



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for Instream Lease

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: _____
Lease Application Number (assigned by WRD): IL-1327

The water right to be leased is located in Wasco County.

This Lease is between:

Lessor #1:

Name Tom & Joyce Akeson
Mailing address 81133 Dufur Valley Road
City, State, Zip Code Dufur, OR 97021
Telephone number 541-467-2890
E-mail address** _____

Lessor #2, 3, etc. (provide same information as identified above)

Lessee (if different than Oregon Water Resources Department):

Name Natasha Bellis
Mailing address 65 SW Yamhill St., Suite 200
City, State, Zip Code Portland, OR 97204
Telephone number 503-222-9091 x 24
E-mail address** natasha@thefreshwatertrust.org

**BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.

Trustee:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
(503) 986-0900

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for water right holder of the property located at: Township 1 S, Range 13 E, Section 31 and Tax Lot number 500. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.2 Lessor #2 is the (Check one):

Not applicable

Official representative of _____, the irrigation district which conveys water to the subject water rights.

Another party with an interest in the subject water rights representing _____.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No(s). 82056 (primary surface water) 82059 (supplemental groundwater)

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No or other Federal program: _____

1.5 Water Rights Proposed to be Leased Instream.

The first right to be leased identified in Section 1.3 is further described as follows:

Certificate No.: 82056

(If you need to enter another leased right, please use the additional water right form.)

Legal Season of Use: When necessary

Is the entire water right certificate being leased? Yes No

If no, list below the acres of the subject water right by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 2) showing the lands which will not receive water.

T	R	Sec	1/4	Tax Lot	Acres	Type of Use	Page #	Priority Date	Previous Lease #
*(Identify pertinent page numbers of certificate, if certificate is greater than 10 pages; identify priority date, if there is more than one on the certificate. If any portion of the right proposed to be leased was leased previously, the previous lease number may be identified. Identification of a previous lease is optional.)									
1.	1S	13E	31	NESW	.1	irrigation			IL-
2.	1S	13E	31	SESW	14.0	irrigation			IL-
3.	1S	13E	31	NWSE	5.3	irrigation			IL-
4.	1S	13E	31	SWSE	9.1	irrigation			IL-
5.	1S	13E	31	SWS W	11	irrigation			IL-

[Attached maps must identify the water right holder, township, range, section, 1/4 1/4, tax lot number, map orientation, and scale.]

Total number of acres being leased, if for irrigation (or other acre equivalent uses): 39.5

Acre-feet of storage, if applicable: _____

Maximum rate associated with the right to be leased (cfs): 36

(Use additional lines if there is more than one rate associated with the water right.)

Maximum duty associated with the right to be leased (ac-ft): 118.5

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any: _____

1.6 **Validity of rights to be leased as described in Section 1.5 of this form and on any Additional Water Right Form.** Lessor(s) attests (mark one) that:

the water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or

the water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to

forfeiture under ORS 540.610(2)(____)(include necessary supporting documentation as Attachment 3).

~II~ Instream Water Right Information

2.1 Public use. This lease will increase streamflows that will benefit:

- Conservation, maintenance and enhancement of aquatic and fish life, wildlife, and fish and wildlife habitat
- Pollution abatement
- Recreation and scenic attraction

2.2 Instream use created by lease of the water right described in Section 1.5.

The instream use to be created is described as follows:

In the Ramsey and Fifteenmile Creek
Tributary to Columbia River in the Hood Basin.

Instream volume in acre-feet (may be up to the same as the duty identified in Sec 1.5): 118.5

Instream rate in cfs (may be up to the same as the rate identified in Sec 1.5): .36

(If not certain of the instream rate or volume, please contact the Department for more information on how to fill out this section of the application).

- Instream use protected at the point of diversion (POD).
- Or within a proposed reach.

Describe the proposed reach (an instream reach generally begins at the POD and generally ends at the mouth of the source creek/river). If possible list the reach by river mile): From the Ramsey Creek POD, located at NWNW, S6, T 2S, R 13E, W.M.; 140' south and 350' east from NW corner Section 6 to the mouth of Fifteenmile Creek and From Fifteenmile Creek POD, located at SWSE, S 31, T1S, 13E W.M.; 20' north and 3540' east from SW corner Section 31 to the mouth of Fifteenmile Creek.

Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible.

(If no reach is identified or the above box is not checked, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.)

If the POD is not described on the Certificate or if there is more than one POD listed on the certificate, then the specific POD must be described: _____

Conditions to prevent injury, if any (use this section to indicate a more restrictive period of use than allowed by the water right):

- None
- The instream flow will be allocated on a daily average basis up to the described rate from _____ through _____.
- Other (describe): Any conditions the watermaster deems necessary to prevent injury and account for channel loss

(Note: The Department may identify additional conditions to prevent injury and/or enlargement.)

If you need to enter more instream uses, please use the additional water rights form.

2.3 Term of lease. This lease shall terminate on October 1, 2013.

- 2.4 Flow protection.** The Trustee will regulate use of water from the source, subject to prior appropriation and the agency enforcement guidance, to assure the water is delivered to the point of diversion, and through the reach past junior downstream users, so long as flow is sufficient to meet the demand under priority date of the new instream use (see Section 2.2). As part of regulation activities the watermaster or a designee has access to the point of diversion and place of use for the water rights involved in this lease. No party is required to continuously measure the flow of the waterway described in Section 2.2.

~III~ Other Information

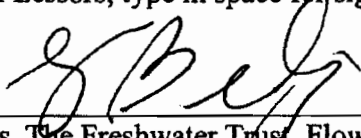
- 3.1 Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 3.3 Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior lease shall not set a precedent for the amount of water to be leased or transferred instream.
- 3.4 Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.
- 3.5 Termination provision.**
- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
 - Written notice to the Department;
 - Consent by all parties to the lease; and/or
 - Written notice to the Watermaster's office.
 - For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.
- 3.6 Modification to prevent injury.** Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

3.7 Fees. Pursuant to ORS 536.050, the following fee is included:

- \$400 for an application with four or more landowners or four or more water rights.
 \$250 for all other applications.

Lessor #1: _____ Date: _____

For additional Lessors, type in space for signature and date

Lessee:  _____ Date: 6/27/13
Natasha Bellis, The Freshwater Trust, Flow Restoration Project Manager

Other Attachments as Needed:

Attachment 1: Tax Lot Map. (See instructions.)

Attachment 2: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. (See instructions.)

Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 is checked).

Attachment 4: Split Season Instream Use Form

Fees. Pursuant to ORS 536.050, the following fee is included:

- \$400 for an application with four or more landowners or four or more water rights.
 \$250 for all other applications.

For #1: Joyce W. Aker Date: 6-27-13
[Signature] 6-27-13

Additional Lessors, type in space for signature and date

[Signature] Date: 6/27/13
Lisha Bellis, The Freshwater Trust, Flow Restoration Project Manager

Attachments as Needed:

- Attachment 1: Tax Lot Map. (See instructions.)
- Attachment 2: Detailed map illustrating lands under subject rights to be leased; required if only of a right is being leased instream. (See instructions.)
- Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 is checked).
- Attachment 4: Split Season Instream Use Form

Instructions for the Standard Instream Leasing Form

When Do I Use This Form?

Most individuals will use the "Standard Lease Form." If you wish to lease more than one water right, then also use the "Additional Water Rights Form" for each additional water right to be leased. For more information on the different types of lease forms go to www.wrd.state.or.us/OWRD/mgmt_leases.shtml.

Instructions

Lease Agreement Number: Water Resources Department staff in Salem will assign this number.

Required Parties to the Lease

Lessors: The Lessor is the water right holder, or an authorized agent, of the property where, during the term of the lease:

- Water use will be suspended; or
- Water stored in a reservoir will be released for instream use.

If the lands to which the subject water rights are attached fall within the boundaries of an irrigation district or other water purveyor, as defined in ORS Chapters 545, 547, 552, 553, or 554, that organization must be a party to the lease and should be listed as Lessor #2.

Spouses and immediate family can all be listed as Lessor #1. If another individual or organization also has an interest in the rights being leased, they should be listed as Lessor #2, #3, etc.

Lessee: The Lessee is normally an organization, agency or individual who may compensate (or provide other consideration of value to) the Lessor for leasing the subject right for instream use.

