



**CLARK & ASSOCIATES
LAND BROKERS, LLC**

Specializing in Farm, Ranch, Recreational & Auction Properties

Proudly Presents



PONTAROLO RANCH

Lingle, Goshen County, Wyoming

LOCATION AND ACCESS

The Pontarolo Ranch is easily accessed from Lingle, Wyoming by traveling 1/8 of a mile south of Lingle on Highway 156 to Road 157 where you turn right and then travel west for approximately 4.8 miles to Deer Creek Road. Deer Creek Road traverses southwest for approximately 5.5 miles to the turnoff of the South Unit. Both Road 157 and Deer Creek Road are paved.

Towns and cities in a three-state area which are in close proximity to and easily accessible from the farm are:

Torrington, Wyoming	21 miles
Scottsbluff, Nebraska	55 miles
Cheyenne, Wyoming	133 miles
Denver, Colorado	231 miles



SIZE

960± DEEDED ACRES

DESCRIPTION OF THE LAND, ELEVATION & CLIMATE

The Pontarolo Ranch is located at the beginning of the farming area known as the “Valley” which follows the North Platte River from Fort Laramie, Wyoming into the western Nebraska Panhandle region. The elevation of the ranch ranges between 4,460 and 4,700 feet above sea level, and this area is known for its mild year-round weather and a generous growing season. The annual precipitation is approximately 14 inches per year according to the Natural Resource Conservation Service’s 30-year average.

Some statistics of the area’s average weather and normal climate obtained from information reported by www.city-data.com:

Average annual temperature	50.0° F
January average temperature	40.0° F high and 20° F low
July average temperature	82° F high and 52° F low
Average annual precipitation	14 inches
Average wind gusts	10 MPH
Average growing season	140 days per year
Days of sunshine (%)	66%
Average morning humidity	78%
Average afternoon humidity	51%



OPERATION

There are approximately 960± deeded acres of dry land pasture which includes 5± acres for the site of the ranch headquarters. The grassland is currently being leased, and the tenant could summer approximately 80 cow/calf pairs on the subject property. The cattle are turned out the first of May until October 1st, depending on precipitation and the availability of grass. Exterior and interior fences are four-strand barb wire fences which are represented as being in good condition.

Note: Carrying capacity can vary due to weather conditions and management practices. Interested parties should conduct their own analysis.



SOILS

The type of soil found on the property is a sandy loam which produces a variety of hard grasses: native gramma, buffalo and Western wheat grass. The dry land grass is known for its excellent gains on cattle.

REAL ESTATE TAXES

According to the Goshen County Assessor's Office, the real estate taxes for the Pontarolo Ranch are approximately \$2,696 annually.

WATER

Water is provided by a well, located at the headquarters, which has a 1½ HP submersible pump that not only provides water to house but to a stock tank in the corrals. This well is also connected an underground pipeline made of 1-1/2 inch PVC pipe that is buried five feet deep and travels 2,200 feet from the improvements to two bottomless tanks. Both tanks have concrete aprons and float systems.

The well at the headquarters is approximately 1,500 feet deep and is cased to 300 feet. The water table is at 60 feet. There is another well located at the east end of the ranch that has electricity and is cased but does not have a pump installed.

A complete description of the surface and ground water rights will be readily available to prospective buyers upon request. In the event of a sale, all water rights permitted and adjudicated to the subject property shall be transferred to the buyers.

IMPROVEMENTS

Improvements on the Pontarolo Ranch include a split-level 1,954 sq. ft. home with three bedrooms and two baths along with two detached garages. Other improvements include 2,760 sq. ft. Quonset, 1,386 sq. ft. farm utility building, a 960 sq. ft. loafing shed, tool shed and set of corrals. Although not presently in use, but still functional, is a GSI grain bin that will hold 7,700 bushels.





MINERAL RIGHTS

Fifty percent (50%) of any and all mineral rights associated with subject property owned by Seller, if any, will be transferred to Buyer at fifteen (15) years after day of closing, the remaining fifty percent (50%) of the mineral rights owned by Seller, if any, will transfer to Buyer.

UTILITIES

Power – Wyrulec, Torrington, Wyoming
Gas – Propane provided by various providers in area
Sewer – Septic Tank
Water – Private Well
Trash – TDS, Torrington, Wyoming
Phone – CenturyLink
Cell Service – various providers in area
TV/Internet - Satellite

LEASE

Pontarolos have leased out the dry land pasture of the ranch from the first of May to October 1st. The grazing lease generates an annual income of approximately \$8,000; however, in 2020, there will be an additional 242 acres available for grazing as those acres are no longer enrolled in CRP. Therefore, the annual grazing lease income will increase. A copy of the grazing lease will be made available to prospective buyers to review.



Both bottomless tanks connected to the underground pipeline have concrete aprons and float systems.

COMMUNITY AMMENITIES

Lingle, Wyoming, population 510, located in the middle of Goshen County in southeastern Wyoming, is situated among rich farm land along the North Platte River. Sitting along the Oregon Trail, western history is at its best in Lingle and the surrounding areas. Several historical sites including the Grattan Massacre Site, Western Plains Historic Preservation Center, and Fort Laramie are easily within reach of Lingle.

Community amenities include a K-12 public school system, restaurants, bank, post office, retail stores and a farm/implement dealership. School age children, kindergarten through eighth grade, who reside at the Pontarolo Ranch, would attend public school in either Fort Laramie or Lingle, while high school age children would attend school in Lingle. Lingle is close enough to larger towns and cities for a family to enjoy country living with easy access to schools, shopping and other city conveniences. For higher education, Torrington, Wyoming and Scottsbluff, Nebraska both have accredited community colleges.

Torrington, Wyoming, population 5,631, is the county seat of Goshen County and is within thirty minutes of the property. Torrington offers medical facilities, a K-12 school system, Eastern Wyoming Community College, theater, restaurants, several banks and retail stores, golf course, two sale barns, and farm and implements dealerships.

Scottsbluff, Nebraska, population 14,732, is less than an hour from Pontarolo Ranch, and also offers medical facilities, a good school system, Western Nebraska Community College, theaters, restaurants, several banks and retail stores, shopping malls and centers, golf course, and the Western Nebraska Regional Airport. For additional information regarding Scottsbluff and the surrounding area, log on to www.city-data.com/Scottsbluff-Nebraska.htm.

Within a radius of 200 miles of Lingle, there are several colleges and universities with over 2,000 student enrollment:

Laramie County Community College, Cheyenne, Wyoming	122 miles
University of Wyoming, Laramie, Wyoming	127 miles
Chadron State College, Chadron, Nebraska	128 miles
Casper College, Casper, Wyoming	134 miles
Colorado State University, Fort Collins, Colorado	164 miles
University of Northern Colorado, Greeley, Colorado	188 miles
Aims Community College, Greeley, Colorado	188 miles
South Dakota School of Mines, Rapid City, South Dakota	196 miles

CLIMATE

According to the High Plains Regional Climate Center at the University of Nebraska, the average annual precipitation for the Lingle area is approximately 12.36 inches including 42.5 inches of snow fall. The average high temperature in January is 41 degrees, while the low is 12 degrees. The average high temperature in July is 89 degrees, while the low is 54 degrees. The charts to the right are courtesy of www.city-data.com.

