

**RIGHT-OF-WAY AND IRRIGATION PIPELINE EASEMENT**

Elwin Webb Phillips and James Reed Phillips, both of Sheridan County, Wyoming, hereinafter referred to as "GRANTORS", for and in consideration of good and valuable consideration, receipt of which is acknowledged, and subject to the terms and conditions set forth below, convey and warrant to the Meade Creek Ditch Irrigation District, a political subdivision of the State of Wyoming, hereinafter referred to as "GRANTEE", a 30'-wide right-of-way and irrigation pipeline easement upon, across and under certain real property located in the S½ of the NW¼, Section 8, T53N, R83W, 6<sup>th</sup> P.M., Sheridan County, Wyoming, described more particularly in Exhibit A and shown in Exhibit B.

Said easement is for GRANTEE, its employees, agents, contractors and assigns for entry upon and use of the premises described and shown on the exhibits for the purposes of surveying, designing, constructing, installing, inspecting, operating, maintaining, repairing, and replacing a water pipeline and related ancillary facilities, including an inlet structure, an outlet structure, and other related appurtenances as may be necessary for the proper operation of said water pipeline. This includes the right to operate machinery upon this property for these purposes. This easement includes the right of ingress and egress upon and across real property of GRANTORS at reasonable places and routes for aforesaid purposes.

This deed of easement shall be binding upon GRANTORS' heirs and assigns and shall be perpetual so long as the easement is used for the purposes above recited. The use of this easement is not intended for other purposes.

GRANTEE agrees to repair trench settlement, re-establish grass growth, repair fences and ditches crossed, maintain drainage, and repair any buried pipes, electrical wires or other improvements owned by the GRANTORS that may be damaged by GRANTEE during the construction and operation of this water pipeline.

GRANTORS shall be held harmless from any legal actions or claims of any form that involve the easement conveyed by GRANTORS to GRANTEE, unless they are the result of the GRANTORS' sole negligence. Notwithstanding the above, GRANTEE does not waive any rights they may claim with respect to the Wyoming Governmental Claims Act.

Permanent improvements that would hinder future access to the water pipeline cannot be constructed over the easement, but otherwise land use may be similar to current use.

This right-of-way and irrigation pipeline easement supercedes that certain Water Pipeline Easement executed by GRANTORS in favor of GRANTEE on February 8, 2007, as recorded on February 8, 2007 in Book 481, Page 0680 and 0681 in the office of the Sheridan County Clerk.

DATED THIS 27 day of October, 2008.

STATE OF WYOMING )

) SS

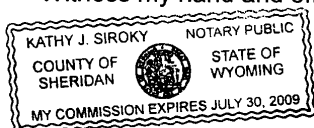
COUNTY OF SHERIDAN )

James and Phillips  
Elwin Webb Phillips  
& Charles R Hart, attorney  
in fact

The foregoing instrument was acknowledged before me by James  
Reed Phillips

this 27<sup>th</sup> day of October, 2007.

Witness my hand and official seal.



Kathy J. Sirotek  
Notary Public

My Commission Expires: July 30, 2009

STATE OF WYOMING )

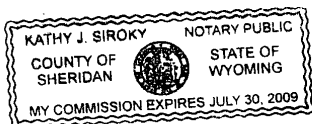
) SS

COUNTY OF SHERIDAN )

The foregoing instrument was acknowledged before me by Charles R Hart, Attorney -  
in fact for Elwin Webb Phillips

this 27<sup>th</sup> day of October, 2007.

Witness my hand and official seal.



Kathy J. Sirotek  
Notary Public

My Commission Expires: July 30, 2009

**EXHIBIT "A"**

**Record Owners: Elwin Webb Phillips & James Reed Phillips**  
**September 5, 2008**

**RE: 30.0' Wide Right-Of-Way & Irrigation Pipeline Easement**

A right-of-way and irrigation pipeline easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in S½NW¼ of Section 8, Township 53 North, Range 83 West, 6th Principal Meridian, Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the west quarter corner of said Section 8 (Monumented with a 3¼" Aluminum Cap per PLS 2615); thence N72°53'23"E, 954.54 feet to the **POINT OF BEGINNING** of said easement, said point lying on the centerline of the Meade Creek Ditch (AKA Meade-Coffeen Ditch); thence S54°53'02"E, 68.58 feet to a point; thence N38°03'01"E, 690.16 feet to a point; thence N43°20'09"W, 95.00 feet to a point; thence N02°41'56"W, 37.34 feet to the **POINT OF TERMINUS** of said easement, said point lying on said centerline of the Meade Creek Ditch (AKA Meade-Coffeen Ditch) and being N56°06'34"E, 1598.37 feet from said west quarter corner of Section 8.

Said easement contains 26,774 square feet of land, more or less.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

