



03/06/2007 03:02:02 PM

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

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2-1
2

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, **James & Joann Frazee**, releases and quitclaims to **Swalley Irrigation District (SID)** 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 **1.33 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in **Exhibit A**, to Swalley Irrigation District. Swalley 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. Swalley 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 SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application **James & Joann Frazee**, shall no longer be liable for any district assessment or charges pertaining to the **1.33 acres** of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:
T17S-R12E,WM-SEC28-NE/NW-00900

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is \$1,330.00

Grantor:

James E. Frazee Date 1-31-07
Joann R. Frazee Date 1/31/07
State of Oregon SS.
County of Deschutes

Personally appeared James + Joann Frazee and acknowledged the forgoing instrument to be his / her voluntary act and deed.

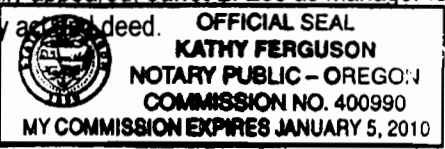


Kathy Ferguson
My commission expires 1-5-2010

Swalley Irrigation District:
Janet Lee Date 1-31-07
Janet L. Lee, Manager
State of Oregon SS.
County of Deschutes

RECEIVED
2007
WATER RESOURCES DEPARTMENT
SALEM OREGON

Personally appeared, Janet L. Lee as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Kathy Ferguson
My commission expires 1-5-2010

James & Joann Frazee

EXHIBIT A

Acct# #1491

Total Water Rights: 1.33

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC 28-NE/NW -00900	171228B000900	118740	1.33

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON

District Internal
Notice #: _____

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97701** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE:** PERMANENT CHANGE IN PLACE OF USE

3. **APPLICANT (OFF):**

NAME: James & Joann Frazee
ADDRESS: 525 SE Ross Rd, Bend, OR 97701

4. **LOCATION OF USE: AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E., W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S, R. 12E, W.M.: 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
T17S	R12E	28	NE/NW	00900	1.33	IRR

5. **RECIPIENT (ON):**

NAME: Swalley Irrigation District
ADDRESS: 64672 Cook Ave, Suite 1, Bend, OR 97701

6. **LOCATION OF PROPOSED USE (On Lands)**

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use

7. **EXHIBITS** : Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: James & Joann Frazee 11-31-07
List Name of Applicant Date

APPLICANT: James & Joann Frazee RECEIVED 11/31/07
List Name of Applicant Date

RECIPIENT: _____
List Name of Recipient Date

DISTRICT: Janet L. Lee WATER RESOURCES DEPT 11/31/07
Swalley Irrigation District: Janet L. Lee, Manager SALEM OREGON Date

**Water Right Transfer Supplemental Form A
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
 County of Deschutes)

I, Karl Conklin, in my capacity as Field Operations Manager,
 mailing address 64672 Cook Ave., Suite 1, Bend, OR 97701
 telephone number (541) 388-0658, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
17	S	12	E	WM	28	NE/NW	00900	1.33

RECEIVED
 MAY 5 1 2011
 WATER RESOURCES DEPT
 SALEM, OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Pasture, landscape

5. The water delivery system used to apply water as authorized by the right is described below:

Pumped from his pond to his land.

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: _____

RECEIVED

MAY 5 2011

WATER RESOURCES DEPT
SALEM, OREGON

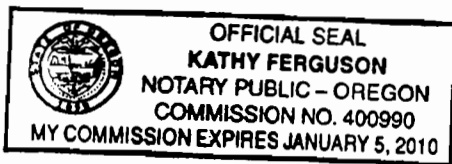
[Handwritten Signature]

Signature of Affiant

Feb. 5, 2007

Date

Signed and sworn to (or affirmed) before me this 5 day of February 2007.



Kathy Ferguson
Notary Public for Oregon

My Commission Expires: 1-5-2010

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

WARRANTY DEED

Recording requested by and when recorded return to:

TIA M. LEWIS
Karnopp, Petersen, Noteboom,
Hubel, Hansen & Arnett
1201 N.W. Wall Street
Suite 300
Bend, Oregon 97701

Until a change is requested, all tax statements shall be sent to the following address:

Mr. & Mrs. James E. Frazee
61652 Summer Shade Drive
Bend, Oregon 97702

The true consideration for this conveyance is \$89,000.00.

Lawrence Bright and Lorraine Bright, Grantors, convey and warrant to James E. Frazee and Joann P. Frazee, as husband and wife, Grantees, whose address is 61652 Summer Shade Drive, Bend, Oregon 97702, the following described property free of encumbrances except as specifically set forth herein:

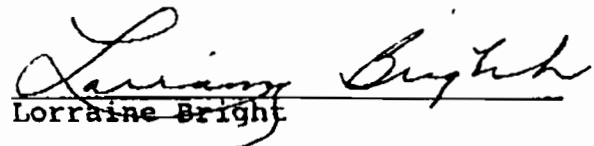
See Exhibit "A".

Tax Account No.: 17-12-28B 900.

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.

DATED this 7th day of February, 1995.


Lawrence Bright


Lorraine Bright

After recording, return to:
BEND TITLE COMPANY
15 OREGON AVENUE, BEND

RECEIVED

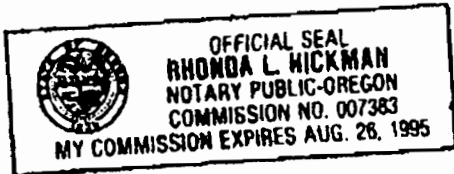
MAY 2 2001

WATER RESOURCES DEPT
SALEM OREGON

STATE OF OREGON)
) ss.
County of Deschutes)

The foregoing instrument was acknowledged before me this 7th day of February, 1995, by Lawrence Bright and Lorraine Bright.

Rhonda L. Hickman
Notary Public for Oregon
My Commission Expires: 8-26-95



RECEIVED

MAY 30 2001

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

A portion of Tract 6 of the Boyd Acres (Unrecorded Subdivision) located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 17 South, Range 12 East of the Willamette Meridian, more particularly described as follows, to wit:

Beginning at the SW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 28, which is known as the Robert Gould "Axle"; thence South 89° 23' 03" East 154.67 feet to a point marked by a 1/2 inch iron bar; thence North 0° 10' 21" East 751.49 feet to a point located on the South sideline of a 40 foot lane and marked by a 1/2 inch iron bar; thence along the South sideline of said lane West 153.53 feet to a point marked by a 1 inch drill steel; thence South 0° 15' 32" West 749.82 feet to the point of beginning.

Together with 2 acres of Swalley Irrigation Water rights.

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:

95 FEB -7 PM 2:43

MARY SUE PENHOLLOW
COUNTY CLERK

BY: J. Wallace DEPUTY
NO. 95-03817 FEE 45.00
DESCHUTES COUNTY OFFICIAL RECORDS

RECEIVED

MAY 3 1995

WATER RESOURCES DEPT
SALEM, OREGON

Exhibit "A"

PG 10
N.C.

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

DEPUTY COUNTY CLERK
NANCY BLANKENSHIP, COUNTY CLERK

2007-13552



\$36.00

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03/06/2007 03:02:02 PM

D-D Cnt=1 Str=23 SRB
\$10.00 \$11.00 \$10.00 \$5.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, **Dale F. Korish, Trustee of the Dale F. Korish Trust** releases and quitclaims to **Swalley Irrigation District (SID)** 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 **4.40 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in **Exhibit A**, to Swalley Irrigation District. Swalley 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. Swalley 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 SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application **Dale F. Korish, Trustee of the Dale F. Korish Trust** shall no longer be liable for any district assessment or charges pertaining to the **4.40 acres** of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T16S-R12E,WM-SEC29-NW/NE-00306

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is \$4,400.00

Grantor:

Dale F. Korish

Date 2/9/07 RECEIVED
Date MAY 23 2011

State of Oregon SS.
County of Deschutes

WATER RESOURCES DEPT
SALEM, OREGON

Personally appeared Dale F. Korish and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Kathy Ferguson Kathy Ferguson

My commission expires 1-5-2010

Swalley Irrigation District:
Janet L. Lee

Date 2/09/07

Janet L. Lee, Manager

State of Oregon SS.
County of Deschutes

Personally appeared, Janet L. Lee as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Kathy Ferguson

My commission expires 1-5-2010

Dale F. Korish

EXHIBIT A

Acct# #1476

Total Water Rights: 4.40

Legal Description:	Taxlot	Serial#	WR Acres:
T16S-R12E-WM-SEC 29-NW/NE-00306	1612290000306	133323	4.40

RECEIVED
MAY 3 2011
WATER RESOURCES DEPT
SALEM, OREGON

District Internal
Notice #: _____

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97701** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT (OFF):**
NAME: Dale F. Korish, Trustee of the Dale F. Korish Trust
ADDRESS: 20425 Sturgeon Road, Bend, OR. 97701

4. **LOCATION OF USE: AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E.,W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S, R. 12E,W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	29	NW/NE	00306	4.40	IRR

5. **RECIPIENT (ON):**
NAME:
ADDRESS:

6. **LOCATION OF PROPOSED USE (On Lands)**

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use

7. **EXHIBITS** : Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

RECEIVED

APPLICANT: D. F. Korish 2/9/07
List Name of Applicant Date

WATER RESOURCES DEPT
SALEM, OREGON

APPLICANT: _____
List Name of Applicant Date

RECIPIENT: _____
List Name of Recipient Date

DISTRICT: Janet L. Lee 2/9/07
Swalley Irrigation District: Janet L. Lee, Manager Date

**Water Right Transfer Supplemental Form A
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
 County of Deschutes)

I, Janet Lee, in my capacity as General Manager,
 mailing address 64672 Cook Ave., Suite 1, Bend, OR 97701
 telephone number (541) 388-0658, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
16	S	12	E	WM	29	NW/NE	00306	4.40

RECEIVED

MAR 11 2011

WATER RESOURCES DEPT
 SALEM OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Pasture

5. The water delivery system used to apply water as authorized by the right is described below:

A delivery point (headgate) from a private ditch.