STATE OF WYOMING

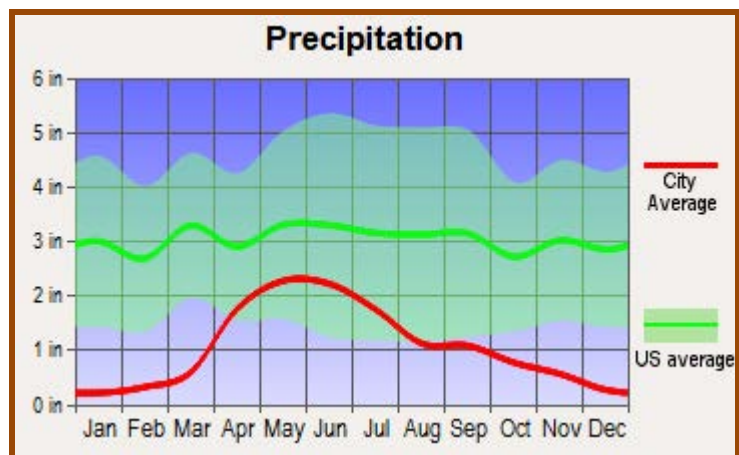
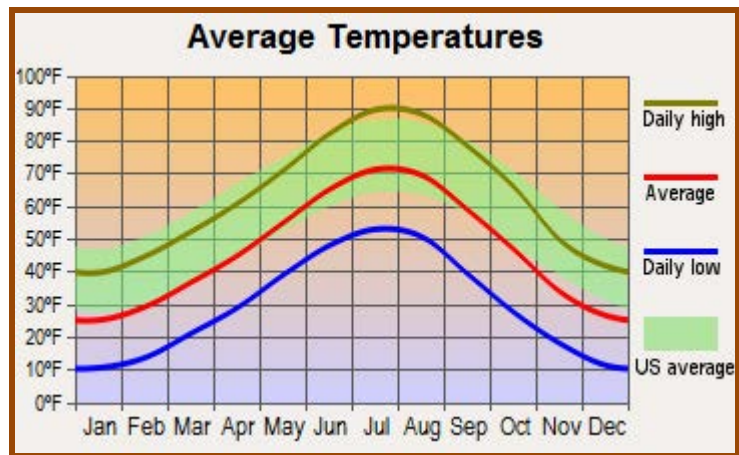
Wyoming is a state that offers an incredible diversity of activities, geography, climate, and history. The Wyoming Territory was established in 1868 and Wyoming became the 44th state in 1890. The state is the tenth largest by area, but it is one of the least densely populated. The

topography consists of the High Plains in the east and mountain ranges of the Rocky Mountains in the west two thirds.

Wyoming's energy costs are the second lowest in the nation, and the cost of living index is below the national average. Wyoming ranks among the top 10 in the entire United States for educational performance. There is no state income tax, and Wyoming offers an extremely favorable tax climate:

- No personal income tax
- Low property tax
- Favorable inheritance tax
- Favorable unemployment tax
- Low retail sales tax
- No corporate income tax
- No gross receipts tax
- No inventory tax

According to Michael B. Sauter, Alexander E. M. Hess, Samuel Weigley, and Ashley C. Allen of 24/7 Wall Street, Wyoming is a model of good management and a prospering population. The state is particularly efficient at managing its debt, owing the equivalent of just 20.4% of annual revenue in fiscal 2010. Wyoming also has a tax structure that, according to the Tax Foundation, is the nation's most-favorable for businesses – it does not have any corporate income taxes. The state has experienced an energy boom in recent years. As of last year, Wyoming's poverty, home foreclosure, and unemployment rates were all among the lowest in the nation.



RECREATIONAL RESOURCES

An abundance of wildlife frequents the property including mule deer, an occasional elk, antelope, sharp-tail grouse and coyotes.

OFFERING PRICE

\$795,000

The Seller shall require an all cash sale. The Seller reserves the right to effectuate a tax-deferred real estate exchange for all or part of the sales price, pursuant to Section 1031 of the Internal Revenue Code and the Treasury Regulations promulgated thereunder with no liability or expense to be incurred by the Buyer (in connection with the Seller's tax-deferred exchange). Should a Buyer also desire to use an exchange in order to acquire the ranch, the Seller will cooperate as long as they do not risk incurring any additional liability or expense.



CONDITIONS OF SALE

- I. All offers shall be:
 - A. in writing;
 - B. accompanied by an earnest money deposit check in the minimum amount of \$35,000 (Thirty-Five Thousand Dollars); and
 - C. be accompanied with the name, telephone number, and address of the Buyer's personal banker in order to determine financial capability to consummate a purchase.
- II. All earnest money deposits will be deposited in the listing broker's trust account.
- III. The Seller shall provide and pay for an owner's title insurance policy in full satisfaction of the negotiated purchase price.
- IV. Both Buyer and Seller shall be responsible for their own attorney fees.

FENCES AND BOUNDARY LINES

The Seller is making known to all potential purchasers that there may be variations between the deeded property line and the location of the existing fence boundary lines on the subject property. Seller makes no warranties with regard to location of the fence lines in relationship to the deeded property lines, nor does the Seller make any warranties or representations with regards to specific acreage within the fenced property lines. Seller is selling the property in an "As Is" condition which includes the location of the fences as they exist.

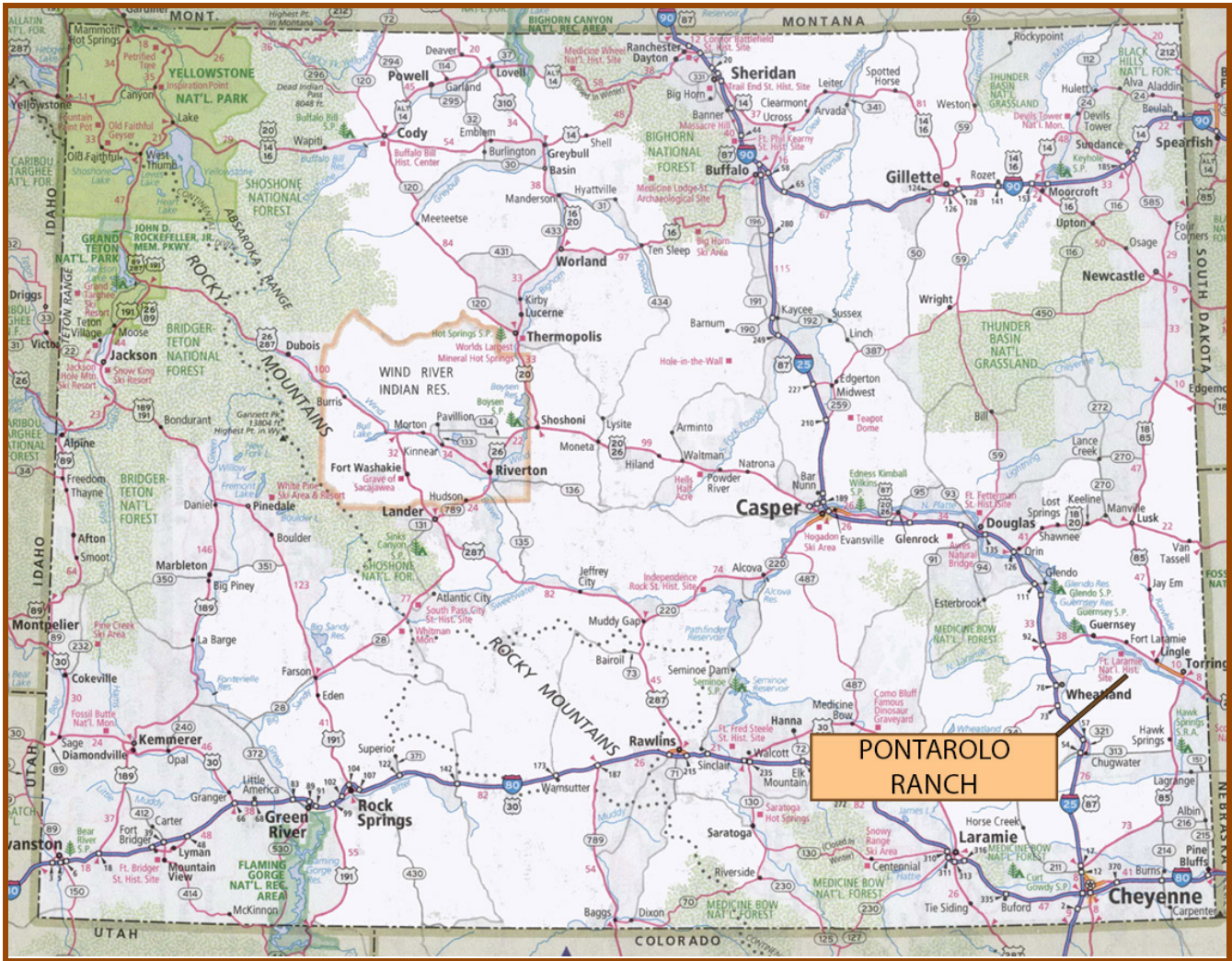
Boundaries shown on accompanying maps are approximate based on the legal description and may not indicate a survey. Maps are not to scale and are for visual aid only. Their accuracy is not guaranteed.



Clark & Associates Land Brokers, LLC is pleased to have been selected as the Exclusive Agent for the Seller of this outstanding offering. All information has been obtained from sources deemed reliable by Clark & Associates Land Brokers, LLC; however, the accuracy of this information is not guaranteed or warranted by Clark & Associates Land Brokers, LLC, or the Sellers, and prospective buyers are charged with making and are expected to conduct their own independent investigation of the information contained herein. This offering is subject to prior sale, price change, correction or withdrawal without notice.

