

This Agreement is made this ---- Day of August, 1997 between Bradley D. Bennett, Rhoda H. Bennett Husband and Wife, their Heirs, Successors and Assigns, and James H. Connelly and Mary Helen Connelly, Husband and Wife, individually and as Trustees under the Connelly Loving Trust dated May 29, 1990, their Heirs successors and assigns for the purpose of creating a Grant of easement and an Irrigation Well Agreement.

There is a Irrigation Well located at the SE1/4 NE1/4 Section 4, T39S, R11E, W.M.; 1420 Feet South and 1200 Feet West From the NE Corner of Section 4, Township 39 South, Range 11 East, W.M.

The Water Resource Department of the State of Oregon Application Number is G-12955 and Permit Number G-12457 and use of this Irrigation Well shall be under the guidelines of the said Water Resource Department State of Oregon.

The Perpetual Right of Ingress and Egress to the Irrigation well is hereby Granted to both parties, their Heirs, Successors, and Assigns.

Delivery of Water from this Irrigation Well to the Connelly Property will be through the existing Irrigation Ditch.

If the Irrigation Well is used for Supplemental Source of Water for both Parties and to the Benefit of both Parties, then the costs of Power and Maintenance will be shared equally.

For Short Term Use or periodic Usage, defined by this Agreement as usage of One Day up to One Week, by one Party the cost of Power will be the responsibility of the Party using the Irrigation Well for this Short term. maintenance costs will be Shared Equally for this Short Term Usage. Long Term Use, defined by this Agreement as Continual Usage for more then One Week or All Season (Summer) long, the costs for Power and Maintenance will be the Responsibility of the Party using the Irrigation Well for this Long term Usage.

STATE OF OREGON,)

) ss

County of Marion.)

I certify that the within was
received by me on the 5th day of
September 19 97, at 8 o'clock
A. m., and was recorded in the
Miscellaneous Records, Vol. 8
Page 91.

Water Resources Director

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WATER RESOURCES DEPT.
SALEM, OREGON