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: _____

RECEIVED

FEB 21 2007

WATER RESOURCES DEPT
SALEM, OREGON

Jamie Lee
Signature of Affiant

2/9/07
Date

Signed and sworn to (or affirmed) before me this 9 day of February, 2007.



Kathy Ferguson
Notary Public for Oregon

My Commission Expires: 1-5-2010

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

Termination of Short-Term
Instream Lease

Lease Agreement Number (OWRD): L- 462
Mitigation Project No. (if applicable):

If you wish to cancel your Lease this year, please fill in the information below and sign as Lessor #1.

*This form must be returned to the Deschutes River Conservancy, P.O. Box 1560, Bend, OR 97701 **no later than February 15, 2007** or your water rights will automatically be leased instream for the 2007 season. The Oregon Water Resources Department opt out deadline is not flexible.*

Lessor #1:

(Name) Dale Korish

(Representing) SWALE

(Mailing Address) P.O. Box 1535

(City, State, Zip Code) Bend, OR, 97709

(Telephone number) 503-9378

(E-mail address, optional) _____

By signing this termination form, we hereby request Swalley Irrigation District/Deschutes River Conservancy and the Oregon Water Resources Department terminate the above-noted lease before April 1, 2007.

RECEIVED

MAY 2 2007

WATER RESOURCES DEPT
SALEM, OREGON

Lessor #1: Dale F. Korish Date: 1/22/07

Lessor #2: Janet Chee Date: 1/31/07
Swalley Irrigation District

Lessee: Summer Hubert Date: 1/23/07
Deschutes River Conservancy

430 9 0108

~~AFTER RECORDING RETURN TO: HENDRIX, CHAPPEL & BRINCH, 710 NW Hartman Bend, OR 97701, 541/382-4000~~

9C-12059

BARGAIN AND SALE DEED

Return to
Until a change is requested,
all tax statements shall be
sent to the following address:

Dale F. Korish
P.O. Box 1535
Bend, OR 97709

DIANA M. KORISH, Grantor, bargains, sells and conveys to DALE F. KORISH, Trustee of the Dale F. Korish Trust dated January 19, 1994, Grantee, the following described real property in Deschutes County, State of Oregon:

PARCEL 1: A parcel of land situated in Section Twenty-Nine (29), Township Sixteen (16) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, being further described as follows: The East Half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$).

PARCEL 2: The Southeast Quarter of the Northwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-Nine (29), Township Sixteen (16) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon.

Commonly known as the 15 acres located at 20245 Sturgeon Rd, Bend, OR 97701.

Tax Account No: R 2-007 161229 00 00306, Serial No: 133323 and R 2-007 161229 00 00302, Serial No: 133307.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY 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.

RECEIVED

By execution of this instrument, Grantor certifies that Grantor is not a "foreign person" as that term is defined in the Internal Revenue Code, Section 1445.

MAY 21 20
WATER RESOURCES
SALEM OREGON

consideration - DECREE of dissolution of MARRIAGE



00583757200700598780020029

11/15/2007 12:29:16 PM

D-D Cnt=1 Stn=25 CLERK
\$10.00 \$11.00 \$10.00 \$5.00

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, **Dennis and Virginia Sporalsky** releases and quitclaims to **Swalley Irrigation District (SID)** 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 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in **Exhibit A**, to Swalley Irrigation District. Swalley 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. Swalley 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 SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application **Dennis and Virginia Sporalsky** shall no longer be liable for any district assessment or charges pertaining to the **.23 acres** of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T17S-R12E,WM-SEC17-NW/SW-00704

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is \$230.00

Grantor:

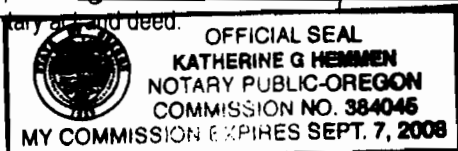
Dennis Sporalsky
Virginia Sporalsky

Date 11/14/07

Date 11-14-07

State of Oregon SS.
County of Deschutes

Personally appeared Dennis & Virginia Sporalsky and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Katherine G. Hemmen

My commission expires 9/7/2008

Swalley Irrigation District:

Janet Lee

Date 11/15/07

Janet L. Lee, Manager

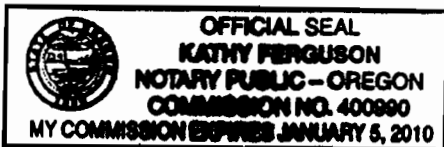
State of Oregon SS.
County of Deschutes

Personally appeared, Janet L. Lee as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.

RECEIVED

NOV 21 2007

WATER RESOURCES DEPT
SALEM, OREGON



Kathy Ferguson

My commission expires 1-5-2010

Dennis and Virginia Sporalksy
Account # 1393

EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC 17-NW/SW-00704	171207C000704		.23 AC

Total Water Rights: .23 Acres

A tract of land situated in the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) of Section Seventeen (17), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, AND ALSO a portion of tracts Eleven (11) and Twelve (12) GLEN VISTA, Deschutes County, Oregon, described as follows: Commencing at the Northwest corner of tract 11 GLEN VISTA; thence running South along the Westerly boundary of said tract 11 GLEN VISTA a distance of 200 feet to the true point of beginning; thence West a distance of 100 feet to a point; thence South a distance of 445 feet more or less, to a point on the South line of said NW1/4 SW1/4 of said Section 17; thence Easterly along said South line of said NW1/4 SW1/4 a distance of 318.25 feet more or less to a point which is North 89° 30' 15" West 400 feet from the Southeast corner of tract 12 GLEN VISTA; thence North 18° 00' 15" West a distance of 337.26 feet, more or less, to a point on the North line of Tract 12 GLEN VISTA; thence North 38° 14' 21" East 165 feet, more or less, to a point which is 200 feet Southerly from the North line of Tract 11 GLEN VISTA; thence Westerly along a line 200 feet South of and parallel with the North line of said Tract 11 a distance of 224 feet, more or less to the point of beginning. EXCEPTING therefrom the Southerly 15 feet reserved for road purposes.

RECEIVED

MAY 31 2011

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon
 WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
 (ORS 540.580)

DISTRICT: **Swalley Irrigation District**
 ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97701**
 PHONE: **541/388-0658**

1. **WATER RIGHT: Swalley Irrigation District**
 CERTIFICATE(S): #74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE:** PERMANENT CHANGE IN PLACE OF USE

3. **APPLICANT**
 NAME: Dennis and Virginia Sporalsky
 ADDRESS: 20070 Chaney Road, Bend, OR 97701

4. **LOCATION OF USE**
 AUTHORIZED POINT OF DIVERSION:
 N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E.W.M. (diversion for Swalley's canal system), Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E,W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
T17S	R12E	17	NW/SW	00704	.23	irrigation

RECEIVED

5. **RECIPIENT**
 NAME: Swalley Irrigation District for use by:
 ADDRESS: 64672 Cook Ave., Suite 1, Bend, OR 97701

MAY 31 2011
 WATER RESOURCES DEPT
 SALEM, OREGON

6. LOCATION OF PROPOSED USE (On Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use

7. **EXHIBITS** : Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: *Dennis and Virginia Sporalsky* 11-15-07
 Date

CO-APPLICANTS: *Virginia Sporalsky* 11-15-07
 Date

RECIPIENT: *Janet Lee* 11-15-07
 Janet L. Lee, Manager, Swalley Irrigation District Date

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Field

5. The water delivery system used to apply water as authorized by the right is described below:

Pumped from lateral

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: _____

RECEIVED

MAY 21 2007

WATER RESOURCES DEPT
SALEM, OREGON

[Handwritten Signature]
Signature of Affiant

11/26/07
Date

Signed and sworn to (or affirmed) before me this 26 day of Nov., 2007.

 OFFICIAL SEAL

Kathy Emerson

Unless a change is requested, all tax statements shall be sent to Grantee at the following address: _____

25003
SPECIAL WARRANTY DEED

VOL 295 PAGE 250

BEN A. CHANEY and LUCILLE G. CHANEY, husband and wife, Grantor, conveys and warrants to DENNIS GERALD SPORALSKY and VIRGINIA ANN SPORALSKY, husband and wife, Grantee, the following described property, free of encumbrances except as specifically set forth herein:

A tract of land situated in the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) of Section Seventeen (17), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, AND ALSO a portion of tracts Eleven (11) and Twelve (12) GLEN VISTA, Deschutes County, Oregon, described as follows: Commencing at the Northwest corner of tract 11 GLEN VISTA; thence running South along the Westerly boundary of said tract 11 GLEN VISTA a distance of 200 feet to the true point of beginning; thence West a distance of 100 feet to a point; thence South a distance of 445 feet more or less, to a point on the South line of said NW1/4 SW1/4 of said Section 17; thence Easterly along said South line of said NW1/4 SW1/4 a distance of 318.25 feet more or less to a point which is North 89° 30' 15" West 400 feet from the Southeast corner of tract 12 GLEN VISTA; thence North 18° 00' 15" West a distance of 337.26 feet, more or less, to a point on the North line of Tract 12 GLEN VISTA; thence North 38° 14' 21" East 165 feet, more or less, to a point which is 200 feet Southerly from the North line of Tract 11 GLEN VISTA; thence Westerly along a line 200 feet South of and parallel with the North line of said Tract 11 a distance of 224 feet, more or less to the point of beginning. EXCEPTING therefrom the Southerly 15 feet reserved for road purposes.