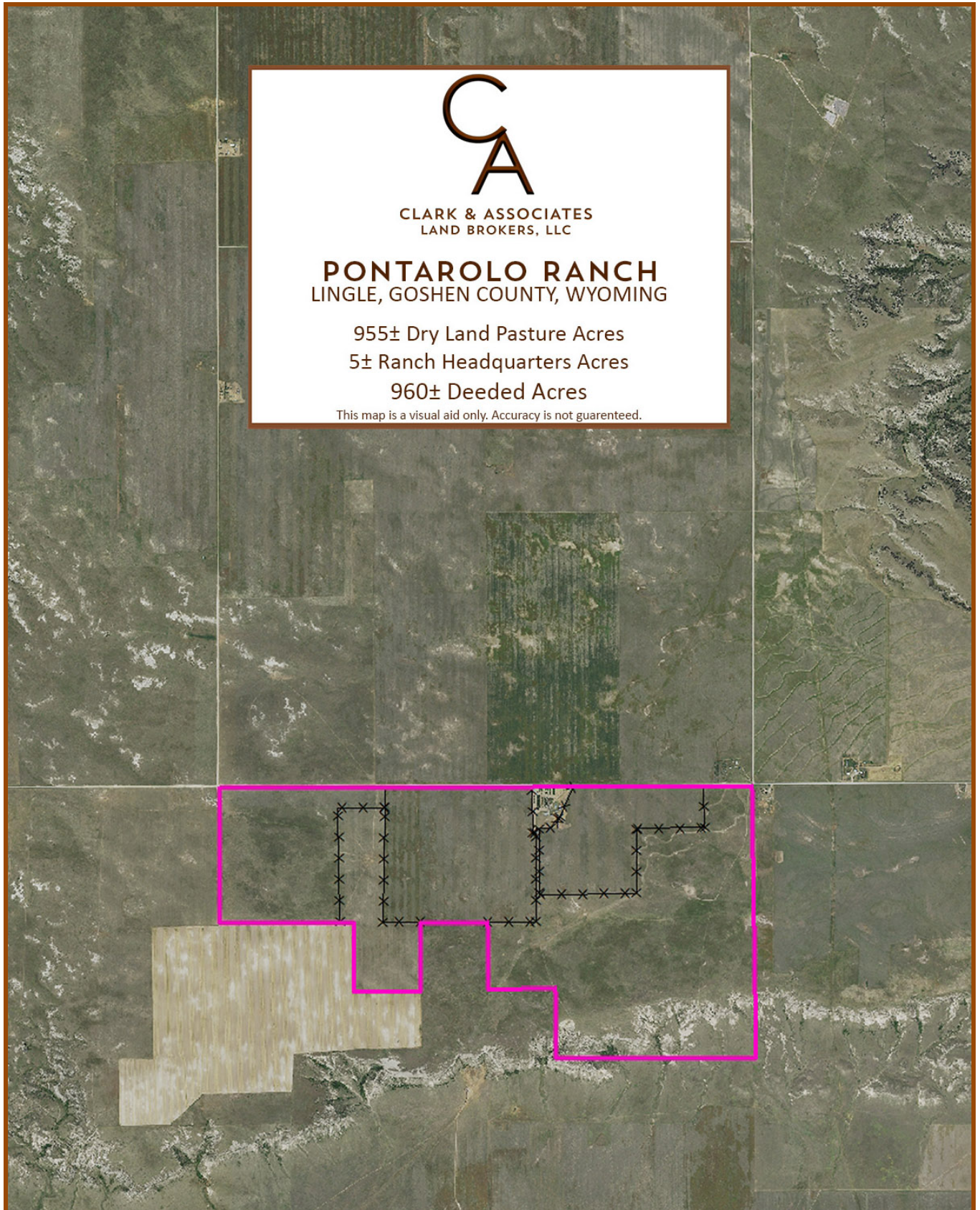
Notice to Buyers: Wyoming Real Estate Law requires that the listing Broker and all licensees with the listing Broker make a full disclosure, in all real estate transactions, of whom they are agents and represent in that transaction. All prospective buyers must read, review and sign a Real Estate Brokerage Disclosure form prior to any showings. **Clark & Associates Land Brokers, LLC with its sales staff is an agent of the seller in this listing.**

STATE LOCATION MAP

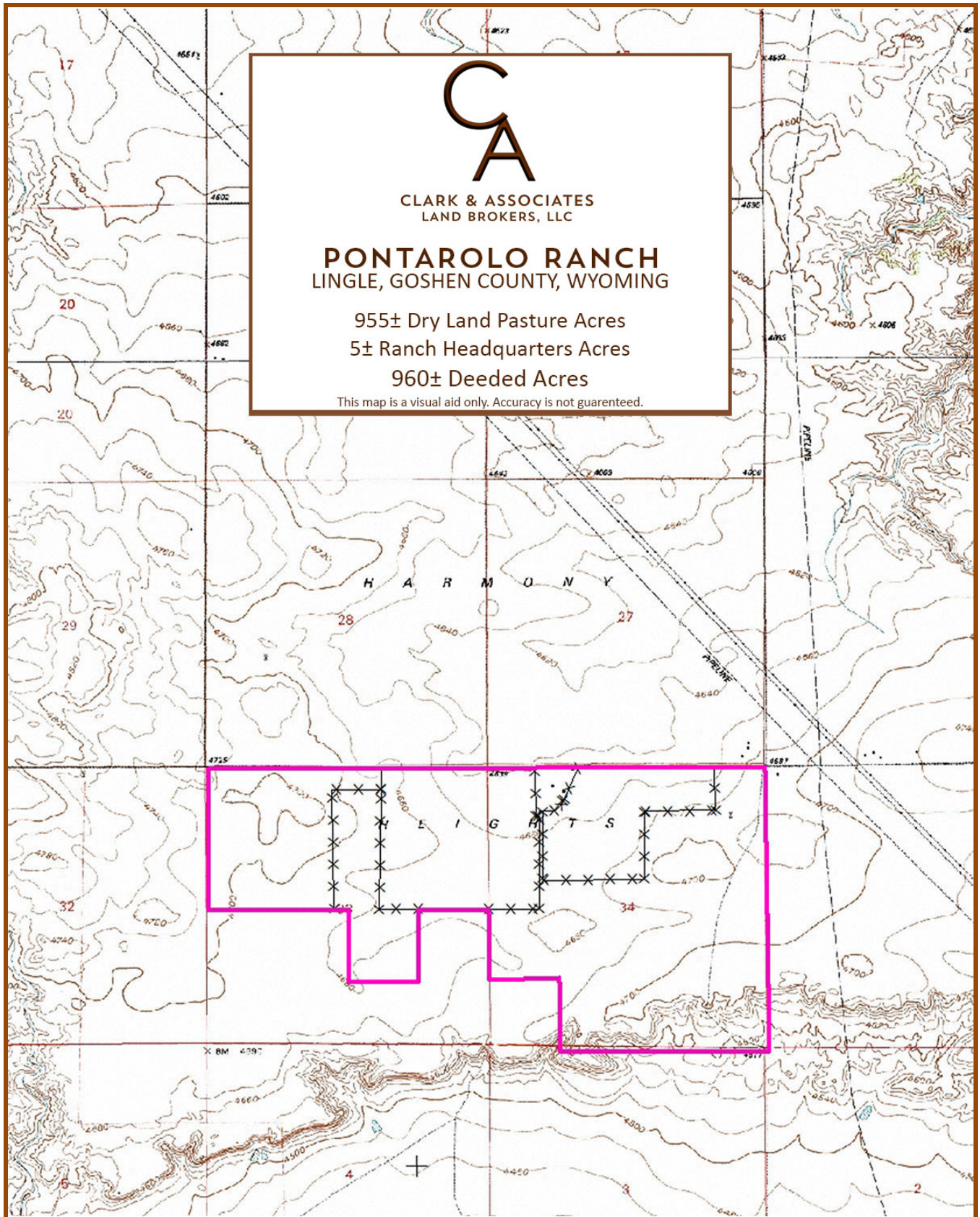


NOTES

PONTAROLO RANCH ORTHO MAP



PONTAROLO RANCH TOPO MAP



JR Barnes Consulting, LLC

502 Dayshia Lane
Cheyenne, WY 82007
307-630-8982
dtmjohn@bresnan.net

August 2, 2018

Mr. Cory Clark
Clark & Associates Land Brokers
PO Box 47
Lusk, WY 82225

Re: Water Rights Search: Pontarolo Ranch

Sec 33-25N-64W N½, NWSE & Sec 34-25N-64W N½, N½SW, SESW, SE

Dear Mr. Clark,

A search of the State Engineer's Office e-permit system was conducted and the records were checked against the original records in the State Engineer's Office for the reference land description. The following are the water rights were found in the records for the reference land description:

GROUNDWATER

Permit No. UW 173148

Pontarolo #1 Well, Priority Date: February 13, 2006. Source: Groundwater. This permit is for stock use at 15 gallons per minute (gpm) and 1 acre-foot (ac-ft) annually at the following location:

T25N, R64W

Section 34 NENE (3 stock tanks)

Permit No. UW 173149

Pontarolo #2 Well, Priority Date: February 13, 2006. Source: Groundwater. This permit is for domestic use at 15 gpm and 1 ac-ft annually at the following location:

T25N, R64W

Section 34 NENW

It appears from the aerial photo that the domestic use is really in the NWNW. I understand this well also serves some points of stock use both near the house, one point in the SENW of Sec 34, and one point in the SWNE of Sec 33.

