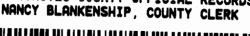
After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701





03/06/2007 03:02:02 Pf

WALED RESOURCES [

SALEM OREGON

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, 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:

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

T17S-R12E,WM-SEC28-NE/NW-00900

agreement. Consideration for this Quitclaim is <b>Grantor</b> :	\$1,330.00	
Jan D	Date _	1-31-07
State of Oregon SS.	22.0	
County of <b>Deschutes</b>		
Personally appeared Jones + Jo to be his / her voluntary act and deed.	ann Frazee	and acknowledged the forgoing instrument
OFFICIAL SEAL KATHY FERGUSON NOTARY PUBLIC - OREGON COMMISSION NO. 400990 MY COMMISSION EXPIRES JANUARY 5, 2010	My commission expires_	1-5-2010
Swalley Irrigation District:		OPARII

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

voluntary acceded. OFFICIAL SEAL
KATHY FERGUSON
NOTARY PUBLIC - OREGO:
COMMISSION NO. 400990
MY COMMISSION EXPIRES JANUARY 5, 2010

SS.

L. Lee, Manager

State of Oregon

County of **Deschutes** 

My commission expires 1-5-20/0

Date 1 - 31 - 67

# **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 1/4 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)

2007111011	30///10/10/10///2/D1 2//02/ 0// 24//0//								
Township	Range	Section	1/4 1/4	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	1/4 1/4	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: 1000 5 June		11-31-01
List Name of Applicant		Date
APPLICANT: Consult of Frage	RECEIVED	1/3/07
List Name of Applicant	IXEAFLAFE	Date
RECIPIENT:	MAN SERVICE	
List Name of Recipient.	WATER RESOURCES DEPT	Date /
DISTRICT: Lhee	SALEM OREGON	1/31/07
Swalley Irrigation District: Janet L.	Lee, Manager	Date

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

State of Or	egon				)					
County of	Desch	nutes			)	SS				
I, Karl Con	ıklin_						_, in my cap	acity as	Field Operations Mana	iger ,
mailing ad	ldress	646	72 Co	ok Ave	e., Suite	l, Be	nd, OR 97701			
telephone	numb	er (_	541	388-0	658		, being first	duly swo	orn depose and say:	
water The w	r was right vater i ture fo	proporight i	osed f s not n-use	or tra subje would	nsfer a ct to fo d be re	is desc orfeitu butted	ribed on the re and docun under ORS	accompa nentation 540.610(	uthorized place of us anying transfer applicant that a presumption of (2) is attached.	cation, or
	□ P	erson	al obs	servat	ion		✓ Profe	essional e	expertise	
3. My kno	wled	ge is	specif	ic to	the use	of wa	ater at the fol	llowing l	ocations:	
	Township		Ra	nge	Mer	Sec	1/4 1/4 Section	Gov't Lo		
	17	S	12	Е	WM	28	NE/NW	00900	1.33	

17 S 12 E WM 28 NE/NW 00900 1.33	Town	nship	Ra	nge	Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)	
	17	S	12	Е	WM	28	NE/NW	00900	1.33	
										-
										-
										_
										-
RECEIVED	_									RECEIVED
MAY 5 3 2011										
WATER RESOURCES DE SALEM, OREGON									WAT	ER RESOURCES DEPT

(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.

_	e authorized purpose described below (e.g., crops grown):
5. The water delivery spotem used to a Flumped from hi	pply water as authorized by the right is described below:
	nentation supporting the above statements is attached: at was issued within the last five years (not a remaining
right certificate),	igated crops or for expenditures relating to the use of
water,	
Records such as Farm Service Age farm management plan, or records	ncy crop reports, irrigation district records, an NRCS of other water suppliers,
☐ Dated aerial photographs of the lan establish the location and date of the	ds or other photographs containing sufficient detail to
☐ Dedicated power usage records or	receipts,
Other:	RECEIVED
	MAY 5 1 2011
1.00	WATER RESOURCES DEPT SALEM, OREGON
Signature of Affiant	Tab. 5, 2007
Signed and sworn to (or aff	irmed) before me this <u>5</u> day of <u>February</u> 200 7.
OFFICIAL SEAL KATHY FERGUSON NOTARY PUBLIC - OREGON COMMISSION NO. 400990	Tathy Nerguson  Notary Public for Oregon
MY COMMISSION EXPIRES JANUARY 5, 2010	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 BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE REGULATIONS. 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.

MAY 7 1 2011

Page 1. WARRANTY DEED

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

Notary Public for Oregon

My Commission Expires: 8-26-95

OFFICIAL SEAL
RHONDA L HICKMAN
NOTARY PUBLIC-OREGON
COMMISSION NO. 007383
MY COMMISSION EXPIRES AUG. 26, 1995

**RECEIVED** 

MAY 3 / 2-11

### EXHIBIT "A"

A portion of Tract 6 of the Boyd Acres (Unrecorded Subdivision) located in the NE\%NU\% 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\NW\(\frac{1}{2}\) 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 ) SS. COUNTY OF DESCRIPTES )

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 PH 2: 43

MARY SUE PENHOLLOW COUNTY CLERK

95-03817

DESCRITES COUNTY OFFICIAL RECORDS

RECEIVED

MAY 3 & 7011

Exhibit "A"

WATER RESOURCES DEPT SALEM, OREGON 4G

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

00533207200700135520020026

\$36.00

2007-13552

03/06/2007 03:02:02 PM

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

# QUITCLAM 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

agreement. Consideration for this Quitclaim is \$4,400.00  Grantor:	Date <u>2/9/0</u>	PRECEIVED
	Date	
State of <u>Oregon</u> SS. County of <u>Deschutes</u>		WATER RESOURCES DEPT SALEM. OREGON
Personally appeared Dale F. Kovish	, and ackno	wledged the forgoing :-
instrument to be his / her voluntary act and deed.		g
OFFICIAL SEAL KATHY FERGUSON NOTARY PUBLIC - OREGO.; COMMISSION NO. 400990 MY COMMISSION EXPIRES JANUARY 5, 2010 My com	mmission expires 1-5 - 2	Kathy Ferguson
Swalley Irrigation District:	2/2	0/07
	Date/ <i>O</i> /	/0/_

Personally appeared, <u>Janet L. Lee</u> as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary are anythized.

OFFICIAL SEAL

KATHY FERGUSON

NOTARY PUBLIC - OREGO.:

COMMISSION NO. 400990

MY COMMISSION EXPIRES JANUARY 5, 2010

My commission expires 1-5-2010

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

4 W 12 3 7411

WATER RESOURCES DEPT SALEM OREGON

District	Internal	
Notice :	H٠	

# State of Oregon WATER RESOURCES DEPARTMENT

# NOTICE OF DISTRICT PERMANENT TRANSFER (ORS 540.580)

DISTRICT: Swalley Irrig

**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	1/4 1/4	Tax Lot	# of acres irrigated	Other Use
S16	E12	29	NW/NE	00306	4.40	IRR

### 5. RECIPIENT (ON):

DISTRICT:

NAME:

ADDRESS:

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

Township	Range	Section	1/4 1/4	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: Janet L. Lee, Manager

SWALLEY IRRI	GATION DISTRICT AND APPLICANT, HEREBY SWEAR TH WATER RIGHT AND THE STATEMENTS MADE ARE TRUE	AT THE ABOVE NOTICE	FORRECEIVED
APPLICANT:_	G. F. Lorish	2/9/07	<u>** (* 3</u> 1 2 h)
ADDI IOANT.	List Name of Applicant	/ / Date	WATER RESOURCES DE SALEM, OREGON
APPLICANT:_	List Name of Applicant	Date	OUSTERN, OUSTERN
RECIPIENT:	(i) A Nove of Boolinians	Date	
	List Name of Recipient.	Date	/_

