



STATE OF UTAH
NATURAL RESOURCES
Water Rights

1636 West North Temple • Suite 220 • Salt Lake City, UT 84116-3156 • 801-533-6071

Norman H. Bangerter, Governor
Dale C. Hanson, Executive Director
Robert L. Morgan, State Engineer

September 26, 1985

Mr. John W. Anderson
Clyde & Pratt
200 American Savings Plaza
77 West Second South
Salt Lake City, Utah 84101

CHANGE-SEE ANSIVE

Dear Mr. Anderson:

Re: Water Filing Nos. 57-7825,
57-2526, 57-7549, & 57-69
Mt. Olivet Cemetery Assoc.

We have received your letter concerning a special warranty deed conveying title to 1/7th of the above-numbered water filings from Mt. Olivet to The Boyer Company. You indicate that this deed (Recorder's Entry No. 4111411) is the second one to transfer a 1/7th interest, thus entitling Boyer to 2/7ths.

We have a discrepancy on our files as we have previously received two special warranty deeds conveying 1/7th interest (Recorder's Entry Nos. 4122871 and 3927294), making your submittal the third deed and entitling Boyer to 3/7ths. We will await further action on your deed until we hear further.

Yours truly,

Marge Tempest

Marge Tempest
Title Section

RECEIVED

EDWARD W. CLYDE, P.C.
ELLIOTT LEE PRATT
RODNEY G. SNOW
STEVEN E. CLYDE
THEODORE BOYER, JR.
EDWIN C. BARNES
GARY L. PAXTON
L. MARK FERRE
NEIL A. KAPLAN*
D. BRENT ROSE
JOHN W. ANDERSON
JAMES L. WARLAUMONT
H. MIFFLIN WILLIAMS III
JEFFREY W. APPEL

CLYDE & PRATT

ATTORNEYS AT LAW
200 AMERICAN SAVINGS PLAZA
77 WEST SECOND SOUTH
SALT LAKE CITY, UTAH 84101

OCT 18 1985

WATER RIGHTS
SALT LAKE

PHONE 322-2516
AREA CODE 801

TELECOPIER:
(801) 322-2516

OF COUNSEL
FRANK J. ALLEN

October 16, 1985

*ADMITTED IN WASHINGTON, D.C.

FILE NO.

Marge Tempest
Title Section
Utah State Engineer
1636 West North Temple
Suite 220
Salt Lake City, Utah 84116-3156

Re: Water Filing Nos. 57-7825, 57-2526, 57-7549, and
57-69, Mt. Olivet Cemetery Association

Dear Marge:

To clarify any confusion there may be with the above referenced water filings, I have enclosed copies of the following for your review:

(a) Special Warranty Deed recorded July 16, 1985, whereby Mt. Olivet Cemetery Association conveyed a 1/7th interest in the above referenced water rights to The Boyer Company.

(b) Special Warranty Deed recorded August 12, 1985, whereby Mt. Olivet Cemetery Association conveyed a 1/7th interest in the above referenced water rights to The Boyer Company.

(c) Special Warranty Deed recorded September 24, 1985, whereby The Boyer Company conveyed a 1/7th interest in the above referenced water rights to Mt. Olivet Cemetery Association.

The deeds referenced in (b) and (c) above simply cancel each other out, leaving The Boyer Company with a 1/7th interest by (a) above.

*processed
already*

CLYDE & PRATT


Marge Tempest
October 16, 1985
Page 2

Through all conveyances made to date, The Boyer Company should show as the record owner of 2/7ths of the Mt. Olivet Cemetery Association Water rights. Mt. Olivet Cemetery Association owns the remaining 5/7ths of the respective rights.

If you have any questions regarding this matter please let me know.

Best regards.