I would recommend filing an enlargement application for this well to add stock use and designating the three points of stock use.

These are records found in the State Engineer's Office and Board of Control records as of August 3, 2018, and may or may not reflect the actual situation on the ground. Failure to use water for five (5) consecutive years when water is available may constitute grounds for forfeiture of the water right.



John R. Barnes, President
J R Barnes Consulting, LLC

STATE OF WYOMING

OFFICE OF THE STATE ENGINEER
HERSCHLER BLDG., 4-E CHEYENNE, WYOMING 82002
(307) 777-6163

See 30548
25.00
2/13/06

APPLICATION FOR PERMIT TO APPROPRIATE GROUND WATER

APPLICATION FOR WELLS AND SPRINGS

SCAN-MICRO AUG 08 2006

Note: Only springs flowing 25 gallons per minute or less, where the proposed use is domestic and/or stock watering, will be considered as ground water appropriations.

FOR OFFICE USE ONLY

Temporary Filing No. U.W. 28-10-468

PERMIT NO. U.W. 173149
WATER DIVISION NO. 1 DISTRICT 2
U.W. DISTRICT Lower North Platte District

NOTE: Do not fold this form. Use typewriter or print neatly with black ink.
ALL ITEMS MUST BE COMPLETED BEFORE APPLICATION IS ACCEPTABLE

NAME AND NUMBER OF WELL or SPRING Pontarolo #2

1. Name of applicant(s) James + Jeanette Pontarolo Phone: 837-2697

2. Address of applicant(s) 1369 Deer Creek Rd. Ft. Laramie WY 82212
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

3. Name & address of agent to receive correspondence and notices

(MAILING ADDRESS) (CITY) (STATE) (ZIP) Phone:

4. Use to which the water will be applied:

- ☒ Domestic: Use of water in 3 single family dwellings or less, noncommercial watering of lawns and gardens totaling one acre or less. Number of houses served? 1.
- ☐ Stock Watering: Normal livestock use at four tanks or less within one mile of well or spring. Stockwatering pipelines and commercial feedlots are a miscellaneous use. Number of stock tanks? .
- ☐ Irrigation: Watering of commercially grown crops (large-scale lawn watering of golf courses, cemeteries, recreation areas, etc., is miscellaneous use).
- ☐ Municipal: Use of water in incorporated Towns and Cities. Note 1: use of water in unincorporated towns, subdivisions, improvement districts, mobile home parks, etc. is classified as miscellaneous use. Note 2: a permit may be required by the Wyoming Department of Environmental Quality (WDEQ) if the well will be classified as a public water supply under the WDEQ's rules and regulations.
- ☐ Industrial: Long term use of water for the manufacture of a product or production of oil/gas or other minerals (oil field water flood operations, power plant water supply, etc.). (Describe in REMARKS)
- ☐ Miscellaneous: Any use of water not defined under previous definitions such as stock water pipelines, subdivisions, mine dewatering, mineral/oil exploration drilling, potable supplies in office, etc. Describe in Remarks. Note: a permit may be required by the WDEQ if the well will be classified as a public water supply under the WDEQ's rules and regulations.
- ☐ Coalbed Methane: Water produced in the production of coal bed methane gas. Note: wells used in the production of coal bed methane will require a permit from the Wyoming Oil and Gas Conservation Commission.
- ☐ Monitor, Observation: Note: a WDEQ permit may be required Test Well: (Describe in REMARKS)

5. Location of the well or spring: (NOTE: Quarter-quarter (40 acre subdivision) MUST be shown. EXAMPLE: SE 1/4 NW 1/4 of Sec. 12, Township 14 North, Range 68 West.)
Goshen County 1/4 Sec. 34, T 25 N, R. 64 W. of the 6th P.M. (W.R.M.).
Wyoming. If located in a platted subdivision, also provide Lot/Tract Block of the
Subdivision (or Add'n) of Resurvey Location: Tract (or Lot)

6. Estimated depth of the well or spring is 300 feet Estimated production interval is ft. to ft.

7. (a) MAXIMUM instantaneous flow of water to be developed and beneficially used: 25 gallons per minute.
NOTE: if for domestic and/or stock use, this application will be processed for a maximum of 25 gallons per minute. For a spring, after approval of this application, some type of artificial diversion or improvement must be constructed to qualify for a water right.

(b) MAXIMUM volumetric quantity of water to be developed and beneficially used per calendar year: 1 acre foot
Circle appropriate units: (Gallons) (Acre Feet) A four person family utilizes approximately one (1) acre-foot of water per year or 325,000 gallons.

8. Mark the point(s) or area(s) of use in the tabulation box below Note: Upper row refers to the quarter of the section. Next row refers to quarter of the quarter section.

TABULATION BOX																			TOTAL
TWP	RNG	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
25	64	34					X	X									X		

173149

SEE REVERSE SIDE

9. If for irrigation use:
- Describe MAXIMUM acreage to be irrigated in each 40 acre subdivision in the tabulation box above.
 - Land will be irrigated from this well only.
 - Land is irrigated from existing water right(s) with water from this well to be additional supply. Describe existing water right(s) under REMARKS.

10. If for irrigation use, describe method of irrigation, i.e. center pivot sprinkler, flood, etc.:

11. The well or spring is to be constructed on lands owned by Applicant
(The granting of a permit does not constitute the granting of right-of-way. If any easement or right-of-way is necessary in connection with this application, it should be understood that the responsibility is the applicant's. A copy of the agreement should accompany this application, if the land is privately owned and the owner is not the co-applicant.)

12. The water is to be used on lands owned by Applicant
(If the landowner is not the applicant, a copy of the agreement relating to the usage of appropriated water on the land should be submitted to this office. If the landowner is included as co-applicant on the application, this procedure need not be followed.) NOTE: Water rights attach to the area(s) and/or point(s) of use.

REMARKS:

Under penalties of perjury, I declare that I have examined this application and to the best of my knowledge and belief it is true, correct and complete.

Jeanette Ponturo
Signature of Applicant or Authorized Agent

Feb. 13
Date

2006

THE LEGALLY REQUIRED FILING FEE MUST ACCOMPANY THIS APPLICATION

DOMESTIC AND/OR STOCK WATERING USES \$25.00
(Domestic use is defined as use of water in 3 single family dwellings or less, noncommercial watering of lawns and gardens totalling one acre or less.)

IRRIGATION, MUNICIPAL, INDUSTRIAL, MISCELLANEOUS, COAL BED METHANE \$50.00

MONITOR (For water level measurements or chemical quality sampling) or TEST WELL No Fee

IF WELL WILL SERVE MULTIPLE USES, SUBMIT ONLY ONE (THE HIGHER) FILING FEE.

THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT

THE STATE OF WYOMING)
) ss.

STATE ENGINEER'S OFFICE)

This instrument was received and filed for record on the 13th day of February, A.D. 2006, at 10:49 o'clock a M.

Permit No. U.W.

173149

[Signature]
for State Engineer

THIS IS TO CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This application is approved subject to the condition that the proposed use shall not interfere with any existing rights to ground water from the same source of supply and is subject to regulation and correlation with surface water rights, if the ground and surface waters are interconnected. The use of water hereunder is subject to the further provisions of Chapter 169, Session Laws of Wyoming, 1957, and any subsequent amendments thereto.