Trustee: The Trustee is the Oregon Water Resources Department. If a person leases a right to the State without third party

involvement, the Department will also be considered the Lessee.

Other Parties: Private ditch companies, mortgage holders and others may have an interest in the lease. The legally required parties may, at their discretion, add other parties as co-lessors.

Section One

1.1 Provide the legal description for the lands being leased. Attachment 1, Tax Lot Map, is only needed if a portion of the water right not included in the lease is appurtenant to lands owned by others or for which others have an interest in the water right. Tax lot maps can be found at www.ormap.org/maps/.

1.2 Identify who is Lessor #2, #3, etc., if necessary. If this section does not apply, indicate so.

1.3 Provide an inventory of all of the water rights appurtenant to the same lands as the water right(s) being leased. Water rights information may be found at <http://www.wrd.state.or.us/OWRD/WR/wris.shtml>. List all supplemental, as well as all primary rights, even if the supplemental rights are still in permit status. Indicate if the supplemental rights are not being leased instream.

Only water right certificates can be leased instream, with the exception that a secondary right to use stored water, even if in permit status, can be leased. If this type of permit is being leased, indicate that it is a permit and list its number.

1.4 Indicate if some or all of the lands are enrolled in the federal Conservation Reserve Enhancement Program. The Department will send a copy of the lease application and the associated order to the Farm Services Administration.

1.5 Complete a water right profile for each right, or portion of a right, proposed to be leased for instream use. The priority date, type of use, and other information describing the right will be found on your certificate, which can be viewed online at <http://www.wrd.state.or.us/OWRD/WR/wris.shtml>. (Note: Profiles of supplemental rights are required only when these rights are also proposed to be leased.)

“Priority date” should include the day and month, if applicable, in addition to the year.

If the entire water right is being leased, check the “Yes” box indicating this and skip to the number of acres being leased.

If the entire water right is not being leased, check the “No” box indicating this and fill in the remainder of Section 1.5.

“Acre-feet of storage” is the quantity of water that is released from a reservoir. If no reservoir is involved, indicate “N/A.”

“Maximum rate associated with leased rights” should show the total rate of use. For example, if 40 acres are being leased instream and the rate is described as 1/80 cfs/acre, then the rate would be 0.5 cfs (40 acres * 1/80 cfs/acre).

“Maximum duty associated with leased rights” should show the total duty. For example, if 40 acres are being leased instream and there is a 4 ac-ft duty per acre the maximum duty would be 160 ac-ft (40 acres * 4.0 ac-ft/ac). If no duty is listed on the certificate or in the decree, then “N/A” should be indicated.

Attachment 2, a detailed map illustrating lands under subject rights to be leased, is required if only part of a right is being leased instream. If a map is required it needs to include the township, range, section, $\frac{1}{4}$ $\frac{1}{4}$, a north arrow, scale and crosshatching or other photocopyable means of differentiating the lands being leased from the remaining lands.

1.6 Only valid rights are eligible to be leased for instream use. Except for municipal water rights, a water right that has not been used for five or more years may no longer be valid under Oregon law. Once a water right is forfeited for non-use, resuming use will not make the right valid again. If the Department reasonably suspects the right may have been forfeited, it may refuse to execute the lease, or may require an affidavit attesting to the use.

By signing this lease, Lessor(s) attest that the rights proposed to be leased have been beneficially used under the terms and conditions of the rights within the last five years. If the rights are for irrigation, the Lessor(s) also attest that such irrigation took place on all lands being leased. If other water purveyors, such as an Irrigation District are party to the lease, the District may confirm that the water right has been exercised.

Section Two

2.1 Check one or more boxes to identify the public use(s) to be served by the new instream use. The use(s) may be to:

- Mitigate for a deficiency in the water supply of an existing instream right or minimum flow;
- Mitigate for a deficiency in the water supply of an instream water right application or scenic waterway (Diack) flow; or
- A specific use or need identified by Oregon Department of Fish and Wildlife, Department of Environmental Quality, or Oregon Parks and Recreation Department.

If an instream right or minimum streamflow already exists for the reach and the right proposed to be leased instream is senior to the existing right, then, unless otherwise indicated, the senior priority date of the right being leased will be substituted for a portion of the existing instream right. If the priority date is junior to an existing instream right, then the applicant should submit additional information (such as a letter from ODFW, DEQ, or OPRD) describing the instream benefits of making the rights additive.

2.2 This section is best completed in close consultation with the local district watermaster (a listing is available at www.wrd.state.or.us/OWRD/offices.shtml), who will be responsible for making a number of recommendations relating to the reach, amount, timing, and duration of the instream use. If a water right is used at its maximum rate for the entire season, it will frequently exceed its allowable duty (volume), and/or need to have the season of use reduced to prevent enlargement or injury of other water rights.

Variables among water rights include:

- The way in which use under the right is distributed throughout the season.
- Use allowed during a certain period of the year only.
- Specific provisions relating to total volume and rate.
- Particular conditions of individual rights which will also apply to the new use.

The watermaster will:

- Review factors such as losses, return flow, and consumptive use in determining whether the proposed location of the new use will be allowed.
- Recommend to the Director if and how far the Department can protect the new instream use past the original point of diversion. (In some instances, the new use may need to be broken into reaches of decreasing amounts. The reach below the original point of diversion would be managed like the shepherding of stored water.)
- Identify any conditions to be placed on the new use, which are necessary to prevent or mitigate injury to existing rights.

2.3 The term of the lease can be from one to five calendar years. For seasonal water rights, the date the lease commences should be the first day the water can be legally used for the first year of the lease, continue through the last day the water can be legally used (e.g. the irrigation season), for the last year of the lease. For year-around rights, January 1, (year) and December 31, (year) should be used.

The lease is exercised the first day that water is legally protected instream. Frequently, this information is found in Section 2.2 and may be for a shorter time period than the legal season of use.

2.4 This section contains standard lease provisions.

Section Three

3.1 to 3.4. These sections contain standard lease provisions.

3.5 For multiyear leases, identify whether the lessor has the option of terminating the lease each year.

3.6 This section contains standard lease provisions.

3.7 Include the appropriate fee by check or money order made out to the Oregon Water Resources Department. Applications received without the proper fee will be returned.

Next Steps

The signed Lease Application should be sent to the Water Resources Department office in Salem (725 Summer Street, NE; Suite A, Salem, Oregon 97301). Once the lease application is received, two steps simultaneously take place:

- The watermaster or other Department field staff is contacted to prepare a written assessment of whether the lease agreement meets the requirements to suspend the original use and avoid injury or enlargement.
- The lease application is included in the Department's weekly public notice mailing. This mailing initiates a 21-day public comment period and is sent to any water purveyor listed in the proposed agreement, posted in the affected watermaster district office, and available at http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21.