Very truly yours,


John W. Anderson

JWA/bg
Enclosures
cc Dick Moffat
Albert J. Colton

Total in Right 329.16 AF
 Page No. 1 RE: 57-69

T I T L E A B S T R A C T

| DATE | TITLE CHANGE INSTRUMENT | ASSIGNOR/CONVEYOR/OWNERSHIP NAME and ADDRESS | RETAINED AMOUNT | CONVEYED AMOUNT | ASSIGNEE/PURCHASER/NEW OWNERSHIP NAME and ADDRESS | WATER SOURCE | COUNTY | REMARKS |
|--|--|--|-----------------|-----------------|--|--------------|--------|---|
| Instr't Execu'tn (by Orig'r) <u>3-8-83</u> #3927294 Recor'd (by No.) <u>4-11-84</u> Rec'vd (by us) <u>4-25-84</u> Action (by us) <u>3-4-85</u> | Assignment <input type="checkbox"/> Deed: <input type="checkbox"/> Warranty <input checked="" type="checkbox"/> Quit Claim <input type="checkbox"/> | Mt. Olivet Cemetery Assoc. | 6/7 | 1/7 | The Bayer Company 515 So. 7th E. SLC, Utah 84102 | | | Title Changed <u>3-9-85 mt</u> Entered D/B <u>3-4-85 mt</u> |
| Instr't Execu'tn (by Orig'r) <u>3-8-83</u> 8-12-85 Recor'd (by No.) <u>#4122871</u> Rec'vd (by us) <u>8-29-85</u> Action (by us) <u>9-10-85</u> | Assignment <input type="checkbox"/> Deed: <input type="checkbox"/> Warranty <input checked="" type="checkbox"/> Quit Claim <input type="checkbox"/> | " " " " | 5/7 | 1/7 | " " " | | | Now own <u>7/4 ths</u> (<u>94.04 A.F.</u>) Title Changed <u>9-10-88 mt</u> Entered D/B <u>9-11-85 mt</u> |
| Instr't Execu'tn (by Orig'r) <u>3-8-83</u> 7-16-85 Recor'd (by No.) <u>#411411</u> Rec'vd (by us) <u>9-24-85</u> Action (by us) <u>11-4-85</u> | Assignment <input type="checkbox"/> Deed: <input type="checkbox"/> Warranty <input checked="" type="checkbox"/> Quit Claim <input type="checkbox"/> | " " " " | 4/7 | 1/7 | " " " | | | |
| Instr't Execu'tn (by Orig'r) <u>9-23-83</u> Recor'd (by No.) <u>#4141665</u> Rec'vd (by us) <u>10-18-83</u> Action (by us) <u>11-4-85</u> | Assignment <input type="checkbox"/> Deed: <input type="checkbox"/> Warranty <input checked="" type="checkbox"/> Quit Claim <input type="checkbox"/> | The Bayer Company | 2/7 | 1/7 | Mt. Olivet Cemetery Assoc. 1342 E. 500 S. S.L.C., Utah 84102 | | | Done to cancel deed with entry no. 4122871 |

Recorded at Request of _____
at _____, M. Fee Paid \$ _____
by _____ Dep. Book _____ Page _____ Ref.: _____
Mail tax notice to _____ Address _____

RECEIVED

SPECIAL WARRANTY DEED

OCT 18 1985

4111411

[CORPORATE FORM]

WATER RIGHTS
SALT LAKE

MT. OLIVET CEMETERY ASSOCIATION
organized and existing under the laws of the State of Utah, with its principal office at
Salt Lake City, of County of Salt Lake, State of Utah,
grantor, hereby CONVEYS AND WARRANTS against all claiming by, through or under it to

THE BOYER COMPANY
675 E 500 S
SLC 84102
of Salt Lake City, Salt Lake County, Utah grantee
Ten and No/100 for the sum of
the following described ~~xxxxxx~~ water rights in Salt Lake DOLLARS
State of Utah: County,

One-seventh (1/7) of all the waters and water rights,
wells and well rights, springs and spring rights, more
particularly described on Exhibit "A" attached hereto
and by this reference made a part hereof.

*Duplicate to
previously submitted
filed*

Penn Koroligos
Penni Koroligos

John Anderson

JUL 16 4 39 PM 1985

900
SALT LAKE COUNTY, UTAH
RECORDED
INDEXED
KATHLEEN
7742 2005
SLC 84101

The officers who sign 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.
In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed
by its duly authorized officers this 8th day of March, A. D. 19 83

Attest:
Louis C. Burke
Secretary.

Mt. Olivet Cemetery Association
a Utah
By *R.L. Arnold*
President.

[CORPORATE SEAL]

STATE OF UTAH,
County of Salt Lake } ss.

On the 8th day of March, A. D. 1983
personally appeared before me *R.L. Arnold* and *Louis C. Burke*,
who being by me duly sworn did say, each for himself, that he, the said *R.L. Arnold*
is the president, and he, the said *Louis C. Burke* is the secretary
of *Mt. Olivet Cemetery Association*, and that the within and foregoing
instrument was signed in behalf of said corporation by authority of a resolution of its board of
directors and said *R.L. Arnold* and *Louis C. Burke*
each duly acknowledged to me that said corporation executed the same and that the seal affixed
is the seal of said corporation.

