

IRRIGATION EASEMENT

Bruce R. Yates and Lanora L. Yates, Trustees of the Bruce R. and Lanora L. Yates Living Trust, dated July 22, 2008, **GRANTORS**, of Sheridan County, State of Wyoming, for and in consideration of good and valuable consideration, receipt of which is acknowledged and subject to the terms and conditions set forth below, do hereby GRANT and CONVEY to William Ernest Trapp and Deborah Gaye Trapp, husband and wife, as an estate by the entirety, with right of survivorship, their heirs, successors and assigns, **GRANTEES**, whose address is 7 Coyote Lane, Sheridan, Wyoming 82801, a non-exclusive easement for construction, operation and maintenance of an irrigation system upon, across and under the following described real property:

A strip of land fifteen (15) feet wide located in Tract 5, McNally Fourth Subdivision, Sheridan County, Wyoming, all in accordance with the Map of Survey attached hereto and made a part hereof, marked Exhibit A, the centerline of said strip of land more particularly described as follows:

Commencing at the southwest corner of Tract 2 of said McNally Fourth Subdivision, monumented with a "Cap"; thence N 89° 09' 25" E a distance of 51.00 feet along the north line of said Tract 5; thence S 0° 50' 35" E a distance of 7.50 ft. to the true point of beginning of the centerline of said strip of land; thence along said centerline S 89° 09' 25" W a distance of 51.00 ft. parallel with and 7.50 ft. south of the north line of said Tract 5; thence continuing along said centerline S 89° 07' 28" W a distance of 190.00 ft. more or less, parallel with and 7.50 ft. south of said north line.

Said strip of land contains 0.08 acres, more or less.

Said "Cap" is a 1.5" dia. Al cap stamped LS 2315.

TERMS AND CONDITIONS

1. Said easement is for the GRANTEES, their contractors, heirs, successors and assigns for entry upon and use of the premises described above for the purpose of surveying, designing, constructing, installing, inspecting, operating, maintaining, repairing, and replacing an irrigation system, including a buried pipeline, pump and controls, ditch turnout structure, and other related appurtenances as may be necessary for the proper operation of said irrigation system. This includes the right to operate machinery upon this property for these purposes. The size of said pipeline and pump shall be sufficient to convey the appropriation of record for said Tract 2, in compliance with the provisions of the East Side Ditch Company, a Wyoming non-profit corporation, from an existing supply ditch on Tract 5.
2. This deed of easement shall be binding upon GRANTORS, their heirs and assigns, and shall be perpetual so long as the easement is used for the purposes described in item 1 above.
3. GRANTORS shall not relocate said supply ditch without the expressed written consent of the GRANTEES, and provided continued access to said supply ditch is granted by means of a corrected irrigation easement.
4. Operation and maintenance of said supply ditch is the responsibility of the East Side Ditch Company.
5. GRANTEES agree to repair trench settlement, re-establish grass growth, repair fences and ditches crossed, and repair any buried pipes, electrical wires or other improvements owned by the GRANTORS that may be damaged by GRANTEES during construction, operation and/or maintenance of said irrigation system.
6. GRANTORS shall not construct permanent improvements upon said easement that would impede access to the irrigation system.
7. GRANTORS shall be held harmless from any legal actions or claims of any form that involve the easement conveyed by GRANTORS to GRANTEES, unless they are the result of the GRANTORS' sole negligence.

DATED THIS 12th day of November, 2008.

Bruce R. Yates, Trustee
Bruce R. Yates, Trustee

Lanora L. Yates, Trustee
Lanora L. Yates, Trustee

STATE OF WYOMING)

)ss

COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by Bruce R. Yates and Lanora L. Yates, Trustees
of the Bruce R. and Lanora L. Yates Living Trust, dated July 22, 2008, this 12th day of November
 , 2008.

Witness my hand and official seal.