SUBJECT TO:

- 1) The encumbrances placed upon the property by Grantees.
- 2) Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Deschutes Reclamation and Irrigation Company.

RECEIVED

MAY 5 2001

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED BY:
CSI WESTERN TITLE CO.
P.O. BOX 1181
SEAS, OR 97130

Vol 295 Page 251

3) Existing roads, canal or ditch rights of way, telephone and electric power transmission lines.

4) An easement created by instrument, including the terms and provisions thereof, recorded November 19, 1953, in Deschutes County Deed Book 105, Page 496, in favor of Pacific Power & Light Company.

5) An easement created by instrument, including the terms and provisions thereof, recorded May 4, 1964, in Deschutes County Deed Book 139, Page 95, in favor of Pacific Power & Light Company.

6) Easement, including the terms and provisions thereof, for a water pipeline, recorded December 4, 1974, in Deed Book 213, Page 850.

The true consideration for this transfer is \$6,736.30.

DATED this 9 day of March, 1979.

Ben A. Chaney
BEN A. CHANEY

Lucille G. Chaney
LUCILLE G. CHANEY

STATE OF OREGON, County of Deschutes, ss:

Personally appeared the above named BEN A. CHANEY and LUCILLE G. CHANEY and acknowledged the foregoing instrument to be their voluntary act. Before me:

Karen Williams
Notary Public for Oregon
My Commission Expires 1-4-82



25063

STATE OF OREGON

County of Deschutes

RECEIVED

I hereby certify that the within instrument of writing was received for Record on the 16 day of Mar A.D. 1979 at 3:13 o'clock P. M. and recorded in Book 295 on Page 250 Records

WATER RESOURCES DEPT
SALEM, OREGON

Rosado
ROSEMARY PATTERSON
County Clerk

By Rhonda Lantz Deputy

RECORDED 51:
BY WESTERN TITLE CO.
P.O. BOX 1191
DEER, OR 97101

6-22
Walden School

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2007-13577



\$36.00

00533210200700135770030035

03/06/2007 03:08:31 PM

D-D Cnt=1 Stn=23 SRB
\$10.00 \$11.00 \$10.00 \$5.00

Do not remove this page from original document.

Deschutes County Clerk

Certificate Page



RECEIVED

WATER RESOURCES DEPT
GALEM, OREGON

If this instrument is being re-recorded, please complete the following statement, in accordance with ORS 205.244:

Re-recorded to correct [give reason] Legal Description
previously recorded in Book 2006 and Page 68691
or as Fee Number _____



00501232200600686910020023

10/13/2006 02:25:23 PM

D-D Cnt=1 Stn=23 JS
\$10.00 \$11.00 \$10.00 \$5.00

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, **Lynae Ireland, President of Waldorf School of Bend** releases and quitclaims to **Swalley Irrigation District (SID)** 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 **3.00 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in **Exhibit A**, to Swalley Irrigation District. Swalley 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. Swalley 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 SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application **Lynae Ireland, President of Waldorf School of Bend**, shall no longer be liable for any district assessment or charges pertaining to the **3.00 acres** of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

✓ ~~T17S-R12E,WM-SEC16-NE/NE-00100 & T17S-R12E,WM-SEC16-NW/NE-00100~~

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is \$3,000.00

Grantor:

Lynae Ireland for Waldorf School of Bend Date 09/18/06
Date _____

State of Oregon SS.
County of Deschutes

RECEIVED
MAY 11 2 31
WATER RESOURCES DEPT
SALEM OREGON

Waldorf School Of Bend

EXHIBIT A

Acct# #1794

Total Water Rights: 3.00

Legal Description:

T17S-R12E-WM-SEC 20-NW/NE-00300

Taxlot

171220AB00300

Serial#

185607

WR Acres:

3.00

RECEIVED

APR 11 2011
WATER RESOURCES DEPT
SALEM, OREGON

District Internal
Notice #: 757

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97701** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT (OFF):**
NAME: Waldorf School of Bend
ADDRESS: 63175 OB Riley Rd, Bend, OR 97701

4. **LOCATION OF USE: AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E., W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S, R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	20	NW/NE	00300	3.00	IRR

5. **RECIPIENT (ON):**
NAME: Swalley Irrigation District
ADDRESS: 64672 Cook Ave., Suite 1, Bend, OR 97701

6. LOCATION OF PROPOSED USE (On Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	20	NW/NE	00300	3.00	QuitClaim

7. **EXHIBITS** : Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: *Sydney Ireland for Waldorf School of Bend* 9-18-06
List Name of Applicant Date

APPLICANT: _____
List Name of Applicant Date

RECIPIENT: _____
List Name of Recipient Date

DISTRICT: *Janet L. Lee* 9-20-06
Swalley Irrigation District: Janet L. Lee, Manager Date

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON

Water Right Transfer Supplemental Form A
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
County of Deschutes)

I, Jan Lee, in my capacity as Manager,
mailing address 64672 Cook Ave., Suite 1, Bend, OR 97701
telephone number (541) 388-0658, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
S	17	E	12	WM	20	NW/NE	00300	3.00

RECEIVED
MAY 5 2011
WATER RESOURCES DEPT
SALEM, OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

The water right was used for the irrigation of pasture

5. The water delivery system used to apply water as authorized by the right is described below:

The inland of the NC-1 lateral.

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: _____

RECEIVED

MAY 24 2011

WATER RESOURCES DEPT
SALEM OREGON

Janet Lee
Signature of Affiant

9/20/06
Date

Signed and sworn to (or affirmed) before me this 20 day of Sept, 2006.



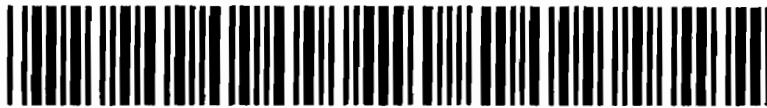
Kathy Ferguson
Notary Public for Oregon

My Commission Expires: 1-5-2010

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

VOL: 1999 PAGE: 50917
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*1999-50917 * Vol-Page

Printed: 10/20/1999 15:35:52

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: Oct. 20, 1999; 3:35 p.m.

RECEIPT NO: 12788

DOCUMENT TYPE: Deed

FEE PAID: \$60.00

NUMBER OF PAGES: 5

RECEIVED

OCT 20 1999

WATER RESOURCES DEPT
SALEM, OREGON

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

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

99.50917-1

WARRANTY DEED

Recording requested by and
when recorded return to:

Thomas J. Sayeg
Karnopp, Petersen, Noteboom,
Hansen, Arnett & Sayeg, LLP
1201 N.W. Wall St, Suite 300
Bend, Oregon 97701

Until a change is requested,
all tax statements shall be
sent to the following address:

63175 O.B. Riley Rd.
Bend, OR 97701

The true consideration for this conveyance is \$292,251.35

TED G. WISE and **SUSAN E. STRAUSS**, as tenants by the entirety, as to an undivided one-half interest, and **MICHAEL R. GOTH**, as to an undivided one-half interest, all as tenants in common, Grantors, convey and warrant to **WALDORF SCHOOL OF BEND**, an Oregon corporation, Grantee, whose address is 63175 O.B. Riley Road, Bend, Oregon 97701, the property described on attached Exhibit "A" free of encumbrances except exceptions 6-11 on attached Exhibit "B".

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.

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON

99-50917-3

STATE OF OREGON)
) ss.
County of Deschutes)

The foregoing instrument was acknowledged before me this 17th day of October, 1999,
by **MICHAEL R. GOTH.**



Gayle A. Johnston

Notary Public for Oregon

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON

Page 3. WARRANTY DEED

6046.2\00191dd.ded

99-50917-4

EXHIBIT "A"

PARCEL 1:

Beginning at the North one-quarter corner of Section Twenty (20), Township Seventeen (17) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon; thence South 01°00'33" West, 25.00 feet to the Point of Beginning; thence South 01°00'33" West, 15.00 feet; thence South 89°51'55" East, 304.35 feet; thence Northwesterly along a 1492.39 foot radius curve right, 16.20 feet; thence North 89°51'55" West, 298.24 feet to the Point of Beginning, being a portion of Tract 1, NORWOOD.

PARCEL 2:

A tract of land being a portion of Tract One of NORWOOD, according to the official plat thereof on file in the office of the County Clerk of Deschutes County, Oregon, being more particularly described as follows:

Beginning at a point from which the North quarter corner of Section Twenty (20) bears North 0°00'33" East a distance of 40.00 feet; thence South 89°51'55" East, 304.35 feet to the Westerly right of way of OB Riley Road; thence along said right of way along the arc of a 1492.39 foot radius curve to the left, 74.43 feet, the chord of which bears South 31°12'44" East, 74.42 feet; thence South 32°38'24" East, 99.54 feet; thence along the arc of a 1411.95 foot radius curve to the right, 131.43 feet, the chord of which bears South 29°58'24" East, 131.38 feet; thence South 27°18'24" East, 345.60 feet; thence leaving said right of way North 87°47'29" West, 311.21 feet; thence North 86°26'33" West, 49.41 feet; thence North 86°31'09" West, 270.46 feet; thence North 1°00'33" East, 537.68 feet to the Point of Beginning and terminus of this description.

RECEIVED

MAY 3 3 2011

WATER RESOURCES DEPT
SALEM, OREGON

SPECIAL EXCEPTIONS

Taxes assessed under Code No. 1-001 Account No. 17 12 20A0 00111
Serial No. 185607

NOTE: The 1998-1999 Taxes: \$3,053.57, PAID IN FULL.

6. The 1999-2000 Taxes: A lien not yet payable.

7. City Liens, if any, of the City of Bend. (An inquiry has been made, and the status of such liens, if any, will follow.)

8. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Deschutes Reclamation and Irrigation Company.

9. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Pacific Power and Light Company

Recorded: October 24, 1938

Book/Page: 57/68, Deed Records

10. City of Bend Development Agreement, including the terms and provisions thereof, recorded December 19, 1997, in Book 473, Page 2370, Deschutes County Records.

11. Deed of Trust, including the terms and provisions thereof, to secure an indebtedness of the amount herein stated.

Amount: \$260,400.00

Dated: June 2, 1999

Recorded: June 11, 1999

Volume/Page: 1999/29041, Deschutes County Records

Grantor: Ted G. Wise and Susan E. Strauss, Husband and Wife, and Michael R. Goth, a married man

Trustee: AmeriTitle

Beneficiary: Headlands Mortgage Company, a California Corporation

RECEIVED

MAY 21 2000

NOTE: Any conveyance or encumbrance by Waldorf School of Bend should be executed pursuant to a proper resolution of the members voted on at a duly called meeting of the membership in accordance with the bylaws or other authority of the corporation.

Certified copies of the resolution authorizing the conveyance and encumbrance and of the minutes of the meeting of the membership and copies of the bylaws or other authority for such conveyance or encumbrance should be furnished for examination.

NOTE: An inquiry of the Corporation Department of the State of Oregon reveals Waldorf School of Bend became inactive on March 11, 1999.

PG 10
N 10

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

DEPUTY COUNTY CLERK
NANCY BLANKENSHIP, COUNTY CLERK
2007-13552
\$36.00
00533207200700135520020026
03/06/2007 03:02:02 PM
D-D Cnt=1 Stn=23 SRB
\$10.00 \$11.00 \$10.00 \$5.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Dale F. Korish, Trustee of the Dale F. Korish Trust releases and quitclaims to Swalley Irrigation District (SID) 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 4.40 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley 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. Swalley 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 SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Dale F. Korish, Trustee of the Dale F. Korish Trust shall no longer be liable for any district assessment or charges pertaining to the 4.40 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T16S-R12E,WM-SEC29-NW/NE-00306

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is \$4,400.00

Grantor: D. F. Korish Date 2/9/07
Date _____

State of Oregon SS.
County of Deschutes

Personally appeared Dale F. Korish and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Kathy Ferguson Kathy Ferguson
My commission expires 1-5-2010
Date 2/09/07

RECEIVED
MAY 31 2011

Swalley Irrigation District:
Janet L. Lee
Janet L. Lee, Manager

State of Oregon SS.
County of Deschutes

WATER RESOURCES DEPT
SALEM, OREGON

Personally appeared, Janet L. Lee as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Kathy Ferguson
My commission expires 1-5-2010

Tax statement: No change.

Dale F. Korish

EXHIBIT A

Acct# #1476

Total Water Rights: 4.40

Legal Description:

T16S-R12E-WM-SEC 29-NW/NE-00306

Taxlot

1612290000306

Serial#

133323

WR Acres:

4.40

RECEIVED

MAY 11 2003

WATER RESOURCES DEPT
SALEM, OREGON

District Internal
Notice #: _____

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97701** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT (OFF):**

NAME: Dale F. Korish, Trustee of the Dale F. Korish Trust
ADDRESS: 20425 Sturgeon Road, Bend, OR. 97701

4. **LOCATION OF USE: AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E.,W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S, R. 12E,W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	29	NW/NE	00306	4.40	IRR

5. **RECIPIENT (ON):**

NAME:
ADDRESS:

6. **LOCATION OF PROPOSED USE (On Lands)**

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use

7. **EXHIBITS** : Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: D. F. Korish 2/9/07
List Name of Applicant *Date*

APPLICANT: _____
List Name of Applicant *Date*

RECIPIENT: _____
List Name of Recipient. *Date*

DISTRICT: Janet Lee 2/9/07
Swalley Irrigation District: Janet L. Lee, Manager *Date*

RECEIVED

MAY 3 2 2011

WATER RESOURCES DEPT
SALEM, OREGON

**Water Right Transfer Supplemental Form A
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
 County of Deschutes)

I, Janet Lee, in my capacity as General Manager,
 mailing address 64672 Cook Ave., Suite 1, Bend, OR 97701
 telephone number (541) 388-0658, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
16	S	12	E	WM	29	NW/NE	00306	4.40

RECEIVED
 MAY 21 2016
 WATER RESOURCES DEPT
 SALEM, OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Pasture

5. The water delivery system used to apply water as authorized by the right is described below:

A delivery point (headgate) from a private ditch.

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: _____

RECEIVED

MAY 21 2011

WATER RESOURCES DEPT
SALEM, OREGON

Janet Lee
Signature of Affiant

2/9/07
Date

Signed and sworn to (or affirmed) before me this 9 day of February, 2007.



Kathy Ferguson
Notary Public for Oregon

My Commission Expires: 1-5-2010

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

pg 16

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2008-01933



\$36.00

00503216200800019330020024

01/15/2008 02:34:06 PM

D-D Cnt=1 Stn=23 CLERK
\$10.00 \$11.00 \$10.00 \$5.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, **Ray and Sharon Ruppel** releases and quitclaims to **Swalley Irrigation District (SID)** 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 **3.00 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in **Exhibit A**, to Swalley Irrigation District. Swalley 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. Swalley 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 SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application **Ray and Sharon Ruppel** shall no longer be liable for any district assessment or charges pertaining to the **3.00 acres** of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:
T17S-R12E,WM-SEC08-NW/SW-01200.

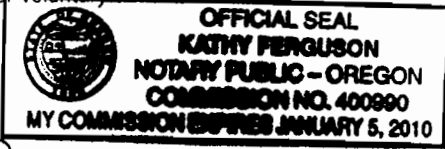
This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is \$3,000.00

Grantor:

[Signature] Date 11-16-07
[Signature] Date 11-16-07

State of Oregon SS.
County of Deschutes

Personally appeared Ray + Sharon Ruppel and acknowledged the forgoing instrument to be his / her voluntary act and deed.



[Signature]
My commission expires 1-5-2010

Swalley Irrigation District:

[Signature] Date 1-15-2008
Janet L. Lee, Manager

State of Oregon SS.
County of Deschutes

Personally appeared, Janet L. Lee as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



[Signature]
My commission expires 1-5-2010

Tax statement: No change

RECEIVED
MAY 31 2010
WATER RESOURCES DEPT
SALEM, OREGON

Termination of Short-Term
Instream Lease

Lease Agreement Number (OWRD): L- 462
Mitigation Project No. (if applicable):

If you wish to cancel your Lease this year, please fill in the information below and sign as Lessor #1.

*This form must be returned to the Deschutes River Conservancy, P.O. Box 1560, Bend, OR 97701 **no later than February 15, 2007** or your water rights will automatically be leased instream for the 2007 season. The Oregon Water Resources Department opt out deadline is not flexible.*

Lessor #1:
(Name) Dale Korish

(Representing) same

(Mailing Address) P.O. Box 1535

(City, State, Zip Code) Bend, OR, 97709

(Telephone number) 503-9378

(E-mail address, optional) _____

By signing this termination form, we hereby request Swalley Irrigation District/Deschutes River Conservancy and the Oregon Water Resources Department terminate the above-noted lease before April 1, 2007.

RECEIVED

FEB 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

Lessor #1: Dale F. Korish Date: 1/22/07

Lessor #2: Janet Lee Date: 1/31/07
Swalley Irrigation District

Lessee: Deschutes River Conservancy Date: 1/23/07

Ray and Sharon Ruppel
Account = 1359

EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC 8-NW/SW-01200	17120	C001200	3.00 AC

Total Water Rights: 3.00 Acres

RECEIVED
MAY 01 2011
WATER RESOURCES DEPT
SALEM OREGON

WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)

DISTRICT: Swalley Irrigation District
ADDRESS: 64672 Cook Avenue, Suite 1, Bend, OR 97701
PHONE: 541/388-0658

1. WATER RIGHT: Swalley Irrigation District
CERTIFICATE(S): #74145 PRIORITY DATE: September 1, 1899

2. TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE

3. APPLICANT
NAME: Ray and Sharon Ruppel
ADDRESS: 63747 OB Riley RD, Bend, OR 97701

4. LOCATION OF USE
AUTHORIZED POINT OF DIVERSION:
N 985' & W 617' from the East 1/4 corner, SE/NE of Section 29, T17S, R12E.W.M. (diversion for Swalley's canal system), Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E,W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Table with 7 columns: Township, Range, Section, 1/4 1/4, Tax Lot, # of acres irrigated, Other Use. Row 1: 17S, 12E, SE8, NW/SW, 01200, 3.00, irrigation.

5. RECIPIENT
NAME: Swalley Irrigation District
ADDRESS: 64672 Cook Ave, Ste 1, Bend, OR 97701

6. LOCATION OF PROPOSED USE (On Lands)

Table with 7 columns: Township, Range, Section, 1/4 1/4, Tax Lot, # of acres irrigated, Other Use. Row 1: 17S, 12E, SE, irrigation.

7. EXHIBITS : Maps showing the location of the present and proposed irrigated lands (On & Off Maps)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: [Signature] 11-16-07
APPLICANT: [Signature] 11-16-07
RECEIVED
Date

RECIPIENT:
WATER RESOURCES DEPT SALEM, OREGON
DISTRICT: [Signature] Janet L Lee, Manager, Swalley Irrigation District 11-16-07
Date

Ray and Sharon Ruppel
Account # 1359

EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC 8-NW/SW-01200	17120 B C001200		3.00 AC

Total Water Rights: 3.00 Acres

RECEIVED

MAY 31 2011

WATER RESOURCES DEPT
SALEM OREGON

**Water Right Transfer Supplemental Form A
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
 County of Deschutes)

I, Karl Conklin, in my capacity as Field Operations Manager,
 mailing address 64672 Cook Ave., Suite 1, Bend, OR 97701
 telephone number (541) 388-0658, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
17	S	12	E	WM	08	NW/SW	01200	3.00

RECEIVED

MAY 24 2011

WATER RESOURCES DEPT
SALEM, OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Pasture, landscape.

