

CATTLE COUNTRY EASEMENT

_____ are the owners of the real property described as follows:

In accordance with the conditions set forth in the decision of Cherry County, dated _____, approving a permit for development on the above described property, and in consideration of such approval, Grantors grant to the owners of all property adjacent to the above described property, a perpetual nonexclusive easement as follows:

1. The Grantors, their heirs, successors, and assigns acknowledge by the granting of this easement that the above described property is situated in an agricultural area and may be subjected to conditions resulting from agricultural operations on adjacent lands. Such operations include:

- The cultivation, harvesting, and storage of crops,
- All aspects of the raising of livestock, and
- The application of chemicals, operation of machinery, application of irrigation water, and other accepted and customary agricultural activities conducted in accordance with federal and state laws.

These activities ordinarily and necessarily produce noise, dust, smoke, odors and other conditions that may conflict with Grantors' use of Grantors' property. Grantors hereby waive all objections to normal and necessary agricultural activities legally conducted on adjacent lands regardless of their conflict with Grantors' use of Grantors' property, and hereby grant an easement to adjacent property owners for such activities.

2. Nothing in this easement shall grant a right to the adjacent property owners or any other person for ingress or egress upon or across the described property.

This easement is appurtenant to all property adjacent to the above described property and shall bind to their heirs, successors, and assigns of Grantors and shall endure for the benefit of the adjoining landowners, their heirs, successors, and assigns. The adjacent landowners, their heirs, successors, and assigns are hereby expressly granted the right of third party enforcement of this easement. This easement shall cease to have effect, however, on any adjacent lands that are developed for any nonagricultural use.

DATED _____

Grantor

Grantor

STATE OF _____)

SS

COUNTY OF _____)

On this _____ day of _____, 20_____, before me, the undersigned officer, personally appeared _____, known to me or satisfactorily proven to be the person(s) whose name(s) (is) (are) subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

NOTARY PUBLIC