



**CLARK & ASSOCIATES  
LAND BROKERS, LLC**

Specializing in Farm, Ranch, Recreational & Auction Properties

*Proudly Presents*



***WIND RIVER FARM***  
***Pavillion, Fremont County, Wyoming***

*The Wind River Farm is a turn-key property consisting of 157± deeded acres with productive farmland under three pivots, a custom cattle feeding yard, well-maintained horse facilities, and two homes.*



## LOCATION & ACCESS

The Wind River Farm is located approximately 24 miles northwest of Riverton, Wyoming. There is year-round access from paved Wyoming Highway 133 leading to the private driveway. To access the farm from Riverton travel west on Wyoming Highway 26 for 20.3 miles and turn right on Highway 133 and travel for 3.1 miles and the farm is on the left. 345 Wyoming Highway 133.

Several towns and cities in proximity to the property include:

- |   |                    |
|---|--------------------|
| • Pavillion, Wyoming (population 200)       | 3.5 miles north    |
| • Riverton, Wyoming (population 10,891)     | 24 miles southeast |
| • Lander, Wyoming (population 7,555)        | 29 miles south     |
| • Casper, Wyoming (population 58,446)       | 133 miles east     |
| • Rock Springs, Wyoming (population 23,319) | 146 miles south    |
| • Billings, Montana (population 109,595)    | 257 miles north    |



## SIZE & DESCRIPTION

### **157± deeded acres**

Perimeter fenced with four and five strands of barbed wire, this property is conveniently located on highway frontage. Pride of ownership is obvious and this property can be considered 'turn-key'.

The terrain of the farm consists of flat topography with a slight drop in elevation in the southwest corner of the farm. The portion of the farm with the houses and corrals have large cottonwood trees that provide shade to the horse arena and stock pens. A live stream of year-round water flows through the southwest corner of the property. The elevation on the property sits at approximately 5,400 feet above sea level.

There are approximately 137 acres under three pivot irrigated hay ground and an outlining perimeter of 5 acres of flood-irrigated hay ground with water coming from the Midvale Water District. The 2021 production was 560 ton of alfalfa on a 6-year-old stand of roundup ready alfalfa.

The farm has a custom cattle feeding yard, well-maintained horse facilities, and two homes.





## WATER RESOURCES

- Two permitted wells, 8GPM.
- 143.9± acres of Midvale irrigation rights, dated 1906.
- Live water from Pilot Drain.



## SOILS

- Lostwells sandy clay loam, 0 to 3 percent slopes – 56.6%
- Winkleman silty clay, – 11.7%
- Saline Wetland – 10.6%
- Oceanet sandy loam- 0 to 10 percent slope – 9.9%
- Worland sandy loam – 0 to 3 percent slope – 6.1%

## REAL ESTATE TAXES

According to the Fremont County Assessor's records, the real estate taxes for the Wind River Farm are approximately \$4,123 annually.

## MINERAL RIGHTS

Mineral rights associated with the subject property owned by Seller, if any, will be transferred to the Buyers on the day of closing.

## CARRYING CAPACITY / FARM OPERATIONS

The Wind River Farm has historically run 120 cow/calf pairs for three months from October through December. The facility has five feeding pens with nine water sources to custom feed 300 cows or 450 calves. The pens consist of metal pipe, steel cable and automatic waterers in excellent condition. There are also six horse runs with automatic waterers and lean-to protection.

The irrigated hay meadow has produced 4.5 to 5 tons of high alfalfa per acre annually with three cuttings and regrowth for fall grazing. The hay meadows have three pivots: a Reinke four-tower pivot, a Reinke six-tower pivot installed in 2011, and a Reinke seven-tower pivot installed in 2006. All three pivots are used to fertilize the hay meadow with liquid fertilizer.

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



## UTILITIES

Electricity – Rocky Mountain Power - \$8,000 annually with a total of 3 meters on the property.

Gas/Propane – Propane \$3,000 annually

Communications – Verizon and AT&T

Water – Private wells

Sewer – Septic Tank

Television – Dish and Direct TV



## IMPROVEMENTS

Improvements on the Wind River Farm include the following:

- 2,688 sq. ft. equipment storage building built in 2011 with an automatic chain driven 12' door, and manual 12' overhead door. Excellent condition.