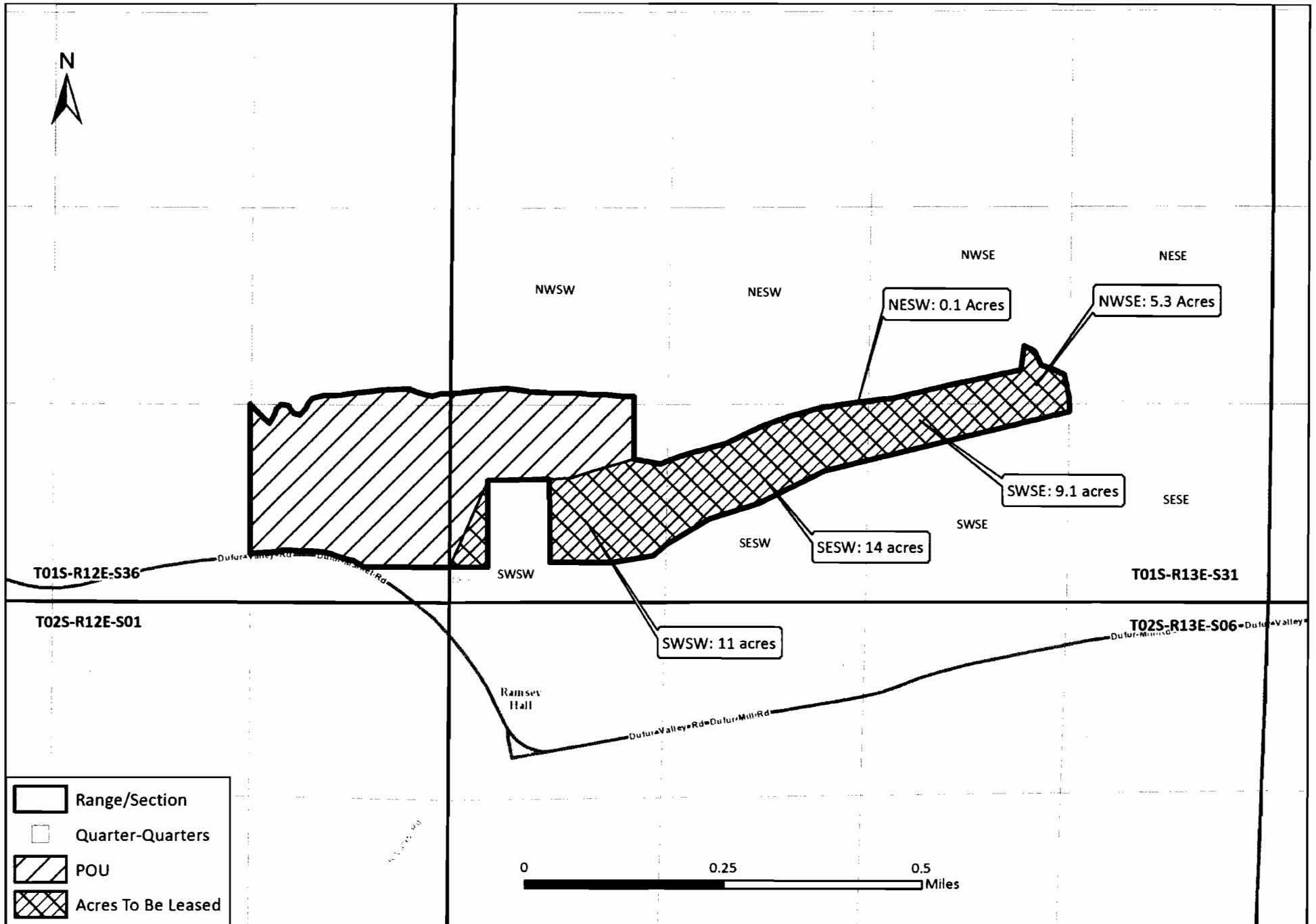
If the watermaster review indicates that no injury or enlargement will occur and no comments are received, the Director presumes that no injury or enlargement of a water right would result from the proposed Lease Application. The Director, or designee, would sign an order that executes the lease.

If the watermaster review indicates that injury or enlargement will occur, or if other comments were received, they are reviewed by all the parties to decide whether to execute the lease, execute with modifications, or deny the lease.

Farm Deferral Tax Status

Counties make the decision of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor.

Akeson Lease Map



DESCHUTES COUNTY OFFICIAL RECORDS
MARY SUE PENHOLLOW, COUNTY CLERK

2001-54213



\$36.00

00026283200100542130030034

11/02/2001 11:14:52 AM

D-D Cnt=1 Stn=2 TRACY

\$10.00 \$11.00 \$10.00 \$5.00

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



This page must be included
if document is re-recorded.
Do Not remove from original document.

FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantors, ~~Wester S. Cooley and Rosemary Cooley~~, releases and quitclaims to Central Oregon Irrigation District all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 23.6 acres of Central Oregon Irrigation District water rights that are appurtenant to the lands listed in Exhibit A, to Central Oregon Irrigation District. Central Oregon Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Central Oregon Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

Furthermore, upon signing of this agreement and the accompanying transfer application, Wester S. Cooley and Rosemary Cooley shall no longer be liable for any district assessment or charges pertaining to the 23.6 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 76358, priority of 1900 and 1907, located: in a portion of the northwest 1/4 of the southeast 1/4, a portion of the southwest 1/4 of the southeast 1/4, and a portion of the southeast 1/4 of the southeast 1/4 of section 28, township 17 south, range 14E, designated as "off" parcels on the attached Exhibit A.

Grantor warrants the subject 23.6 acres of water rights to be valid and not forfeited nor abandoned in whole or in part. Grantor agrees to cooperate and assist in any reasonable way to complete the transfer or an equivalent action. If grantor fails to cooperate or violates any representation or warranty, then the consideration shall be refunded to Eagle Crest. This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.

Consideration for this Quitclaim is \$59,000.00 paid by Eagle Crest, Inc. to Wes Cooley. By signing this Quitclaim Deed, Wes Cooley warrants the water rights are free and clear of encumbrances and warrants his full authority to transfer all interest in the water rights.

Grantors:

Wester S. Cooley Date 9/28/01
Wester S. Cooley
Rosemary Cooley Date 9-28-01
Rosemary Cooley

State of Oregon California
County of Deschutes Riverside

Personally appeared the above named and acknowledged the forgoing instrument to be their voluntary act and deed.



Loretta H. Clements
My commission expires 5-2-05

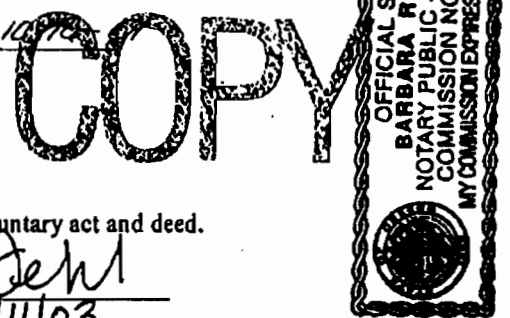
Central Oregon Irrigation District:

Ron Nelson Date 10/10/01
Ron Nelson, Manager

State of Oregon
County of Deschutes

Personally appeared, Ron Nelson, and acknowledged the forgoing instrument to be his voluntary act and deed.

Barbara R. Fehl
My commission expires 2/11/03



After Recording return to:
Central Oregon Irrigation District 2598 North Highway, Redmond, OR 97756

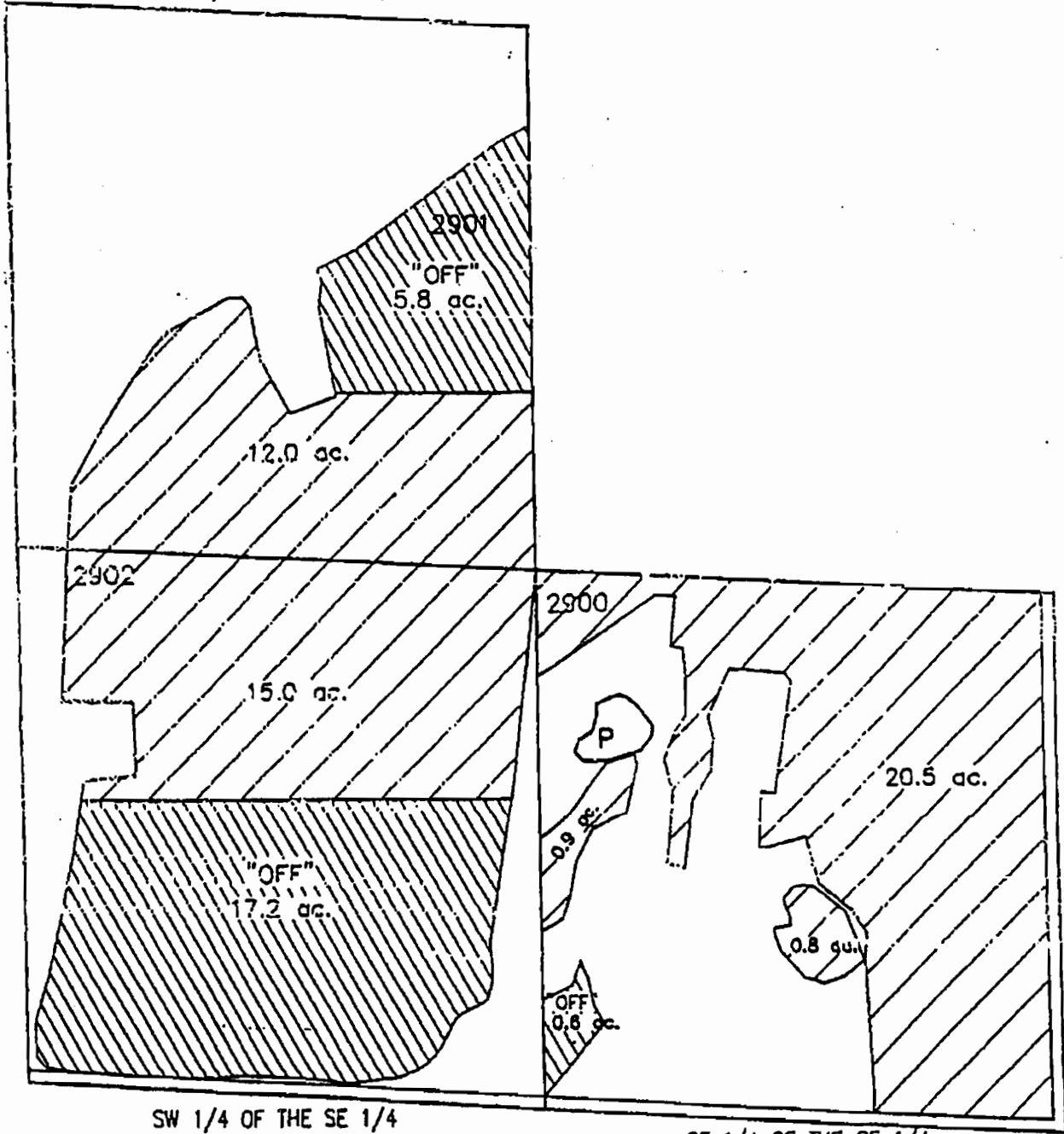
Tax statement: No change.

