

## RIGHT-OF-WAY EASEMENT

The undersigned Grantor (and each of them if more than one) for value received, hereby grants, bargains and conveys unto Spring Draw Irrigation District, an irrigation district organized under the laws of the State of Wyoming, Grantee, its successors, assigns, lessees, licensees, and agents, a permanent, perpetual, exclusive right-of-way easement and the right to construct, operate, maintain, repair and remove a pipeline to pipe water from time to time, as the Grantee may require, upon, over, under and across the following-described lands situate in Sheridan County, Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Wyoming:

**See Exhibit "A", attached hereto and made a part hereof.**

Together with the right of ingress and egress over the above-described property.

Grantor reserves the right to occupy, use and cultivate said property for all purposes not inconsistent with the rights herein granted.

The Grantee shall have the right to excavate and refill ditches and trenches for the location of such water pipelines, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of such pipelines.

This grant of easement shall run with the land and shall be binding on and shall inure to the benefit of the parties to this agreement, their respective heirs, beneficiaries, successors, personal representatives or assigns.

Any modification of this agreement or additional obligation assumed by either party in connection with this agreement shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.

This agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Wyoming.

DATED this 5<sup>th</sup> day of Nov., 1997.

GRANTOR:

Brian A. MacCarty  
Brian A. MacCarty

Lucinda L. MacCarty  
Lucinda L. MacCarty

STATE OF Wyoming )  
COUNTY OF Sheridan ) ss.

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of November, 1997, by **Brian A. MacCarty and Lucinda L. MacCarty**, Grantor.

Witness my hand and official seal.

Doreen Madge  
Notary Public

My commission expires: 10-7-2000

## LEGAL DESCRIPTION

A strip of land ten feet in width located in the  $S\frac{1}{2}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}$  and  $SE\frac{1}{4}NE\frac{1}{4}$  of Section 28, T55N, R84W of the 6th P.M., Sheridan County, Wyoming, being five feet on each side of a centerline being more particularly described as follows:

BEGINNING at a point being  $N0^{\circ}21'22''W$ , 30.81 feet from the  $W\frac{1}{4}$  Corner of said Sec.28; Thence along a line  $S89^{\circ}15'56''E$ , 35.21 feet and  $S89^{\circ}15'56''E$ , 2659.43 feet to a point of terminus.

ALSO INCLUDING a thirty foot Construction Easement which runs parallel to and South of the aforementioned ten foot Permanent Easement.

ALSO BEGINNING at a point that is  $N0^{\circ}21'22''W$ , 30.81 feet and  $S89^{\circ}15'56''E$ , 35.21 feet from the said  $W\frac{1}{4}$  Corner;

Thence  $N2^{\circ}35'50''W$ , 184.59 feet to a point;

Thence  $N0^{\circ}03'57''E$ , 281.95 feet to a point;

Thence  $N4^{\circ}00'54''W$ , 433.97 feet to a point;

Thence  $N0^{\circ}16'53''E$ , 424.49 feet to a point of terminus.

ALSO INCLUDING a thirty foot Construction Easement which runs parallel to and East of the aforementioned ten foot Permanent Easement.

ALSO BEGINNING at a point that is  $N0^{\circ}21'22''W$ , 30.81 feet and  $S89^{\circ}15'56''E$ , 35.21 feet from the said  $W\frac{1}{4}$  Corner;

Thence  $S2^{\circ}35'50''E$ , 243.56 feet to a point of terminus.

ALSO INCLUDING a thirty foot Construction Easement which runs parallel to and East of the aforementioned ten foot Permanent Easement.

ALSO BEGINNING at a point being  $S87^{\circ}31'45''W$ , 773.37 feet from the  $E\frac{1}{4}$  Corner of said Section 28;

Thence along a line  $N47^{\circ}44'42''E$ , 260.33 feet to a point;

Thence  $N40^{\circ}21'06''E$ , 54.41 feet to a point;

Thence  $N51^{\circ}09'02''E$ , 125.64 feet to a point;

