

200603341
 STATE OF NEBRASKA COUNTY OF WASHINGTON
 ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
 THIS 4th DAY OF August A.D. 2006
 AT 9:43 O'CLOCK P.M. AND RECORDED IN BOOK
 493 AT PAGE 291-294
 COUNTY CLERK Charlotti L. Peterson
 DEPUTY Kasim Madorel

Recorded
 General
 Numerical
 Photostat
 Proofed

FILED
 06 AUG -4 AM 9:42
 CHARLOTTE L. PETERSEN
 WASHINGTON COUNTY CLERK
 BLAIR, NEBR

WATER WELL AGREEMENT

THIS AGREEMENT made this 1st day of August, 2006, by and between Harry S. Crouse and Kristina Crouse, Husband and Wife ("Crouses"), Kurt L. Loseke and Kari A. Loseke, Husband and Wife ("Losekes"), and Roger D. Mathiesen and Judy K. Mathiesen, co-Trustees of the Roger D. Mathiesen Living Trust dated April 12, 2002, and Judy K. Mathiesen and Roger D. Mathiesen, co-Trustees of the Judy K. Mathiesen Living Trust dated April 12, 2002 ("Mathiesens").

WHEREAS, Crouses are the owners of Lot 2, North Creek Subdivision, lying in the Northwest Quarter (NW 1/4) in Section 4, Township 18 North, Range 11, East of the 6th P.M., Washington County, Nebraska, and own the well located on such property ("Crouse Property").

WHEREAS, Losekes are the owners of Lot 1, North Creek Subdivision, lying in the Northwest Quarter (NW 1/4) in Section 4, Township 18 North, Range 11, East of the 6th P.M., Washington County, Nebraska, which is serviced by the well located on the Crouse Property ("Loseke Property").

WHEREAS, the Mathiesens desire to have access to the well on the Crouse Property for agriculture or other purposes as agreed by the parties.

WHEREAS, the parties hereto agree to enter into this Agreement whereby the Mathiesens and the Losekes shall be entitled to use the water well located on the Crouse Property and agree to define the duties and obligations of the parties in regard to such water well.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES HEREIN, THE PARTIES AGREE AS FOLLOWS:

1. Water Well: Losekes may use the water well located on the Crouse Property which shall primarily be used for domestic consumption of water for the Loseke Property, and may be utilized, on a secondary basis, for the watering of livestock. The parties further agree that Mathiesens shall have an unrestricted use of water from the water well for their purposes, whether for agricultural or otherwise.

2. Repair, Maintenance and Operation of Water Well: The parties hereto agree that Crouses and Losekes shall pay and be responsible for all repairs, replacements or maintenance of the water well and shall also pay and be responsible for any electricity necessary to operate said water well. Any repairs which cost in excess of One Hundred Dollars (\$100.00) shall be upon mutual agreement of Crouses and Losekes and each party agrees to pay their one-half (1/2) share within a reasonable period of time after the invoice is delivered.

3. Exclusive Use: The parties hereto agree that the water well shall be for the exclusive use of Crouses, Losekes and Mathiesens, and the right to use said well shall not be assigned to any third parties without the prior written consent of all parties hereto.

4. Prior Agreement Superseded: The Water Well Agreement between the parties dated April 1, 2002, and recorded in the office of the County Clerk of Washington County, Nebraska at Book 362, Pages 56-61 is hereby superseded.

Harry S. Crouse
HARRY S. CROUSE

Kristin Crouse
KRISTIN J. CROUSE

Kurt L. Loseke
KURT L. LOSEKE

Kari A. Loseke
KARI A. LOSEKE

ROGER D. MATHIESEN LIVING TRUST DATED APRIL 12, 2002, by:

Roger D. Mathiesen
Roger D. Mathiesen, co-Trustee

Judy K. Mathiesen
Judy K. Mathiesen, co-Trustee

JUDY K. MATHIESEN LIVING TRUST DATED APRIL 12, 2002, by:

Judy K. Mathiesen
Judy K. Mathiesen, co-Trustee

Roger D. Mathiesen
Roger D. Mathiesen, co-Trustee

STATE OF NEBRASKA)
)ss:
COUNTY OF WASHINGTON)

On this 1st day of August, 2006, before me, the undersigned a Notary Public, duly commissioned and qualified for in said county, personally came Harry S. Crouse and Kristin Crouse, Husband and Wife, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and Notarial Seal the day and year last above written

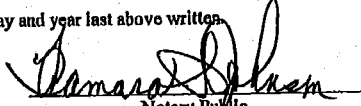
Tamara S. Johnson
Notary Public



STATE OF NEBRASKA)
) :ss:
COUNTY OF WASHINGTON)

On this 3rd day of August, 2006, before me, the undersigned a Notary Public, duly commissioned and qualified for in said county, personally came Kurt L. Loseke and Kari A. Loseke, Husband and Wife, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and Notarial Seal the day and year last above written.

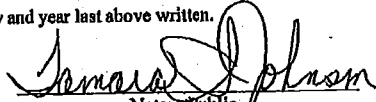

Notary Public



STATE OF NEBRASKA)
) :ss:
COUNTY OF WASHINGTON)

On this 1st day of August, 2006, before me, the undersigned a Notary Public, duly commissioned and qualified for in said county, personally came Roger D. Mathiesen and Judy K. Mathiesen, co-Trustees of the Roger D. Mathiesen Living Trust dated April 12, 2002, and Judy K. Mathiesen and Roger D. Mathiesen, co-Trustees of the Judy K. Mathiesen Living Trust dated April 12, 2002, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and Notarial Seal the day and year last above written.


Notary Public