DESCHUTES COUNTY
SEC. 28 T17S. R14E. W.M.

SCALE - 1" = 400'



NW 1/4 OF THE SE 1/4



SW 1/4 OF THE SE 1/4

SE 1/4 OF THE SE 1/4

APPLICATION FOR WATER RIGHT TRANSFER
W.S. COOLEY LIVING TRUST / EAGLE CREST - 23.6 ACRES

"OFF" MAP

40

500 - 2307

95-28287
STATUTORY
BARGAIN AND SALE DEED

WESTER S. COOLEY and ROSEMARY COOLEY, Grantors, convey(s) all of Grantor(s) interest to WESTER S. COOLEY and ROSEMARY COOLEY, Trustees, or their successors in trust, under the W. S. COOLEY LIVING TRUST, dated 29th day of June, 1998, and any amendments thereto, a revocable living trust, Grantee, in the following real property situated in the County of DESCHUTES, State of Oregon, to wit:

Per legal description attached hereto and made a part hereof. - PARCEL 3, TAX LOT 0A900. SEE EXHIBIT "A" ATTACHED.
ALSO KNOWN AS: 25550 Walker Road, Bend, Oregon RC

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0. The actual consideration consists of or includes other property or value given or promised which is the whole consideration.

Dated this 29th day of June 1998.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Wester S. Cooley
WESTER S. COOLEY
Rosemary Cooley
ROSEMARY COOLEY

STATE OF OREGON, County of DESCHUTES.

This instrument was acknowledged before me on JUNE 29, 1998, by WESTER S. COOLEY and ROSEMARY COOLEY.



Carole Ahncraft
Notary Public for Oregon
My commission expires: 02/16/02

BARGAIN AND SALE DEED

WESTER S. COOLEY and ROSEMARY COOLEY
GRANTOR NAME

WESTER S. COOLEY and ROSEMARY COOLEY
Trustees

25550 Walker Road
Bend, Oregon 97701-9323
GRANTEE NAME

GRANTEE'S ADDRESS, ZIP
After recording return to:
Wester S. and Rosemary Cooley, Trustees
25550 Walker Road
Bend, Oregon 97701-9323
NAME, ADDRESS, ZIP

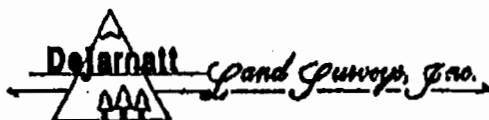
Until a change is requested, all tax statements shall be sent to the following address:
Wester S. and Rosemary Cooley, Trustees
25550 Walker Road
Bend, Oregon 97701-9323

STATE OF OREGON)
COUNTY OF DESCHUTES) ss.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND RECORDER OF CONVEYANCES, IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS RECORDED THIS DAY:

98 JUN 30 PM 1:51
MARY SUE PENHOLLOW
COUNTY CLERK

BY: *T. Lee* DEPUTY
NO. 95-28287 FEE 40
DESCHUTES COUNTY OFFICIAL RECORDS



500 - 2308

Parcel 3

63885 N. Hwy. 97 ▲ Bend, OR 97701 ▲ (503) 382-4192

EXHIBIT "A"

Job #88098
May 30, 1989

MP-88-25
Property Description
Parcel 3

A parcel of land located in the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-Eight (28), Township Seventeen (17) South, Range Fourteen (14) East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter of said Section 28, thence South 01° 10' 54" East along the East line of said Southeast Quarter 60.00 feet to the True Point of Beginning; thence continuing South 01° 10' 54" East along said East line 2599.15 feet to the Southeast corner of said Southeast Quarter; thence North 87° 28' 25" West along the South line of said Southeast Quarter 1313.44 feet to a point, said point marked by a 5/8 inch diameter rebar; thence leaving said South line North 01° 10' 20" West 1339.71 feet to a 5/8 inch diameter rebar; thence continuing North 01° 10' 20" West 1098.48 feet to a 5/8 inch diameter rebar; thence North 79° 50' 50" East 684.44 feet to a 5/8 inch diameter rebar; thence South 88° 24' 33" East 634.96 feet to the True Point of Beginning; containing approximately 76.79 acres.

EXCEPT that portion lying within the right-of-way of Walker Road and Dodds Road, said roads being county roads.

TOGETHER with a private easement over a strip of land Twenty feet (20) wide for the delivery of water, the centerline of which is described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 28; thence North 87° 28' 25" West along the South line of said Southeast Quarter a distance of 2626.88 feet to the Southwest corner of said Southeast Quarter; thence North 20 feet and East 18 feet more or less to the Central Oregon Irrigation District Point of Delivery as it presently exists and is the true point of beginning of this description; thence Easterly along the centerline of a ditch as it presently exists to the West boundary of the above described parcel and the end of this description.

SUBJECT to the items listed in the land conveyed to Richard W. Smith and Joan L. Smith by deed recorded April 15, 1971, in Volume 175, page 307 of Deed Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Gary L. DeJarnatt
OREGON
JULY 17, 1986
GARY L. DEJARNATT
2208

95-25258 POWER LINE EASEMENT 500 - 2309

The undersigned, Daniel M. Lee and Peggy Ann Lee, Grantor, conveys to CENTRAL ELECTRIC COOPERATIVE, INC., A Cooperative Corporation, Grantee, an easement on the following described real property in Deschutes County, State of Oregon:

The South ten (10) feet of the East thirty (30) feet of a parcel of land situated in the NW 1/4 Section 25, T.15S., R.10E., W.M. Said parcel is more particularly described in that Statutory Warranty Deed recorded April 19, 1994 in Book 336 of Deeds at Page 1162 of Deschutes County records.

This easement is granted on the following terms and conditions:

- 1. SCOPE. This easement shall be of a width reasonably necessary for the installation, construction, reconstruction, maintenance and operation of an electric transmission or distribution line of one or more wires and all necessary or desirable appurtenances... 2. LOCATION. The centerline of said easement shall be located as determined by Central Electric Cooperative, Inc. 3. GRANTOR'S WARRANTIES. Grantor warrants that grantor has the right, title and ability to convey valid title to this easement. 4. GRANTOR'S RIGHTS. Grantor shall have the right to use the land subject to this easement so long as grantor's use does not interfere with this easement...

Dated this 23 June day of June, 1998

FOR INDIVIDUALS: Daniel M. Lee, Peggy Ann Lee, STATE OF Maryland ss. County of St. Mary's

FOR CORPORATIONS: TITLE: STATE OF OREGON COUNTY OF DESCHUTES ss.

STATE OF MARY SUE PENHOLLOW, COUNTY CLERK AND RECORDER OF CONVEYANCES, IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS RECORDED THIS DAY:

The foregoing instrument was acknowledged before me this 23 day of June, 1998, by John R. Boyd

The foregoing this by who is (corporation) behalf of.

