purposes and the right to build structures for water-related recreational purposes on Shivwits Band land and on a three (3) acre tract of off-Reservation land located on the west half of the shoreline as shown on **Exhibit D** (the "Subject Property"). Upon request by the Shivwits Band, Ivins Irrigation and/or WCWCD or the successor operator of the Santa Clara Project (whichever entity then owns the Subject Property) shall grant and approve a permanent easement allowing the Shivwits Band to erect water-related recreational structures on the Subject Property free of charge (the "Recreational Easement"). Any recreational structure constructed by the Shivwits Band on the Recreational Easement shall comply with the Ivins Reservoir Recreation Plan and be available to the public without charge. Upon conveyance of the Recreational Easement to the Shivwits Band, the annual $300.00 payment for the Ivins Reservoir Easement shall terminate.

6.5 Construction Advisory Committee.

6.5.1 A Construction Advisory Committee ("Committee") shall be established by St. George, the Shivwits Band, New Santa Clara, St. George Clara, and Ivins Irrigation, and shall be comprised of one representative from each of these parties. Actions of the Committee shall be decided by a majority vote.

6.5.2 The WCWCD shall inform the Committee regularly of the progress in the following Santa Clara Project activities: (a) developing the design and cost estimates; (b) financing; (c) permitting and environmental compliance; (d) the bid process; and (e) construction.

6.5.3 The Committee shall, as necessary or appropriate, provide oversight of and make recommendations about, the Santa Clara Project construction activities in order to maintain the viability of the Santa Clara Project construction and to assure consistency with the terms of this Agreement.

6.6 WCWCD shall own the Santa Clara Project for the benefit of and use by New Santa Clara, St. George Clara, the Shivwits Band, and Ivins Irrigation in accordance with the terms of this Agreement. The beneficial interest in the Santa Clara Project by New Santa Clara, St. George Clara, the Shivwits Band, and Ivins Irrigation shall be based on the proportionate share of the water right each of these four parties has in the Santa Clara Project as set forth in Subsection 8.3.