- A wood frame barn with metal roof built in 1940, with a tack room, wood-working room, 684 sq. ft. mechanic's bay, hay loft, calf warmer, and three stall maternity suite. Excellent condition.





- 2,448 farm utility loafing shed. Good condition.
- 1,440 farm utility loafing shed. Good condition.
- 320 sq. ft. farm building used as a livestock dog kennel. Good Condition.
- Two (2) grain bins: 113 sq. ft. and 154 sq. ft. Good Condition.
- 120' x 350' horse arena with a return alley, roping boxes and a chute. Excellent condition.



- Six metal pipe horse pens with runs. Excellent condition.
- Set of corrals constructed of pipe and cable with a cattle alley way and loading dock for tractor trailers. Excellent condition.
- Concrete feeders are set in place for a feed truck along the base of the corrals.
- 850 sq. ft. 1-story, two-bedroom, one bath ranch house built in 1939 with an 850 sq. ft basement. Excellent to good condition.
- 512 sq. ft. foam insulated garage currently used as a personal gym.
- 520 sq. ft. one-story ranch house with one bedroom and one bathroom built in 1949 with a 520 sq. ft. basement. Good to modest condition.







## RECREATION & WILDLIFE

Wildlife that frequent the Wind River Farm include mule deer, whitetail deer, antelope, turkey, ducks, geese and pheasant. The farm is also located minutes from several area lakes including Boysen Reservoir State Park and Ocean Lake.

Outdoor recreation is an important part of the Fremont County way of life. The County's abundant natural resources provide a wide array of outdoor recreation opportunities for both residents and nonresidents. Access to outdoor [recreation](#) is one of the reasons why many current residents choose to live and work in the Riverton area.

Riverton is home to an enormous amount of outdoor activities with six community parks and four athletic fields. You can also play a round of 18-hole golf. There's hunting, fishing, hiking or rock climbing all within a few minutes' drive. From skate boarding, bicycling and walking to ice skating, sledding and playing in the snow; there is something for everyone to do!





## COMMUNITY AMENITIES

From the websites <http://www.rivertonwy.gov> and <http://www.rivertonchamber.org> Riverton is the rendezvous community of Wyoming, past, present and future. For centuries, people have chosen the Wind River Valley as a place to come together. It started with the Native Americans who felt it was a special place. Mountain men, prospectors and homesteaders followed. That rendezvous tradition continues today with a strong sense of civic pride in a friendly, enthusiastic and progressive community with an unsurpassed quality of life.

Riverton sits at the convergence of the Big Wind and Little Wind Rivers which has been a meeting place and crossroads since pre-historic times. Chief Washakie, Jim Bridger and Sacajawea are only a few of the legends that walked this land. As well as being the site of the 1838 mountain man rendezvous making Riverton truly a place to gather.

The modern city of Riverton was founded in 1906 during the land rush to settle acreage withdrawn by treaty from the Wind River Indian Reservation. Our history blends the pioneer spirit of the homesteaders with the native cultures of the Northern Arapahoe and Eastern Shoshone Indians tribes. As Riverton evolved from a freewheeling ranching and mining town into the commercial and educational hub of west-central Wyoming, it has retained the “can do” spirit and vitality of the New West.

Sheltered by mountains to the west and north and on the edge of the precipitation shadow cast by the Rockies, Riverton has the mildest year-round weather in the state of Wyoming.

Riverton offers an excellent K-12 education system including five preschools, a new elementary school and both private and parochial schools. Central Wyoming College is a two-year college with a nationally recognized nurse training program, state of the art Homeland Security Operations training and a partnership with the City of Riverton in a community recreation program.

Riverton today is a bustling town of commerce. Many residents of west central Wyoming come to Riverton shop and relax. With everything from native crafts and bazaars to national retailers, Riverton is a commercial city. Riverton is home to an airport and community college with outreach available to the University of Wyoming. The energy companies have regional offices here. The industries that support energy development, ranching and farming are in this town. Now Riverton has a diversified economic base and its attractive location near the Wind River Mountains is inviting to tourists and new businesses alike. More than five hundred motel rooms and many full-service and “fast food” restaurants and the multitude of numerous “Vegas Style” casinos, make Riverton a convenient headquarters for travelers seeking to explore the Wind River Country or just sit and relax while taking it all in.



