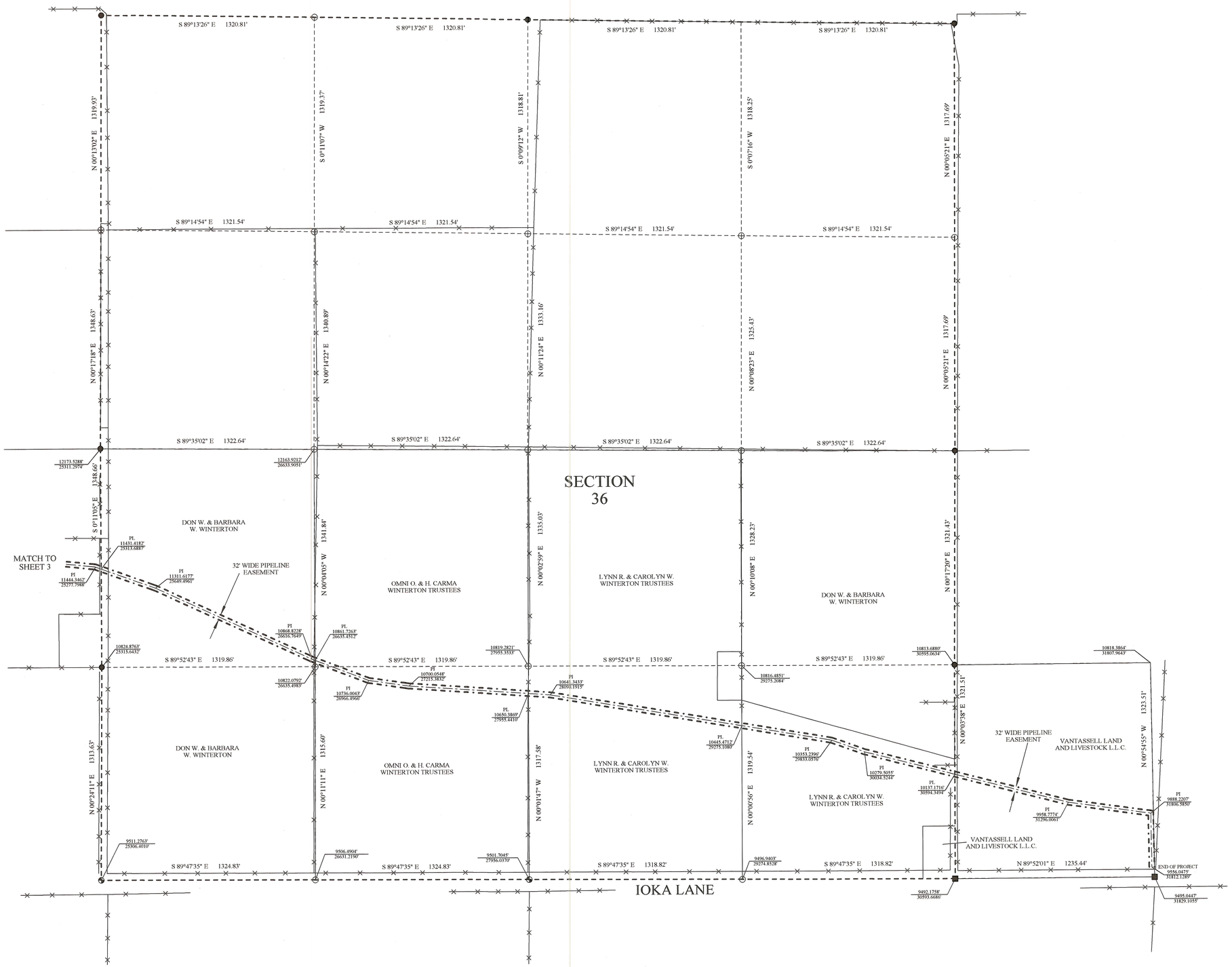
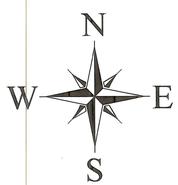
SHEET 4 OF 4





SCALE 1"=300'
0 300 600

REGISTERED LAND SURVEYOR No. 2599 Daniel W. Peatross STATE OF UTAH

1547 4/4

REGISTERED SURVEYORS CORP. 61 EAST 300 NORTH, P.O. BOX 564, DUCHESNE, UTAH 84021 (435) 738-2718		
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SHEET: 4 OF 4	FILE NAME: Upaleo Sheet 4	