



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

# Application for District Instream Lease

## Part 1 of 4 – Minimum Requirements Checklist

<b>This Application to be used for water rights in the name of or conveyed by          an Irrigation District (or similar organization)          Complete Parts 1 through 4 and any required attachments</b>	OWRD # <u>L-1485</u>
	District # <u>11</u>

Check all items included with this application. (N/A = Not Applicable)

Yes  N/A **Pooled Lease**-a lease with more than one Lessor (Landowner/water right interest holder)

Fee in the amount of:

<input type="checkbox"/> \$450.00 for a lease involving four or more landowners or four or more water rights
<input checked="" type="checkbox"/> \$300.00 for all other leases
<input checked="" type="checkbox"/> Check enclosed or
<input type="checkbox"/> Fee Charged to customer account _____ (Account name)

**Part 1 – Completed Minimum Requirements Checklist**

**Part 2 – Completed District and Other Party Signature Page**

**Part 3 – Completed Place of Use and Lessor Signature Page**  
 (Include a separate Part 3 for each Lessor.)

**Part 4 – Completed Water Right and Instream Use Information**  
 (Include a separate Part 4 for each Water Right.)

**How many Water Rights are included in the lease application?** 1 (# of rights)

List each water right to be leased instream here: 74145

Yes  N/A **Other water rights**, if any, appurtenant to the lands involved in the lease application and not proposed to be leased instream.

List those other water rights here: \_\_\_\_\_

Yes  No Conservation Reserve Enhancement Program **CREP** – Are some or all of the lands to be leased part of CREP or another Federal program (list here: \_\_\_\_\_)?

### Required Attachments:

Yes  N/A Instream lease application map(s). More than one QQ and property may be included on each map. A map is **not** required if an entire right is being leased or if the right is for use of municipal or quasi-municipal water use. The map should include the following:

- A north arrow and map scale (no smaller than 1" = 1320').
- Label township, range, section and quarter-quarter (QQ).
- If an irrigation right, the numbers of acres to be leased in each quarter-quarter identify and hachure/shade to differentiate between the acreage being leased and any remaining. If the place of use has more than one priority date, source stream, and/or point of diversion you **must identify each with separate hachuring or shading** and label.
- Tax lot lines and numbers must be included on the map and should clearly identify the property(s) involved.

Yes  N/A **If the Lessor(s) is not** the deeded land owner, include one of the following:

- A notarized statement from the land owner consenting to the lease and a copy of the recorded deed; or
- A water right conveyance agreement and a copy of the recorded deed for the landowner at the time the water right was conveyed; or
- Other documentation.

Yes  N/A If the right has **not** been used in the last five years; provide supporting documentation indicating why a right (or portion thereof) is **not** subject to forfeiture.

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## Part 2 of 4 – District and other party Signature

<b>Term of the Lease:</b> The lease is requested to begin in: month <u>April</u> year <u>2015</u> and end: month <u>Oct</u> year <u>2015</u> .	
<b>Public use:</b> Check the public use(s) this lease will serve (as defined by ORS 537.332): <input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input checked="" type="checkbox"/> Recreation <input checked="" type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	<b>Termination provision (for multiyear leases):</b> <b>The parties to the lease request (choose one):</b> <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
<b>Additive/Replacing Relationship to other instream water rights:</b> Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights. If you would like this lease to relate to other instream water rights differently than described above, please check this box. <input type="checkbox"/> And attach an explanation of your intent.	
<b>Precedent:</b> If a right which has been leased is later proposed to be leased again or later transferred or become part of an allocation of conserved water project, a new injury review shall be required. An instream lease shall not set a precedent on a future transaction.	
<b>Validity of the rights to be leased:</b> <input checked="" type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or <input type="checkbox"/> The water right(s) <b>have not been used</b> for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.	

### SIGNATURES

The undersigned declare that the information contained in this application is true and accurate.

*Kathy Ferguson*  
 Signature of Co-Lessor

Date: 5-14-15

Printed name (and title): Kathy Ferguson, Office Manager  
 Business/organization name: Swalley Irrigation District  
 Mailing Address (with state and zip): 64672 Cook Ave., Ste. 1, Bend, OR 97701  
 Phone number (include area code): 541-388-0658  
 \*\*E-mail address: kathy@swalley.com

\_\_\_\_\_  
 Signature of Co-Lessor

Date: \_\_\_\_\_

Printed name (and title): \_\_\_\_\_  
 Business/organization name: \_\_\_\_\_  
 Mailing Address (with state and zip): \_\_\_\_\_  
 Phone number (include area code): \_\_\_\_\_  
 \*\*E-mail address: \_\_\_\_\_

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See next page for additional signatures.