Granting of a permit does not guarantee the right to have the water level or artesian pressure in the well maintained at any specific level. The well should be constructed to a depth adequate to allow for the maximum development and beneficial use of ground water in the source of supply.

If the well is a flowing artesian well, it shall be so constructed and equipped that the flow may be shut off when not in use without loss of water into sub-surface formations or at the land surface.

Coal Bed Methane wells have Additional Conditions and Limitations on attachment sheet.

Approval of this application may be considered as authorization to proceed with construction of the proposed well or spring. A Statement of Completion will be filed within thirty (30) days of completion of construction, including pump installation.

Completion of construction and completion of the beneficial use of water for the purposes specified in Item 4 of this application will be made by December 31, 2007.

The amount of appropriation shall be limited to the quantity to which permittee is entitled as determined at time of proof of application of water to beneficial use.

Witness my hand this 22nd day of February, A.D. 2006.

[Signature]
PATRICK T. TYRRELL, State Engineer

PERMIT NO. U.W. 173149

PERMIT STATUS

Priority Date: February 13, 2006

Approval Date: February 22, 2006

October 29, 2007 – Statement of Completion on 1970 received.

Beneficial use assumed as of date of completion.

SCANNED NOV 23 2014

STATE OF WYOMING
OFFICE OF THE STATE ENGINEER
HERSCHLER BLDG., 4-E
CHEYENNE, WYOMING 82002

(307) 777-6163

STATEMENT OF COMPLETION AND DESCRIPTION OF WELL OR SPRING

SCANNED NOV - 3 2014

NOTE: Do not fold this form. Use typewriter or print neatly with black pen.

173149
173148

PERMIT NO. U.W. NAME OF WELL/SPRING PONTAROLO #2

1. NAME OF OWNER JAMES + JEANETTE PONTAROLO

2. ADDRESS 1369 DEER CREEK ROAD
Please check if address has changed from that shown on permit
City FORT LARAMIE State WYO Zip Code 82212 Phone No. 307-837-2697

3. USE OF WATER ☒ Domestic ☒ Stock Watering ☐ Irrigation ☐ Municipal ☐ Industrial ☐ Miscellaneous
☐ Monitor or Test ☐ Coal Bed Methane Explain proposed use (Example: One single family dwelling)
ONE FAMILY DWELLING PER CALL 10-22-10 RET

4. LOCATION OF WELL/SPRING NW 1/4 NW 1/4 of Section 34 T. 25 N. R. 64 W., of the 6th P.M. (or W.R.M.)
Subdivision Name Lot Block
Resurvey Location Tract or Lot 9 LAB Datum ☐ NAD27 ☐ NAD83
Geographic Coordinates: Latitude 42° 06' 11" N Longitude 104° 31' 56" W (degrees, minutes, seconds)
UTM: Zone Northing Easting 50.16 (meters)
State Plane Coordinates: Zone Northing Easting (feet)
Land surface elevation (ft. above mean sea level) 4360 Datum ☐ NAVD29 ☐ NAVD88
Source ☐ GPS ☐ Map ☒ Survey ☐ Unknown ☐ Other ☐ Allimeter (for elevation only) per call w/ Jim 10-2-10

5. TYPE OF CONSTRUCTION ☒ Drilled ☐ Dug ☐ Driven ☐ Other
Describe Drilled by Rotary Rig

6. CONSTRUCTION Total depth of well/spring 1500 ft.
Depth of static water level 60 ft. (below land surface) Casing height 300' - 8" above ground
a. Diameter of borehole (bit size) 8.5" inches
b. Casing schedule ☒ New ☐ Used Joint type ☐ Threaded ☐ Glued ☒ Welded
diameter from ft. to ft. Material Gage
diameter from ft. to ft. Material Gage
c. Cemented/grouted interval, from ft. to ft.
Amount of cement/grout used 6 sacks type GRAVEL CEMENT (example: bentonite pellets)
d. Type of completion ☒ Customized perforations ☐ Open hole ☐ Factory screen
Type of perforator used SAWED SLOTS IN BOTTOM 200'
Size of perforations inches by inches
Number of perforations and depths where perforated
perforations from UNKNOWN ft. to ft.
perforations from ft. to ft.
Open hole from ft. to ft.
Well screen details
Diameter slot size set from ft. to ft.
Diameter slot size set from ft. to ft.
e. Well development method pumping continuous 48 hours How long was well developed? 48 Hours
f. Was a filter/gravel pack installed? ☐ Yes ☒ No Size of sand/gravel
Filter/gravel pack installed from ft. to ft.
g. Was surface casing used? ☒ Yes ☐ No Was it cemented in place? ☒ Yes ☐ No
Surface casing installed from 8' ft. to 100' ft.

7. NAME AND ADDRESS OF DRILLING COMPANY UNKNOWN

8. DATE OF COMPLETION OF WELL (including pump installation) OR SPRING (first used) 1970

9. PUMP INFORMATION Manufacturer Gould Type 3" sub.
Source of power 220 volts Horsepower 3 HP Depth of pump setting or intake 100' ft.
Amount of water being pumped 15 gal./min.* (For springs or flowing wells, see item 10)
Total volumetric quantity used per calendar year: 1 AC/FY
*If these amounts exceed permitted amount an enlargement is required.

10. FLOWING WELL OR SPRING (Owner is responsible for control of flowing well)
If artesian flow or spring, yield is gal./min. *Surface pressure is lb./sq.inch, or feet of water.
The flow is controlled by ☐ Valve ☐ Cap ☐ Plug
Does well leak around casing? ☐ Yes ☒ No

Permit No. U.W.

173149

Book No.

1261

Page No.

2

SEE REVERSE SIDE

11. IF SPRING, HOW WAS IT CONSTRUCTED? (Some method of artificial diversion, i.e., spring box, cribbing, etc., is necessary to qualify for a water right) _____

12. PUMP TEST Was a pump test conducted? ☒ Yes ☐ No

If so, by whom JONES well service

Yield 15 gal./min. with 30 ft. drawdown after 48 hours

Yield _____ gal./min. with _____ ft. drawdown after _____ hours

13. LOG OF WELL Total depth drilled 1500 ft.

Depth of completed well 1500' ft. Diameter of well 5'-5" inches

Depth to first water bearing formation 242' 197' ft. I WAS TOLD BY GEOLOGIST THAT WATER WAS COMING UP
 Depth to principal water bearing formation Top 242' ft. to Bottom 1500' ft. FROM THE WHOLE DEPTH.

Depth to principal water bearing formation Top 242' ft. to Bottom 1520'

DRILL CUTTINGS DESCRIPTION Z 160

[illegible]

14. DOES A GEOPHYSICAL LOG ACCOMPANY THIS FORM? | ☐ Yes ☒ No

- ## 15. QUALITY OF WATER INFORMATION

Does a chemical and/or bacteriological water quality analysis accompany this form?

☐ Yes ☒ No

It is recommended that chemical and bacteriologic water quality analyses be performed and that the report(s) be filed with the records of this well (contact Department of Agriculture, Analytical Lab Services, Laramie, 742-2984).

If not, do you consider the water as ☒ Good ☐ Acceptable ☐ Poor ☐ Unusable

REMARKS we had 3 wells drilled on this location before 1970, all of which produced little water. This well is used for stock, house, & garden. This is a pre existing well that was previously unpermitted.

Under penalties of perjury, I declare that I have examined this form and to the best of my knowledge and belief It is true, correct, and complete.

James Pontarolo
Signature of Owner or Authorized Agent

10-6-07, 20
Date

FOR STATE ENGINEER'S USE ONLY

Permit No. U.W. 173149

Date of Receipt ~~OCT 15 2007~~ OCT 29 2007

Date of Priority Feb 13, 2006, 20

Date of Approval Feb 23, 2017

Bar P
for State Engineer

STATE OF WYOMING
OFFICE OF THE STATE ENGINEER
HERSCHLER BLDG., 4-E CHEYENNE, WYOMING 82002
(307) 777-6163

2/13/06 7:49
\$25- JPM

See 30548
25.00
2/13/06

APPLICATION FOR PERMIT TO APPROPRIATE GROUND WATER

APPLICATION FOR WELLS AND SPRINGS

SCAN-MICRO AUG 08 2006

Note: Only springs flowing 25 gallons per minute or less, where the proposed use is domestic and/or stock watering, will be considered as ground water appropriations.

FOR OFFICE USE ONLY

Temporary Filing No. U.W.