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

State of Oregon							
County of Deschutes ) ss							
I, Janet Lee	, in my capacity as General Manager,						
mailing address 64672 Cook Ave., Suite 1, Be	nd, OR 97701						
telephone number (541) 388-0658, being first duly sworn depose and say:							
1. I attest that:							
water right proposed for transfer as desc	years on the entire authorized place of use of the ribed on the accompanying transfer application, or re and documentation that a presumption of 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:

Tow	nship	Ra	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
16	S	12	Е	WM	29	NW/NE	00306	4.40	
									RECEIVED
									w w 1 . Vag1
								WAT	EH HESOURCES 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):
5.	The water delivery system used to apply water as authorized by the right is described below:  I livery point (bladgate) from a private  Arteli.
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
	Net of the time of time of the time of the time of time of the time of
Sign	WATER RESOURCES DEPT SALEM, OREGON Date  Date  WATER RESOURCES DEPT SALEM, OREGON
0	Signed and sworn to (or affirmed) before me this 9 day of 7ebruary, 2007.
OMIN	OFFICIAL SEAL  KATHY FERGUSON  NOTARY PUBLIC - OREGON  COMMISSION NO. 400990  MISSION EXPIRES JANUARY 5, 2010  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) <u>Dale Korish</u>	
(Representing) Science	
(Mailing Address) 176, Box 15.35	
(City, State, Zip Code) Bench, CR, 9770	09
(Telephone number) <u>617-4378</u>	
(E-mail address, optional)	RECEIVED
By signing this termination form, we hereby request Swalley District/Deschutes River Conservancy and the Oregon Water terminate the above-noted lease before April 1, 2007.	Irrigation Resources Department SALEM, OREGON
Lessor #1: Calc Fixerist	
	_ Date:
Lessor #2: Anet Thee	_ Date: <u>/3/07</u>
Swalley Irrigation District	
Lessee: Miller Hubert	Date: 1/2.3/07
Deschutes River Conservancy	

AFTER RECORDING RETURN TO: HENDRIX - CHAPPEN - A BRINICH 97701: 54 i/082-4969 96-42059

### BARGAIN AND SALE DEED

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

Dale F. Korish P.O. Box 1535 Bend, CR 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 (E½NE½NW¼NE½).

PARCEL 2: The Southeast Quarter of the Northwest Quarter of the Northeast Quarter (SE'NW'NE') 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 RECEIVE ORS 30.930.

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

Consideration. Decree of dissolution of Marriage

The true consideration for this conveyance is pursuant to decree of dissolution of marriage, Deschutes County Circuit Court Case No. 96-DO-0061-MS.

DIANA M. KORISH

STATE OF OREGON

) ss.

County of Deschutes

The foregoing instrument was acknowledged before me by DIANA M. KORISH this // day of November, 1996.

OFFICIAL SE/1
LORNA G. DALE
MOTARY PUBLIC CREGON
COMMISSION NO 029:05
MY COMMISSION EXPIRES ON DEC. 4, 1997

Notary Public for Oregon
My Commission Expires:

STATE OF OREGON ) SS. COUNTY OF DESCHUTES )

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

961:07:20 PH 3:03

#0011JUMAL : EUS YERR BABINO MINING

RECEIVED

Sec. 1231

WATER HESOURCES DEPT

BY T. SALTIMOREGON

NO. 9F-42999 FEE 40"
DESCRIPTION OFFICIAL RECORDS

Page 2. BARGAIN AND SALE DEED

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

DESCHUTES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY CLERK

\$36.00

2007-59878

11/15/2007 12:29:16 PM

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

### **OUITCLAIM 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.

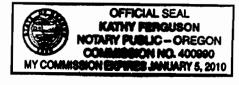
By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; 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 guestion 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 a	ssigns of the parties to this
agreement Consideration for this Quitclaim is \$230.00	/
Grantor: Date 1//4/0	97
The state of the s	
VINGENIA SAMASKY Date 11-14-0	7
State of One and	
State of <u>Oregon</u> SS.	
County of <u>Deschutes</u>	
Personally appeared Dennisa Virginia Sporal Sky and acknowle	edged the forgoing instrument to be
his / her voluntary of and deed. OFFICIAL SEAL KATHERINE G HEMMEN	
NOTARY PUBLIC-OREGON COMMISSION NO. 384045 MY COMMISSION EXPIRES SEPT. 7, 2008	d d
My commission expires 9/7	12008
Swa(ley   Irrigation District:	,
ant 1/15/07	RECEIVED
tenet J. Lee, Manager	111 2 1 2011
State of <u>Oregon</u> SS.	
County of Deschutes	WATER RESOURCES DEPT SALEM. OREGON
Personally appeared, Janet L. Lee as Manager for Swalley Irrigation District, and acknowledged the forgo	ing instrument to be her voluntary

act and deed.



othy (Verguson) My commission expires

### EXHIBIT A

Total Water Rights:

.23 Acres

Legal Description:

**Taxlot** 

Serial#

WR Acres:

T17S-R12E-WM-SEC 17-NW/SW-00704

171207C000704

.23 AC

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. EX-CEPTING therefrom the Southerly 15 feet reserved for road purposes.

RECEIVED

WAY 3 1 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

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	1/4 1/4	Tax Lot	# of acres irrigated	Other Use
T17S	R12E	17	NW/SW	00704	.23	irrigation
						RECEIVED

5. RECIPIENT

MAY 3 1 2011

NAME:

Swalley Irrigation District for use by:

ADDRESS: 64672 Cook Ave., Suite 1, Bend, OR 97701

WATER RESOURCES DEPT

SALEM, OREGON

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

Township	Range	Section	1/4 1/4	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:

Date

CO-APPLICANTS

1-13-*0*7

RECIPIENT:

√anet L. Lee, Manager, Swalley Irrigation Districtt

13 01

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

State of Ore	egon				)					
County of	Desch	utes			)	SS				
I, Karl Con	klin						_, in my capa	acity as	Field Operations Mana	ger,
mailing address 64672 Cook Ave., Suite 1, Bend, OR 97701										
telephone number (541) 388-0658, being first duly sworn depose and say:										
<ol> <li>I attest that:</li> <li>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</li> <li>✓ 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.</li> </ol>										
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	1/4 1/4 Section	Gov't Lo				
	17	c	12	Е	11/14	17	NW/SW	00704	22	

	Town	nship	Ra	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
	17	S	12	Е	WM	17	NW/SW	00704	.23	
										RECEIVED
										West 5 2 2611
										NATER RESOURCES DEPT SALEM OREGON
ı	ı		l							I

5. The water delivery system used to apply water as a	nuthorized by the right is described below:
6. One or more of the following decommentation comme	parting the share statements is attached.
<ul><li>6. One or more of the following documentation supporting</li><li>Copy of a water right certificate that was issued wright certificate),</li></ul>	
Copies of receipts from sales of irrigated crops or water,	for expenditures relating to the use of
Records such as Farm Service Agency crop repor farm management plan, or records of other water	
☐ Dated aerial photographs of the lands or other photograph, establish the location and date of the photograph,	otographs containing sufficient detail to
<ul><li>□ Dedicated power usage records or receipts,</li><li>□ Other:</li></ul>	
	RECEIVE
	MAY 2 1 2
	WATER RESOURCE SALEM, OREG
- A D Que D Land	11/26/07

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

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. EX-CEPTING therefrom the Southerly 15 feet reserved for road purposes.