Notary Public for Oregon My Commission expires John R. Boyd MARYLAND NOTARY PUBLIC My Commission Expires December 1, 1999

After recording return to Right of Way Agent, Central Electric Cooperative, Inc. P O Box 846, Redmond, OR 97756

Notary Public My Commission

T 15 R 10 S 25

98 JUN 30 PM 2:06 MARY SUE PENHOLLOW COUNTY CLERK BY T. Moore DEPUTY NO. 95-25258 FEE 15.00 DESCHUTES COUNTY OFFICIAL RECORDS

CENTRAL OREGON IRRIGATION DISTRICT
2598 North Highway 97
Redmond, OR 97756

QUITCLAIM DEED

FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Tennant Land Co LLC & Michael J Tennant, releases and quitclaims to Central Oregon Irrigation District all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 48.6 acres of Central Oregon Irrigation District water rights that are appurtenant to the lands listed in Exhibit A, to Central Oregon Irrigation District. Central Oregon Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Central Oregon Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of COID, the subject land no longer will have an appurtenant water right with the exception of 6.20 acres of water right on 15-13-09-NE SW 101; if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application, Tennant Land Co LLC & Michael J. Tennant shall no longer be liable for any district assessment or charges pertaining to the 48.6 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 76358, priority of 1900 and 1907, located: See Exhibit A-1.

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.

Consideration for this Quitclaim is \$0.00. Water Rights have been sold to Eagle Crest Inc. The transfer of these water rights is pending (this Quitclaim legally separates the water from the land per current Oregon Water Resource Dept. requirements).

Grantor: Michael J Tennant Date 6-28-02
Michael J. Tennant, member Tennant Land Co. LLC

Michael J Tennant Date 6-28-02
Michael J. Tennant

State of Oregon
County of Deschutes

This instrument was acknowledged before me on 6/28/02 by Michael J. Tennant as individual as well as a member of Tennant Land Co. LLC.



Leslie Clark
My commission expires 2-5-2006

MAIL TAX STATEMENT
TO: NO CHANGE

After Recording return to:
Central Oregon Irrigation District
2598 North Highway
Redmond, OR 97756

DESCHUTES COUNTY OFFICIAL RECORDS 2002-37787
MARY SUE PENHOLLOW, COUNTY CLERK

\$51.00

00002608200200377870050058 07/12/2002 01:04:37 PM
D-D Cnt=1 Stn=8 BECKEY
\$25.00 \$11.00 \$10.00 \$5.00

-EXHIBIT "A"-

Description of a parcel of land situated in a portion of the West Half (W1/2) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 3 1/4" brass cap monumenting the Center 1/4 corner of Section 9, Township 15 South, Range 13, E.W.M., the initial point; thence South 89°33'13" West along the North line of the Northeast Quarter Southwest Quarter (NE1/4SW1/4) of said Section 9, 671.68 feet to the West rim of the Dry Canyon, and to the True Point of Beginning; thence along said rim as follows:

South 10°47'37" East, 126.16 feet to a 1/2" pipe; thence South 15°40'14" West, 348.17 feet to a 1/2" pipe; thence South 35°28'21" West, 51.12 feet to the boundary of a tract of land described in Book 157, Page 2167, Deschutes County Official Records; thence along said rim and along said boundary as follows:

South 35°28'21" West, 88.90 feet to a 1/2" pipe; thence South 27°54'04" West, 257.66 feet to a 1/2" pipe; thence South 70°49'50" West, 153.22 feet to a 1/2" pipe; thence South 23°08'30" West, 126.62 feet to a 1/2" pipe; thence South 03°34'57" West, 44.88 feet to a 1/2" pipe; thence South 51°30'17" West, 141.16 feet to a 1/2" pipe; thence South 59°28'47" West, 238.13 feet to a 3/4" pipe; thence leaving said rim and along said boundary as follows:

North 00°03'17" East, 864.65 feet to a 1/2" pipe; thence North 35°28'24" East, 96.40 feet to a 1/2" pipe; thence North 60°35'01" East, 302.00 feet to a 1/2" pipe; thence North 88°29'22" East, 101.10 feet to a 1/2" pipe; thence North 61°21'32" East, 75.00 feet to a 1/2" rebar; thence North 05°54'26" East, 192.18 feet to a 1/2" pipe on the North line of said NE1/4SW1/4; thence North 05°41'04" East, 245.41 feet to a 1/2" pipe; thence North 89°24'06" West, 103.44 feet to a 1/2" pipe; thence North 00°04'14" West, 609.26 feet to a 1/2" pipe; thence North 89°54'55" West, 419.45 feet to a 1/2" pipe; thence North 00°23'40" East, 467.65 feet to a 1/2" rebar at the Southwest corner of BUCKNER ADDITION, a subdivision in said Section 9; thence North 89°45'01" East along said boundary and along the South line of BUCKNER ADDITION, 155.00 feet to a 1/2" rebar at the Beginning of the centerline of an access easement; thence North 89°45'01" East along said boundary and along said South line, 279.45 feet to a 1/4" pipe at the Southeast corner of BUCKNER ADDITION, and to the West rim of the Dry Canyon; thence leaving said boundary and along said rim as follows;

South 10°27'42" East, 54.30 feet to a 1/2" pipe; thence South 28°09'57" East, 32.56 feet to a 1/2" pipe; thence South 10°52'28" East, 144.69 feet to a 1/2" pipe; thence South 14°49'58" West, 46.70 feet to a 1/2" pipe; thence South 09°55'37" East, 169.84 feet to the Terminus of the centerline of said access easement; thence South 09°55'37" East, 109.53 feet to a 1/2" pipe; thence North 79°20'31" East, 112.87 feet to a 1/2" pipe; thence South 58°33'41" East, 51.77 feet to a 1/2" pipe; thence South 17°54'59" East, 76.22 feet to a 1/2" pipe; thence South 00°08'07" East, 231.41 feet to a 1/2" pipe; thence South 02°04'20" West, 258.66 feet to a 1/2" pipe; thence South 09°12'38" West, 102.63 feet to a 1/2" pipe; thence South 19°01'19" West, 110.97 feet to a 1/2" pipe; thence South 10°47'37" East, 4.32 feet to the Point of Beginning.

PARCEL II:

That portion of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at the Northwest corner of SE1/4NW1/4 of said Section 9; thence South 00°20' West along the West line of the Northwest corner of SE1/4NW1/4 of said said Section, 467.65 feet to the True Point of Beginning; thence North 90°00' East, 419.45 feet; thence South 00°00' East, 609.26 feet; thence North 89°19' East, 103.44 feet; thence South 06°10' West, 246.42 feet to the South line of the NW1/4 of said Section; thence South 89°52' West along said South line to the Southwest corner of SE1/4NW1/4 of said Section; thence North 00°20' East along the West line of SE1/4NW1/4 of said Section to the True Point of Beginning.

PARCEL III:

That portion of the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at the West Quarter corner of Section 9, Township 15 South, Range 13, E.W.M., D.C.O.; thence North 00°26' East along the West line of said Section 9, 30 feet; thence North 89°54'35" East, 30 feet to the True Point of Beginning of the tract of land herein described; thence North 00°26' East along the Easterly right of way line of County road N.W. 19th Street, 200.00 feet; thence North 89°54'35" East, 217.80 feet; thence South 00°26' West, 200.00 feet; thence South 89°54'35" West, 217.80 feet to the Point of Beginning.

PARCEL IV:

That portion of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at the Northeast corner of the SW1/4 of said Section; thence South 89°52' West along the North line of the SW1/4 of said Section, 826.70 feet to the True Point of Beginning; thence South 06°02'13" West, 195.18 feet; thence South 61°27'45" West, 75.00 feet; thence North 89°17'45" West, 101.1 feet; thence South 61°54' West, 302.00 feet; thence South 30°58' West, 96.40 feet to the West line of the NE1/4SW1/4 of said Section; thence North 00°20' East along said West line to the Northwest corner of the NE1/4SW1/4 of said Section; thence North 89°52' East along the North line of the SW1/4 of said Section to the True Point of Beginning.