## AIRPORT INFORMATION

The Riverton Regional Airport provides two airline options; Denver Air Connection and Great Lakes Airlines. Jim's Aircraft Service is a locally owned family business. The services provided include line service, aircraft maintenance (i.e. parts, piston & turbine engine overhaul, and other services and repairs), and aircraft rentals. On-site there are hangars, tie downs, conference rooms, flight planning, and a pilot's lounge. More info can be found at <http://flyriverton.com/>.

Commercial airline service is available at:

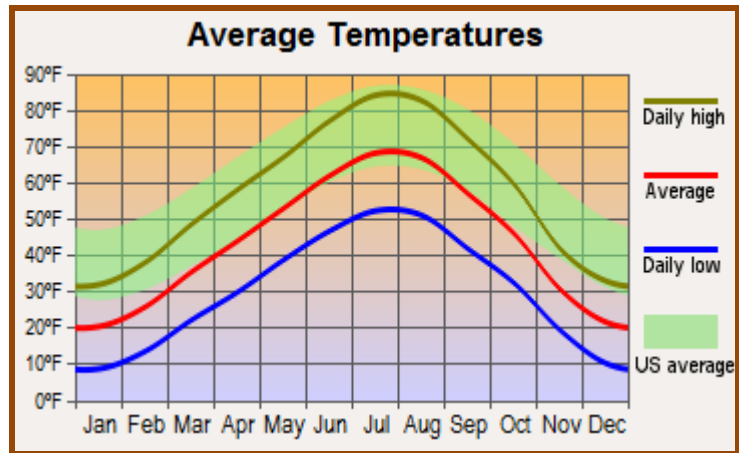
- **Denver, Colorado:** Denver International Airport is open 24-hours-a-day, seven days a week and is served by most major airlines and select charters, providing nonstop daily service to more than 130 national and international destinations. For more information, visit the official website for Denver International Airport at [www.flydenver.com](http://www.flydenver.com).
- **Billings, Montana:** Billings Logan International Airport has scheduled nonstop flights to several airline hubs such as Dallas/Fort Worth, Denver, Minneapolis/St. Paul, Portland, Salt Lake City and Seattle. Billings also serves as a small hub for Cape Air, a commuter airline which operates nonstop flights with Cessna 402 prop aircraft to Glasgow, Glendive, Havre, Sidney and Wolf Point in Montana. For further information on the Billings Logan International Airport, please see <https://www.flybillings.com/>.





## CLIMATE

According to the High Plains Regional Climate Center at the University of Nebraska, the average annual precipitation for the Pavillion, Wyoming area is approximately 8.8 inches including 28.2 inches of snow fall. The average high temperature in January is 34 degrees, while the low is 10 degrees. The average high temperature in July is 86 degrees, while the low is 55 degrees. The charts to the right are courtesy of [www.city-data.com](http://www.city-data.com).

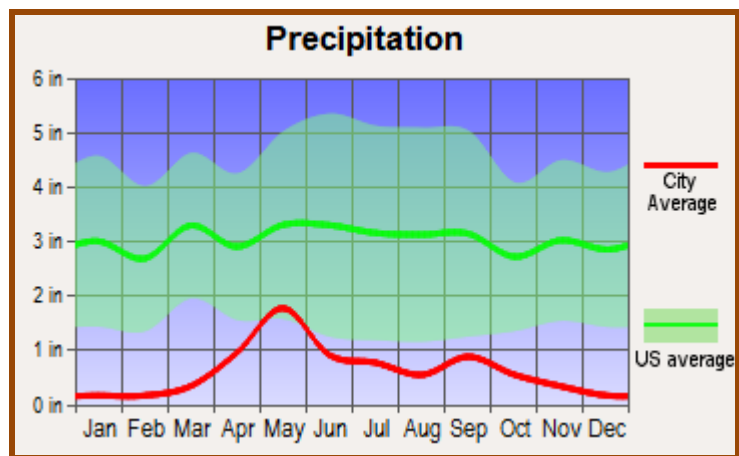


## STATE OF WYOMING

Wyoming is a state that offers an incredible diversity of activities, geography, climate, and history. Just a territory in 1869, Wyoming became the 44th state in 1890. The state's population is 563,626, and provides a variety of opportunities and advantages for persons wishing to establish residency.