SUBJECT TO:

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

RECEIVED

MAY 8 . 2011

WATER RESOURCES DEP SALEM, OREGON

RECRAED BY:
ASI WESTERN THE CO
P.D. BOX 1781
BEXD, D° 57701

va 295 au 251

- Existing roads, canal or ditch rights of way, telephone and electric power transmission lines.
- 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.
- 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.
- 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 g day of March, 1979.

STATE OF OREGON, County of Deschutes, ss:

Personally appeared the above mamed BEN A. CHANEY and LUCILLE G. CHANEY and acknowledged the foregoing instrument to

be their voluntary act. Before me:

Notary Public for Oregon My Commission Expires

STATE OF OREGON

County of Deschutes RECEIVED I hereby certify that the within tograi-ment of writing was meetived for Record the day of Mar A.D. 1979 of 3//3 o'aloak M., and recorded in Book 295 on Page 250 Records

WATER RESOURCES DERT MONDO

SALEM, OREGON

ROSEMARY PATTERSON



DESCHUTES COUNTY OFFICIAL RECORDS
NONCY BLONKENSHIP COUNTY CLERK

00533210200700135770030035

2007-13577 \$36.00

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

MAN 企业的自

WATER RESOURCES DEPT

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

Re-recorded to correct [give reason]	Legal	Description
previously recorded in Book 200	6 and Page	68691
or as Fee Number		

After Recording Return To: SWALLEY IRRIGATION DISTRICT 64672 Cook Avenue, Suite 1 Bend, Oregon 97701 DESCHUTES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY CLERK

00501232200600686910020023

\$36.00

10/13/2006 02:25:23 PM

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

### 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

SS.

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

State of <u>Oregon</u> County of <u>Deschutes</u>

RECEIVED

18:33

WATER RESOURCES DEPT SALEM OREGON

# **EXHIBIT A**

Acct# #1794

Total Water Rights:

3.00

Legal Description:

Taxlot

Serial# 185607 WR Acres:

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

171220AB00300

3.00

RECEIVED

WATER RESOURCES DEPT SALEM OREGON District Internal Notice #: \_\_\_957

# 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

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	1/4 1/4	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	1/4 1/4	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:	Timas Elieland for	Waldon School	Bend 9-18-06
	List Name of Applicant	6	Date
APPLICANT:			
	List Name of Applicant		Date
RECIPIENT:_		RECEIVE	2
	List Name of Recipient.		Date
DISTRICT: _	a met he	4141	9-20-06
	Swalley Irrigation District: Ja	net L. Lee, Mahayal RCES SALEM OREGON	

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

State of Oregon	
County of Deschutes	) ss )
I, Jan Lee	, in my capacity asManager,
mailing address 64672 Cook Ave., Su	ite 1, Bend, OR 97701
telephone number (_541_) 388-0658	, being first duly sworn depose and say:
1. I attest that:	
water right proposed for transfer  The water right is not subject to	ious five years on the entire authorized place of use of the r as described on the accompanying transfer application, or forfeiture and documentation that a presumption of 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 u	se of water at the following locations:

		0						C	
	Acres (if applicable)	Gov't Lot or DLC	1/4 1/4 Section	Sec	Mer	nge	Ra	nship	Tow
	3.00	00300	NW/NE	20	WM	12	E	17	S
-									
-									
_				_					
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RECEIVED									
M/XY : 2011			<u> </u>				_		
R RESOURCES DEPT	WATE				_			_	
ALEM, 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.

	The water right was exercised for the authorized purpose described below (e.g., crops grown):  Jewaster 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:
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
	<del></del>
	WATER RESOURCES DEPT  SALEM OREGON
Sign	aruf Lee 9/20/06  Date
(2	Signed and assess to (as officered) before weathing 200 days of 50 ml
	Signed and sworn to (or affirmed) before me this 20 day of Sept, 2006.
	OFFICIAL SEAL KATHY FERGUSON NOTARY PUBLIC - OREGON COMMISSION NO. 400990  KATHY FURGUSON NOTARY Public for Oregon
.MIS	My Commission Expires:/-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

WATER HESOURCES DEPT SALEM, OREGON

MARY SUE PENHOLLOW DESCHUTES COUNTY CLERK

Mary Due Venkollow

### 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.

Page 1. WARRANTY DEED

WATER RESOURCES DEPT SALEM, OREGON

6046.2\00191dd.ded

DATED effective October 1, 1999.

MICHAEL R. GOTH

STATE OF OREGON

) ss.

County of Deschutes

The foregoing instrument was acknowledged before me this day of October, 1999,

OFFICIAL SEAL GAYLE A JOHNSTON NOTARY PUBLIC-OREGON COMMISSION NO. 327141 MISSION EXPIRES SEPT. 14, 2003

ic for Oregon

STATE OF OREGON

) ss.

County of Deschutes

The foregoing instrument was acknowledged before me this Adday of October, 1999, by SUSAN E. STRAUSS.



lic for Orego

MAY - 1 8311

WATER RESOURCES DEPT SALEM OREGON

Page 2. WARRANTY DEED

6046.2\00191dd.ded

STATE OF OREGON	)
	) ss.
County of Deschutes	)

The foregoing instrument was acknowledged before me this Aday of October, 1999, by MICHAEL R. GOTH.

OFFICIAL SEAL

GAYLE A JOHNSTON

NOTARY PUBLIC-OREGON

COMMISSION NO. 327141

MY COMMISSION EXPIRES SEPT. 14, 2003

Notary Public for Orogon

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 1 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: Book/Page: October 24, 1938 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 June 11, 1999

Recorded:

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 2 1 2011 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 WATER RESOURCES DEPT SALEM OREGON 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.

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

00533207200700135520020026

\$36.00

2007-13552

03/06/2007 03:02:02 PM

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

# QUITCLAİM 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:

after the date of signing. The water right in question is furth located:  T16S-R12E,WM-SEC29-NW/NE-00306	er described as a portion of certificate # 74145, priority of 1899,
This agreement is binding upon the heirs, executors, admagreement. Consideration for this Quitclaim is \$4,400.00  Grantor:	Date Date
State of <u>Oregon</u> SS. County of <u>Deschutes</u>	
Personally appeared Dale F. Kovish	and acknowledged the forgoing
OFFICIAL SEAL KATHY FERGUSON NOTARY PUBLIC - OREGO.	My commission expires 1-5 - 2010  Date 209/07 RECEIVED
Swalley Irrigation District:	RECEIVED
Janet L. Lee, Manager	Date / 07/07
State of <u>Oregon</u> SS. County of <u>Deschutes</u>	WATER RESOURCES DEPT SALEM, OREGON
Demonally appeared James I. Lee on Manager for Cycellay	Irrigation District and coknowledged the formains instrument to be her

Personally appeared, <u>Janet L. Lee</u> as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary art and tied.