EXCEPTING THEREFROM A parcel of land located in the South One-half of the Northwest One-quarter (S1/2NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian in the City of Redmond, Deschutes County, Oregon, being more particularly described as follows:

Beginning at a 2" brass cap marking the Southwest corner of the NW1/4 of Section 9, Township 15 South, Range 13, E.W.M., D.C.O.; thence South 89°59'28" East, 30.00 feet along the South line of the NW1/4 of said Section 9 to the East right of way line for N.W. 19th Street; thence North 00°22'31" East, 424.99 feet along said East right of way to the True Point of Beginning; thence North 00°22'31" East 697.23 feet along said East right of way; thence North 89°50'02" East, 222.16 feet; thence North 51°46'15" East, 77.36 feet; thence North 81°28'34" East, 60.67 feet; thence North 90°00'00" East, 932.35 feet; thence South 00°00'00" East, 88.57 feet; thence following the arc of a non-tangent 470.00 foot radius curve to the left, a distance of 80.48 feet (the long chord of which bears North 64°58'03" East, 80.38 feet); thence South 30°13'45" East, 177.82 feet; thence South 00°00'00" East, 162.55 feet; thence North 90°00'00" East, 120.00 feet; thence North 46°41'38" East, 82.45 feet; thence North 86°28'33" East, 196.76 feet; thence South 09°41'04" East, 95.27 feet; thence North 79°15'04" East, 112.87 feet; thence South 58°39'08" East, 51.77 feet; thence South 18°00'26" East, 76.22 feet; thence South 00°13'34" East, 106.16 feet; thence South 77°55'24" West, 140.49 feet;

thence following the arc of a non-tangent 130.00 foot radius curve to the left, a distance of 118.67 feet (the long chord of which bears North 57°13'56" West, 114.59 feet); thence North 83°22'58" West, 163.41 feet; thence South 78°06'55" West, 63.02 feet; thence North 84°24'56" West, 31.45 feet; thence North 79°23'37" West, 88.77 feet; thence South 06°37'02" West, 240.86 feet; thence South 03°25'20" West, 60.11 feet; thence South 04°59'46" West, 60.23 feet; thence North 90°00'00" West, 146.56 feet; thence South 05°40'20" East, 5.38 feet; thence North 90°00'00" West, 665.38 feet; thence South 68°06'09" West, 60.00 feet; thence South 67°49'55" West, 110.00 feet; thence North 22°10'05" West, 64.24 feet; thence North 12°57'19" West, 75.54 feet; thence North 03°06'26" West, 70.84 feet; thence North 00°00'00" East, 110.72 feet; thence South 64°35'38" West, 275.33 feet; thence North 90°00'00" West, 138.17 feet to the True Point of Beginning.

EXHIBIT "A-1"

15-13-09 NE SW 00101	4.30 acres water removed; 6.20 remaining
15-13-09 SE NW 00500	4.40 acres water
15-13-09 SW NW 00500	3.50 acres water
15-13-09 SW NW 00500	4.15 acres water
15-13-09 SE NW 00503	6.70 acres water
15-13-09 SW NW 00505	4.35 acres water
15-13-09 SE NW 00507	3.00 acres water
15-13-09 SW NW 00507	0.10 acres water
15-13-09 SW NW 00507	16.80 acres water
15-13-09 SE NW 00507	<u>1.30 acres water</u>
TOTAL WATER "OFF"	48.6 acres water
TOTAL WATER REMAINING:	6.20 acres water

Exhibit A-1

50-97-15535
WARRANTY DEED

472 - 1276

IRRA W. MC DONALD, SHIRLEY M. MC DONALD, CALVIN D. MC DONALD, ANNABELLE M. MC DONALD, SHELDON ARNETT AND BARBARA ARNETT,

Grantor(s) hereby grant, bargain, sell and convey to:
TENNANT LAND COMPANY, LLC,

Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of DESCHUTES and State of Oregon, to wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE
TAX ACCOUNT NO.: 15 13 09C 101/503

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this conveyance is \$ 364,260.00

Until a change is requested, all tax statements shall be sent to Grantee at the following address: 497 S W Century Dr, Ste A, Bend 97702

Dated this 12th day of November, 1997

Ira W. McDonald
IRA W. MC DONALD

Shirley M. McDonald
SHIRLEY M. MC DONALD

Calvin D. McDonald
CALVIN D. MC DONALD

Annabelle M. McDonald
ANNABELLE M. MC DONALD

Sheldon Arnett
SHELDON ARNETT

Barbara Arnett
BARBARA ARNETT

STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SS. November 12, 1997

Personally appeared the above named Calvin D. Mc Donald and Annabelle M. Mc Donald * * * * *

and acknowledged the foregoing instrument to be their voluntary act.



(seal)

Before me: D'Adrienne Rystad
D'Adrienne Rystad
Notary Public for State of California
My commission expires 4-6-2001

ESCROW NO. SB008191DS

Return to:
TENNANT LAND COMPANY, LLC

After recording, return to
AmeriTitle
15 OREGON AVENUE, BEND

472 - 1277

State of Oregon

County of Deschutes

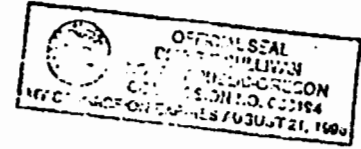
December 5, 19 97

Personally appeared the above named Ira W. McDonald, Shirley M. McDonald, Sheldon and acknowledged the foregoing instrument to be ~~theirs~~ theirs and ~~Barbara Arnett~~ voluntary act and deed.

WITNESS My hand and official seal.

(seal)

Diane E. [Signature]
Notary Public for Oregon
My Commission expires: 8/21/98



Description of a parcel of land situated in a portion of the West Half (W1/2) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 3 1/4" brass cap monumenting the Center 1/4 corner of Section 9, Township 15 South, Range 13, E.W.M., the initial point; thence South 89°33'13" West along the North line of the Northeast Quarter Southwest Quarter (NE1/4SW1/4) of said Section 9, 671.68 feet to the West rim of the Dry Canyon, and to the True Point of Beginning; thence along said rim as follows:

South 10°47'37" East, 136.16 feet to a 1/2" pipe; thence South 15°40'14" West, 348.17 feet to a 1/2" pipe; thence South 35°28'21" West, 51.12 feet to the boundary of a tract of land described in Book 357, Page 2167, Deschutes County Official Records; thence along said rim and along said boundary as follows:

South 35°28'21" West, 88.90 feet to a 1/2" pipe; thence South 27°54'04" West, 257.66 feet to a 1/2" pipe; thence South 70°49'50" West, 153.22 feet to a 1/2" pipe; thence South 23°08'30" West, 126.62 feet to a 1/2" pipe; thence South 03°34'57" West, 44.88 feet to a 1/2" pipe; thence South 51°38'17" West, 141.16 feet to a 1/2" pipe; thence South 59°28'47" West, 238.13 feet to a 3/4" pipe; thence leaving said rim and along said boundary as follows:

North 00°03'17" East, 864.65 feet to a 1/2" pipe; thence North 35°28'24" East, 96.40 feet to a 1/2" pipe; thence North 60°35'01" East, 302.00 feet to a 1/2" pipe; thence North 88°29'22" East, 101.10 feet to a 1/2" pipe; thence North 61°21'32" East, 75.00 feet to a 1/2" rebar; thence North 05°54'26" East, 192.18 feet to a 1/2" pipe on the North line of said NE1/4SW1/4; thence North 05°41'04" East, 245.41 feet to a 1/2" pipe; thence North 89°24'06" West, 103.44 feet to a 1/2" pipe; thence North 00°04'14" West, 609.26 feet to a 1/2" pipe; thence North 89°54'55" West, 419.45 feet to a 1/2" pipe; thence North 00°23'40" East, 467.65 feet to a 1/2" rebar at the Southwest corner of Buckner Addition, a subdivision in said Section 9; thence North 89°45'01" East along said boundary and along the South line of BUCKNER ADDITION, 165.00 feet to a 1/2" rebar at the Beginning of the centerline of an access easement; thence North 89°45'01" East along said boundary and along said South line, 279.45 feet to a 3/4" pipe at the Southeast corner of BUCKNER ADDITION, and to the West rim of the Dry Canyon; thence leaving said boundary and along said rim as follows;

South 10°27'42" East, 54.30 feet to a 1/2" pipe; thence South 28°09'57" East, 32.56 feet to a 1/2" pipe; thence South 10°52'28" East, 144.69 feet to a 1/2" pipe; thence South 14°49'58" West, 46.70 feet to a 1/2" pipe; thence South 09°55'37" East, 169.84 feet to the Terminus of the centerline of said access easement; thence South 09°55'37" East, 109.53 feet to a 1/2" pipe; thence North 79°20'31" East, 112.87 feet to a 1/2" pipe; thence South 58°33'41" East, 51.77 feet to a 1/2" pipe; thence South 17°54'59" East, 76.22 feet to a 1/2" pipe; thence South 00°08'07" East, 231.41 feet to a 1/2" pipe; thence South 02°04'20" West, 258.66 feet to a 1/2" pipe; thence South 09°12'38" West, 102.63 feet to a 1/2" pipe; thence South 19°01'19" West, 110.97 feet to a 1/2" pipe; thence South 10°47'37" East, 4.32 feet to the Point of Beginning.

