

**ADDENDUM NO. 2 TO
WATER RIGHT PURCHASE AND SALE AGREEMENT**

THIS ADDENDUM NO. 2 is an addendum to that Water Right Purchase and Sale Agreement dated November 3, 2021, including Addendum No. 1 dated December 20, 2021 (together the “PSA”) made by and between **CEDAR POINT WATER COMPANY, INC.**, a Utah corporation, having an address of 253 W. 1480 S., Hurricane, Utah 84737 (hereinafter referred to as “**Seller**”); **LITTLE CREEK LAND COMPANY, LLC**, a Utah limited liability company, having an address of 2059 Chettro Trail, St. George, Utah 84770 (hereinafter referred to as “**Developer**”); **BIG PLAINS WATER & SEWER SPECIAL SERVICE DISTRICT**, a Utah special service district, having an address of 1777 Meadowlark Dr., Apple Valley, Utah 84737 (hereinafter referred to as “**Big Plains**”), and **JEPSON CANYON PUBLIC INFRASTRUCTURE DISTRICT NO. 1**, an independent local district, having an address of 912 West 1600 South, Suite B-200, St. George, Utah 84770 (hereinafter referred to as “**Jepson Canyon**”). This Addendum amends and modifies the PSA as follows:

1.00 WATER RIGHTS: The Water Rights that are the subject of the PSA and this Addendum are identified on Exhibit A attached and incorporated herein.

2.00 EFFECTIVE DATE: The effective date hereof shall be the date on which all of the parties hereto have executed this Addendum below (the “**Effective Date**”).

3.00 DEFINITIONS: The meanings of all capitalized words or phrases used herein, where not otherwise defined herein, shall have the meanings set forth in the PSA.

4.00 DEVELOPER’S ACCEPTANCE OF CONNECTIONS FOLLOWING STATE APPROVAL: Developer agrees that notwithstanding anything in the PSA to the contrary, Developer will get credit for the number of residential connections equal to the actual acre feet of water remaining to Big Plains after the State of Utah approves an application to convert the irrigation water to culinary water.

5.00 ALL OTHER PROVISIONS REMAIN IN EFFECT: To the extent the terms of this Addendum modify or conflict with any provisions of the PSA, the terms of this Addendum shall control. All other terms of the PSA which are not modified by this Addendum shall remain the same.

6.00 COUNTERPARTS: This Addendum may be executed in any number of identical counterparts, or with multiple signature pages which, when assembled as a single document or, if not so assembled, when taken together shall be deemed to be fully effective and operative as an original document; provided, however, that in making proof of this Addendum, it shall not be necessary for any Party hereto to produce or account for more than one such counterpart.

[SIGNATURES CONTAINED ON FOLLOWING PAGE.]

IN WITNESS WHEREOF, the undersigned have caused this Addendum No. 2 to be executed as of the dates hereafter set forth by their duly authorized officers.

SELLER:

**CEDAR POINT WATER COMPANY,
INC.**

By: *Jerry Eves*

Jerry Eves, President

Date signed: 04/08/2022

DEVELOPER:

LITTLE CREEK LAND COMPANY, LLC

By: *Henry Isaksen Jr*

Henry Isaksen, Jr., Manager

Date signed: 6/8/22

BIG PLAINS:

**BIG PLAINS WATER AND SEWER
SPECIAL SERVICE DISTRICT**

By: _____

Name: _____

Title: _____

Date signed: _____

JEPSON CANYON:

**JEPSON CANYON PUBLIC
INFRASTRUCTURE DISTRICT #1**

By: *Henry Isaksen Jr*

Henry Isaksen, Jr., District Chair

Date signed: 6/8/22

Attest: *Kent Ohlsen*
Kent Ohlsen, District Clerk

EXHIBIT A

Water Right #	App #	Quantity (acre feet)	Cert #	Priority Date
81-4600	a41142	93 acre feet	12955	08/15/1974
81-3433		7 acre feet	12955	08/15/1974
	TOTAL:	100 acre feet		



SIGNATURE CERTIFICATE



REFERENCE NUMBER
073D7F9B-FB50-4F7A-A07A-4D1873F977B8

TRANSACTION DETAILS	DOCUMENT DETAILS
Reference Number 073D7F9B-FB50-4F7A-A07A-4D1873F977B8	Document Name Jepson Canyon PID Addundum No 2 To Water Right Purchase And Sale Agreement
Transaction Type Signature Request	Filename jcpid1_addundum_no_2_to_water_right_purchase_and_sale_agreement.pdf
Sent At 04/08/2022 16:39 EDT	Pages 3 pages
Executed At 04/09/2022 15:33 EDT	Content Type application/pdf
Identity Method email	File Size 102 KB
Distribution Method email	Original Checksum 5cef62621fba63e0cfcf94833e20186caa94acbca83f1bdb3bfd1ba4dcc389f6
Signed Checksum 743495d57a3bcfafecf6d87dae7e64345985ff221f18a598671b031481b38617	
Signer Sequencing Disabled	
Document Passcode Disabled	

SIGNERS

SIGNER	E-SIGNATURE	EVENTS
Name Kent Ohlsen	Status signed	Viewed At 04/09/2022 15:31 EDT
Email keohlsen@gmail.com	Multi-factor Digital Fingerprint Checksum 954a72821e69a35bae4dc67faebdde4ca94b6b9837697c3e98a2cbf855718959	Identity Authenticated At 04/09/2022 15:33 EDT
Components 1	IP Address 71.195.237.48	Signed At 04/09/2022 15:33 EDT
	Device Chrome via Windows	
	Drawn Signature 	
	Signature Reference ID D6727A32	
	Signature Biometric Count 417	
Name Jerry Eves	Status signed	Viewed At 04/08/2022 17:03 EDT
Email jerryeves@gmail.com	Multi-factor Digital Fingerprint Checksum ed0a417fff6965d90f1ba0049e3f7163f84f38b38090386a57b99c1d4d845444	Identity Authenticated At 04/08/2022 17:04 EDT
Components 2	IP Address 174.247.150.97	Signed At 04/08/2022 17:04 EDT
	Device Mobile Safari via iOS	
	Typed Signature 	
	Signature Reference ID D4B206C6	

AUDITS

TIMESTAMP	AUDIT
04/08/2022 16:39 EDT	Natasha Asmus (nasmus@snowjensen.com) created document 'jcpid1_addundum_no_2_to_water_right_purchase_and_sale_agreement.pdf' on Chrome via Windows from 208.117.120.90.
04/08/2022 16:39 EDT	Jerry Eves (jerryeves@gmail.com) was emailed a link to sign.
04/08/2022 16:39 EDT	Kent Ohlsen (keohlsen@gmail.com) was emailed a link to sign.
04/08/2022 16:39 EDT	Natasha Asmus (nasmus@snowjensen.com) shared document 'jcpid1_addundum_no_2_to_water_right_purchase_and_sale_agreement.pdf' on Chrome via Windows from 208.117.120.90.
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