

IRRIGATION AGREEMENT

THIS AGREEMENT made and entered into this 30<sup>th</sup> day of December, 1994, by and between Kip Michael Bethurem and Shirley Bethurem, husband and wife, of Sheridan County, State of Wyoming, and Arnold Fay Bethurem and Williscene Lou Bethurem, husband and wife, of Sheridan County, and State of Wyoming.

W I T N E S S E T H, that:

WHEREAS, Kip Michael Bethurem and Shirley Bethurem, husband and wife, are the owners of the following described real property, to which reference may be made herein as Parcel A, situate in the County of Sheridan, State of Wyoming, to-wit:

A tract of land situated in the E $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 7 and the W $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 8, Township 55 North, Range 83 West, 6th P.M., Sheridan County, Wyoming; said tract more particularly described as follows:

Commencing at the east quarter corner of said Section 7; thence S75°18'50"W, 833.45 feet to the POINT OF BEGINNING of the herein described tract, said point lying on the easterly right of way line of U.S. Highway No. 14; thence N82°12'18"E, 391.25 feet along the south line of a tract of land described in Book 363 of Deeds, Page 551 to a point; thence S16°23'00"E, 1142.00 feet to a point; thence N77°12'55"E, 356.07 feet to a point; thence N07°20'46"E, 240.81 feet to a point; thence N63°47'13"E, 186.24 feet to a point, said point lying on the west line of said tract described in Book 363 of Deeds, Page 551; thence S12°28'00"E, 346.54 feet along said west line of a tract described in Book 363 of Deeds, Page 551 to a point; thence S73°16'42"E, 260.49 feet along said west line of a tract described in Book 363 of Deeds, Page 551 to a point; thence S19°03'06"W, 34.89 feet along said west line of a tract described in Book 363 of Deeds, Page 551 to a point; thence S81°19'05"E, 143.05 feet along said west line of a tract described in Book 363 of Deeds, Page 551 to a point, said point lying on the north line of a tract of land described in Book 22 of Deeds, Page 537; thence S87°10'08"W, 45.75 feet along said north line of a tract described in Book 22 of Deeds, Page 537 to a point, said point lying on the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence S89°48'43"W, 28.22 feet along said north line of a tract described in Book 22 of Deeds, Page 537 and said south line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  to a point; thence Due South, 162.50 feet along said north line of a tract described in Book 22 of Deeds, Page 537 to a point; thence S87°00'54"W, 819.73 feet along said north line of a tract described in Book 22 of Deeds, Page 537 to a point, said point lying on the west line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 8, and being S00°23'27"E, 202.50 feet from the northwest corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence S00°23'27"E, 91.44 feet along said west line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  and the west line of said tract of land described in Book 22 of Deeds, Page 537 to a point, said point lying on the easterly right of way line of U.S. Highway No. 14; thence N39°23'56"W, 682.54 feet along said easterly right of way line to a point; thence through a curve to the right, having a radius of

1587.02 feet, a central angle of 24°14'21", an arc length of 671.39 feet, a chord bearing of N27°17'12"W, and a chord length of 666.40 feet along said easterly right of way line to a point; thence N15°09'42"W, 300.32 feet along said easterly right of way line to the POINT OF BEGINNING.

WHEREAS, Arnold Fay Bethurem and Williscene Lou Bethurem, husband and wife, are the owners of the following described real property, to which reference may be made herein as Parcel B, situate in the County of Sheridan, State of Wyoming, to-wit:

A tract of land situated in the NE¼SE¼ of Section 7 and the NW¼SW¼ of Section 8, Township 55 North, Range 83 West, 6th P.M., Sheridan County, Wyoming; said tract more particularly described as follows:

Commencing at the east quarter corner of said Section 7; thence S00°23'27"E, 100.84 feet to the POINT OF BEGINNING of the herein described tract, said point lying on the east line of said NE¼SE¼; thence S82°12'18"W, 423.18 feet along the south line of a tract of land described in Book 363 of Deeds, Page 551 to a point; thence S16°23'00"E, 1142.00 feet to a point; thence N77°12'55"E, 356.07 feet to a point; thence N07°20'46"E, 240.81 feet to a point; thence N63°47'13"E, 186.24 feet to a point, said point lying on the west line of said tract described in Book 363 of Deeds, Page 551; thence N01°32'26"E, 229.55 feet along said west line of a tract described in Book 363 of Deeds, Page 551 to a point; thence N03°36'24"W, 216.85 feet along said west line of a tract described in Book 363 of Deeds, Page 551 to a point; thence N21°40'32"E, 168.55 feet along said west line of a tract described in Book 363 of Deeds, Page 551 to a point; thence N51°21'02"E, 200.41 feet along said west line of a tract described in Book 363 of Deeds, Page 551 to a point, said point lying on the south line of a tract of land described in Book 350 of Deeds, Page 255; thence N87°47'25"W, 659.76 feet along said south line of a tract described in Book 350 of Deeds, Page 255 to the POINT OF BEGINNING; and