OFFICIAL SEAL

NOTARY PUBLIC - OREGO.:
COMMISSION NO. 400990
MY COMMISSION EXPIRES JANUARY 5, 2010

My commission expires 1-5-2010

Tax statement: No change

### **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 " - ZIM

WATER RESOURCES DEPT SALEM, OREGON

District Internation	otate of oregon		rn.
	(ORS 540.580)	IIKANSE	EK
DISTRICT: ADDRESS:	Swalley Irrigation District 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	1/4 1/4	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	1/4 1/4	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:_	G. F. Lorish	2/9/07
	List Name of Applicant	/ Date
APPLICANT:_	<del></del>	
	List Name of Applicant	Date
RECIPIENT:_	63.44	
	List Name of Recipient.	Date
DISTRICT:	sul Cru	
/	Swalley Irrigation District: Janet L. Lee, Manager	Date

RECEIVED

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

State of Oregon )	_
County of Deschutes ) s	S
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:	
	ive years on the entire authorized place of use of the escribed on the accompanying transfer application, o
_	ture and documentation that a presumption of ed 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
2. Martinaviladas is anasifia to the use of	

3.	My	knowled	ige is	specific	to the	e use of	water a	it the	following	locations:
----	----	---------	--------	----------	--------	----------	---------	--------	-----------	------------

Γow	nship	Rar	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
16	S	12	E	WM	29	NW/NE	00306	4.40	
									_
									<u> </u>
									RECEIVED
									MAY 8 - 201
								WA	TER RESCURCES DE SALEM, OREGON

(continues on reverse side)

4.	The water right was exercised for the authorized purpose described below (e.g., crops grown):
5.	The water delivery system used to apply water as authorized by the right is described below:  Julivary point (bladgate) from a private  Julitary
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 DEP
Sign	SALEM, OREGON  Date  Date  SALEM, OREGON
0	Signed and sworn to (or affirmed) before me this <u>9</u> day of <u>7ebruary</u> , 200 <u>7</u> .
COMI	OFFICIAL SEAL KATHY FERGUSON NOTARY PUBLIC - OREGON COMMISSION NO. 400990 AllSSION EXPIRES JANUARY 5, 2010  My Commission Expires: _/-5-2010

801/2

After Recording Return To: SWALLEY IRRIGATION DISTRICT 64672 Cook Avenue, Suite 1 Bend, Oregon 97701 DESCHUTES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY CLERK

20193218200800019330020024

\$36.00

01/15/2008 02:34:06 PM

SALEM OREGON

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:

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

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

agreement. Consideration for this Quitclaim is \$3,000.00 Grantor:	
SR Right	Date 1/- 1/2 - 61)
My linean per sac	Date
Slate of <u>Oregon</u> SS. County of <u>Deschutes</u>	
Personally appeared Roy + Sharon R. his / her voluntary act and deed  OFFICIAL SEAL KATHY FERGUSON NOTARY FUELIC - OREGON COMMISSION NO. 400900 MY COMMISSION BUTNES JANUARY 5, 2010	. and acknowledged the forgoing instrument to be  **Market Mergeson**  My commission expires 1-5-2010**
Swalley Irrigation District:  Janet L. Lee, Manager  State of Oregon  SS	Date 1-15-2008 MAY 3.1 WATER RESOURCES DE

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



My commission expires 1 5 -2016

County of Deschutes

#### 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) <u>Dale Korish</u>	
(Representing) 5G W &	
(Mailing Address)	
(City, State, Zip Code) Bend, CR, 47709	
(Telephone number) $\frac{617 - 9378}{}$	
(E-mail address, optional)	RECEIVED
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.	ER HESOURCES DEPT SALEM, OREGON
Lessor #1: Acht Filozista Date: 1/29/0	2
Lessor #2: Date: Date: Date: 3/07	
Lessee: Date: 1/23/07  Deschutes River Conservancy	_

### **EXHIBIT A**

Total Water Rights:

3.00 Acres

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

Taxlot 171208C001200 Serial#

WR Acres: 3.00 AC

RECEIVED

MAY C 1 ZIIII

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

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 )

Township	Range	Section	1/4 1/4	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	1/4 1/4	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: NR MAR		11-16-07
APPLICANT: My un Kup sel	RECEIVED	Date 07 Date
RECIPIENT:	MAY C t 700	
	WATER RESOURCES DEPT	Date
DISTRICT tanet bee	SALEM. OREGON	11-16-07
Janet L Lee, Manager, Swalley Irrigation Dist	trict	Date

PAGE 1 OF 1

### **EXHIBIT A**

Total Water Rights: 3.00 Acres

Legal Description:TaxlotSerial#WR Acres:T17S-R12E-WM-SEC 8-NW/SW-01200171208C0012003.00 AC

### RECEIVED

MAY = 1 2011

WATER RESOURCES DEPT SALEM OREGON

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

State of Ore	egon				)	55				
County of	Desch	utes_			)	SS				
I, Karl Con		6467	72 Coc	ok Ave	e., Suite		_, in my cap		ield Operations Mana	ger ,
telephone	numb	er (_5	541_)_	388-0	658		, being first	duly sworr	n depose and say:	
water  The w forfeit	was right ater r	propo ight is or non	sed for second s	or tra subje would	nsfer a ct to fo d be re	s desc orfeitui butted	ribed on the re and docur under ORS	accompan mentation to 540.610(2)	horized place of us ying transfer applic hat a presumption of his attached. d on (check one):	eation, or
2. WIY KIIC		erson				atus Oi		essional exp		
3. My kno	_					of wa	iter at the fo			
	Town	nship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
	17	S	12	Е	WM	08	NW/SW	01200	3.00	
									REC	EIVED
									.VIAIT	ë i Zun
			-						WATER RESC	DURCES DEPT OREGON
										UNEGUN

(continues on reverse side)

4. The water right was exercised for the authorized purpose described below	
5. The water delivery system used to apply water as authorized by the right is	
he pumps into his irrigation	Sucteria
w post- ps will have been parties	79512V
6. One or more of the following documentation supporting the above statements	ents is attached:
Copy of a water right certificate that was issued within the last five years right certificate),	s (not a remaining
☐ Copies of receipts from sales of irrigated crops or for expenditures relating water,	ng to the use of
Records such as Farm Service Agency crop reports, irrigation district rec farm management plan, or records of other water suppliers,	cords, an NRCS
☐ Dated aerial photographs of the lands or other photographs containing su establish the location and date of the photograph,	fficient detail to
☐ Dedicated power usage records or receipts,	
Other:	RECEIVED
	— — MAY -€ + 2011
	WATER RESOURCES DEPT SALEM, OREGON
Signature of Affiant Date	/2016
Signed and sworn to (or affirmed) before me this 29 day of	extender 2010
OFFICIAL SEAL  KATHERINE ELAINE FERGUSON NOTARY PUBLIC - OREGON  NOTARY PUBLIC - OREGON	Lercuson or Oregon
COMMISSION NO. 444741 MISSION EXPIRES JANUARY 5, 2014  My Commission Expires: _/-	5-2014

12, 1992.	W ALL MEN BY THESE PRESENTS, That EDWARDS FAMILY REVOCABLE TRUST, Dated Ju
	aid by G. RAYMOND RUPPEL and M. SHARON RUPPEL, husband and wife
certain real p	grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, the property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, so County of
	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, Oregan; 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 80°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 92°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 sold 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 (NWISWI) of Section Eight (8), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschules County, Oregon, more particularly described as follows:
	Commencing of the one-quarter section carner common to Sections 7 and 8, Township 17 South, Range 12 East, Willomette Meridian, Descrites County, Oragon; thence South 00°05'35" West, along the line between sold Sections 7 and 8, a distance of 927.00 feet to the point performing: thence continuing South 00°05'35" West 391.83 feet in the south stateanth section corner common to sold Sections 7 and 8; thence along the East-West centerline of the Sauthwest quarter of sold Section 8, South 89°56'00" East 579.97 feet; thence departing from sold East-West centerline, North 00°05'35" East 385.73 feet; thence North 89°19'51" West 1999 S80.00 feet, more or less, to the point of beginning, without any water rights.
	SUBJECT TO: Ensements of record. TM 17-12-08 CO TL # 1200 WATER RESOURCES DEPT
And sa grantor is law	SALEM OREGON ve and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. id granter hereby covenants to and with said grantee and grantee's heirs, successors and assigns, the fully seized in fee simple of the above granted premises, free from all encumbrances taxes as may be due to Deschutes County
	and that grantor will warrant and lorever defend the abov
granted premi ever, except the The tro "However, the	ises and every part and parcel thereof against the lawful claims and demands of all persons whomso hose claiming under the above described encumbrances. we and actual consideration paid for this transfer, stated in terms of dollars, is \$ 269,000.00 e actual consideration consists of or includes other property or value given or promised which i
The whore	sideration (indicate which). <sup>©</sup> truing this deed and where the context so requires, the singular includes the plural.
	ESS grantor's hand this 11th day of December , 19 92.  EDWARDS FAMILY REVOCABLE TRUST, dated
SCRIBED IN THIS LUSE LAWS AND THIS INSTRUMEN PROPERTY SHOLE	INSTRUMENT IN VIOLATION OF APPLICABLE LAND INSTRUMENT IN VIOLATION OF APPLICABLE LAND REGULATIONS. BEFORE SIGNING OR ACCEPTING INT. THE PERSON ACQUIRING FEE TITLE TO THE JLD CHECK WITH THE APPROPRIATE CITY OR NG DEPARTMENT TO VERIFY APPROVED USES.
Persona of EDWARD	OREGON, County of Deschutes ) ss. December 11 , 1992 My appeared the above named Bruce E. Edwards, Trustee and Nancy A. Edwards, Trustee S. FAMILY REVOCABLE TRUST, Dated June 12, 1992
(Official Se	acknowledged the loregoing instrument to be their voluntary act and deed.  OFFICIAL SEALO  OFF

