596

RIGHT-OF-WAY AGREEMENT

THIS AGREEMENT made and entered into by GEORGE GWINN and ELIZABETH GWINN, husband and wife, and the HANOVER AND MIKADO DITCH CO., a corporation.

Wherein it is mutually agreed:

1.

That for and in consideration of the covenants and promises hereinafter contained, the Gwinns do hereby convey and warrant unto the Hanover and Mikado Ditch Co., the right to locate, construct, repair or maintain an irrigation ditch along the lands of the Gwinns situated in the SE¼ of Section 11, Township 57 North, Range 86 West of the 6th P.M., in Sheridan County, Wyoming, hereby releasing and waiving all rights under and by virtue of the Homestead and Exemption Laws of the State of Wyoming, together with the right of ingress and egress to and from said ditch for the purposes aforesaid.

2.

That the Hanover and Mikado Ditch Co. agrees that the ditch currently through the Gwinns' property and known as the Mikado Ditch shall be abandoned and the ditch bank of the whole ditch smoothed over: That the Company shall provide drainage under the new ditch and connect the drainage ditch to the existing draw draining the area to prevent the swamping and souring of lands of the Gwinns; and that the Company shall rebuild the fence between Kaufman and Gwinn on a proper location agreeable to the Gwinns and to Kaufman, said Kaufman being the owner of lands adjacent to the Gwinn lands to the East.

EXECUTED this 2C day of September, 1958.

Attest: HANOVER AND MIKADO DITCH CO.

Robert A. Stout   by _James E. Cable_
                                                        President

                                                       George Gwinn
                                                       GEORGE GWINN

                                                       Elizabeth E. Gwinn
                                                       /ELIZABETH GWINN

STATE OF WYOMING   }
                                } ss.
County of Sheridan }

        The foregoing instrument was acknowledged before me
this 2C day of September 19.. by HANOVER AND
MIKADO DITCH CO., a corporation.

        Witness my hand and official seal.

                                            Janet Catterall
                                            NOTARY PUBLIC

    My Commission expires: 5/31/7C

STATE OF WYOMING   }
                                } ss.
County of Sheridan }

        The foregoing instrument was acknowledged before me
this 11th day of Sept , 19.. by GEORGE GWINN
and ELIZABETH GWINN, husband and wife.

        Witness my hand and official seal.

                                            [signature]
                                            NOTARY PUBLIC

    My Commission expires: My Commission expires Dec. 14, 1929

                                            -2-