5. The water delivery system used to apply water as authorized by the right is described below:

The water is delivered to his pond where he pumps into his irrigation system

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: _____

RECEIVED

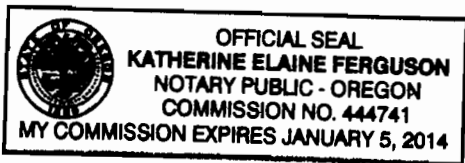
MAY 8 2011

WATER RESOURCES DEPT
SALEM, OREGON

[Handwritten Signature]
Signature of Affiant

9/29/2010
Date

Signed and sworn to (or affirmed) before me this 29 day of September 2010.



Katherine Elaine Ferguson
Notary Public for Oregon

My Commission Expires: 1-5-2014

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

OK

285 - 1152

KNOW ALL MEN BY THESE PRESENTS, That EDWARDS FAMILY REVOCABLE TRUST, Dated June 12, 1992

hereinafter called the grantor, for the consideration hereinafter stated to grantor paid by G. RAYMOND RUPPEL and M. SHARON RUPPEL, husband and wife

hereinafter called the grantee does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, the certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Deschutes and State of Oregon, described as follows, to-wit:

A tract of land containing 23.38 acres, more or less, situated in the Northwest one-quarter of the Southwest one-quarter (NW1SW1) of Section 8, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at the one-quarter section corner common to Sections Seven (7) and Eight (8), Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon; thence South 00°05'35" West 1318.83 feet to the point of beginning, said point being the South one-sixteenth section corner between said Sections 7 and 8; thence South 89°50'00" East 1221.76 feet along the East-West centerline of the South-West one-quarter of said Section 8; thence North 09°04'45" West 405.25 feet; thence North 75°29'00" East 82.58 feet to the centerline of the Deschutes Reclamation and Irrigation Company secondary lateral; thence following along said lateral, North 85°32'23" East 94.12 feet; thence North 02°07'01" East 81.66 feet; thence North 85°46'37" East 33.81 feet; thence South 55°53'34" East 52.57 feet, more or less to the intersection of the westerly right-of-way of the O.B. Riley County Road; thence along said right-of-way North 27°52'24" West 413.84 feet; thence departing from said right-of-way North 89°19'51" West 1286.30 feet to the intersection of the West boundary of said Section 8; thence South 00°05'35" West 818.83 feet to the point of beginning; and together with five (5) acres of Deschutes Reclamation and Irrigation Company water rights.

EXCEPT FOR: A tract of land situated in the Northwest quarter of the Southwest quarter (NW1SW1) of Section Eight (8), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at the one-quarter section corner common to Sections 7 and 8, Township 17 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon; thence South 00°05'35" West, along the line between said Sections 7 and 8, a distance of 927.00 feet to the point of beginning; thence continuing South 00°05'35" West 391.83 feet to the south sixteen-th section corner common to said Sections 7 and 8; thence along the East-West centerline of the Southwest quarter of said Section 8, South 89°50'00" East 579.97 feet; thence departing from said East-West centerline, North 00°05'35" East 385.73 feet; thence North 89°19'51" West 580.00 feet, more or less, to the point of beginning, without any water rights.

RECEIVED MAY 21 2011

SUBJECT TO: Easements of record.

TM 17-12-08 CO TL # 1200 WATER RESOURCES DEPT SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except taxes as may be due to Deschutes County

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 269,000.00

However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 11th day of December, 1992

EDWARDS FAMILY REVOCABLE TRUST, dated

June 12, 1992

by: [Signature]

by: [Signature]

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.

STATE OF OREGON, County of Deschutes) ss. December 11, 1992

Personally appeared the above named Bruce E. Edwards, Trustee and Nancy A. Edwards, Trustee of EDWARDS FAMILY REVOCABLE TRUST, Dated June 12, 1992

and acknowledged the foregoing instrument to be their voluntary act and deed.

OFFICIAL SEAL OF ELIZABETH G. GUNDER, Notary Public for Oregon, Commission No. 016578, My Commission Expires July 6, 1996

Notary Public for Oregon, My commission expires July 6, 1996

NOTE—The seal of the notary public should be deleted. See Chapter 462, Oregon Laws 1987, as amended by the 1987 Special Session.

STATE OF OREGON, County of }

1616

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2008-01933



\$36.00

00593216200800019330020024

01/15/2008 02:34:06 PM

D-D Cnt=1 Stn=23 CLERK
\$10.00 \$11.00 \$10.00 \$5.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, **Ray and Sharon Ruppel** releases and quitclaims to **Swalley Irrigation District (SID)** 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 **3.00 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in **Exhibit A**, to Swalley Irrigation District. Swalley 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. Swalley 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 SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application **Ray and Sharon Ruppel** shall no longer be liable for any district assessment or charges pertaining to the **3.00 acres** of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T17S-R12E,WM-SEC08-NW/SW-01200.

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is \$3,000.00

Grantor:

[Signature] Date 1-16-08
[Signature] Date 1-16-08

State of Oregon SS.
County of Deschutes

Personally appeared Ray + Sharon Ruppel and acknowledged the forgoing instrument to be his / her voluntary act and deed.



[Signature: Kathy Ferguson]
My commission expires 1-5-2010

Swalley Irrigation District:

[Signature: Janet Lee] Date 1-15-2008
Janet L. Lee, Manager

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon SS.
County of Deschutes

Personally appeared, Janet L. Lee as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



[Signature: Kathy Ferguson]
My commission expires 1-5-2010

Ray and Sharon Ruppel
Account = 1359

EXHIBIT A

Legal Description:
T17S-R12E-WM-SEC 8-NW/SW-01200

Taxlot
171208C001200

Total Water Rights: 3.00 Acres

Serial# WR Acres:
 3.00 AC

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON

WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
 (ORS 540.580)

DISTRICT: **Swalley Irrigation District**
 ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97701**
 PHONE: **541/388-0658**

1. **WATER RIGHT: Swalley Irrigation District**
 CERTIFICATE(S): #74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT**
 NAME: Ray and Sharon Ruppel
 ADDRESS: 63747 OB Riley RD, Bend, OR 97701

4. **LOCATION OF USE**
 AUTHORIZED POINT OF DIVERSION:
 N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E.W.M. (diversion for Swalley's canal system), Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E.W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
17S	12E	SE8	NW/SW	01200	3.00	irrigation

5. **RECIPIENT**
 NAME: Swalley Irrigation District
 ADDRESS: 64672 Cook Ave, Ste 1, Bend, OR 97701

6. LOCATION OF PROPOSED USE (On Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
17S	12E	SE				irrigation

7. **EXHIBITS** : Maps showing the location of the present and proposed irrigated lands (On & Off Maps)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: *SR Ruppel* 11-16-07
 Date
 APPLICANT: *Sharon Ruppel* 11-16-07
 Date

RECEIVED

RECIPIENT: _____ Date

DISTRICT *Janet Lee* WATER RESOURCES DEPT 11-16-07
 Janet L Lee, Manager, Swalley Irrigation District SALEM, OREGON Date

Ray and Sharon Ruppel
Account = 1359

EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC 8-NW/SW-01200	171208C001200		3.00 AC

Total Water Rights: 3.00 Acres

RECEIVED

APR 11 2011
WATER RESOURCES DEPT
SALEM, OREGON

**Water Right Transfer Supplemental Form A
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
 County of Deschutes)

I, Karl Conklin, in my capacity as Field Operations Manager,
 mailing address 64672 Cook Ave., Suite 1, Bend, OR 97701
 telephone number (541) 388-0658, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
17	S	12	E	WM	08	NW/SW	01200	3.00

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Pasture, landscape.

5. The water delivery system used to apply water as authorized by the right is described below:

The water is delivered to his pond where he pumps into his irrigation system

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: _____

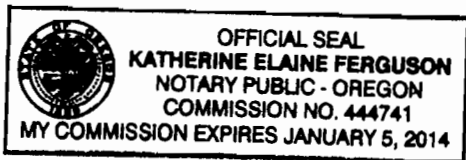
RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON

[Handwritten Signature]
Signature of Affiant

9/29/2010
Date

Signed and sworn to (or affirmed) before me this 29 day of September 2010



Katherine Elaine Ferguson
Notary Public for Oregon

My Commission Expires: 1-5-2014

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

OK

KNOW ALL MEN BY THESE PRESENTS, That EDWARDS FAMILY REVOCABLE TRUST, Dated June 12, 1992

hereinafter called the grantor, for the consideration hereinafter stated to grantor paid by G. RAYMOND RUPPEL and M. SHARON RUPPEL, husband and wife

hereinafter called the grantor does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, the certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Deschutes and State of Oregon, described as follows, to-wit:

A tract of land containing 23.38 acres, more or less, situated in the Northwest one-quarter of the Southwest one-quarter (NW1SW1) of Section 8, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at the one-quarter section corner common to Sections Seven (7) and Eight (8), Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon; thence South 00°05'35" West 1318.83 feet to the point of beginning, said point being the South one-sixteenth section corner between said Sections 7 and 8; thence South 89°50'00" East 1221.76 feet along the East-West centerline of the South-West one-quarter of said Section 8; thence North 09°04'45" West 405.25 feet; thence North 75°29'09" East 82.58 feet to the centerline of the Deschutes Reclamation and Irrigation Company secondary lateral; thence following along said lateral, North 85°32'23" East 04.12 feet; thence North 42°07'01" East 81.66 feet; thence North 85°46'37" East 33.81 feet; thence South 55°53'34" East 52.57 feet, more or less to the intersection of the westerly right-of-way of the O.R. Riley County Road; thence along said right-of-way North 27°52'24" West 413.84 feet; thence departing from said right-of-way North 59°19'51" West 1286.39 feet to the intersection of the West boundary of said Section 8; thence South 00°05'35" West 818.83 feet to the point of beginning; and together with five (5) acres of Deschutes Reclamation and Irrigation Company water rights.