16%

After Recording Return To: SWALLEY IRRIGATION DISTRICT 64672 Cook Avenue, Suite 1 Bend, Oregon 97701 DESCRITES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY CLERK

00593216200800019330020024

\$36,00

2008-01933

01/15/2008 02:34:06 PM

WATER RESOURCES DEPT

SALEM, OREGON

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:

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

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

agreement. Consideration for this Quitclaim is \$3,000.00 Grantor:	
- SR Red Colle	Date
My Hazen we Aker	Date
State of <u>Oregon</u> SS. County of <u>Deschutes</u>	
	Ruppel
OFFICIAL SEAL KATHY FERGUSON NOTARY PUBLIC - OREGON COMMISSION NO. 400990	Hathy Hergieson
MY COMMISSION ENFIRES JANUARY 5, 2010  Swalley Irrigation District:	My commission expires 1-5-2010 RECEIVED
ant Che.	Date
Tanet I Lee Manager	

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



SS

My commission expires 1 2 -2010

State of <u>Oregon</u>
County of Deschutes

Ray and Sharon Ruppel Account = 1359

### **EXHIBIT A**

Total Water Rights: 3.00 Acres

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

Taxlot 171208C001200 Serial#

WR Acres:

3.00 AC

RECEIVED

11/11 1 1

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

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)

Township	Range	Section	1/4 1/4	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	1/4 1/4	Tax Lot	# of acres irrigated	Other Use
17S	12Ē	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: NR 1910		11-16-07
APPLICANT: My Lin Kick see		11-16-07
, ,		Date
	RECEIVED	
RECIPIENT:		
<u></u>	$A_0(i)$	Date

DISTRICT

Janet L Lee, Manager, Swalley Irrigation District

WATER RESOURCES DEPT SALEM, OREGON

11-16-07 Date

PAGE 1 OF 1

Ray and Sharon Ruppel Account = 1359

### **EXHIBIT A**

Total Water Rights:

3.00 Acres

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

WR Acres: 3.00 AC

RECEIVED

\* 7 1 1 7311

WAFER HESOURCES 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., Su	uite 1, Bend, OR 97701
telephone number (_541_)388-0658	, being first duly sworn depose and say:
1. I attest that:	
water right proposed for transfe  The water right is not subject to	vious five years on the entire authorized place of use of the er as described on the accompanying transfer application, or of forfeiture and documentation that a presumption of 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 u	use of water at the following locations:

•	<i>C</i> 1								
Town	nship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
17	S	12	Е	WM	08	NW/SW	01200	3.00	
						_			

RECEIVED

ATER RESOURCES DEPT SALEM. OREGON

20 2 2 2 4 A

(continues on reverse side)

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 pena	where
6. One or more of the following documentation supporting the above statement	nts is attached:
<ul> <li>Copy of a water right certificate that was issued within the last five years or right certificate),</li> </ul>	(not a remaining
<ul> <li>Copies of receipts from sales of irrigated crops or for expenditures relating water,</li> </ul>	g to the use of
Records such as Farm Service Agency crop reports, irrigation district recofarm management plan, or records of other water suppliers,	rds, an NRCS
<ul> <li>Dated aerial photographs of the lands or other photographs containing suffestablish the location and date of the photograph,</li> </ul>	ficient detail to
<ul> <li>□ Dedicated power usage records or receipts,</li> <li>□ Other:</li></ul>	RECEIVED
	<del>vij ( v -</del> )
	WATER RESOURCES DEPT SALEM. OREGON
Signature of Affiant Date	12010
Signed and sworn to (or affirmed) before me this $\frac{29}{20}$ day of $\frac{50}{20}$	stamber 2010
OFFICIAL SEAL KATHERINE ELAINE FERGUSON NOTARY PUBLIC - OREGON COMMISSION NO. 444741 IMISSION EXPIRES JANUARY 5, 2014  My Commission Expires: /- 5	

STATE OF OREGON,

Countrat

				200	1175
KNOW 12, 1992	ALL MEN BY	THESE PRESENTS,	That EDWARDS FAM	ILLY REVOCABLE	TRUST, Dated
to grantor paid	d by G. RA	YMOND RUPPEL and 1	M. SHARON RUPPEL	, husband and	vife
certain real pro	ant, bargain, sell operty, with the to ounty of Desc	and convey unto the semements, hereditaments hutes taining 23.38 acres, more of quarter (NW15W1) of Section Deschutes County, Oregon	nid grantee and grants and appurtenances and State of Orego or less, situated in the lime 8, Township 17 South	ntee's heirs, successe thereunto belonging on, described as follo Northwest one-quarter th, Range 12 East of th	ors and assigns, to appertaining, ows, to-wit:
	Township 17 South thence South 0000 one-stateenth sections 1221.76 feet along thence North 0000 centerline of the following along sold feet; thence North lass to the intersections sold right-of-way North sold Section 8; the	one-quarter section corner, Range 12 East of the W 35" West 1318.83 feet to the on corner between said S the Eost-West centerline of 4'45" West 405.25 feet; the Deschutes Reclamation and lateral, North 85°32'23" Ea 85°46'37" East 33.81 fact; ction of the westerly right- f-way North 27°52'24" We 59°19'51" West 1286.30 fee ence South 00°05'35" West 5) acres of Deschutes Recla	"Mannetta Meridion, Design point of beginning, so cellons 7 and 8; thene the South-West are-quience North 75°29'09" Irrigation Company se is 184.12 feet; thence No thence South 55°53'34" I of-way of the C.R. Rilest 413.84 feet; Thence to the intersection of 818.83 feet to the process of the themselves of 818.83 feet to the process of the themselves of the process of	chules County, Oregor Id point being the Soul ce South 80°50'00" For arter of Sold Section & East 82.58 feet to the condary lateral; then orth 62°07'01" Fast 81.6 East 52.57 feet, more of by County Road; thence of departing from soil of the West boundary county of beginning; on	: h :: e e c c c : c d d
	(NICISIM) of Section	roct of land situated in the n Eight (8), Township Sevian, Deschutes County, Ore	enteen (17) Sauth, Ran	ige Twelve (12) East o	
	South, Range 12 Ea West, along the line beginning: Thence commer common to Southwest quarter es said East-West com	one-quarter section corne st, Willamette Nerditon, Des between sold Sections 7 a ontinuing South 60°05'35" i sold Sections 7 and 8; f sold Section 8, South 89' erline, North 60°05'35" E less, to the point of begin	chules County, Oregon; and 8, a distance of 927 West 391,83 feet to the thence along the East- 256'00" East 579,97 feet; ast 385,73 feet; thence	thence South 00°05'35 .00 feet to the point south sixteenth see the west centerline of the thence departing from North 80°10'51" West	ECEIVED
To Have	and to Hold the	HE STACE INSUFFICIENT, CONTINGENTAL CONTINGE	ntee and grantee's he	TL # 1200 SALE	assigns forever.
grantor is lawlu	lly seized in lee s	ovenants to and with se imple of the above gra e due to Deschutes	nted premises, free f	rom all encumbran	ces
**					
ranted premises ver, except thos The true However, the e part of the he whole	s and every part of se claiming under and actual consi actual consideration feration (indicate	•	nst the lawful claims cumbrances. transfer, stated in te es other property o	s and demands of a erms of dollars, is \$ or value given or	II persons whoms 269,000.00 promised which
		where the context so this 11th day o		, 19	92 .
CRIBED IN THIS IN ISE LAWS AND RE HIS INSTRUMENT, PROPERTY SHOULD	STRUMENT IN VIOLAT GULATIONS. BEFORE THE PERSON ACQUI	E OF THE PROPERTY DE- ION OF APPLICABLE LAND SIGNING OR ACCEPTING RING FEE TITLE TO THE APPROPRIATE CITY OR RIFY APPROVED USES.	June 12, 1992 by: The Skeep	uppe I	l.
Personally		fDeschutes ove named Bruce E BLE TRUST, Dated J		December 11 see and Nancy A	, 19.92 . Edwards, Tr
and ac	knowledged the loss of the los	AL SEALO :	their  Luckell  Notary Pyblic for Or  My commission expire	res July Co	0 ,1996