WHEREAS, Kip Michael Bethurem and Shirley Bethurem, husband and wife, desire permission to have access to lands owned by Arnold Fay Bethurem and Williscene Lou Bethurem, husband and wife, as described above, and

WHEREAS, Kip Michael Bethurem and Shirley Bethurem, husband and wife, desire permission to maintain, repair, alter and operate various irrigation pumps, equipment and devices for lands owned by themselves as described above, which pumps, equipment and devices are located upon the following described property, to which reference may be made herein as Parcel C:

Property twenty (20) feet wide lying (10) feet each side of the following described centerline situated in the E¼SE¼ of Section 7 and the W¼SW¼ of Section 8, Township 55 North, Range 83 West, 6th P.M., Sheridan County, Wyoming; said centerline being more particularly described as follows:

Commencing at the east quarter corner of said Section 7; thence S13°53'50"W, 1272.53 feet to the POINT OF BEGINNING of

the herein described easement, said point lying on the easterly right of way line of U.S. Highway No. 14; thence N22°58'10"E, 28.25 feet along said centerline to a point; thence S38°27'23"E, 319.55 feet along said centerline to a point; thence S78°59'15"E, 65.29 feet along said centerline to a point; thence N78°57'59"E, 83.20 feet along said centerline to a point; thence S87°42'11"E, 56.18 feet along said centerline to a point; thence N73°45'54"E, 52.06 feet along said centerline to a point; thence N50°44'41"E, 56.15 feet along said centerline to a point; thence N36°04'12"E, 48.55 feet along said centerline to a point; thence N18°15'14"E, 325.87 feet along said centerline to a point; thence N09°43'48"E, 163.09 feet along said centerline to the POINT OF TERMINUS, said point being S21°42'02"E, 967.32 feet from said east quarter corner of Section 7.

Basis of Bearings is Wyoming State Plane (East Central Zone).

WHEREAS, the above-described Parcel C extends into Parcel B, as well as Parcel A, as described above;

NOW THEREFORE, in consideration of the above and foregoing, and in further consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid to Arnold Fay Bethurem and Williscene Lou Bethurem, husband and wife, the receipt and sufficiency whereof is hereby acknowledged, Arnold Fay Bethurem and Williscene Lou Bethurem, husband and wife, do hereby agree that Kip Michael Bethurem and Shirley Bethurem, husband and wife, may have access to any part of Parcel C which is located upon Parcel B and may maintain irrigation devices and equipment upon and within any part Parcel C that lies upon Parcel B.

This right of access is granted to enable Kip Michael Bethurem and Shirley Bethurem, husband and wife, to have access to the irrigation pump, equipment and devices as described above.


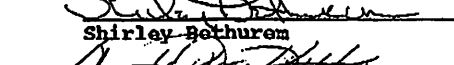

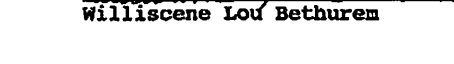
The parties agree as follows:

1. Arnold Fay Bethurem and Williscene Lou Bethurem, husband and wife reserve the right to use said access property at all times; and,

2. Kip Michael Bethurem and Shirley Bethurem, husband and wife, shall hold Arnold Fay Bethurem and Williscene Lou Bethurem, husband and wife harmless from any and all liability for injury, death or property damage sustained by Kip Michael Bethurem and Shirley Bethurem, husband and wife, or their employees or invitees on the property; and,

3. This agreement shall terminate upon conveyance of either of the above-described parcels to anyone not a party to this agreement.


IN WITNESS WHEREOF, the undersigned have hereto set their hands and seals this 30<sup>th</sup> day of December, 1994.

  
Kip Michael Bethurem  
  
Shirley Bethurem  
  
Arnold Pay Bethurem  
  
Williscene Lou Bethurem

STATE OF WYOMING    1  
                          : SS  
COUNTY OF Sheridan 1

The foregoing instrument was acknowledged before me the 30 day of December, 1994, by KIP MICHAEL BETHUREM and SHIRLEY BETHUREM.

C. W. BABCOCK  
County of  
Sheridan  
State of  
Wyoming  
My commission expires June 14, 1997

  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

STATE OF WYOMING    1  
                          : SS  
COUNTY OF SHERIDAN 1

The foregoing instrument was acknowledged before me the day of 30 Dec, 1994, by ARNOLD PAY BETHUREM and WILLISCENE LOU BETHUREM.

C. W. BABCOCK  
County of  
Sheridan  
State of  
Wyoming  
My commission expires June 14, 1997

  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_