38-9-468

PERMIT NO. U.W. 173148
WATER DIVISION NO. 1 DISTRICT 2
U.W. DISTRICT Lower North Platte District

NOTE: Do not fold this form. Use typewriter or print neatly with black ink.
ALL ITEMS MUST BE COMPLETED BEFORE APPLICATION IS ACCEPTABLE

NAME AND NUMBER OF WELL or SPRING

PONTAROLO #1

1. Name of applicant(s) JAMES Y JEANETTE PONTAROLO Phone: 307-832-2697

2. Address of applicant(s) 1369 OSEE CREEK ROAD FORT LARAMIE WY 82012
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

3. Name & address of agent to receive correspondence and notices

Phone:

(MAILING ADDRESS) (CITY) (STATE) (ZIP)

4. Use to which the water will be applied:

- Domestic: Use of water in 3 single family dwellings or less, noncommercial watering of lawns and gardens totaling one acre or less. Number of houses served? _____
- X Stock Watering: Normal livestock use at four tanks or less within one mile of well or spring. Stockwatering pipelines and commercial feedlots are a miscellaneous use. Number of stock tanks? 3
- Irrigation: Watering of commercially grown crops (large-scale lawn watering of golf courses, cemeteries, recreation areas, etc., is miscellaneous use).
- Municipal: Use of water in incorporated Towns and Cities. Note 1: use of water in unincorporated towns, subdivisions, improvement districts, mobile home parks, etc. is classified as miscellaneous use. Note 2: a permit may be required by the Wyoming Department of Environmental Quality (WDEQ) if the well will be classified as a public water supply under the WDEQ's rules and regulations.
- Industrial: Long term use of water for the manufacture of a product or production of oil/gas or other minerals (oil field water flood operations, power plant water supply, etc.). (Describe in REMARKS)
- Miscellaneous: Any use of water not defined under previous definitions such as stock water pipelines, subdivisions, mine dewatering, mineral/oil exploration drilling, potable supplies in office, etc. Describe in Remarks. Note: a permit may be required by the WDEQ if the well will be classified as a public water supply under the WDEQ's rules and regulations.
- Coalbed Methane: Water produced in the production of coal bed methane gas. Note: wells used in the production of coal bed methane will require a permit from the Wyoming Oil and Gas Conservation Commission.
- Monitor, Observation: Note: a WDEQ permit may be required Test Well: (Describe in REMARKS)

5. Location of the well or spring: (NOTE: Quarter-quarter (40 acre subdivision) MUST be shown. EXAMPLE: SE 1/4 NW 1/4 of Sec. 12, Township 14 North, Range 68 West.) NE NE
GOSSEN County, SW 1/4 of Sec. 34, T. 25 N., R. 64 W. of the 6th P.M. (W.R.M.), Wyoming. If located in a platted subdivision, also provide Lot/Tract _____ of the Subdivision (or Add'n) of _____ Resurvey Location: Tract _____ (or Lot) _____

6. Estimated depth of the well or spring is 165 feet. Estimated production interval is _____ ft. to _____ ft.

7. (a) MAXIMUM instantaneous flow of water to be developed and beneficially used: 25 gallons per minute. NOTE: if for domestic and/or stock use, this application will be processed for a maximum of 25 gallons per minute. For a spring, after approval of this application, some type of artificial diversion or improvement must be constructed to qualify for a water right.

(b) MAXIMUM volumetric quantity of water to be developed and beneficially used per calendar year: 1 Acre FT
Circle appropriate units: (Gallons) (Acre Feet) A four person family utilizes approximately one (1) acre-foot of water per year or 325,000 gallons.

8. Mark the point(s) or area(s) of use in the tabulation box below. Note: Upper row refers to the quarter of the section. Next row refers to quarter of the quarter section.

TABULATION BOX

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
25	64	34	X																

SEE REVERSE SIDE

9. If for irrigation use:
- Describe MAXIMUM acreage to be irrigated in each 40 acre subdivision in the tabulation box above.
 - Land will be irrigated from this well only.
 - Land is irrigated from existing water right(s) with water from this well to be additional supply. Describe existing water right(s) under REMARKS.

10. If for irrigation use, describe method of irrigation, i.e. center pivot sprinkler, flood, etc.

11. The well or spring is to be constructed on lands owned by APPLICANT
(The granting of a permit does not constitute the granting of right-of-way. If any easement or right-of-way is necessary in connection with this application, it should be understood that the responsibility is the applicant's. A copy of the agreement should accompany this application. If the land is privately owned and the owner is not the co-applicant.)

12. The water is to be used on lands owned by APPLICANT
(If the landowner is not the applicant, a copy of the agreement relating to the usage of appropriated water on the land should be submitted to this office. If the landowner is included as co-applicant on the application, this procedure need not be followed.) NOTE: Water rights attach to the area(s) and/or point(s) of use.

REMARKS:

Under penalties of perjury, I declare that I have examined this application and to the best of my knowledge and belief it is true, correct and complete.

Janette Portarale
Signature of Applicant or Authorized Agent

2-13-06
Date

20

THE LEGALLY REQUIRED FILING FEE MUST ACCOMPANY THIS APPLICATION

DOMESTIC AND/OR STOCK WATERING USES \$25.00
(Domestic use is defined as use of water in 3 single family dwellings or less, noncommercial watering of lawns and gardens totalling one acre or less.)

IRRIGATION, MUNICIPAL, INDUSTRIAL, MISCELLANEOUS, COAL BED METHANE \$50.00

MONITOR (For water level measurements or chemical quality sampling) or TEST WELL No Fee

IF WELL WILL SERVE MULTIPLE USES, SUBMIT ONLY ONE (THE HIGHER) FILING FEE.

THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT

THE STATE OF WYOMING)
) ss.

STATE ENGINEER'S OFFICE)

This instrument was received and filed for record on the 13th day of February, A.D. 20 06, at 10:49 o'clock a M.

Permit No. U.W.

173148

[Signature]
for State Engineer

THIS IS TO CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This application is approved subject to the condition that the proposed use shall not interfere with any existing rights to ground water from the same source of supply and is subject to regulation and correlation with surface water rights, if the ground and surface waters are interconnected. The use of water hereunder is subject to the further provisions of Chapter 169, Session Laws of Wyoming, 1957, and any subsequent amendments thereto.

Granting of a permit does not guarantee the right to have the water level or artesian pressure in the well maintained at any specific level. The well should be constructed to a depth adequate to allow for the maximum development and beneficial use of ground water in the source of supply.

If the well is a flowing artesian well, it shall be so constructed and equipped that the flow may be shut off when not in use without loss of water into sub-surface formations or at the land surface.

Coal Bed Methane wells have Additional Conditions and Limitations on attachment sheet.

Approval of this application may be considered as authorization to proceed with construction of the proposed well or spring. A Statement of Completion will be filed within thirty (30) days of completion of construction, including pump installation.

Completion of construction and completion of the beneficial use of water for the purposes specified in Item 4 of this application will be made by December 31, 2007.

The amount of appropriation shall be limited to the quantity to which permittee is entitled as determined at time of proof of application of water to beneficial use.

Witness my hand this 22nd day of February, A.D. 20 06.

[Signature]
for Cheryl C. Tyrrell
PATRICK T. TYRRELL, State Engineer

PERMIT NO. U.W. 173148

PERMIT STATUS

Priority Date: February 13, 2006

Approval Date: February 22, 2006

October 29, 2007 – Statement of Completion on 1914 received.

Beneficial use assumed as of date of completion.

SCANNED NOV - 3 2014

STATE OF WYOMING
OFFICE OF THE STATE ENGINEER
HERSCHLER BLDG., 4-E
CHEYENNE, WYOMING 82002
(307) 777-6163

SCANNED NOV -3 2014

STATEMENT OF COMPLETION AND DESCRIPTION OF WELL OR SPRING

NOTE: Do not fold this form. Use typewriter or print neatly with black pen.

