

WELL AGREEMENT AND EASEMENT

THIS AGREEMENT, made this 13 day of <sup>November</sup>~~October~~, 1975, between GLENN A. KINCAID and CARLENA KINCAID, husband and wife, of Sheridan County, Wyoming, hereinafter referred to as Grantors and SAMUEL D. BENNETT, a single person, of 1475 Leopard Street, Sheridan, Sheridan County, Wyoming, hereinafter referred to as Grantees;

- WHEREAS, the Grantors are the owners of a tract of land described as follows:

The North 100 feet of Tracts 68 and 69 of Brundage Place, a Subdivision of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 2, Township 55 North, Range 84 West of the 6th P.M., Sheridan County, Wyoming, excepting therefrom the West 121 feet of the North 100 feet of said Tract 68;

and

WHEREAS, Grantee is the owner of a tract of land described as follows:

The West 121 feet of the North 100 feet of Tract 68, of Brundage Place, a Subdivision of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 2, Township 55 North, Range 84 West of the 6th P.M., Sheridan County, Wyoming.

and

WHEREAS, the Grantors are to construct a well together with all necessary equipment and accessories on Grantors' land and Grantee is to have the right to use water from said well.

THEREFORE, in consideration of the mutual covenants and agreements hereinafter to be kept and performed by each of the parties hereto, it is agreed that Grantors shall construct a well on Grantors' land above described, which well shall be located just to the East of the Grantee's land above described and Grantors agree to cause said well to be constructed so as to provide water of sufficient quantity and quality for both Grantors' and Grantees domestic use and Grantors, subject to the

conditions set forth in this agreement, do hereby grant, sell, and convey to Grantee an interest in said well sufficient to provide adequate domestic water to Grantee and Grantee shall have the right to take sufficient water from said well for Grantee's domestic purposes and to convey such water from said well to Grantee's above described tract of land by underground pipe line. Grantors hereby grant to Grantee, for the purposes of conveying and using said water as above described, an easement on, in, over and across, a strip of land ten (10) feet in width, the center line of said strip of land beginning at the well and extending in a Westerly direction to Grantee's land above described, with the right to enter upon Grantor's land for the purpose of maintaining, repairing and servicing said pipeline.

This conveyance is made on the condition that Grantee, his heirs and assigns, shall bear one-third (1/3) of the initial reasonable expense of constructing said well, and one-half (1/2) of all of the reasonable expenses connected with the maintenance of the well and all accessories thereto, and that Grantee, his heirs and assigns, shall, at their expense, keep and maintain the pipe line running to Grantee's land from said well in good order so that there will be no leakage or seepage therefrom, or any defects that may cause injury to the land and premises of the Grantors.

To have and to hold such right and easement to take water and to conduct the same over, on, through and across the land of the Grantor, subject, however, to the above conditions to the Grantee, his heirs and assigns forever.

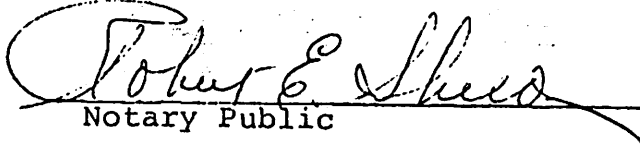
IN WITNESS WHEREOF, Grantors and Grantee have executed the instrument on the day first above written.

Glenn A. Kincaid  
Glenn A. Kincaid  
Carlana Kincaid  
Carlana Kincaid  
GRANTORS  
Samuel D. Bennett  
Samuel D. Bennett  
GRANTEE

STATE OF WYOMING )  
 ) SS  
COUNTY OF SHERIDAN )

The foregoing instrument was acknowledged before me  
by Glenn A. Kincaid and Carlena Kincaid, husband and wife,  
this 13 day of November, 1975.

Witness my hand and official seal.

  
Notary Public

My Commission expires: Sept 12, 1976



STATE OF WYOMING )  
 ) SS  
COUNTY OF SHERIDAN )

The foregoing instrument was acknowledged before me  
by Samuel D. Bennett, this 13 day of Nov, 1975.

Witness my hand and official seal.

  
Notary Public

My Commission expires: Sept 12, 1976