EXCEPT FOR: A tract of land situated in the Northwest quarter of the Southwest quarter (NW1SW1) of Section Eight (8), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at the one-quarter section corner common to Sections 7 and 8, Township 17 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon; thence South 00°05'35" West, along the line between said Sections 7 and 8, a distance of 927.00 feet to the point of beginning; thence continuing South 00°05'35" West 391.83 feet to the south sixteenth section corner common to said Sections 7 and 8; thence along the East-West centerline of the Southwest quarter of said Section 8, South 89°50'00" East 579.97 feet; thence departing from said East-West centerline, North 00°05'35" East 385.73 feet; thence North 89°19'51" West 580.00 feet, more or less, to the point of beginning, without any water rights.

SUBJECT TO: Easements of record.

TM 17-12-08 CO TL # 1200

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except taxes as may be due to Deschutes County

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 269,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 11th day of December, 1992.

EDWARDS FAMILY REVOCABLE TRUST, dated

June 12, 1992

by: G. Raymond Ruppel

by: M. Sharon Ruppel

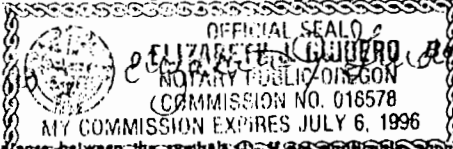
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO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

STATE OF OREGON, County of Deschutes) ss. December 11, 1992

Personally appeared the above named Bruce E. Edwards, Trustee and Nancy A. Edwards, Trustee of EDWARDS FAMILY REVOCABLE TRUST, Dated June 12, 1992

and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)



Subscribed and sworn to before me: Elizabeth J. Gundero, Notary Public for Oregon, My commission expires July 6, 1996

NOTE—The seal expires between the 1st and 15th of the month and should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.



03/24/2008 01:17:07 PM

D-D Cnt=1 Stn=23 CLERK
\$10.00 \$11.00 \$10.00 \$5.00

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

2

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, John and Rebecca Marshall releases and quitclaims to Swalley Irrigation District (SID) 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 **2.51 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in **Exhibit A**, to Swalley Irrigation District. Swalley 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. Swalley 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 SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application John and Rebecca Marshall shall no longer be liable for any district assessment or charges pertaining to the **2.51 acres** of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T16S-R12E,WM-SEC29-SE/SE-01200

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is \$2,510.00

Grantor:

John W Marshall
Rebecca Marshall

Date 3-18-08

Date 3/18/08

State of Oregon SS.
County of Deschutes

Personally appeared John + Rebecca Marshall and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Kathy Ferguson

My commission expires 1-5-2010 RECEIVED

Swalley Irrigation District:
Janet Lee

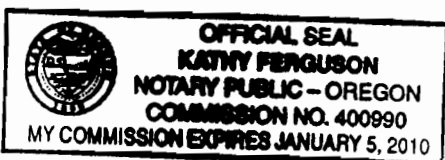
Date 3/11/08

Janet L Lee, Manager

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon SS.
County of Deschutes

Personally appeared, Janet L. Lee as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Kathy Ferguson

My commission expires 1-5-2010

John and Rebecca Marshall
#1840

EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T16S-R12E-WM-SEC 29-SE/SE-01200	1612290001200		2.51 AC

Total Water Rights: 2.51 Acres

Exhibit "A"

PARCEL 1:

The East Half of the Southeast Quarter (E1/2SE1/4) in Section Twenty-nine (29), Township Sixteen (16) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM:

Section 29: The Northeast Quarter, Southeast Quarter, (NE1/4SE1/4) and the West Half of the Southeast Quarter of the Southeast Quarter (W1/2SE1/4SE1/4) of said Section as set forth in that certain warranty deed recorded May 22, 1987, in Book 146, Page 73 of the official records of Deschutes County, Oregon.

RECEIVED

APR 11 2011

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97701**
PHONE: **541/388-0658**

1. **WATER RIGHT: Swalley Irrigation District**
CERTIFICATE(S): #74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT**

NAME: John and Rebecca Marshall
ADDRESS: 64885 Old Bend Redmond Hwy., Bend, OR 97701

4. **LOCATION OF USE**

AUTHORIZED POINT OF DIVERSION:
N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E.W.M. (diversion for Swalley's canal system), Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E,W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (*Off Lands*)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
T16S	R12E	29	SE/SE	01200	2.51	irrigation

5. **RECIPIENT**

NAME: Swalley Irrigation District for use by:
ADDRESS: 64672 Cook Ave., Suite 1, Bend, OR 97701

6. **LOCATION OF PROPOSED USE (*On Lands*)**

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
T16S	R12E	29	SE/SE	01200	2.51	Irr

7. **EXHIBITS** : Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: John Marshall 3-18-08
Date

CO-APPLICANTS: Rebecca Marshall 3/18/08
Date

RECIPIENT: Janel L. Lee 3/11/08
Date

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON

**Water Right Transfer Supplemental Form A
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
 County of Deschutes)

I, Janet Lee, in my capacity as General Manager,
 mailing address 64672 Cook Ave., Suite 1, Bend, OR 97701
 telephone number (541) 388-0658, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
16	S	12	E	WM	29	SE/SE	01200	2.51

RECEIVED
 WATER RESOURCES DEPT
 SALEM OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

landscape and pasture

5. The water delivery system used to apply water as authorized by the right is described below:

Elder lateral to private ditch into a pond and pumped out.

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: _____

RECEIVED

Jant Lee
Signature of Affiant

8/20/08
Date

WATER RESOURCES DEPT
SALEM OREGON

Signed and sworn to (or affirmed) before me this 20 day of August, 2008.



Kathy Ferguson
Notary Public for Oregon

My Commission Expires: 1-5-2010

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

**VOL: 2001 PAGE: 15153
RECORDED DOCUMENT**

**STATE OF OREGON
COUNTY OF DESCHUTES**



*2001-15153 * Vol-Page

Printed: 04/03/2001 10:42:46

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: Apr. 3, 2001; 10:35 a.m.

RECEIPT NO: 33895

DOCUMENT TYPE: Deed

FEE PAID: \$36.00

NUMBER OF PAGES: 2

RECEIVED

**MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK**

WATER RESOURCES DEPT
SALEM OREGON

33752-36

LN-15153-1

WARRANTY DEED

WILLIAM R. WALL, Grantor(s) hereby grant, bargain, sell, warrant and convey to: JOHN W. MARSHALL, AND REBECCA A. MARSHALL, HUSBAND AND WIFE. 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
133320 16 12 2900 01200
133398 16 12 2800 05000

SUBJECT TO: all those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any; and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

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 FEES 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 235,000.00.

Until a change is requested, all tax statements shall be sent to Grantee at the following address: 864 Tullamore Park Circle, Charlotte, NC 28226

Dated this 26 day of March, 2001.

William R. Wall (signature)
WILLIAM R. WALL

Oregon
State of Washington)
County of Deschutes "

On this day personally appeared before me WILLIAM R. WALL to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that HE signed the same as HE free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand official seal this 26th day of March, 2001.



Shannon Loux (signature)
Notary Public in and for the State of Oregon
Washington residing at Eugene

My appointment expires 5/3/04

ESCROW NO. 580337528L

Return to:
JOHN W. MARSHALL

After recording, return to
Amerititle
15 OREGON AVENUE, BEND

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON

2001-15153-2

Exhibit "A"

PARCEL 1:

The East Half of the Southeast Quarter (E1/2SE1/4) in Section Twenty-nine (29), Township Sixteen (16) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM:

Section 29: The Northeast Quarter, Southeast Quarter, (NE1/4SE1/4) and the West Half of the Southeast Quarter of the Southeast Quarter (W1/2SE1/4SE1/4) of said Section as set forth in that certain warranty deed recorded May 22, 1987, in Book 146, Page 73 of the official records of Deschutes County, Oregon.

PARCEL 2:

Commencing at the Southwest corner of Section Twenty-eight (28), Township Sixteen (16) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon; thence North along the Section line 1,087 feet to the true point of beginning; thence North along said Section line 16 feet; thence at a somewhat Southwesterly direction 715 feet to its intersection with the West line of The Dalles-California Highway at a point 1,065 feet along the West line of the Dalles-California Highway from its intersection with the South line of Section 28; thence South along the West line of The Dalles-California Highway a distance of 16 feet; thence somewhat North-Westerly a distance of 715 feet to the point of beginning.

RECEIVED

WATER RESOURCES DEPT
SALEM OREGON

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

RECORDED COUNTY OF DESCHUTES RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2008-20429



\$36.00

00613271200800204290020028

05/09/2008 12:01:50 PM

D-D Cnt=1 Stn=23 CLERK
\$10.00 \$11.00 \$10.00 \$5.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor **Sonnie Grossman** releases and quitclaims to **Swalley Irrigation District (SID)** 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 **.50 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in **Exhibit A**, to Swalley Irrigation District. Swalley 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. Swalley 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 SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application **Sonnie Grossman** shall no longer be liable for any district assessment or charges pertaining to the **.50 acres** of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located
T17S-R12E,WM-SEC16-SE/SW-00900

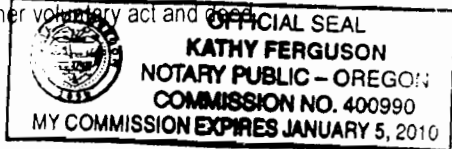
This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is \$0

Grantor:

Sonnie Grossman Date 5/1/08
Date _____

State of Oregon SS
County of Deschutes

Personally appeared *Sonnie Grossman*, and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Kathy Ferguson
My commission expires 1-5-2010

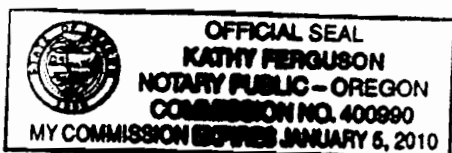
Swalley Irrigation District:
Janet Lee Date 5/9/08
Janet L. Lee, Manager

State of Oregon SS
County of Deschutes

Personally appeared *Janet L. Lee* as Manager for Swalley Irrigation District and acknowledged the forgoing instrument act and deed.