END

TZ
101

TZ
503

VOL: 1999 PAGE: 38131
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*1999-38131 * Vol-Page

Printed: 08/04/1999 15:12:18

DO NOT REMOVE THIS CERTIFICATE

(This certificate constitutes a part of the original instrument in accordance with ORS 205.180(2). Removal of this certificate may invalidate this certificate and affect the admissibility of the original instrument into evidence in any legal proceeding.)

I hereby certify that the attached instrument was received and duly recorded in Deschutes County records:

DATE AND TIME: Aug. 4, 1999; 3:09 p.m.

RECEIPT NO: 9474

DOCUMENT TYPE: Deed

FEE PAID: \$45.00

NUMBER OF PAGES: 2

A handwritten signature in cursive script that reads "Mary Sue Penhollow".

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

NA

99-38/31-1

(M)
51

WARRANTY DEED—STATUTORY FORM
INDIVIDUAL GRANTOR

TENNANT LAND CO., LLC

....., Grantor,
conveys and warrants to MICHAEL J. TENNANT

....., Grantee, the following described real property free of encumbrances
except as specifically set forth herein situated in DESCHUTES County, Oregon, to-wit:

See "Attachment A"

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The property is free from encumbrances except

The true consideration for this conveyance is \$..... other value: (Here comply with the requirements of ORS 93.030)

Dated this 2 day of AUGUST, 1999.

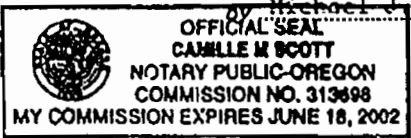
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Michael J. Tennant
Michael J. Tennant, Manager

STATE OF OREGON, County of Deschutes) ss.

This instrument was acknowledged before me on AUGUST 2, 1999,

by Michael J. Tennant, Manager, Tennant Land Co., LLC



Camille M. Scott
Notary Public for Oregon
My commission expires 6-18-02

WARRANTY DEED	
Tennant Land Co., LLC	GRANTOR
Michael J. Tennant	GRANTEE
GRANTEE'S ADDRESS, ZIP	
After recording return to:	
MIKE TENNANT	
516 SW 13th STREET, SUITE A	
BEND, OR 97102	
NAME, ADDRESS, ZIP	
Until a change is requested, all tax statements shall be sent to the following address:	
MIKE TENNANT	
516 SW 13th STREET, SUITE A	
BEND, OR 97102	
NAME, ADDRESS, ZIP	
After recording, return to:	
Arne Title	
3 OREGON AVENUE, BEND	

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, } ss.
County of

I certify that the within instrument was received for record on the day of, 19....., at o'clock M., and recorded in book/roll/volume No..... on page or as lee/file/instrument/microfilm/reception No., Record of Deeds of said Co.nty.

Witness my hand and seal of County allied.

NAME TITLE
By Deputy

"ATTACHMENT A"

Anderson Engineering & Surveying, Inc.

Professional Engineers & Land Surveyors

99.38/31-2

LEGAL DESCRIPTION

CANYON RIM VILLAGE, PHASES 1, 2, & 3 AND PARK PARCEL

A PARCEL OF LAND LOCATED IN THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER (S1/2, NW1/4) OF SECTION 9, TOWNSHIP 15 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF REDMOND, DESCHUTES COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 2" BRASS CAP MARKING THE SOUTHWEST CORNER OF THE NW1/4 OF SECTION 9, T15S, R13E, W.M.; THENCE S89°59'28"E - 30.00 FEET ALONG THE SOUTH LINE OF THE NW1/4 OF SAID SECTION 9 TO THE EAST RIGHT-OF-WAY LINE FOR NW 19TH STREET; THENCE N00°22'31"E - 424.99 FEET ALONG SAID EAST RIGHT-OF-WAY TO THE TRUE POINT OF BEGINNING; THENCE N00°22'31"E - 697.23 FEET ALONG SAID EAST RIGHT-OF-WAY; THENCE N89°50'02"E - 222.16 FEET; THENCE N51°46'15"E - 77.36 FEET; THENCE N81°28'34"E - 60.67 FEET; THENCE N90°00'00"E - 932.35 FEET; THENCE S00°00'00"E - 88.57 FEET; THENCE FOLLOWING THE ARC OF A NON-TANGENT 470.00 FEET RADIUS CURVE TO THE LEFT A DISTANCE OF 80.48 FEET (THE LONG CHORD OF WHICH BEARS N64°58'03"E - 80.38 FEET); THENCE S30°13'45"E - 177.82 FEET; THENCE S00°00'00"E - 162.55 FEET; THENCE N90°00'00"E - 120.00 FEET; THENCE N46°41'38"E - 82.45 FEET; THENCE N86°28'33"E - 196.76 FEET; THENCE S09°41'04"E - 95.27 FEET; THENCE N79°15'04"E - 112.87 FEET; THENCE S58°39'08"E - 51.77 FEET; THENCE S18°00'26"E - 76.22 FEET; THENCE S00°13'34"E - 106.16 FEET; THENCE S77°55'24"W - 140.49 FEET; THENCE FOLLOWING THE ARC OF A NON-TANGENT 130.00 FEET RADIUS CURVE TO THE LEFT A DISTANCE OF 118.67 FEET (THE LONG CHORD OF WHICH BEARS N57°13'56"W - 114.59 FEET); THENCE N83°22'58"W - 163.41 FEET; THENCE S78°06'55"W - 63.02 FEET; THENCE N84°24'56"W - 31.45 FEET; THENCE N79°23'37"W - 88.77 FEET; THENCE S06°37'02"W - 240.86 FEET; THENCE S03°25'20"W - 60.11 FEET; THENCE S04°59'46"W - 60.23 FEET; THENCE N90°00'00"W - 146.56 FEET; THENCE S05°40'20"E - 5.38 FEET; THENCE N90°00'00"W - 665.38 FEET; THENCE S68°06'09"W - 60.00 FEET; THENCE S67°49'55"W - 110.00 FEET; THENCE N72°10'05"W - 64.24 FEET; THENCE N12°57'19"W - 75.54 FEET; THENCE N03°06'26"W - 70.84 FEET; THENCE N00°00'00"E - 110.72 FEET; THENCE S64°35'38"W - 275.33 FEET; THENCE N90°00'00"W - 133.17 FEET TO THE TRUE POINT OF BEGINNING.

TZ 507

PARCEL CONTAINS 29.635 ACRES SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAY OF RECORD PERTAINING TO THE ABOVE DESCRIBED LANDS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jerry D. Stichter 7/29/99

OREGON
JULY 25, 1991
JERRY D. STICHLER
2527

RENEWAL 6/30/00

HC64 Box 24 - P.O. Box 28
Lakeview, Oregon 97630
(541) 947-4407
FAX 947-2321

1516 SW Highland - P.O. Box 419
Redmond, Oregon 97756
(541) 923-4307
FAX 923-4308

VOL: 2000 PAGE: 7543
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



•2000-7543 • Vol-Page

Printed: 02/28/2000 15:54:11

DO NOT REMOVE THIS CERTIFICATE

(This certificate constitutes a part of the original instrument in accordance with ORS 205.180(2). Removal of this certificate may invalidate this certificate and affect the admissibility of the original instrument into evidence in any legal proceeding.)

I hereby certify that the attached instrument was received and duly recorded in Deschutes County records:

DATE AND TIME: Feb. 28, 2000; 3:51 p.m.

RECEIPT NO: 17694

DOCUMENT TYPE: Deed

FEE PAID: \$46.00

NUMBER OF PAGES: 4

A handwritten signature in cursive script that reads "Mary Sue Penhollow".

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

NA

WARRANTY DEED - STATUTORY FOR INDIVIDUAL GRANITOR

2000-7543

TENNANT DEVELOPMENTS, an Oregon Limited Partnership, Grantor, conveys and warrants to TENNANT LAND CO., LLC, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Deschutes County, Oregon, to-wit:

See Legal Description attached as Exhibit "A" and made a part hereof.

Recorded by AmeriTitle as an accommodation only. No liability is accepted for the condition of title or for the validity, sufficiency, or effect of this document.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The property is free from encumbrances except all matters of record.

The true consideration for this conveyance is other value (Here comply with the requirements of ORS 93.030)

Dated this 25th day of February, 19 2000

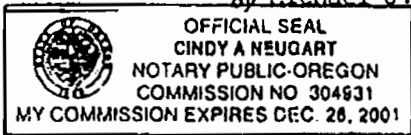
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.330.

TENNANT DEVELOPMENTS, AN OREGON LIMITED PART.

By: Michael J. Tennant, General Partner

STATE OF OREGON, County of Deschutes,) ss.

This instrument was acknowledged before me on February 25, 19 2000 by Michael J. Tennant, General Partner for Tennant Developments, an Oregon Limited Partnership



Notary Public for Oregon My commission expires

WARRANTY DEED form with fields for Grantor (Tennant Developments), Grantee (Tennant Land Co., LLC), and address (516 SW 13th Street, Suite A, Bend, OR 97702).

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of ... ss.

I certify that the within instrument was received for record on the ... day of ... 19..., at ... o'clock ... M., and recorded in book/reel/volume No. ... on page ... or as fee/life/instrument/microfilm/reception No. ... Record of Deeds of said County.

Witness my hand and seal of County allied.

By ... Deputy

2000-7543-2

EXHIBIT "A"

PARCEL I:

The Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes Coun., Oregon, EXCEPT that portion described as follows:

TL 500

Beginning at the West quarter corner of Section 9; thence South 89°42'40" East, 21.01 feet to a point on the old Easterly road right of way, the True Point of Beginning; thence South 89°42'40" East, 8.99 feet; thence North 00°17'20" East, 1,121.46 feet; thence North 89°42'40" West, 7.70 feet; thence South 00°21'20" West, 1,121.46 feet to the True Point of Beginning; ALSO EXCEPT that portion described as follows: Commencing at the Northwest corner of said SW1/4NW1/4 and running thence East along the North line of said SW1/4NW1/4, a distance of 236 feet; thence South on a line parallel to the West line of said SW1/4NW1/4, a distance of 200 feet; thence West on a line parallel to the North line of said SW1/4NW1/4, a distance of 236 feet to the West line of said SW1/4NW1/4; thence North along said West line, a distance of 200 feet to the Point of Beginning; ALSO EXCEPT that portion described as follows: Commencing at the West Quarter corner of Section 9, Township 15 South, Range 13, E.W.M., D.C.O.; thence North 00°26' East along the West line of said Section 9, 30 feet; thence North 89°54'35" East, 30 feet to the True Point of Beginning of the tract of land herein described; thence North 00°26' East along the Easterly right of way line of County road N.W. 13th Street, 200.00 feet; thence North 89°54'35" East, 217.80 feet; thence South 00°26' West, 200.00 feet; thence South 89°54'35" West, 217.80 feet to the Point of Beginning.

C.L.P.
TL 501

Ptr TL
505

PARCEL II:

That portion of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at the Northwest corner of SE1/4NW1/4 of said Section 9; thence South 00°20' West along the West line of the Northwest corner of SE1/4NW1/4 of said said Section, 467.65 feet to the True Point of Beginning; thence North 90°00' East, 419.45 feet; thence South 00°00' East, 609.26 feet; thence North 89°19' East, 103.44 feet; thence South 06°10' West, 246.42 feet to the South line of the NW1/4 of said Section; thence South 89°52' West along said South line to the Southwest corner of SE1/4NW1/4 of said Section; thence North 00°20' East along the West line of SE1/4NW1/4 of said Section to the True Point of Beginning.

TL
500
(in SE
NW)

(CONTINUED)

PARCEL III:

That portion of the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at the West Quarter corner of Section 9, Township 15 South, Range 13, E.W.M., D.C.O.; thence North 00°26' East along the West line of said Section 9, 30 feet; thence North 89°54'35" East, 30 feet to the True Point of Beginning of the tract of land herein described; thence North 00°26' East along the Easterly right of way line of County road N.W. 19th Street, 200.00 feet; thence North 89°54'35" East, 217.80 feet; thence South 00°26' West, 200.00 feet; thence South 89°54'35" West, 217.80 feet to the Point of Beginning.

Pln 505

PARCEL IV:

That portion of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at the Northeast corner of the SW1/4 of said Section; thence South 89°52' West along the North line of the SW1/4 of said Section, 826.70 feet to the True Point of Beginning; thence South 06°02'15" West, 195.18 feet; thence South 61°27'45" West, 75.00 feet; thence North 89°17'45" West, 101.1 feet; thence South 61°54' West, 302.00 feet; thence South 30°58' West, 96.40 feet to the West line of the NE1/4SW1/4 of said Section; thence North 00°20' East along said West line to the Northwest corner of the NE1/4SW1/4 of said Section; thence North 89°52' East along the North line of the SW1/4 of said Section to the True Point of Beginning.

TZ 100

EXCEPTING THEREFROM A parcel of land located in the South One-half of the Northwest One-quarter (S1/2NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian in the City of Redmond, Deschutes County, Oregon, being more particularly described as follows:

Beginning at a 2" brass cap marking the Southwest corner of the NW1/4 of Section 9, Township 15 South, Range 13, E.W.M., D.C.O.; thence South 89°59'23" East, 30.00 feet along the South line of the NW1/4 of said Section 9 to the East right of way line for N.W. 19th Street; thence North 00°22'31" East, 424.99 feet along said East right of way to the True Point of Beginning; thence North 00°22'31" East 697.23 feet along said East right of way; thence North 89°50'02" East, 222.16 feet; thence North 51°46'15" East, 77.36 feet; thence North 81°28'34" East, 60.67 feet; thence North 90°00'00" East, 932.35 feet; thence South 00°00'00" East, 88.57 feet; thence following the arc of a non-tangent 470.00 foot radius curve to the left, a distance of 80.48 feet (the long chord of which bears North 64°58'03" East, 80.38 feet); thence South 30°13'45" East, 177.82 feet; thence South 00°00'00" East, 162.55 feet; thence North 90°00'00" East, 120.00 feet; thence North 46°41'38" East, 82.45 feet; thence North 86°28'33" East, 196.76 feet; thence South 09°41'04" East, 95.27 feet; thence North 79°15'04" East, 112.87 feet; thence South 58°39'03" East, 51.77 feet; thence South 18°00'26" East, 76.22 feet; thence South 00°13'34" East, 106.16 feet; thence South 77°55'24" West, 140.49 feet;

TZ 507

(CONTINUED)

2000-7543-4

Page 3 of Exhibit "A"

thence following the arc of a non-tangent 130.00 foot radius curve to the left, a distance of 118.67 feet (the long chord of which bears North 57°13'56" West, 114.59 feet); thence North 83°22'58" West, 163.41 feet; thence South 78°06'55" West, 63.02 feet; thence North 84°24'56" West, 31.45 feet; thence North 79°23'37" West, 88.77 feet; thence South 06°37'02" West, 240.86 feet; thence South 03°25'20" West, 60.11 feet; thence South 04°59'46" West, 60.23 feet; thence North 90°00'00" West, 146.56 feet; thence South 05°40'20" East, 5.38 feet; thence North 90°00'00" West, 655.38 feet; thence South 68°06'09" West, 60.00 feet; thence South 67°49'55" West, 110.00 feet; thence North 22°10'05" West, 64.24 feet; thence North 12°57'19" West, 75.54 feet; thence North 03°06'26" West, 70.84 feet; thence North 00°00'00" East, 110.72 feet; thence South 64°35'38" West, 275.33 feet; thence North 90°00'00" West, 138.17 feet to the True Point of Beginning.