Deed Record, No. 66.

Koch Brothers, Inc., Des Moines 19976

W. R. Martens & wf.,

to

Referees of M. R. Gabbert, Estate.

#2257
Fee $.50

Filed for record the 25 day of October, A. D., 1927, at 8:45 o'clock A. M.

Gladys B. DeVault, Recorder,
Ercell M. Knott, Deputy.

WATER RIGHT

WHEREAS, M. R. Gabbert, now deceased, purchased a water right, consisting of a well located upon the NW¼ NE¼ of Section 24-77-28, said well being on or near the West line of the Highway, the center line of which is the East line of said NW¼ NE¼; Said M. R. Gabbert having the right to maintain a windmill at said well, using the water therefrom in connection with the E½ NE¼ of Section 24-77-28, and that he died seized of each of said tracts of land, and in the action for partition hereof, being cause No. 13981 of the District Court of Madison County, Iowa, the Referees therein appointed, sold said NW¼ NE¼ to W. E. Martens and Clara I. Martens without reserving said water right.

NOW, we, the said W. E. Martens and Clara I. Martens, husband and wife, have and do hereby agree with the said Referees, that we will, for the consideration of One ($1.00) Dollars, grant unto the vendee of said Referee or his assignes, a tract not over Twenty (20) feetsquare, the center of which is the said well, and the right to maintain a windmill thereon; The said W. E. and Clara I. Martens reserving the privilege of using water from said well so long as it does not interfere with the supply necessary and proper use for the purposes of the owner of the said E½ NE¼ of Section 24-77-28.

Dated this 22nd day of August, 1927.

W. E. Martens

Clara I. Martens

STATE OF IOWA)
) ss:
MADISON COUNTY)

On this 22nd day of August, 1927, before me, personally appeared W. E. Martens and Clara I. Martens, husband _ wife, personally known to me to be the persons who executed the above and foregoing instrument and acknowledged the execution thereon to be their voluntary act and deed and for the uses and purposes thereon specified. Witness my hand and seal the day last above written.

NOTARIAL SEAL

W. T. Guiher
Notary Public.