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON



Kathy Ferguson
My commission expires 1-5-2010

Sonnie L. Grossman
Account = 1155

EXHIBIT A

Total Water Rights: .50 Acres

Legal Description:
T17S-R12E-WM-SEC 16-SE/SW-00900

Taxlot
171216CD00900

Serial#
149651

WR Acres:
.50 Acres

RECEIVED

WATER RESOURCES DEPT
SALEM OREGON

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97701**
PHONE: **541/388-0658**

- 1. **WATER RIGHT: Swalley Irrigation District**
CERTIFICATE(S): #74145 PRIORITY DATE: September 1, 1899
- 2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT**
 NAME: Sonnie Grossman
 ADDRESS: 65345 85th St, Bend, OR 97701

4. **LOCATION OF USE**
 AUTHORIZED POINT OF DIVERSION:
 N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E.W.M. (diversion for Swalley's canal system), Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E,W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
T17S	R12E	16	SE/SW	00900	.50	irrigation

5. **RECIPIENT**
 NAME: Swalley Irrigation District for use by:
 ADDRESS: 64672 Cook Ave., Suite 1, Bend, OR 97701

RECEIVED

MAY 23 2008

6. LOCATION OF PROPOSED USE (On Lands)

WATER RESOURCES DEPT
SALEM, OREGON

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use

7. **EXHIBITS** : Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: *Sonnie Grossman* 5/1/08
 Date

CO-APPLICANTS: _____
 RECIPIENT: *Janet Lee* 4/9/08
 Janet L. Lee, Manager, Swalley Irrigation District Date

**Water Right Transfer Supplemental Form A
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
 County of Deschutes)

I, Janet Lee, in my capacity as General Manager,
 mailing address 64672 Cook Ave., Suite 1, Bend, OR 97701
 telephone number (541) 388-0658, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
17	S	12	E	WM	16	SE/SW	00900	.50

RECEIVED
MAY 11 2011

WATER RESOURCES DEPT
SALEM OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

landscape

5. The water delivery system used to apply water as authorized by the right is described below:

pumped from the main canal

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: _____

RECEIVED

WATER RESOURCES DEPT
SALEM OREGON

Jant Lee
Signature of Affiant

8/20/08
Date

Signed and sworn to (or affirmed) before me this 20 day of August, 2008.



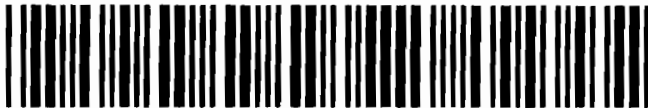
Kathy Ferguson
Notary Public for Oregon

My Commission Expires: 1-5-2010

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

VOL: 2000 PAGE: 391
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*2000-391 * Vol-Page

Printed: 01/06/2000 12:24:34

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: Jan. 6, 2000; 12:17 p.m.

RECEIPT NO: 15704

DOCUMENT TYPE: Deed

FEE PAID: \$36.00

NUMBER OF PAGES: 2

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

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

RECEIVED

MAY 11 2000

WATER RESOURCES DEPT
SALEM, OREGON

2000-391-1

36 153195 MT/9911229 JS



(Reserved for Recording Purposes)

SPECIAL WARRANTY DEED

ODVA Account Number	Tax Account Number
5201892	149651

IN CONSIDERATION of fulfillment of that certain Contract of Sale dated January 13, 1988, in the Face Value of \$47,125.00 and recorded on January 14, 1988, in 88-00759, Deschutes County, the STATE OF OREGON, by and through the Director of the Oregon Department of Veterans' Affairs, grantor, conveys and specially warrants unto Sonnie Lila Grossman, grantee(s), all of the STATE OF OREGON's right, title and interest to the following described real property free of encumbrances created or suffered by the grantor on or before January 13, 1988, except as specifically set forth herein, situated at 63290 Vogt Rd, Bend, Oregon 97701 in Deschutes County, State of Oregon, to wit:

All of Lot 3 and the following described portion of Lot 1, to wit: Beginning at a point on the Northerly line of said Lot 1, said point being South 82°15'49" East, a distance of 91.68 feet from the Northwest corner of Lot 1; thence South 51°55'49" East for 80.0 feet, more or less, to the left bank of the Swalley Canal; thence North 62°18'23" East for 69.74 feet, more or less, to the Northeast corner of said Lot 1; thence North 82°15'49" West for 125.84 feet, more or less, to the point of beginning, all being a portion of Block 1, BROOKSIDE, Deschutes County, Oregon.

RECEIVED

MAY 31 2011

WATER RESOURCES DEPT
SALEM, OREGON

AFTER RECORDING RETURN TO:

Until a change is requested, all tax statements shall be sent to the following address:

FIRST AMERICAN TITLE
141 NW GREENWOOD AVE
BEND OR 97701

SONNIE L GROSSMAN
20631 WHITE WING CT
BEND OR 97701

FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGO
P.O. BOX 323
BEND, OR 97709

2000 - 391-2

ODVA Account Number
5201892

SUBJECT TO:

1. Any taxes for 2000/2001 when due or payable.
2. Any Right of Redemption as Provided by Law.
3. The premises under search fall within the boundaries of Deschutes Reclamation and Irrigation Company and are subject to rules, regulations, assessments and liens thereon.
4. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein, as granted to Pacific Power and Light Company, recorded January 2, 1973, Book 191, Page 431, Deed Records, also recorded May 30, 1974, in Book 195, Page 821 Deed Records, and September 16, 1975 in Book 222, Page 918 Deed Records.
5. Water Agreement, including the terms and provisions thereof, between Avion Water Co. and Vo Lan Sum Land Co., a partnership, recorded November 18, 1976, in Book 241, Page 42, Deed Records.
6. Setback lines as shown on the official plat.

"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."

IN WITNESS WHEREOF, the State of Oregon, represented and acting by the Director of the Oregon Department of Veterans' Affairs, has caused these presents to be executed December 29, 1999, at Salem, Oregon. The foregoing recital of consideration is true as I verily believe.

DIRECTOR OF OREGON DEPARTMENT OF VETERANS' AFFAIRS — Lender

By: Joyce D. Hlopek
Joyce D. Hlopek, Manager, Accounts Services

STATE OF OREGON)
) Ss.
County of Marion)

On December 29, 1999,

this instrument was acknowledged before me by the above-named Joyce D. Hlopek, who personally appeared, and, being first duly sworn, did say that she is authorized to sign the foregoing document on behalf of the Oregon Department of Veterans' Affairs by authority of its Director.

Before me: Arlene E Baker
Notary Public for Oregon

RECEIVED
MAY 21 2001



WATER RESOURCES DEPT
SALEM, OREGON

PK 19

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2007-03916



\$36.00

00522850200700039160020028

01/22/2007 02:48:10 PM

D-D Cnt=1 Str=23 CE
\$10.00 \$11.00 \$10.00 \$5.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Douglas Smith, Randolph Partipilo & Jo Partipilo releases and quitclaims to Swalley Irrigation District (SID) 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 .50 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley 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. Swalley 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 SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Douglas Smith, Randolph Partipilo & Jo Partipilo shall no longer be liable for any district assessment or charges pertaining to the .50 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T17S-R12E,WM-SEC16-SE/SW-01900

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is \$500.00

Grantor:

Douglas Smith Date 12/27/06
Randolph Partipilo Date 12/27/06
Jo Partipilo Date 12-28-06

State of Oregon SS.
County of Deschutes

Personally appeared Douglas Smith, Randolph Partipilo, Jo Partipilo and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Kathy Ferguson
My commission expires 1-5-2010

RECEIVED

Swalley Irrigation District

Janet L. Lee Date 12-27-06

Janet L. Lee, Manager
State of Oregon SS.
County of Deschutes

WATER RESOURCES DEPT
SALEM OREGON

Personally appeared, Janet L. Lee as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Kathy Ferguson
My commission expires 1-5-2010

Douglas Smith, Randolph Partipilo & Jo Partipilo

EXHIBIT A

Acct# #2130

Total Water Rights: .50

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC 16-SE/SW -01900	171216CD01900	108994	.50

RECEIVED

NOV 14 2011
WATER RESOURCES DEPT
SALEM OREGON

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97701**
PHONE: **541/388-0658**

1. **WATER RIGHT: Swalley Irrigation District**
CERTIFICATE(S): #74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT**

NAME: Douglas Smith & Randolph Partipilo & Jo Partipilo
ADDRESS: 20591 Fred Meyers Rd, Bend, OR 97701

4. **LOCATION OF USE**

AUTHORIZED POINT OF DIVERSION:
N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E.W.M. (diversion for Swalley's canal system), Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E.W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (*Off Lands*)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
17S	12E	16	SE/SW	01900	.50	irrigation
						irrigation

5. **RECIPIENT**

NAME: Swalley Irrigation District for use by:
ADDRESS: 64672 Cook Ave., Suite 1 Bend, OR 97701