Rita Beadle
Notary Public.
My commission expires 11-1-84 My residence is SLC, Utah

BOOK 5671 PAGE 2808

EXHIBIT "A"

1. Statement of Water Users Claim to Diligence Rights No. 2594 (57-7825).

2. Application to Appropriate Water No. 26456 (57-2526); Amendatory Change Application No. ~~a-5313 (57-2526)~~ ^{rejected well}; and Certificate No. 8139 (57-2526).

3. Application to Segregate No. 26456-a (57-7549).

4. Application to Appropriate Water No. 9207 (57-69); Certificate No. 2220 (57-69).

5. Any and all water and water rights that may result from a certain quiet title action entitled Mt. Olivet Cemetery Association, et al v. Salt Lake City, et al, 65 Utah 193, 235 P. 876.

6. Any and all water rights that Mt. Olivet claims or may have a claim for use on the Mt. Olivet Cemetery grounds.

CHANGE SEE ABSTRACT

BOOK 5671 PAGE 2809

Recorded at Request of _____
at _____, M. Fee Paid \$ _____
by _____ Dep. Book _____ Page _____ Ref.: _____

Mail tax notice to The Boyer Company Address 675 East 500 South, #600
Salt Lake City, Utah 84102

SPECIAL WARRANTY DEED

4122871

[CORPORATE FORM]

OCT 18 1985

MT. OLIVET CEMETERY ASSOCIATION
organized and existing under the laws of the State of Utah, with its principal office at
Salt Lake City, of County of Salt Lake, State of Utah,
grantor, hereby CONVEYS AND WARRANTS against all claiming by, through or under it to
THE BOYER COMPANY

WATER RIGHTS
SALT LAKE

of Salt Lake City, Salt Lake County, Utah grantee
Ten and No/100-----DOLLARS
the following described ~~tract of land in~~ water rights in Salt Lake County,
State of Utah:

One-seventh (1/7) of all the waters and water rights,
wells and well rights, springs and spring rights, more
particularly described on Exhibit "A" attached hereto
and by this reference made a part hereof.

Duplicate to processed deed

REC'D OF DEP
R. L. Arnold
RECORDS CLERK
AUG 12 4 32 PM '85
John W. Anderson

SALT LAKE COUNTY,
UTAH

200 Lines. Jennings Plaza 700 S. 200 S. #200 SEC. 4484101

The officers who sign 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.
In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed
by its duly authorized officers this 8th day of March, A. D. 19 83

Attest:
Louis C. Burke
Secretary.

Mt. Olivet Cemetery Association
By R. L. Arnold
President.

[CORPORATE SEAL]

STATE OF UTAH,
County of Salt Lake } ss.

On the 8th day of March, A. D. 1983
personally appeared before me R. L. Arnold and Louis C. Burke
who being by me duly sworn did say, each for himself, that he, the said R. L. Arnold
is the president, and he, the said Louis C. Burke is the secretary
of Mt. Olivet Cemetery Association, and that the within and foregoing
instrument was signed in behalf of said corporation by authority of a resolution of its board of
directors and said R. L. Arnold and Louis C. Burke
each duly acknowledged to me that said corporation executed the same and that the seal affixed
is the seal of said corporation.

BOOK 5689 pg 1996

Rita M. Beadle
Notary Public.
My commission expires 11-1-84 My residence is SLC, Utah

RECEIVED
APR 25 1984

Recorded at Request of _____
at _____, M. Fee Paid \$ _____
by _____ Dep. Book _____ Page _____ Ref.: _____
Mail tax notice to The Boyer Company Address _____ 34102

3927294 SPECIAL WARRANTY DEED

[CORPORATE FORM]

MT. OLIVET CEMETERY ASSOCIATION, a corporation organized and existing under the laws of the State of Utah, with its principal office at Salt Lake City, of County of Salt Lake State of Utah, grantor, hereby CONVEYS AND WARRANTS against all claiming by, through or under it to THE BOYER COMPANY

of Salt Lake City, Salt Lake County, Utah grantee for the sum of Ten and No/100----- DOLLARS the following described ~~xxxx xxofxxxxxx~~ water rights in Salt Lake County, State of Utah:

One-seventh (1/7) of all the waters and water rights, wells and well rights, springs and spring rights, more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

APR 11 1 59 PM '84
REC'D OF [unclear]
SALT LAKE COUNTY, UTAH
ARLIE L. DIXON
RECORDER
SALT LAKE COUNTY, UTAH

The officers who sign 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.
In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 8th day of March, A. D. 19 83

Attest:
Louis C. Burke
Secretary.