Sandra G. Kerr
Notary Public

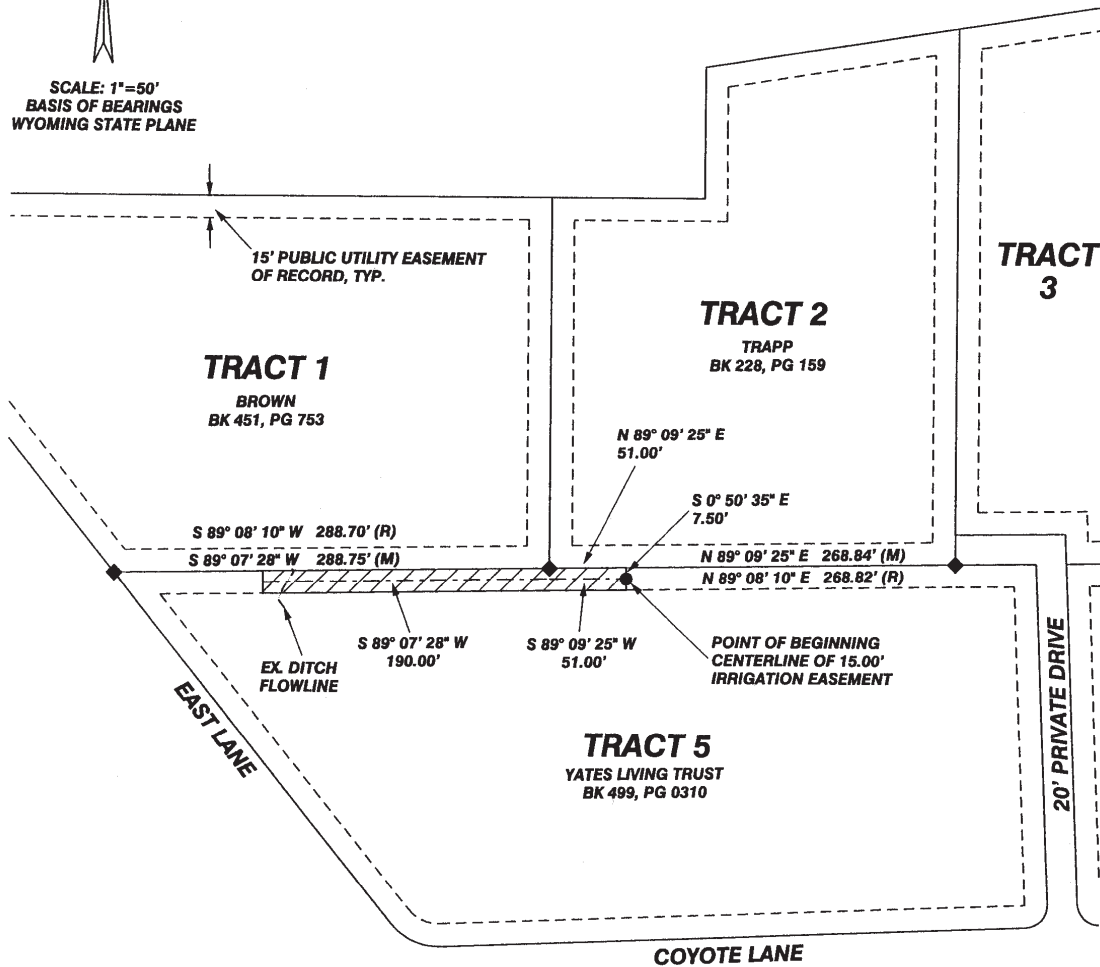
My Commission Expires: March 1, 2012

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SECTION 23, T. 55 N., R. 84 W.
SHERIDAN COUNTY, WYOMING



SCALE: 1"=50'
BASIS OF BEARINGS
WYOMING STATE PLANE



CERTIFICATE OF SURVEYOR

STATE OF WYOMING)
COUNTY OF SHERIDAN) ss

I, JOSEPH L. FEELEY, DO HEREBY CERTIFY THAT THIS
MAP OF SURVEY TO ACCOMPANY AN IRRIGATION
EASEMENT LOCATED IN TRACT 5, MCNALLY FOURTH
SUBDIVISION, SHERIDAN COUNTY, WYOMING, REPRESENTS
THE RESULTS OF A SURVEY CONDUCTED BY ME IN
OCTOBER 2008, AND THE RESULTS OF SAID
SURVEY ARE ACCURATELY SHOWN HEREON.



LEGEND

- ◆ FOUND 1-1/2" AL CAP PER LS 2315
- R = RECORD DISTANCE AND DIRECTION
- M = MEASURED DISTANCE AND DIRECTION THIS SURVEY
- ▨ 15' IRRIGATION EASEMENT

**EXHIBIT A
MAP OF SURVEY
TO ACCOMPANY
IRRIGATION EASEMENT**

CLIENT: BILL AND DEBBIE TRAPP

LOCATION: TRACT 5,
MCNALLY FOURTH SUBDIVISION
SHERIDAN COUNTY, WYOMING.
NOVEMBER 4, 2008