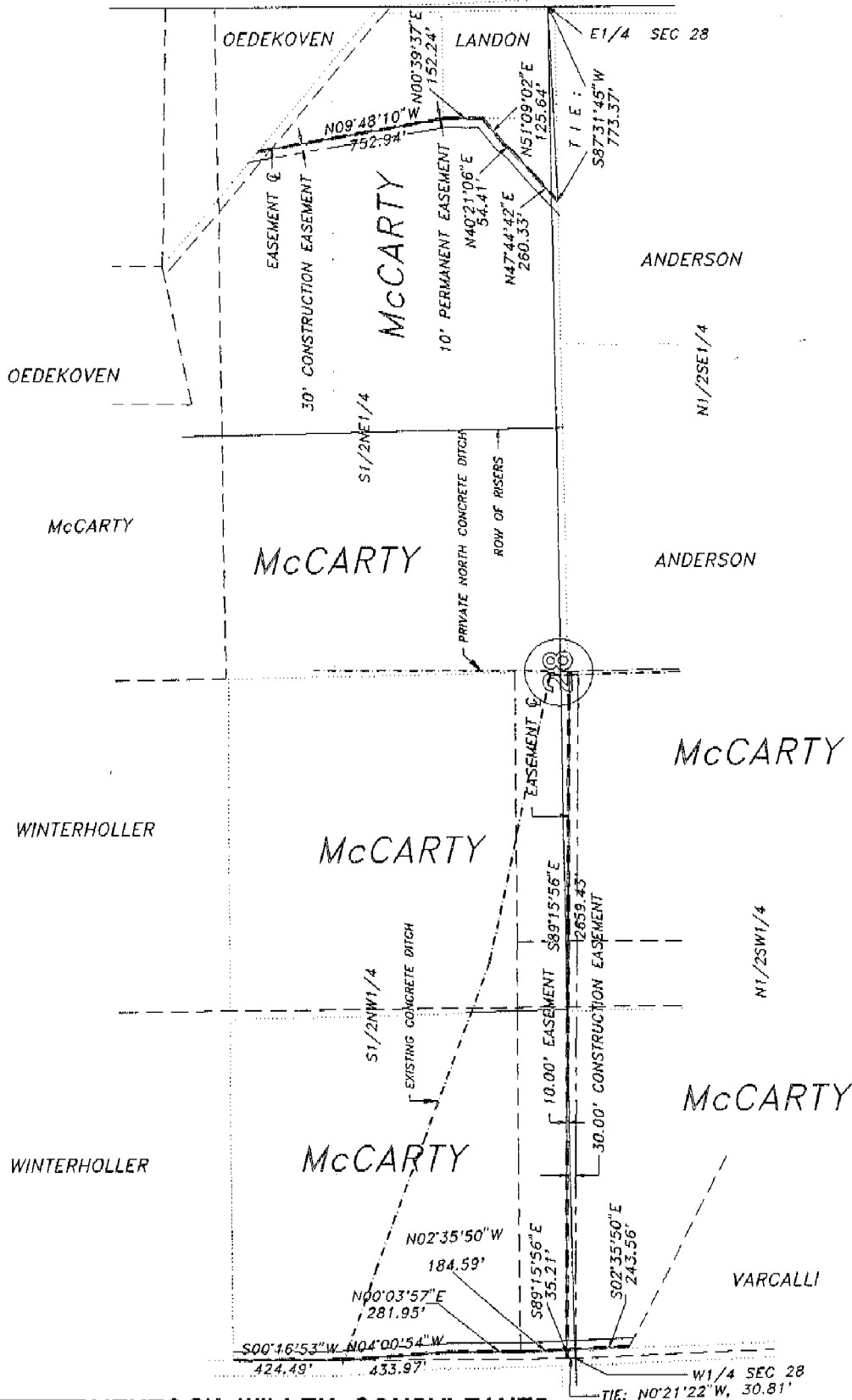
Thence  $N0^{\circ}39'37''E$ , 152.24 feet to a point;

Thence  $N9^{\circ}48'10''W$ , 752.94 feet to a point of terminus.

ALSO INCLUDING a thirty foot Construction Easement which runs parallel to and West of the aforementioned ten foot Permanent Easement.

# EXHIBIT

IRRIGATION PIPELINE EASEMENT  
LOCATED IN THE S1/2NW1/4, N1/2SW1/4,  
AND THE SE1/4NE1/4 OF SECTION 28  
T 55 N, R 84 W  
OF THE 6th P.M.  
SHERIDAN COUNTY, WYOMING



**MENTOCK-WILEY CONSULTANTS**  
CONSULTING ENGINEERS AND LAND SURVEYORS  
TAYLOR PLACE No. 2  
1030 NORTH MAIN ST.  
SHERIDAN, WY 82801  
Phone 307-674-4224  
Fax 307-672-9492

EXHIBIT A  
CONTINUED  
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OCTOBER 2, 1997

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MLR