Mt. Olivet Cemetery Association
A Utah
By [Signature]
President.

[CORPORATE SEAL]

STATE OF UTAH,
County of Salt Lake

On the 8th day of March, A. D. 1983 personally appeared before me R.L. Arnold and Louis Burke who being by me duly sworn did say, each for himself, that he, the said R.L. Arnold is the president, and he, the said Louis C. Burke is the secretary of Mt. Olivet Cemetery Association, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said R.L. Arnold and Louis C. Burke each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

My commission expires 11-1-84 My residence is Salt Lake City, Utah

MICROFILMED

84101
5546 PAIF 130

After recording return to: John W. Anderson, 77 West 200 South, #200
Recorded at Request of Salt Lake City, Utah 84101

RECEIVED

at M. Fee Paid \$

by Dep. Book Page Ref.:

OCT 18 1985

Mail tax notice to Mt. Olivet Cemetery Association Address 1342 East 500 South Salt Lake City, Utah 84102

WATER RIGHTS SALT LAKE

4141665 WARRANTY DEED

(Special)

THE BOYER COMPANY, a Utah partnership
of Salt Lake City, Salt Lake County, State of Utah
CONVEYS AND WARRANTS against all claiming by, through or under

grantor

hereby

to MT. OLIVET CEMETERY ASSOCIATION

grantee

of 1342 East 500 South, Salt Lake City, Utah 84102

for the sum of

----- TEN AND NO/100 (\$10.00) -----

DOLLARS,

the following described water rights in

Salt Lake

County,

State of Utah:

One-seventh (1/7) of all the waters and water rights, wells and well rights, springs and spring rights, more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

John W. Anderson
EVELYN FROST

SEP 21 4 34 PM '85

SALT LAKE COUNTY, UTAH

BOOK 5693 PAGE 121

WITNESS, the hand of said grantor, this 23rd September, A. D. 1985

Signed in the Presence of

THE BOYER COMPANY, a Utah partnership

BY H. Roger Boyer, General Partner

STATE OF UTAH,

County of Salt Lake

ss.

On the 23rd day of September, A. D. 1985, personally appeared before me H. ROGER BOYER, a General Partner of The Boyer Company, the signer of the within instrument, who duly acknowledged to me that he executed the same, and in behalf of The Boyer Company.

Notary Public. Residing in Salt Lake

My commission expires 4-28-89

1100 01/18/10. MOUNT OLIVET CEMETERY ASSOCIATION

RECEIVED

WHEN RECORDED, MAIL TO:

JUN 28 1988

Sorenson Development
ATTENTION: Craig Larsen
2511 South West Temple

Salt Lake City, UT 84115

WATER RIGHTS
SALT LAKE

SPECIAL WARRANTY DEED

[CORPORATE FORM]

4636380

MOUNT OLIVET CEMETERY ASSOCIATION
organized and existing under the laws of the State of Utah, with its principal office at
Salt Lake City, of County of Salt Lake, State of Utah,
grantor, hereby CONVEYS AND WARRANTS against all claiming by, through or under it to

SORENSEN DEVELOPMENT, INC.

of Salt Lake City, Utah
Ten and 00/100
the following water rights in Salt Lake State of Utah: grantee for the sum of DOLLARS County,

40 acre-feet of water and water rights from those water rights more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof.

JCO

4636380
13 JUNE 88 11:46 AM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SORENSEN DEVELOPMENT
REC BY: REBECCA GRAY, DEPUTY

The officers who sign 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.
In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 7th day of July, A. D. 1987

Attest: _____
Secretary.

By Robert J. Cook
President.

[CORPORATE SEAL]

STATE OF UTAH,
County of Salt Lake

On the 7th day of July, A. D. 1987
personally appeared before me Robert J. Cook and
who being by me duly sworn did say, each for himself, that he, the said Robert J. Cook
is the president, and by the said Robert J. Cook
of Mount Olivet Cemetery Association, and that the within and foregoing
instrument was signed in behalf of said corporation by authority of a resolution of its board of
directors and said Robert J. Cook and
each duly acknowledged to me that said corporation executed the same and that the seal affixed
is the seal of said corporation.

ROSEMARY J. BELESS
NOTARY PUBLIC
My commission expires 5-7-89

Rosemary J. Beless
Notary Public.
My residence is Salt Lake City, Utah

TITLE CHANGE-SEE ABSTRACT

BOOK 0037 PAGE 2522