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 ten 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
- No corporate income tax
- No gross receipts tax
- No inventory tax
- Low retail sales tax
- Low property tax
- Favorable inheritance tax
- Favorable unemployment 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. The mining industry, which includes oil and gas extracting, accounted for 29.4% of the state's GDP; more than in any other state. As of last year, Wyoming's poverty, home foreclosure, and unemployment rates were all among the lowest in the nation.

## OFFERING PRICE

**\$1,599,000**

Acceptable terms for purchasing this property include, but are not limited to cash at closing, new loan, or 1031 tax exchange. No portion of the purchase transaction will be financed by the seller. 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 there under with no liability or expense to be incurred by the Buyer (in connection with the Seller's tax-deferred exchange).



## CONDITIONS OF SALE

- I. All offers shall be:
  - A. in writing;
  - B. accompanied by an earnest money deposit check in the minimum amount of **seventy-nine thousand dollars (\$79,000)** 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 title company/closing agent'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 lines 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 regard 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.



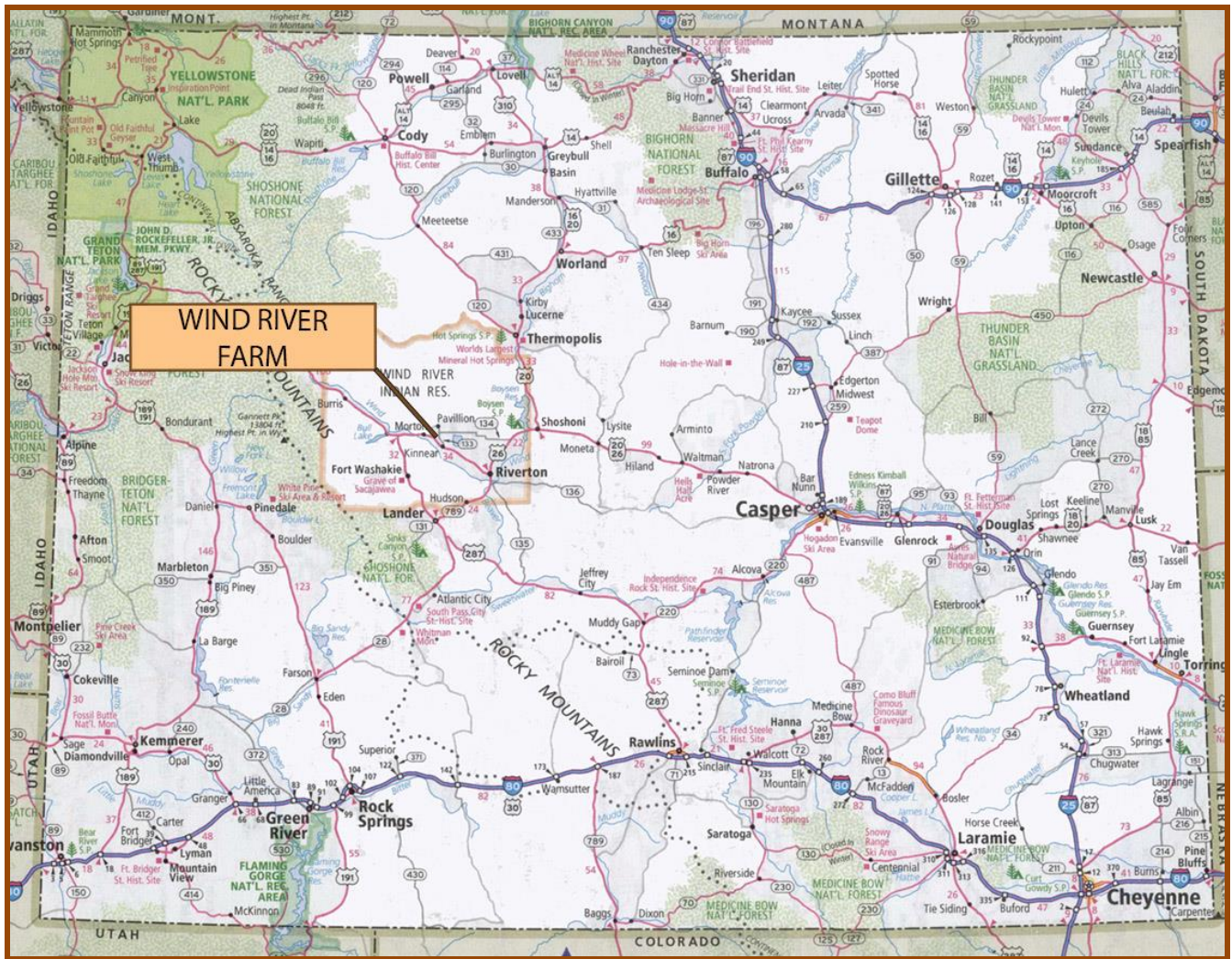
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Clark & Associates Land Brokers, LLC is pleased to have been selected as the Exclusive Agent for the Seller of this outstanding offering. All information has been obtained from sources deemed reliable by Clark & Associates Land Brokers, LLC; however, the accuracy of this information is not guaranteed or warranted by either 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.**