PERMIT NO. U.W. 173148 NAME OF WELL/SPRING Pontarolo #1

1. NAME OF OWNER JAMES & JEANETTE PONTAROLO

2. ADDRESS 1369 DEER CREEK ROAD
City FORT LARAMIE State WYO Zip Code 82212 Phone No. 307-837-2697
Please check if address has changed from that shown on permit

3. USE OF WATER ☒ Domestic ☒ Stock Watering ☐ Irrigation ☐ Municipal ☐ Industrial ☐ Miscellaneous
☐ Monitor or Test ☐ Coal Bed Methane Explain proposed use (Example: One single family dwelling)

4. LOCATION OF WELL/SPRING NE 1/4 NE 1/4 of Section 34 T. 25 N., R. 64 W., of the 6th P.M. (or W.R.M.)
Subdivision Name _____ Lot _____ Block _____
Resurvey Location Tract _____ or Lot _____ Datum ☐ NAD27 ☐ NAD83
Geographic Coordinates: Latitude 42° 06' 05" N Longitude 104° 31' 12" W (degrees, minutes, seconds)
UTM: Zone _____ Northing _____ Easting _____ (meters)
State Plane Coordinates: Zone _____ Northing _____ Easting _____ (feet)
Land surface elevation (ft. above mean sea level) 4370 Datum ☐ NAVD29 ☐ NAVD88
Source ☐ GPS ☐ Map ☒ Survey ☐ Unknown Other ☐ Altimeter (for elevation only)

5. TYPE OF CONSTRUCTION ☒ Drilled ☐ Dug ☐ Driven ☐ Other
Describe This well drilled by the old cable rig in about 1914

6. CONSTRUCTION Total depth of well/spring 165' ft.
Depth of static water level 120 ft. (below land surface) Casing height 1' ft. above ground
a. Diameter of borehole (bit size) 6" inches
b. Casing schedule ☒ New ☐ Used Joint type ☐ Threaded ☐ Glued ☐ Welded
5.5" diameter from 30' ft. to _____ ft. Material GALVANIZED CASING Gage _____
_____ diameter from _____ ft. to _____ ft. Material _____ Gage _____
c. Cemented/grouted interval, from _____ ft. to _____ ft.
Amount of cement/grout used 5 SACK type CEMENT + GRAVEL
(example: 10 sacks) (example: bentonite pellets)
d. Type of completion ☒ Customized perforations ☐ Open hole ☐ Factory screen
Type of perforator used UNKNOWN
Size of perforations _____ inches by _____ inches.
Number of perforations and depths where perforated
_____ perforations from UNKNOWN ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
Open hole from _____ ft. to _____ ft.
Well screen details
Diameter _____ slot size _____ set from _____ ft. to _____ ft.
Diameter _____ slot size _____ set from _____ ft. to _____ ft.
e. Well development method Sand bucket method How long was well developed? 4 hours
f. Was a filter/gravel pack installed? ☐ Yes ☒ No Size of sand/gravel _____
Filter/gravel pack installed from _____ ft. to _____ ft.
g. Was surface casing used? ☒ Yes ☐ No Was it cemented in place? ☒ Yes ☐ No
Surface casing installed from 0 ft. to 30' ft.

7. NAME AND ADDRESS OF DRILLING COMPANY KAPUS DRILLING - FORT LARAMIE WYO

8. DATE OF COMPLETION OF WELL (including pump installation) OR SPRING (first used) 1914

9. PUMP INFORMATION Manufacturer Fairbanks Type _____
Source of power wind Horsepower _____ Depth of pump setting or intake 160' ft.
Amount of water being pumped 15 gal./min.* (For springs or flowing wells, see item 10)
Total volumetric quantity used per calendar year* 1 AC/FT P-105 R2
*If these amounts exceed permitted amount an enlargement is required.

10. FLOWING WELL OR SPRING (Owner is responsible for control of flowing well)
If artesian flow or spring, yield is _____ gal./min. *Surface pressure is _____ lb./sq.inch, or _____ feet of water.
The flow is controlled by ☐ Valve ☐ Cap ☐ Plug
Does well leak around casing? ☐ Yes ☒ No

11. IF SPRING, HOW WAS IT CONSTRUCTED? (Some method of artificial diversion, i.e., spring box, cribbing, etc., is necessary to qualify for a water right)

12. **PUMP TEST** Was a pump test conducted? ☒ Yes ☐ No

If so, by whom KAPUS drilling

Yield _____ gal./min. with _____ ft. drawdown after _____ hours

Yield _____ gal./min. with _____ ft. drawdown after _____ hours

13. LOG OF WELL Total depth drilled 165' ft.

Depth of completed well 160' ft. Diameter of well 5.5" inches

Depth to first water bearing formation 140' ft.

Depth to principal water bearing formation Top _____ ft. to Bottom _____ ft.

DRILL CUTTINGS DESCRIPTION[illegible]

14. DOES A GEOPHYSICAL LOG ACCOMPANY THIS FORM? ☐ Yes ☒ No

- ## 15. QUALITY OF WATER INFORMATION

Does a chemical and/or bacteriological water quality analysis accompany this form?

☐ Yes ☒ No

It is recommended that chemical and bacteriologic water quality analyses be performed and that the report(s) be filed with the records of this well (contact Department of Agriculture, Analytical Lab Services, Laramie, 742-2984).

If not, do you consider the water as ☒ Good ☐ Acceptable ☐ Poor ☐ Unusable

REMARKS This well is used for stock. This is a pre-existing well that was previously unpermitted.

Under penalties of perjury, I declare that I have examined this form and to the best of my knowledge and belief it is true, correct, and complete.

James Pontardo ✓ Jeanette Pontardo
Signature of Owner or Authorized Agent

10-6-07 .20
Date

FOR STATE ENGINEER'S USE ONLY

Permit No. U.W. 173148

Date of Receipt

Date of Priority Feb 13, 2006, 20

Date of Approval Feb 23 2012

Bailey
for State Engineer

For additional information or to schedule a showing, please contact:



Cory Clark
Broker / Owner

Office: (307)334-2025
Mobile: (307)351-9556

clark@clarklandbrokers.com

Licensed in WY, MT, SD, ND, NE &
CO

Clark & Associates Land Brokers, LLC
Specializing in Farm, Ranch, Recreational & Auction Properties

Lusk, WY Office

736 South Main Street • PO Box 47
Lusk, WY 82225

Cory G. Clark - Broker / Owner

(307) 351-9556 ~ *clark@clarklandbrokers.com*
Licensed in WY, MT, SD, ND, NE & CO

Dean Nelson – Sales Associate

(307) 340-1114 ~ *dean@clarklandbrokers.com*
Licensed in WY & NE

Kaycee, WY Office

210 Center Street, Suite 110
Kaycee, WY 82639

**Mark McNamee - Associate Broker/Auctioneer/
Owner**

(307) 760-9510 ~ *mcnamee@clarklandbrokers.com*
Licensed in WY, MT, SD & NE

Billings & Miles City, MT Offices

6806 Alexander Road
Billings, MT 59105

Denver Gilbert - Associate Broker / Owner

(406) 697-3961 ~ *denver@clarklandbrokers.com*
Licensed in WY, MT, SD & ND

Buffalo, WY Office

9 Twin Lakes Lane
Buffalo, WY 82834

Jon Keil - Associate Broker

(307) 331-2833 ~ *jon@keil.land*
Licensed in WY & CO

Belle Fourche, SD Office

515 National Street • PO Box 307
Belle Fourche, SD 57717

Ronald L. Enszt - Associate Broker

(605) 210-0337 ~ *ensz@rushmore.com*
Licensed in SD, WY, MT & NE

Torrington, WY Office

2210 Main St
Torrington, WY 82240

Logan Schliinz - Associate Broker

(307) 575-5236 ~ *logan@clarklandbrokers.com*
Licensed in CO, NE & WY

Douglas, WY Office

PO Box 1395, Douglas, WY 82633
1878 N Glendo Hwy, Glendo, WY 82213

Scott Leach - Associate Broker

(307) 331-9095 ~ *scott@clarklandbrokers.com*
Licensed in WY, SD & NE

Greybull, WY Office

3625 Greybull River Road, PO Box 806
Greybull, WY 82426

Ken Weekes – Sales Associate

(307) 272-1098 ~ *kenrweekes@gmail.com*
Licensed in WY

IMPORTANT NOTICE

Clark & Associates Land Brokers, LLC
(Name of Brokerage Company)

REAL ESTATE BROKERAGE DISCLOSURE

When you select a Real Estate Broker Firm, Broker or sales person (all referred to as "Broker") to assist you in a real estate transaction, the Broker may do so in one of several capacities. In accordance with Wyoming's Brokerage Relationships Act, this notice discloses the types of working relationships that are available to you.

Seller's Agent. (Requires written agreement with Seller)

If a Seller signs a written listing agreement with a Broker and engages the Broker as a Seller's agent, the Broker represents the Seller. On properties listed with other brokerage companies, the Broker may work as an agent for the Seller if the Seller agrees to have the Broker work as a subagent. As an agent or subagent for the Seller, the Broker represents the Seller and owes the Seller a duty of utmost good faith, loyalty, and fidelity in addition to the **obligations** enumerated below for Intermediaries. Wyo. Stat. § 33-28-303(a). The Seller may be vicariously liable for the acts of the Seller's Agent or Seller's subagent that are approved, directed or ratified by the Seller.