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

DESCHUTES COUNTY OFFICIAL RECORDS BLANKENSHIP, COUNTY CLERK

03/24/2008 01:17:07 PM

SALEM OREGON

**CLERK** Stn=23 \$10.00 \$11.00 \$10.00 \$5.00

OUITCLAIM 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 Grantos

State of Oregon SS. County of Deschutes Personally appeared John + Rebecca Marsh U and acknowledged the forgoing instrument to be his / her volund OFFICIAL SEAL KATHY FERGUSON **IOTARY PUBLIC - O**REGON **SION NO. 4009**90 MY COMMISSION EXPIRES JANUARY 5, 2010 1-5-2010RECEIVED My commission expires Swalley Irrigation District: WATER RESOURCES DEPT

SS. State of Oregon County of Deschutes

Janet L/Lee, Manager

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



My commission expires /-5-

John and Rebecca Marshall #1840

### EXHIBIT A

Total Water Rights:

2.51 Acres

Legal Description:

Taxlot

Serial#

WR Acres:

T16S-R12E-WM-SEC 29-SE/SE-01200

1612290001200

2.51 AC

#### Exhibit "A"

#### PARCEL 1:

The East Half of the Southeast Quarter (El/2SEl/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

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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

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 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/, 1/,	Tax Lot	# of acres irrigated	Other Use
			/4 /4			
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	;	4 1/4	Tax Lot	# of acres irrigated	Other Use
T165	RIZE	29	SE/	SE	01200	2.51	In

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 WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: John Marshall	3-/8-08 Date	RECEIVED
CO-APPLICAN Sebecca Marshall	3/18/08 Date/	ARTA SE TOTAL
RECIPIENT: Janet I Lee Manager Swalley Irrigation District	3/11/88 WA	TER RESOURCES DEPT SALEM. OREGON

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

State of Oregon )	
County of Deschutes ) ss	
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 right proposed for transfer as de	we years on the entire authorized place of use of the scribed on the accompanying transfer application, or ture and documentation that a presumption of ed 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 y	vater at the following locations:

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

0	1					O		
Township	Ra	nge	Mer	Sec	<sup>1</sup> / <sub>4</sub> <sup>1</sup> / <sub>4</sub> Section	Gov't Lot or DLC	Acres (if applicable)	
16 S	12	Е	WM	29	SE/SE	01200	2.51	
	ļ							
	-							
				_				
								RECEIVE
								***: 2 %
							WATER	RESOURCES D

(continues on reverse side)

4.	The water right was exercised for the authorized purpose described below (e.g., crops grown):
	landscape and pasture
	The water delivery system used to apply water as authorized by the right is described below:
J. /	Flat hateral to private detail into
a	sond & and Sumped 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,
V	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
	Con 1 V International
	WATER RESOURCES DEF
	SALEM OREGON
	Sant thee 8/20/08
Signat	Ture of Affiant Date
	A.
	Signed and sworn to (or affirmed) before me this 20 day of August, 200 8.
	Koth Alexand
	Notary Profile for Oregon
	NOTARY PUBLIC - OREGON COMMISSION NO. 400990 IMISSION EXPIRES JANUARY 5, 2010
COM	My Commission Expires: /- 5-2010

### VOL: 2001 PAGE: 15153 RECORDED DOCUMENT

STATE OF OREGON COUNTY OF DESCHUTES



### 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

Mary Du Bukellow

WATER RESOURCES DEPT SALEM OREGON 33752-36

1 31.15153.1

#### WARRANTY DEED

WILLIAM R. WALL.

Grantor(s) hereby grant, bargain, sell, warrant and convey to: JOHN W. MARHEALL, AND RESECCA A. MARSHALL, HUSBAND AND VIVE. Grantee(s) and grantee's beirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of DESCRIFES and State of Oregon, to wit:

SHE EXEXBIT A WHICH IS MADE A PART MERBOY BY THES REPERBECE

133320

16 12 2300 61200

133298

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 presises and every part and parcel thereof against the lawful claims and demands of all persons whosenever, except those claiming under the above described enoughteness.

THIS INSTRUMENT WILL NOT ALLOW USB OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LANG AND REGULATIONS. REPORT SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEB TITLE TO THE PROPERTY SECULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANKING DEPARTMENT TO VERIFY Approved uses and to determine any limits on lawsuits against parming or forest PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this conveyance is

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

26 day of March , 2001.

State of Heek

county of placetutes

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 MB signed the same as ME free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand official seal this He d

day of 4nos Al

Notary Public in and for the State of

sten residing at C My appointment expir

ESCROW NO. SB0337528L

OFFICIAL SEAL SHANHON LOUX DTARY PUBLIC-OREGON OMMERSION NO. 382176

Return to:

JOHN W. MARSHALL

After recording, return to Americ 48 15 OREGON AVENUE, BEND

RECEIVED

47A 1 110

WATER RESOURCES DEPT SALEM, OREGON

2001-15153.2

#### Eshibit "A"

#### PARCEL 1:

The East Half of the Southeast Quarter (21/25E1/4) in Section Twenty-nine (29), Township Sixteen (16) South, Range Twalva (12), East of the Willamette Meridian, Deschutes County, Oregon.

#### EXCEPTING TREEFFOR

Section 29: The Northeast Quarter, Southeast Quarter, (FS1/46E1/4) and the West Half of the Southeast Quarter of the Southeast Quarter (N1/25E1/46E1/4) of said Section Asset forth in that cortain warranty deed recorded May 22, 1987, in Book 146, Page 73 of the official records of Deschutes County, Oregon.

#### PARCRI, 2

Commencing at the Southwest corner of Section Twenty-eight (28). Township Sixteen (16) South, Range Twelve (12). Bast of the Willamette Meridian, Deschutes County, Oregon; thence North along the Section line 1,887 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 Delles-California Highway at a point 1,085 feet along the West line of the Delles-California Highway from its intersection with the South line of Section 28; thence South along the West line of The Delles-California Righway a distance of 16 feet; thence somewhat North-Westerly a distance of 715 feet to the point of beginning.