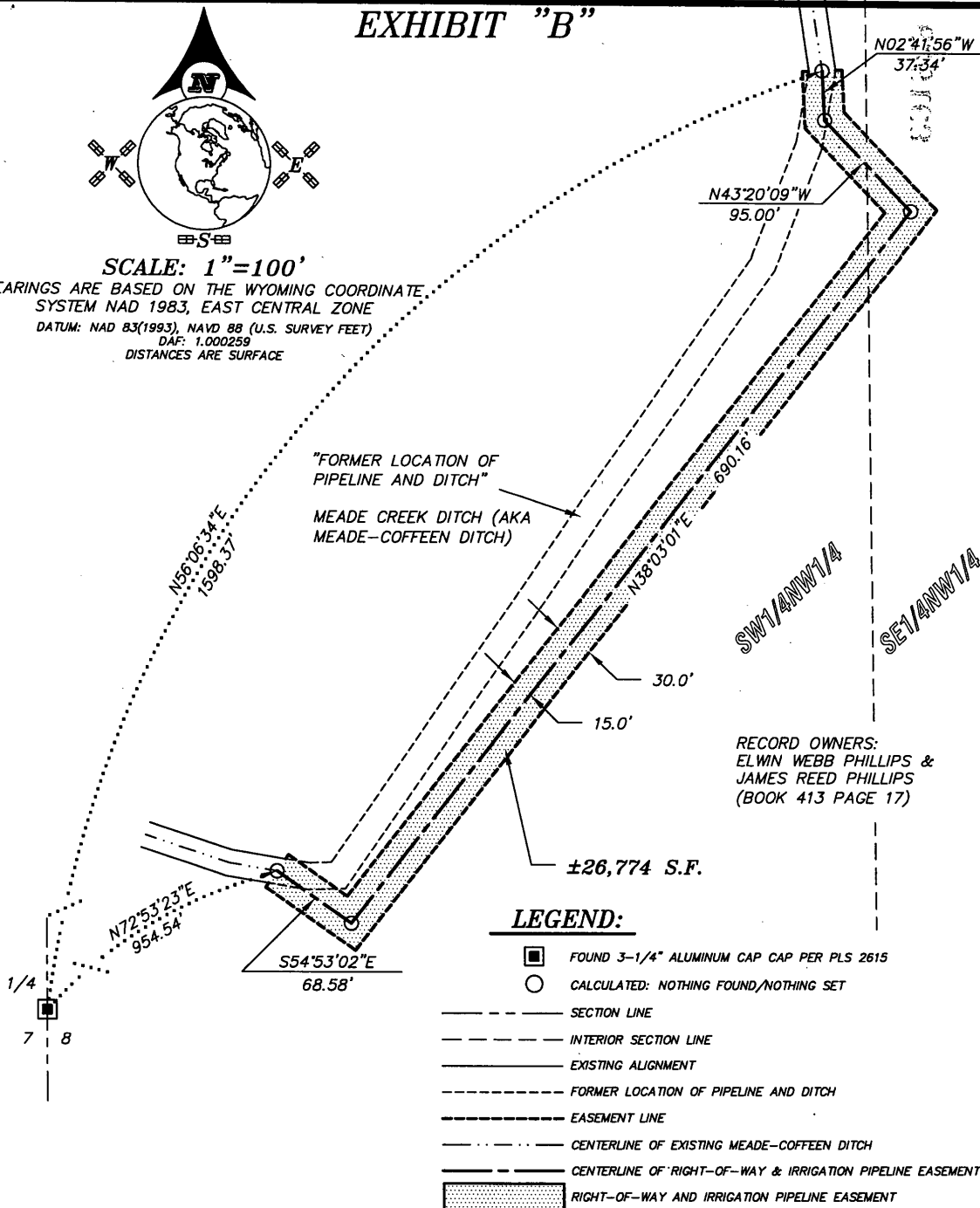
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## EXHIBIT "B"



SCALE: 1"=100'

BEARINGS ARE BASED ON THE WYOMING COORDINATE  
SYSTEM NAD 1983, EAST CENTRAL ZONE  
DATUM: NAD 83(1993), NAVD 88 (U.S. SURVEY FEET)  
DAF: 1.000259  
DISTANCES ARE SURFACE



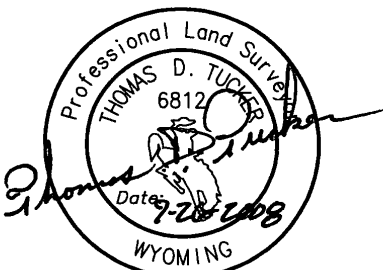
## LEGEND:

- FOUND 3-1/4" ALUMINUM CAP CAP PER PLS 2615
- CALCULATED: NOTHING FOUND/NOTHING SET
- SECTION LINE
- INTERIOR SECTION LINE
- EXISTING ALIGNMENT
- FORMER LOCATION OF PIPELINE AND DITCH
- EASEMENT LINE
- CENTERLINE OF EXISTING MEADE-COFFEEN DITCH
- CENTERLINE OF RIGHT-OF-WAY & IRRIGATION PIPELINE EASEMENT
- RIGHT-OF-WAY AND IRRIGATION PIPELINE EASEMENT

## SURVEYOR'S CERTIFICATE

STATE OF WYOMING :SS  
COUNTY OF SHERIDAN

I, THOMAS D. TUCKER, A DULY REGISTERED LAND SURVEYOR  
IN THE STATE OF WYOMING, DO HEREBY STATE THAT THIS  
PLAT REPRESENTS THE RESULTS OF A SURVEY MADE BY ME  
OR UNDER MY DIRECT SUPERVISION.



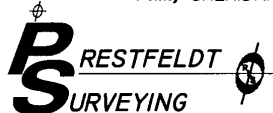
"PLAT IS VALID ONLY IF PRINT HAS  
ORIGINAL SIGNATURE OF SURVEYOR SIGNED AND DATED"

## EXHIBIT "B"

30.0' WIDE IRRIGATION PIPELINE  
EASEMENT

CLIENT: ENTECH INC.

LOCATION: S1/2NW1/4, SECTION 8, T53N, R83W, 6TH  
P.M., SHERIDAN COUNTY, WYOMING.



PO BOX 3082  
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307-672-7415  
FAX 674-5000

JN: 28091  
DN: 2008091E1  
PF: T2005129  
SEPTEMBER 26, 2008