

1 alleviate current water shortages in the Santa Clara System.

2 1.5 The Parties intend to provide instream flow water from the Gunlock Reservoir to the
3 lower Santa Clara River for the benefit of the Virgin Spinedace.

4 1.6 To remove causes of present and future controversy over the waters of the Santa
5 Clara System without further litigation, the Parties hereto have conducted extensive negotiations
6 regarding the settlement of the water rights claims of the Shivwits Band of the Paiute Indian Tribe
7 of Utah and the United States of America for the benefit of the Shivwits Band of the Paiute Indian
8 Tribe of Utah.

9
10 **AGREEMENT**

11 NOW, THEREFORE, the Parties agree as follows:

12 2.0 Parties.

13 2.1 Bloomington Canal Company ("Bloomington") is a Utah nonprofit corporation, and
14 is a member of the Board of Trustees of Lower Gunlock.

15 2.2 Edward Bowler is an individual who owns shares in the Gunlock Irrigation
16 Company.

17 2.3 Ivins Irrigation Company ("Ivins Irrigation") is a Utah nonprofit corporation, which
18 currently has approximately 3% of its shares owned by WCWCD.

19 2.4 Lower Gunlock Reservoir Corporation ("Lower Gunlock") is a Utah nonprofit
20 corporation, the storage rights of which are part of the Santa Clara Project Water Right pursuant
21 to subsection 4.2, which is responsible for the operation and maintenance of Gunlock Reservoir
22 including the Conservation Pool, and has as members of its Board of Trustees representatives
23 appointed by Bloomington, New Santa Clara, St. George Clara, St. George, and Southgate.

24 2.5 New Santa Clara Field Canal Company ("New Santa Clara") is a Utah nonprofit
25 corporation and is a member of the Board of Trustees of Lower Gunlock.

26 2.6 Shivwits Band of the Paiute Indian Tribe of Utah ("Shivwits Band") is one of five
27 constituent bands of the Paiute Indian Tribe of Utah.