TOTAL P.03 P.03

. 'n,

MAY-10-2001 11:20

1 503 389 0506

RECEIVED

WATER RESOURCES DEP?
SALEM OREGON

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

NANCY BLANKENSHIP, COUNTY CLERK

05/09/2008 12:01:50 PM

2008-20429

\$36.00

Stn=23 CLERK \$10.00 \$11.00 \$10.00 \$5.00

#### OUITCLAIM 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

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

T17S-R12E,WM-SEC16-SE/SW-00900

... Consideration for this Outtalaim is CO

Grantor:	
James Sommer	Date _ <i>5/1/08</i>
	Date
State of <u>Oregon</u> SS. County of <u>Deschutes</u>	
Personally appeared Sonnie Grossman	, and acknowledged the forgoing instrument to be
KATHY FERGUSON NOTARY PUBLIC - OREGON COMMISSION NO. 400990 MY COMMISSION EXPIRES JANUARY 5, 2010	Hothy Verguson
Swalley Irrigation District:	My commission expires 1-5-2010

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

WATER RESOURCES DEPT SALEM, OREGON

RECEIVED



SS

My commission expires

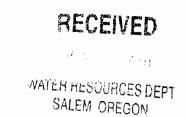
State of Oregon County of **Deschutes**  Sonnie L. Grossman Account = 1155

### **EXHIBIT A**

Total Water Rights: .50 Acres

 Legal Description:
 Taxlot
 Serial#
 WR Acres:

 T17S-R12E-WM-SEC 16-SE/SW-00900
 171216CD00900
 149651
 .50 Acres



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

NAME:

Sonnie Grossman

65345 85th St, Bend, OR 97701 ADDRESS:

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
T17S	R12E	16	SE/SW	00900	.50	irrigation
						RECEIVE

5. RECIPIENT

NAME:

Swalley Irrigation District for use by:

ADDRESS:

64672 Cook Ave., Suite 1, Bend, OR 97701

MAY PERMIT

WATER RESOURCES DEPT

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

6. LOCATIO	N OF PROP	OSED USE	(On Lands )			SALEM OREGON
Township	Range	Section	1/4 1/4	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:

CO-APPLICANTS:

RECIPIENT:

Janet L. Lee, Manager, Swalley Irrigation Districtt

PAGE 2 OF 2

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

State of Oregon )	
County of Deschutes )	ss
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 right proposed for transfer as of The water right is not subject to forf	five years on the entire authorized place of use of the described on the accompanying transfer application, of eiture and documentation that a presumption of litted under ORS 540.610(2) is attached.
2. My knowledge of the exercise or statu	us of the water right is based on (check one):
Personal observation	✓ Professional expertise
2 16 1 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	C

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

C								
Township	Ra	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
17 S	12	Е	WM	16	SE/SW	00900	.50	
		_						-
								_
							F	RECEIVI
								MAY ELL

WATER RESOURCES DEPT SALEM OREGON

(continues on reverse side)

4.	The water right was exercised for the authorized purpose described below (e.g., crops grown):	
_		
5.	The water delivery system used to apply water as authorized by the right is described below:	
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,	
Ø	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:  RECE	IVED
_	WATER RESOU	
Sign	nature of Affiant Date	
	Signed and sworn to (or affirmed) before me this 20 day of August, 2008.	
WY C	OFFICIAL SEAL KATHY FERGUSON NOTARY PUBLIC - OREGON COMMISSION NO. 400990 COMMISSION EXPIRES JANUARY 5, 2010  My Commission Expires: /- 5 - 2010	

### VOL: 2000 PAGE: 391 RECORDED DOCUMENT

### STATE OF OREGON COUNTY OF DESCHUTES



### 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

RECEIVED

MAY FILLIAM

WATER RESOURCES DEPT SALEM, OREGON

MARY SUE PENHOLLOW DESCHUTES COUNTY CLERK

Mary Due Venkellow

### 36 153195 MT/9911229 US



(Reserved for Recording Purposes)

# 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 \$ 1 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

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.

	Ву: _	CTOR OF OREGON DEPARTMENT OF VETERANS' AFFAIRS — Lender  oyce D. Hlopek, Manager, Accounts Services
STATE OF OREGON	)	
County of Marion	) Ss. )	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.

Notary Public for Oregon

想怪 盖主 為實 TER RESOURCES DEPT

OFFICIAL SEAL ARLENE E BAKER MISSION EXPIRES AUG. 19, 2003

SALEM OREGON

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

DESCRIPTES COUNTY OFFICIAL RECORDS COUNTY

Cnt=1 Stn=23 CE

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

\$36.00

2007-03916

01/22/2007 02:48:10 PM

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, admi	inistrators, successors, and permitted assigns of the	parties to this agreement.
Consideration for this Quitclaim is \$.500.00		
Granter: )		
Maly I Swith	Date 12/27/06	
E Hole T	Date 12/27/0/0	
J. Pan	Date - 12-28-0 G	_
State of <u>Oregon</u> SS.		
County of <u>Deschutes</u>		
Personally appeared Douclas Smith Randolph his / her voluntary action deed. OFFICIAL SEAL KATHY FERGUSON NOTARY PUBLIC - OREGON COMMISSION NO. 400990	My commission expires 1-5-2010	_
COMMISSION EXPIRES JANUARY 5, 2010	My commission expires	RECEIVED
Swalley Irrigation District		
sud-ne?	Date	
Janet L. Lee, Manager		SALEM OREGON
State of <u>Oregon</u> SS.		SALCON
County of <u>Deschutes</u>		

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

act and OFFICIAL SEAL KATHY FERGUSON NOTARY PUBLIC - OREGON COMMISSION NO. 400990 OMMISSION EXPIRES JANUARY 5, 2010

My commission expires

## **EXHIBIT A**

Acct# #2130

**Total Water Rights:** 

.50

Legal Description:

T17S-R12E-WM-SEC 16-SE/SW -01900

Taxlot

171216CD01900

Serial# 108994 WR Acres:

.50

RECEIVED

11.10 (11.11)

WATER RESOURCES DEPT SALEM OREGON

District Internal Notice

## State of Oregon WATER RESOURCES DEPARTMENT

## NOTICE OF DISTRICT PERMANENT TRANSFER (ORS 540.580)

DISTRICT: Swa

**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	1/4 1/4	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

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

WATER RESOURCES DEPT

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Township	Range	Section	1/4 1/4	Tax Lot	# of acres irrigated	Other Use OREGON
175	12E	16	SE/SW	01900	.50	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: Date 1

CO-APPLICANTS and D

CO-APPLICANTS: Date

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

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

State of Or		nutes			)	SS				
I, Janet Lee							_, in my cap	acity as	General Manager	,
mailing ad	ldress	646	72 Coc	ok Ave	e., Suite	1, Be	nd, OR 9770	1		
telephone	numb	er ( 5	541 )	388-0	658		, being first	duly swo	rn depose and say:	
water The w forfei  2. My kno	r was right vater reture for whether the power of the pow	proporight if or nor ge of erson	osed for some some some some some some some some	or tra subje would kercis servat	nsfer a ct to fo d be re e or sta ion	s desc orfeitur butted atus of	ribed on the re and docur under ORS the water ri	accompa mentation 540.610( ght is bas essional e	•	cation, or
	Town	nship	Ra	nge	Mer	Sec	1/4 1/4 Section	Gov't Lo or DLC	t Acres (if applicable)	
	17	S	12	Е	WM	16	SE/SW	01900	.50	