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## STATE LOCATION MAP

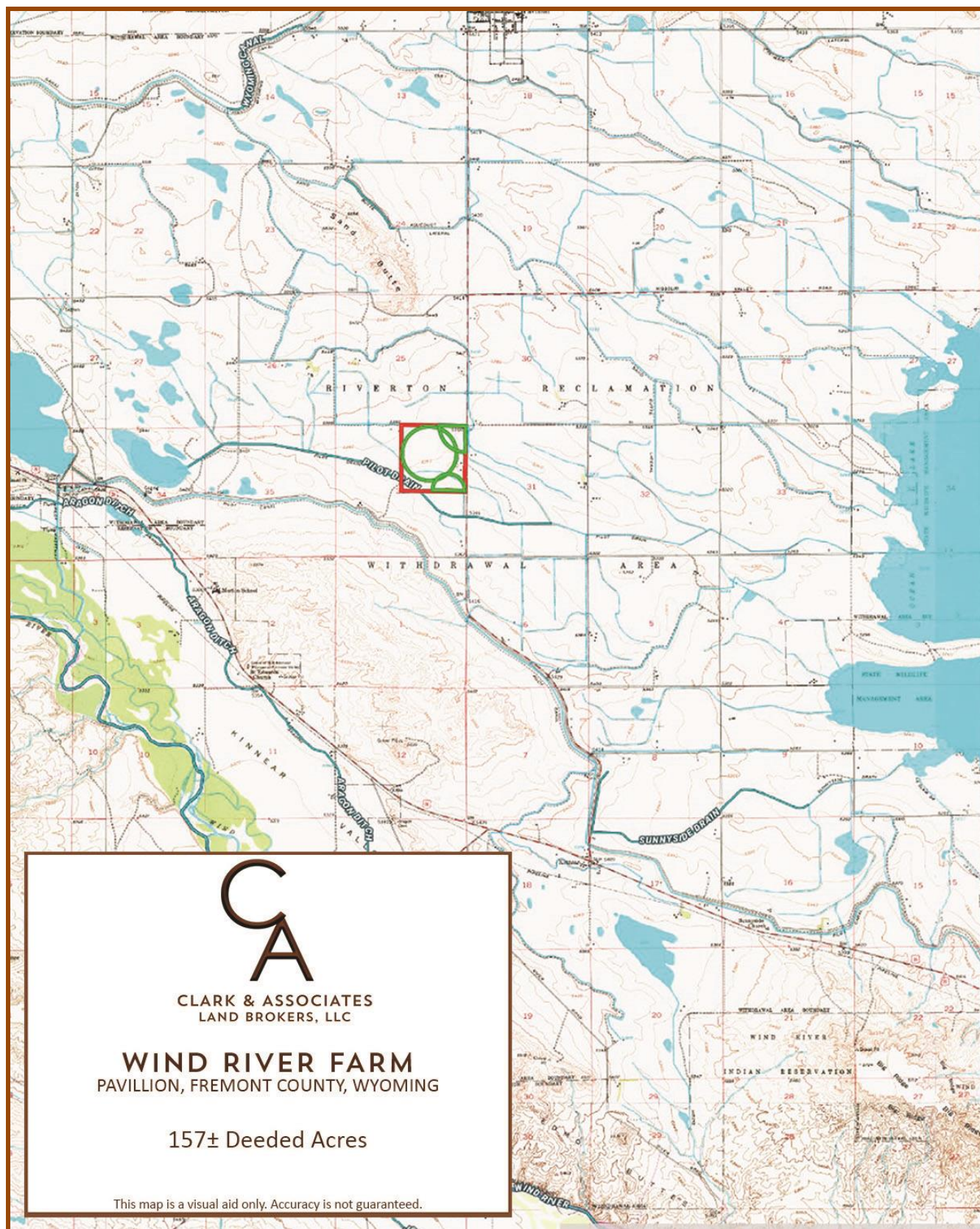