Customer. (No written agreement with Buyer)

A customer is a party to a real estate transaction who has established no intermediary or agency relationship with any Broker in that transaction. A Broker may work as an agent for the Seller treating the Buyer as a customer or as an agent for the Buyer treating the Seller as a customer. Also when a Buyer or Seller is represented by another Broker, a Broker may work with the other Buyer or Seller as a customer, having no written agreement, agency or intermediary relationship with either party. A Broker working with a customer shall owe no duty of confidentiality to a customer. Any information shared with Broker may be shared with the other party to the transaction at customer's risk. The customer should not tell the Broker any information which the customer does not want shared with the other party to the transaction. The customer should not tell the Broker any information which the customer does not want shared with the other party to the transaction. The Broker must treat the customer honestly and with fairness disclosing all material matters actually known by the Broker. The Broker owes the customer the **obligations** enumerated below for Intermediaries which are marked with asterisks. W.S. § 33-28-310(a).

Buyer's Agent. (Requires written agreement with Buyer)

If a Buyer signs a written Buyer Agency Agreement with a Broker, the Broker will act as an agent for the Buyer. If so, the Broker represents the Buyer and owes the Buyer a duty of utmost good faith, loyalty and fidelity in addition to the **obligations** enumerated below for Intermediaries. The Buyer may be vicariously liable for the acts of the Buyer's Agent that are approved, directed or ratified by the Buyer. As a Buyer's Agent, Wyoming law requires the Broker to disclose to potential Sellers all adverse material facts, which may include material facts regarding the Buyer's financial ability to perform the terms of the transaction. Wyo. Stat. § 33-28-304(c). As a Buyer's Agent, the Broker has duties to disclose to the Buyer certain information; therefore, the Seller should not tell the Broker any information which the Seller does not want shared with the Buyer.

Intermediary. (Requires written agreement with Seller and/or Buyer)

The Intermediary relationship is a non-agency relationship which may be established between a Broker and a Seller and/or a Broker and a Buyer. A Seller may choose to engage a Broker as an Intermediary when listing a property. A Buyer may also choose to engage a Broker as an Intermediary. An Intermediary shall not act as an agent or advocate for any party and shall be limited to providing those services set forth below. Wyo. Stat. § 33-28-305.

As an Intermediary (Non-Agent), Broker will not represent you or act as your agent. The parties to a transaction are not legally responsible for the actions of an Intermediary and an Intermediary does not owe the parties the duties of an agent, including the fiduciary duties of loyalty and fidelity. Broker will have the following **obligations** to you:

- perform the terms of any written agreement made by the Intermediary with any party or parties to the transaction;
- exercise reasonable skill and care;*
- advise the parties to obtain expert advice as to material matters about which the Intermediary knows but the specifics of which are beyond the expertise of the Intermediary;*
- present all offers and counteroffers in a timely manner;*
- account promptly for all money and property the Broker received;*
- keep you fully informed regarding the transaction;*
- obtain the written consent of the parties before assisting the Buyer and Seller in the same real estate transaction as an Intermediary to both parties to the transaction;
- assist in complying with the terms and conditions of any contract and with the closing of the transaction;*
- disclose to the parties any interests the Intermediary may have which are adverse to the interest of either party;
- disclose to prospective Buyers, known adverse material facts about the property;*
- disclose to prospective Sellers, any known adverse material facts, including adverse material facts pertaining to the Buyer's financial ability to perform the terms of the transaction;*
- disclose to the parties that an Intermediary owes no fiduciary duty either to Buyer or Seller, is not allowed to negotiate on behalf of the Buyer or Seller, and may be prohibited from disclosing information about the other party, which if known, could materially affect negotiations in the real estate transaction.

As Intermediary, the Broker will disclose all information to each party, but will not disclose the following information without your informed consent:

- the motivating factors for buying or selling the property;
- that you will agree to financing terms other than those offered, or
- any material information about you, unless disclosure is required by law or if lack of disclosure would constitute dishonest dealing or fraud.

Change From Agent to Intermediary – In – House Transaction

If a Buyer who has signed a Buyer Agency Agreement with the Broker wants to look at or submit an offer on property Broker has listed as an agent for the Seller, the Seller and the Buyer may consent in writing to allow Broker to change to an Intermediary (non-agency) relationship with both the Buyer and the Seller. Wyo. Stat. § 33-28-307.

An established relationship cannot be modified without the written consent of the Buyer or the Seller. The Buyer or Seller may, but are not required to, negotiate different commission fees as a condition to consenting to a change in relationship.

Designated Agent. (requires written designation by the brokerage firm and acknowledgement by the Buyer or Seller)

A designated agent means a licensee who is designated by a responsible broker to serve as an agent or intermediary for a Seller or Buyer in a real estate transaction. Wyo. Stat. § 33-28-301 (a)(x).

In order to facilitate a real estate transaction a Brokerage Firm may designate a licensee as your agent or intermediary. The Designated Agent will have the same duties to the Buyer and Seller as a Buyer's or Seller's Agent or Intermediary. The Broker or an appointed "transaction manager" will supervise the transaction and will not disclose to either party confidential information about the Buyer or Seller. The designation of agency may occur at the time the Buyer or Seller enters into an agency agreement with the Brokerage Firm or the designation of agency may occur later if an "in house" real estate transaction

occurs. At that time, the Broker or “transaction manager” will immediately disclose to the Buyer and Seller that designated agency will occur.

Duties Owed by An Agent But Not Owed By An Intermediary.

WHEN ACTING AS THE AGENT FOR ONE PARTY (EITHER BUYER OR SELLER), BROKER HAS FIDUCIARY DUTIES OF UTMOST GOOD FAITH, LOYALTY, AND FIELITY TO THAT ONE PARTY. A BROKER ENGAGED AS AN INTERMEDIARY DOES NOT REPRESENT THE BUYER OR THE SELLER AND WILL NOT OWE EITHER PARTY THOSE FIDUCIARY DUTIES. HOWEVER, THE INTERMEDIARY MUST EXERCISE REASONABLE SKILL AND CARE AND MUST COMPLY WITH WYOMING LAW. AN INTERMEDIARY IS NOT AN AGENT OF ADVOCATE FOR EITHER PARTY. SELLER AND BUYER SHALL NOT BE LIABLE FOR ACTS OF AN INTERMEDIARY, SO LONG AS THE INTERMEDIARY COMPLIES WITH THE REQUIREMENTS OF WYOMING’S BROKERAGE RELATIONSHIPS ACT. WYO. STAT. § 33-28-306(a)(iii).

THIS WRITTEN DISCLOSURE AND ACKNOWLEDGMENT, BY ITSELF, SHALL NOT CONSTITUTE A CONTRACT OR AGREEMENT WITH THE BROKER OR HIS/HER FIRM. UNTIL THE BUYER OR SELLER EXECUTES THIS DISCLOSURE AND ACKNOWLEDGEMENT, NO REPRESENTATION AGREEMENT SHALL BE EXECUTED OR VALID. WYO. STAT. § 33-28-306(b).

NO MATTER WHICH RELATIONSHIP IS ESTABILSHED, A REAL ESTATE BROKER IS NOT ALLOWED TO GIVE LEGAL ADVICE. IF YOU HAVE QUESTIONS ABOUT THIS NOTICE OR ANY DOCUMENT IN A REAL ESTATE TRANSACTION, CONSULT LEGAL COUNSEL AND OTHER COUNSEL BEFORE SIGNING.

The amount or rate of a real estate commission for any brokerage relationships is not fixed by law. It is set by each Broker individually and may be negotiable between the Buyer or Seller and the Broker.

On _____, I provided (Seller) (Buyer) with a copy of this Real Estate Brokerage Disclosure and have kept a copy for our records.

Brokerage Company

Clark & Associates Land Brokers, LLC
PO Box 47
Lusk, WY 82225
Phone: 307-334-2025 Fax: 307-334-0901

By _____

I/We have been given a copy and have read this Real Estate Brokerage Disclosure on (date) _____, (time) _____ and hereby acknowledge receipt and understanding of this Disclosure.

SELLER _____ DATE _____ TIME _____

BUYER _____ DATE _____ TIME _____