WATER RESOURCES DEPT SALEM. OREGON

RECEIVED

(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.	/ , () ,	zed purpose described below (e.g., crops grown):
	C 10 30 1 1	
5.	The water delivery system used to apply water of	er as authorized by the right is described below:  nto Sur-p or la which  a presertized imagetion
6.	One or more of the following documentation	supporting the above statements is attached:
	Copy of a water right certificate that was iss right certificate),	sued within the last five years (not a remaining
	Copies of receipts from sales of irrigated crowater,	ops or for expenditures relating to the use of
	Records such as Farm Service Agency crop farm management plan, or records of other	reports, irrigation district records, an NRCS water suppliers,
Ø	Dated aerial photographs of the lands or oth establish the location and date of the photog	er photographs containing sufficient detail to raph,
	Other:	RECEIVED
		• #
1		WATER RESOURCES DEPT SALEM. OREGON 8/20/7
Sign	mature of Affiant	Date
	Signed and sworn to (or affirmed) be	efore me this 20. day of August., 2007.
OMM	NOTARY PUBLIC - OREGON COMMISSION NO. 400990	Kathy Verguson  Notary Jublic for Oregon  y 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.

DESCHUTES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY CLERK

2005-54151



\$35.00

08/16/2005 03:51:36 PM

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

D-D Cnt=1 Stn=3 PAM \$10.00 \$11.00 \$10.00 \$5.00

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 \$0% As fully described in Exhibit "A" attached and made apart hereof. interest

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.

/5 day of August, 2005. Dated this

OFFICIAL SEAL LA JEAN EDWARDS NOTARY PUBLIC-OREGON COMMISSION NO. 381427

ON EXPINES JUNE 16, 2008

STATE OF OREGON, COUNTY OF DESCHUTES ) SS.

acknowledged before me on August 5, 2005 by ROBIN ELBEK This instrument was

and ROXANNE ELBEK.

(Notary Public for Oregon)

My commission expires

TITLE NO. ESCROW NO.

10-0217205 10-0217205

RECEIVED

WATER RESOURCES DEAT SALEM OREGON

RECORDED BY: WESTERN TITLE & ESCROW CO.

### 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°58'08" West, 253.33 feet; thence North 00°04'52" East, 291.99 feet; thence South 89°58'08" East, 116.60 feet to the center line of Fred Meyer County Road; thence Following said center line, South 39°04'45" East, 149.42 feet; thence around a 260.45 foot radius curve right, 87.97 feet, long chord bears South 29°24'10" East, 87.55 feet; thence leaving said center line, South 00°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 II I W

WATER RESOURCES DEPT SALEM OREGON After Recording Return To: SWALLEY IRRIGATION DISTRICT 64672 Cook Avenue, Suite 1

Bend, Oregon 97701

DESCHUTES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY



\$36.00

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

## 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:

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

T17S- R12E,WM-SEC16-NW/NE-00200

Consideration for this Quitclaim is \$.600.00. Grantor: Date /2/21/06 SS. State of Oregon County of **Deschutes** Stacey have Invest. and acknowledged the forgoing instrument to be Personally appeared Don Tavolocci/ his / her voluntary act and deed. OFFICIAL SEAL KATHY FERGUSO. My commission expires 1-5-2016 SALEM, OREGON

Date 21/26 NOTARY PUBLIC - OREGO **COMMISSION NO. 400990** Swalley Irrigation Dis OMMISSION EXPIRES JANUARY 5, 2010 Janet L. Lee, Manager

State of Oregon

SS.

County of Deschutes

Personally appeared, <u>Janet L. Lee</u> as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary

act and deep OFFICIAL SEAL KATHY FERGUSC: NOTARY PUBLIC - OREGC. COMMISSION NO. 400990 MY COMMISSION EXPIRES JANUARY 5, 2010

Tax statement: No change.

## **EXHIBIT A**

Acct# #1624

**Total Water Rights:** 

.60

Legal Description: T17S-R12E-WM-SEC 16-NW/NE -00200 Taxlot

Serial#

WR Acres:

1′

171216AB00200

108918

.60

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

NAME:

Stacev Lane Investment, LLC

63575 Boyd Acres Road, Bend, OR 97701 ADDRESS:

#### 4. LOCATION OF USE

AUTHORIZED POINT OF DIVERSION:

N 985' & W 617' from the East 1/2 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	ME/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: Jones		Date 12/21/06
Stacey Lane Investment, LLC	RECEIVED	,
CO-APPLICANTS:		Date
RECIPIENT:	WATER RESOURCES DEPT SALEM OREGON	Date/
$\mathcal{A}$		is/

Date / 1/06

DISTRICT:

Janet L. Lee, Manager, Swalley Irrigation District

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

State of Oregon	)	
County of Deschutes	) ss )	
I, Karl Conklin	, in my capacity as	Field Operations Manager ,
mailing address 64672 Cook Ave., Suite	e 1, Bend, OR 97701	
telephone number (_541_)388-0658	, being first duly swe	orn depose and say:
<ol> <li>I attest that:</li> <li>Water was used during the previous water right proposed for transfer at the water right is not subject to for forfeiture for non-use would be refered.</li> </ol>	as described on the accompa orfeiture and documentation	anying transfer application, or that a presumption of
2. My knowledge of the exercise or st	tatus of the water right is ba	sed on (check one):
☐ Personal observation	Professional e	expertise
3 My knowledge is specific to the us	e of water at the following I	ocations:

Town	nship	Ra	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
S	17	Е	12	WM	16	NW/NE	00200	.60
_								
							-	

RECEIVED

WATER RESOURCES DEPT SALEM OREGON

(continues on reverse side)

4. The water right was exercised for the a	• •	
- NASCASE		
5. The water delivery system used to app	oly water as authorized by the r	ight is described below:
Tump System		
6. One or more of the following documen	ntation supporting the above st	atements is attached:
☐ Copy of a water right certificate that right certificate),	was issued within the last five	years (not a remaining
<ul> <li>Copies of receipts from sales of irrigations</li> <li>water,</li> </ul>	ated crops or for expenditures	relating to the use of
Records such as Farm Service Agence farm management plan, or records of		ct records, an NRCS
Dated aerial photographs of the lands establish the location and date of the		ing sufficient detail to
Dedicated power usage records or rec	ceipts,	
Other: Bany class	of Paris	RECEIVED
		11.37
		WATER RESOURCES I
Signature of Affiant		121/06
Signature of Affiant	Date <sup>1</sup>	′ /
Signed and sworn to (or affirm	med) before me this <u>21</u> day	ofi, 200 <u>(</u> .
	House the	
OFFICIAL SEAL KATHY FERGUSON NOTARY PUBLIC - OREGON	Notary P	ublic for Oregon
COMMISSION NO. 400990 IMISSION EXPIRES JANUARY 5, 2010	My Commission Expires:	1-5-2616

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

DESCHUTES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY CLERK

2006-75844



\$36.00

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

D-D Cnt=1 Stn=26 SRB

11/15/2006 03:28:39 PM

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

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 /4, 2006

RECEIVE

WATER RESOURCES DEPT SALEM OREGON

DESCHUTES COUNTY TITLE COMPANY

Vision Form SD003OR Rev. 01/23/97

STATE OF OREGON, County of Deschutes ) ss.

OFFICIAL SEAL
DIANE F MOWRY
NOTARY PUBLIC-OREGON
COMMISSION NO. 383679
AMISSION EXPIRES SEPT. 12, 3008

On November 1, 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: 1 lave & Mowy Notary Public for Oregon My commission expires: 9112/08

My commission expires:

Official Seal

RECEIVED

WATER RESOURCES DEPT SALEM, OREGON