## NOTES

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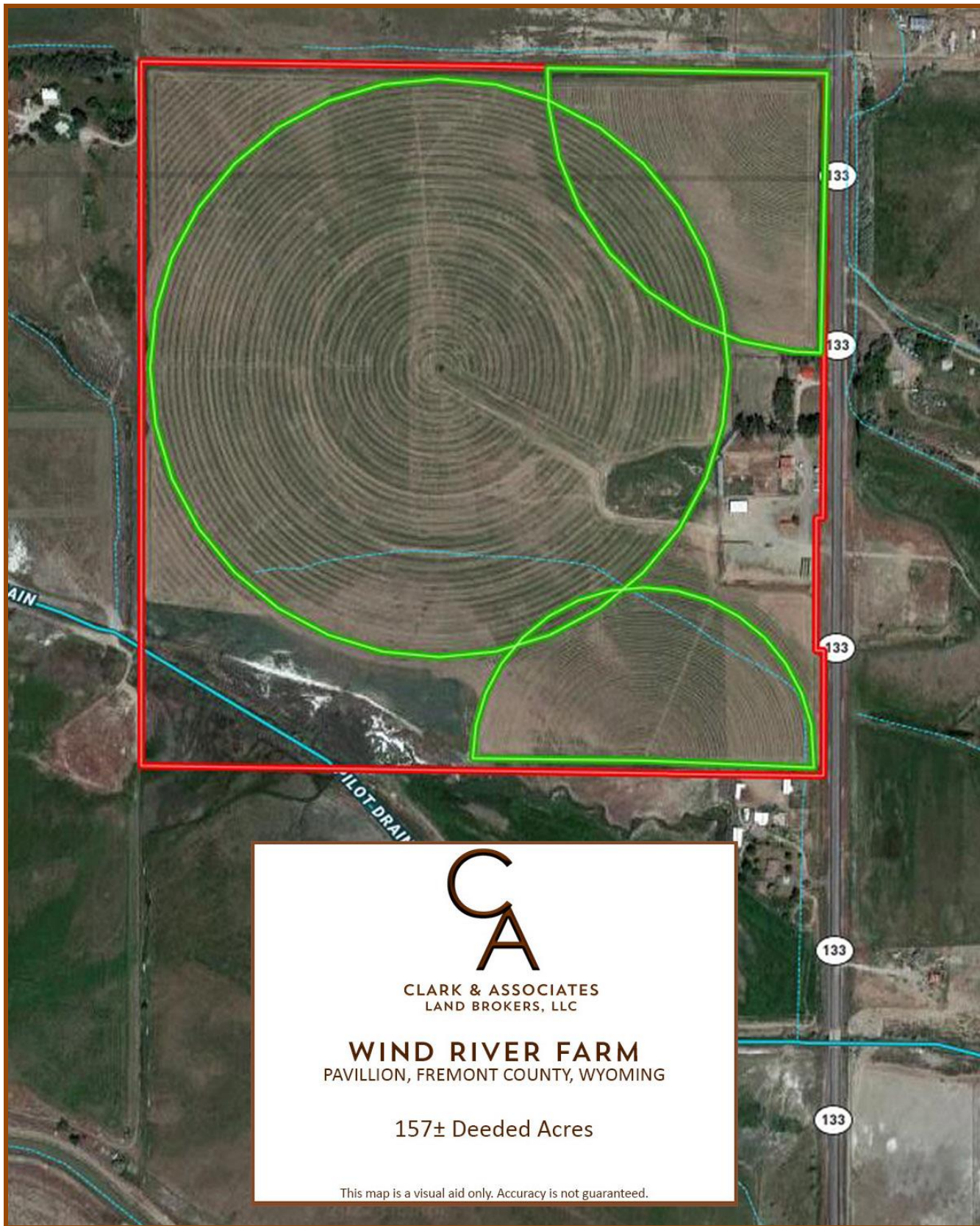