RECEIVED

6. **LOCATION OF PROPOSED USE (*On Lands*)**

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
17S	12E	16	SE/SW	01900	.50	Irrigation

WATER RESOURCES DEPT
STATE OF OREGON

7. **EXHIBITS** : Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: *Douglas L. Smith* Date 12/27/06
 CO-APPLICANTS: *Jo Partipilo* Date 12/27/06
 CO-APPLICANTS: *Jo Partipilo* Date 12-28-06
 DISTRICT: *Janet L. Lee* Date 12/27/06
 Janet L. Lee, Manager, Swalley Irrigation District

**Water Right Transfer Supplemental Form A
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
 County of Deschutes)

I, Janet Lee, in my capacity as General Manager,
 mailing address 64672 Cook Ave., Suite 1, Bend, OR 97701
 telephone number (541) 388-0658, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
17	S	12	E	WM	16	SE/SW	01900	.50

RECEIVED
 JUN 21 2011
 WATER RESOURCES DEPT
 SALEM, OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Landscape

5. The water delivery system used to apply water as authorized by the right is described below:

Turned out from high ^{of 0100} into Sump area which is then pumped into a pressurized irrigation system

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: _____

RECEIVED

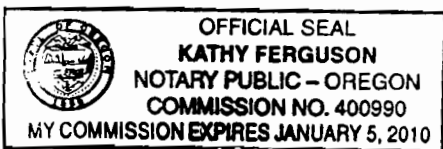
[Handwritten Signature]

Signature of Affiant

8/20/07
Date

WATER RESOURCES DEPT
SALEM, OREGON

Signed and sworn to (or affirmed) before me this 20 day of August, 2007.



Kathy Ferguson
Notary Public for Oregon

My Commission Expires: 1-5-2010

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.



After recording return to:
DOUGLAS L. SMITH, RANDOLPH & Jo PARTIPILO
PO BOX 7714
BEND, OR 97708

20
2

Until a change is requested all tax statements
shall be sent to the following address:
DOUGLAS L. SMITH, RANDOLPH & Jo PARTIPILO
PO BOX 7714
BEND, OR 97708

WARRANTY DEED -- STATUTORY FORM

ROBIN ELBEK and ROXANNE ELBEK, Grantor, conveys and warrants to DOUGLAS L.
SMITH and RANDOLPH PARTIPILO and JO PARTIPILO, ~~all as tenants in common~~, **
Grantee, the following described real property, free of encumbrances except as
specifically set forth herein, to wit:
** Douglas L. Smith as to a 50% interest and Randolph and Jo Partipilo as to a 50%
As fully described in Exhibit "A" attached and made apart hereof. interest

DCS

Tax Account No(s):
Map/Tax Lot No(s): 108994

This property is free from encumbrances, EXCEPT: All those items of record, if
any, as of the date of this deed, including any real property taxes due, but
not yet payable.

The true consideration for this conveyance is \$ 318,000.00.

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.

Dated this 15 day of August, 2005.

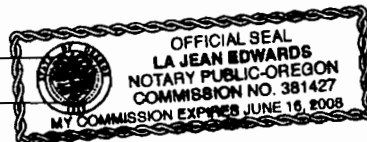
ROBIN ELBEK

ROXANNE ELBEK

STATE OF OREGON, COUNTY OF DESCHUTES) SS.

This instrument was acknowledged before me on August 15, 2005 by ROBIN ELBEK
and ROXANNE ELBEK.

(Notary Public for Oregon)
My commission expires 6/16/08



TITLE NO. 10-0217205
ESCROW NO. 10-0217205

RECORDED BY:
WESTERN TITLE & ESCROW CO.

RECEIVED

WATER RESOURCES DEPT
SALEM OREGON

EXHIBIT "A"

A tract of land located in the Southeast Quarter of the Southwest Quarter of Section 16, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the South Quarter corner of said Section 16; thence North $89^{\circ}58'08''$ West, 253.33 feet; thence North $00^{\circ}04'52''$ East, 291.99 feet; thence South $89^{\circ}58'08''$ East, 116.60 feet to the center line of Fred Meyer County Road; thence Following said center line, South $39^{\circ}04'45''$ East, 149.42 feet; thence around a 260.45 foot radius curve right, 87.97 feet, long chord bears South $29^{\circ}24'10''$ East, 87.55 feet; thence leaving said center line, South $00^{\circ}14'43''$ West, 99.66 feet to the point of beginning.

EXCEPTING THEREFROM the Southerly 80 feet and the Northeasterly 25 feet, which are reserved for roadway purposes.

RECEIVED

MAY 21 2010

WATER RESOURCES DEPT
SALEM OREGON

96

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2007-03917



\$36.00

01/22/2007 02:48:10 PM

D-D Cnt=1 Stn=23 CE
\$10.00 \$11.00 \$10.00 \$5.00

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, **Stacey Lane Investment, LLC** releases and quitclaims to **Swalley Irrigation District (SID)** 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 **.60 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley 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. Swalley 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 SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application **Stacey Lane Investment, LLC** shall no longer be liable for any district assessment or charges pertaining to the .60 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:
T17S- R12E,WM-SEC16-NW/NE-00200

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is **\$,600.00**.

Grantor:

[Signature] Date 12/21/06
Date _____

State of Oregon SS.
County of Deschutes

Personally appeared Don Tavolacci / Stacey Lane Invest. and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Kathy Ferguson
My commission expires 1-5-2010
WATER RESOURCES DEPT
SALEM, OREGON

[Signature] Date 12/21/06
Janet L. Lee, Manager
State of Oregon SS.
County of Deschutes

Personally appeared, Janet L. Lee as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Kathy Ferguson
My commission expires 1-5-2010

Tax statement: No change.

Stacey Lane Investment LLC

EXHIBIT A

Acct# #1624

Total Water Rights: .60

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC 16-NW/NE -00200	171216AB00200	108918	.60

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97701**
PHONE: **541/388-0658**

1. **WATER RIGHT: Swalley Irrigation District**
CERTIFICATE(S): #74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT**
NAME: Stacey Lane Investment, LLC
ADDRESS: 63575 Boyd Acres Road, Bend, OR 97701

4. **LOCATION OF USE**
AUTHORIZED POINT OF DIVERSION:
N 985' & W 617' from the East 1/4 corner, SE/NE of Section 29, T17S, R12E.W.M. (diversion for Swalley's canal system), Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E,W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	1/4 1/4	Tax Lot	# of acres irrigated	Other Use
17S	12E	16	NE/NW	00200	.60	irrigation
			NW/NE			irrigation

5. **RECIPIENT**
NAME: Swalley Irrigation District for use by:
ADDRESS: 64672 Cook Ave., Suite 1 Bend, OR 97701

6. LOCATION OF PROPOSED USE (On Lands)

Township	Range	Section	1/4 1/4	Tax Lot	# of acres irrigated	Other Use
17S	12E	16	NE/NW	00200	.60	irrigation
			NW/NE			

7. **EXHIBITS** : Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: Date 12/21/06
Stacey Lane Investment, LLC

RECEIVED

CO-APPLICANTS: _____ Date _____

RECIPIENT: _____ WATER RESOURCES DEPT Date _____
SALEM OREGON

DISTRICT: Date 12/21/06
Janet L. Lee, Manager, Swalley Irrigation District

**Water Right Transfer Supplemental Form A
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
 County of Deschutes)

I, Karl Conklin, in my capacity as Field Operations Manager,
 mailing address 64672 Cook Ave., Suite 1, Bend, OR 97701
 telephone number (541) 388-0658, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
S	17	E	12	WM	16	NW/NE	00200	.60

RECEIVED

WATER RESOURCES DEPT
SALEM OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Landscaping

5. The water delivery system used to apply water as authorized by the right is described below:

Pump system

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: Beneficial use report

RECEIVED

[Signature]
Signature of Affiant

WATER RESOURCES DEPT
SALEM OREGON
12/21/06
Date

Signed and sworn to (or affirmed) before me this 21 day of December, 2006.



[Signature]
Notary Public for Oregon

My Commission Expires: 1-5-2010

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.



After Recording Return to:
STACEY LANE INVESTMENT L.L.C.
1310 SW 17TH AVENUE
PORTLAND, OR 97201

Until a change is requested all tax statements
Shall be sent to the following address:
(same as above)

Order No. 59123DM

STATUTORY WARRANTY DEED

JOHN R. CULLEN and KATHLEEN G. CULLEN, as Tenants by the Entirety, herein called grantor, convey(s) and warrant(s) to **STACEY LANE INVESTMENT L.L.C.**, an Oregon limited liability company, herein called grantee, all that real property situated in the County of **DESCHUTES**, State of Oregon, described as:

A tract of land located in the North Half of the Northeast Quarter of Section 16, Township 17 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Beginning at a point on the North Line of said Section 16, whence the Northeast corner of Section 16 bears North 89°56'19" East, 1691.15 feet; thence South 22°48'26" East, 302.52 feet; thence South 86°28'35" West, 510.35 feet; thence North 25°24'53" East, 343.18 feet; thence North 89°56'19" East, 244.84 feet to the point of beginning.

(Acct. #108918)

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except covenants, conditions, restrictions, reservations, rights, rights of way and easements of record, if any, and apparent upon the land, contracts and/or liens for irrigation and/or drainage; and except any real property taxes due but not yet payable;

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is **\$1,150,000.00**.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES 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 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated: November 14, 2006

John R. Cullen
JOHN R. CULLEN
Kathleen G. Cullen
KATHLEEN G. CULLEN

RECEIVED

STATE OF OREGON, County of Deschutes) ss.

On November 14, 2006, personally appeared the above named **JOHN R. CULLEN** and **KATHLEEN G. CULLEN** and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me: Diane F. Mowry
Notary Public for Oregon
My commission expires: 9/12/08

Official Seal

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON