

EASEMENT AND WAIVER OF DAMAGES

Anna Johnson, grantor,
 of the County of Lake, State of Minnesota, for and
 in consideration of the sum of One Dollar (\$1.00) and other good
 and valuable consideration, receipt of which is hereby acknowledged,
 including improvements made in connection with the Knife River,
 does grant to the State of Minnesota, through the
 Division of Game and Fish, Department of Conservation, grantee, a
 perpetual right and easement to the following described lands
 situated in the County of Lake, State of Minnesota:
 The Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of
 Section Thirty-three (33), Township Fifty-three (53) North of
 Range Eleven (11) West of the Fourth Principal Meridian.

for the following described purposes.

1. For the planting of trees and shrubs on a strip of
 land paralleling the Knife to a distance
 of 10 feet from the water's edge on either side.

2. For the removal of such vegetation as is needed in
 the construction of devices provided for in provision No. 3; dead
 timber to be used whenever available and suitable for the purpose.

3. For the installation and maintenance of such structures
 as are deemed desirable for the controlling of the waters of said
 stream for the purpose of improving fish habitat. No structure,
 however, to be built so the top level is more than 2 feet
 above the natural bed of the stream.

4. To permit all persons engaged in carrying out the
 above work to approach the Knife River at any point
 over the above described premises compatible with the current use
 of said premises, such persons to restrict their passage over the
 land to established routes whenever feasible.

5. To permit the public a right of passage and right to
 use for fishing only, a strip of land paralleling the stream for a
 distance not to exceed 10 feet from the water's edge on each
 side. No member of the public shall be authorized hereby to trespass
 on any other portion of grantor's land, to cause any damage of any
 nature to the land, or to use the same for any purpose other than
 the right of passage or fishing, without express permission from the
 grantor, any violation of said conditions to subject the offender to
 ejection.

EASEMENT AND WAIVER OF DAMAGES.

Anna Johnson grantor, of the County of Lake, and the State of Minnesota, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, including work and improvements performed and made in connection with the Knife River stream and including the granting of similar easements and waivers from other riparian owners upon said stream, do es hereby grant, bargain, sell, release and quit claim to the State of Minnesota through the Division of Game and Fish, Department of Conservation, grantee, and all other divisions or departments of the State of Minnesota, a perpetual right and easement in and to the following described lands, situated in the County of Lake,

State of Minnesota:

The Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Thirty-three (33), Township Fifty-three (53) North of Range Eleven (11) West of the Fourth Principal Meridian.

for any and all of the hereinafter described purposes, uses and privileges.

1. For the removal and/or the planting and cultivating of any and all upland vegetation upon all or any part of a strip of land paralleling the course of the Knife River stream to a distance of 10 feet from the water's edge, at periods of natural ordinary high water, on each side of said stream or water course.

2. For the purpose of doing any or all of such work as may be deemed advisable by the grantee or its agents in the construction, maintenance, repair, removal or replacement of dams, dykes, levies, spillways or other structures to be placed in the bed of said stream, for the purpose of holding, impounding or in any way controlling or directing the waters of said stream, not, however, to be constructed so that the top level of such structures shall exceed a height of 2 feet from the bed of said stream or water course.

PROJECT
TRACT NO. _____ UNIT NO. _____
NAME OF UNIT KNIFE R.
COUNTY LAKE

It is further agreed that the grantor does hereby release the State of Minnesota and all its officers, agents, and employees from any claims for damages which may arise as the result of any or all uses hereinbefore enumerated.

All these provisions shall run with the land and shall extend to and bind the heirs, successors, representatives, grantees or assigns of the respective parties hereto.

IN WITNESS WHEREOF, the grantor has executed these presents this 3rd day of August, 1940.

In presence of:

/s/ Anna Johnson

Emmett Jones

Elaine M. Ovensvee

STATE OF MINNESOTA)
COUNTY OF Lake) SS.

On this 3rd day of August, 1940, before me, a notary public within and for said county, personally appeared Anna Johnson to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

Emmett Johnson
Notary Public, Lake County, Minn.
My commission expires Dec. 22, 1944