## WIND RIVER FARM TOPO MAP

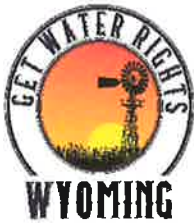




# WIND RIVER FARM ORTHO MAP







## Get Water Rights Wyoming

John Barnes, PE  
502 Dayshia Lane, Cheyenne, WY 82007  
307-630-8982  
waterrightsjohn@gmail.com

March 28, 2022

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

Re: Morgan Avery Jamerman Search - NE¼, Section 36, T3N, R1E, WRM – Original Survey

Dear Mr. Clark,

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

## **SURFACE WATER**

### **Permit No. 7300D**

Wyoming Canal, Priority Date: Aug. 7, 1906. Certificate Record No. 87, page 175; Order Record No. 91, page 323; Proof No. 39867. Source: Wind River, trib Big Horn River, trib Yellowstone River. This appropriation is for original supply to the following lands:

#### R3N, T1E, WRM

Section 36	NENE	37.40 acres
	NWNE	39.40 acres
	SWNE	35.70 acres
	<u>SENE</u>	<u>31.40 acres</u>
	TOTAL	143.90 acres (2.06 cfs)

# GROUNDWATER

## **Permit No. UW 3056**

Schamber – 2 Well, Priority Date: Aug. 30, 1957. Source: Groundwater. This permit is for stock and domestic use at 8 gpm at the following location:

T3N, R1E WRM

Section 36      NENE

## **Permit No. UW 30819**

Caproni No. 1 Well, Priority Date: Aug. 19, 1975. Source: Groundwater. This permit is for domestic use at 8 gpm at the following location:

T3N, R1E, WRM

Section 36      SWNE

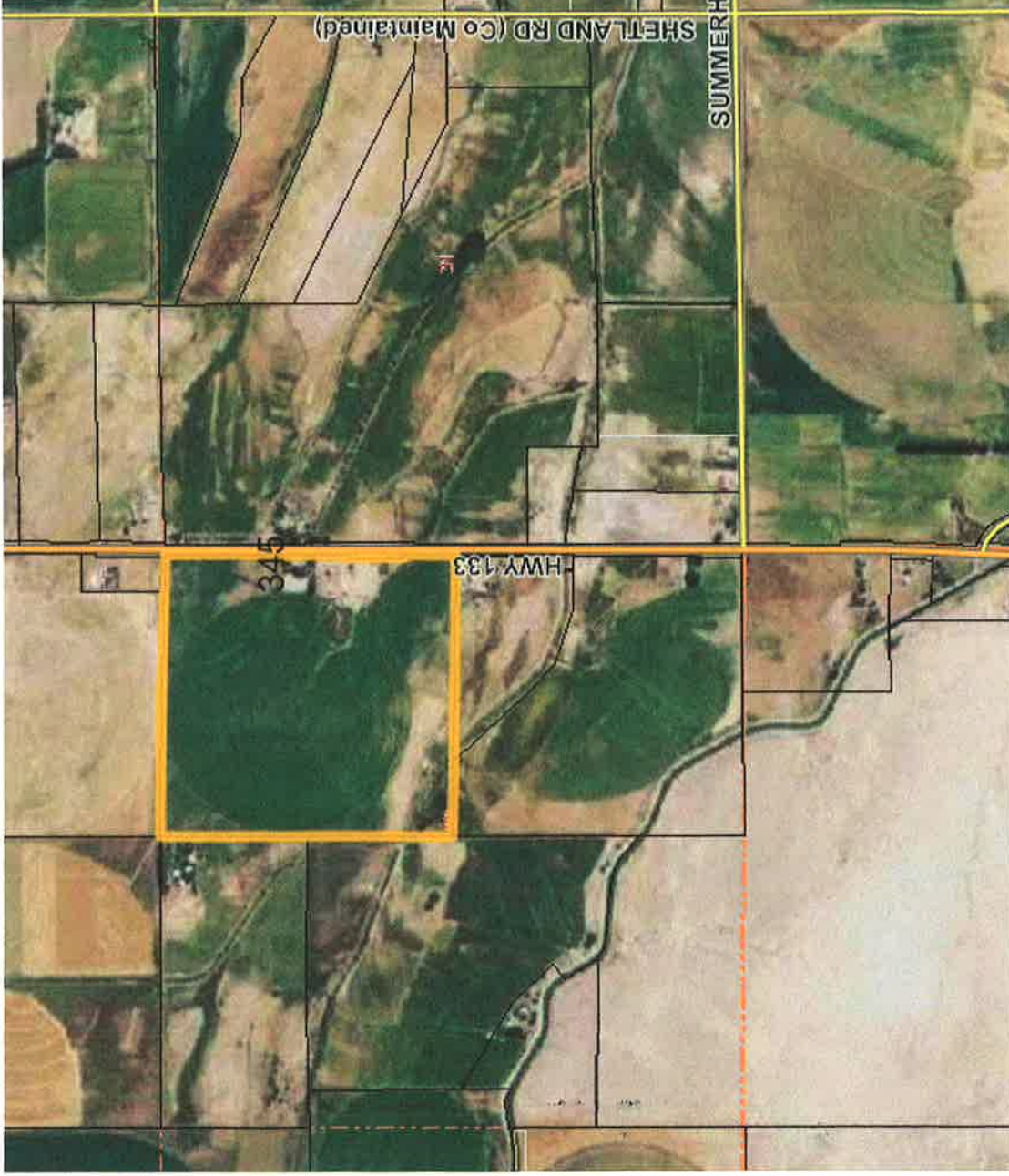
These are records found in the State Engineer's Office and Board of Control records as of March 25, 2022, and may or may not reflect the actual situation on the ground. Failure to use water for five (5) consecutive years when water is available may constitute grounds for forfeiture of the water right.

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John R. Barnes, President

J R Barnes Consulting, LLC





1 Parcel(s)    [Zoom to parcel\(s\)](#)

- Parcel: 91313610007700
- Account#: R0024106 [Property Detail](#)
- Tax ID: 000000000023531
- [Property Taxes](#)
- Owner: JAMERMAN MORGAN AVERY
- Mail Addr: PO BOX 1359
- Mail Addr: RIVERTON, WY 82501-0158
- St Addr\*: 345 HWY 133
- Deed: 1392967 (02/012017)
- Location: TWP 03N RNG 001E SEC 36 NE/4 WD 2017-1392967
- Tax Classification: Agricultural
- 157.18 acres

\* Where more than one Site Address exists within a parcel, we cannot guarantee the Primary Site Address will be displayed.

2000 ft

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



**Travis Gitthens**

Associate Broker,  
REALTOR®

Mobile: 307-315-1274

*travis@clarklandbrokers.com*

Licensed in WY

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**Clark & Associates Land Brokers, LLC**

Specializing in Farm, Ranch, Recreational & Auction Properties

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**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

**Buffalo, WY Office**

879 Trabling Road  
Buffalo, WY 82834

**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

**Belle Fourche, SD Office**

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

**Ronald L. Ensz - Associate Broker**

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

**Torrington, WY Office**

2210 Main St  
Torrington, WY 82240

**Logan Schlinz - Associate Broker**

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

**Wheatland, WY Office**

4398 Palmer Canyon Road  
Wheatland, WY 82201

**Jon Keil – Associate Broker**

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

**Moorcroft, WY Office**

22 Timber Meadows Drive  
Moorcroft, WY 82721

**Stan Mosher – Associate Broker**

(307) 631-2155 ~ *stan@clarklandbrokers.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 FIDELITY 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 OR 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 ESTABLISHED, 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 \_\_\_\_\_