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*Genevieve Hubert*  
Signature of Lessee

Date: 5/19/2015

Printed name (and title): Genevieve Hubert, Program Manager

Business organization name: Deschutes River Conservancy

Mailing Address (with state and zip): 700 NW Hill St., Bend, OR 97701

Phone number (include area code): 541-382-4077

\*E-mail address: gen@deschutesriver.org

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

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Swalley Irrigation District  
 Lease 2015

Landowner	TRS	QQ	Tax Lot	Acres	Prior Lease	Map	Quit Claim deed	Warranty Deed	Additional Deed
Swalley	171216	SW/SW	01000	0.50		Y	2014-39291	2013-028072	
Swalley	161229	NE/SE	01204	2.10		Y	2014-39293	2010-21971	
Swalley	161229	SE/SE	01204	1.78		Y	2014-39293	2010-21971	
Swalley	161227	SW/NE	02200	0.70		Y	2014-39288	2013-039079	
Swalley	171216	SW/SE	01500	0.90		Y	2014-39290	2009-32029	
Swalley	171216	SW/SE	01600	0.20		Y	2014-39290	2009-32029	
Swalley	171220	NW/NE	01500	0.50		Y	2014-39294	2014-018760	
Swalley	171203	SW/SW	00401	0.50		Y	2014-33430	2000-20612	
Swalley	161229	NE/SW	03800	0.21		Y	2014-39289	2005-88453	
Swalley	161229	SE/NW	01300	0.50		Y	2014-39298	2014-000519	
<b>Total</b>				<b>7.89 acres irrigation</b>					

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**Part 3 of 4 – Place of Use – Lessor Information and Signatures**

**Complete Table 1 Identify water right(s) proposed to be leased instream  
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)**

**Table 1**

**Irrigation District or other Water Purveyor Name: Swalley Irrigation District**

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.

If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.

Any attached table should include reference to the Lessor.

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q		Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
74145	9-1-1899	3	17	12	16	SW	SW	01000		.50	IRR	19	
74145	9-1-1899	3	16	12	29	NE	SE	01204		2.10	IRR	11	
74145	9-1-1899	3	16	12	29	SE	SE	01204		1.78	IRR	11	
74145	9-1-1899	3	16	12	27	SW	NE	02200		.70	IRR	7	
74145	9-1-1899	3	17	12	16	SW	SE	01500		.90	IRR	20	
74145	9-1-1899	3	17	12	16	SW	SE	01600		.20	IRR	20	
74145	9-1-1899	3	17	12	20	NW	NE	01500		.50	IRR	22	
74145	9-1-1899	3	17	12	03	SW	SW	00401		.50	IRR	13	
74145	9-1-1899	3	16	12	29	NE	SW	03800		.21	IRR	11	
74145	9-1-1899	3	16	12	29	SE	NW	01300		.50	IRR	10	

**Any additional information about the right: Water right quitclaim to Swalley ID**

7.89 AC

**Farm Deferral Tax Status:** Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements.

The undersigned declare:

1. I/We agree during the term of this lease to suspend use of water allowed under the water right(s) involved in the lease as well as and any other appurtenant primary or supplemental water right(s); and
2. I/We certify are the lessor(s) (water right interest holder) of the water right(s) in Table 1. If not the deeded land owner, I/we have obtained consent from the deeded land owner and/or have provided documentation of authorization to pursue the instream lease; and
3. I/We affirm that the information in this application is true and accurate.

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Suzanne Butterfield

Date: 4-28-15

Signature of Lessor

Printed name (and title): Suzanne Butterfield Dist. Mgr Business name, if applicable: Swalley Irr Dist

Mailing Address (with state and zip): 64672 Cook Ave Ste. 1 Bend, OR 97701

Phone number (include area code): 541-388-0658 \*\*E-mail address: Suzanne@swalley.com

Date: \_\_\_\_\_

Signature of Lessor

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_

Mailing Address (with state and zip): \_\_\_\_\_

Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

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**EXHIBIT C**

**Deschutes River Conservancy  
Instream Leasing Program**

**Policy Concerning Weeds & Instream Leases  
Information on Farm Deferral & Lease Payment**

The Deschutes River Conservancy is dedicated to restoring stream flow and improving water quality in the Deschutes Basin; land stewardship is a component of these goals.

**Weed Policy**

The DRC expects participants in the Leasing Program will continue to exercise agricultural best management practices on lands enrolled in the Program, particularly with respect to the control of noxious and/or nuisance weeds. Failure to control weeds on leased acres may result in exclusion from Program compensation.

*Information and Resources Attached*

**Farm Deferral Notice**

Instream leasing is a beneficial use that protects your water right from forfeiture and allows for compensation for this instream use, but please note that it does not automatically protect against loss of farm use special assessment. Exclusive Farm Use (EFU) zoned lands may still require at least minimal use with the intent to make a profit. It is the landowner's responsibility to know their tax assessment status and qualifying uses.

*Information and Resources Attached*

**Donated Leases:** Leases of less than 5 acres, leases with public entities, leases submitted after the due date agreed upon by the District and the DRC and posted by the District, and leases with verified weed complaints are not paid a per acre or per acre-foot rate by the DRC.

I, Suzanne Butterfield understand the DRC weed policy and have  
*Print Name*  
been informed about farm deferral and donations.

Signature: Suzanne Butterfield Date: 4-28-15

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**This form must be signed and returned with state lease form.** MAY 26 2015

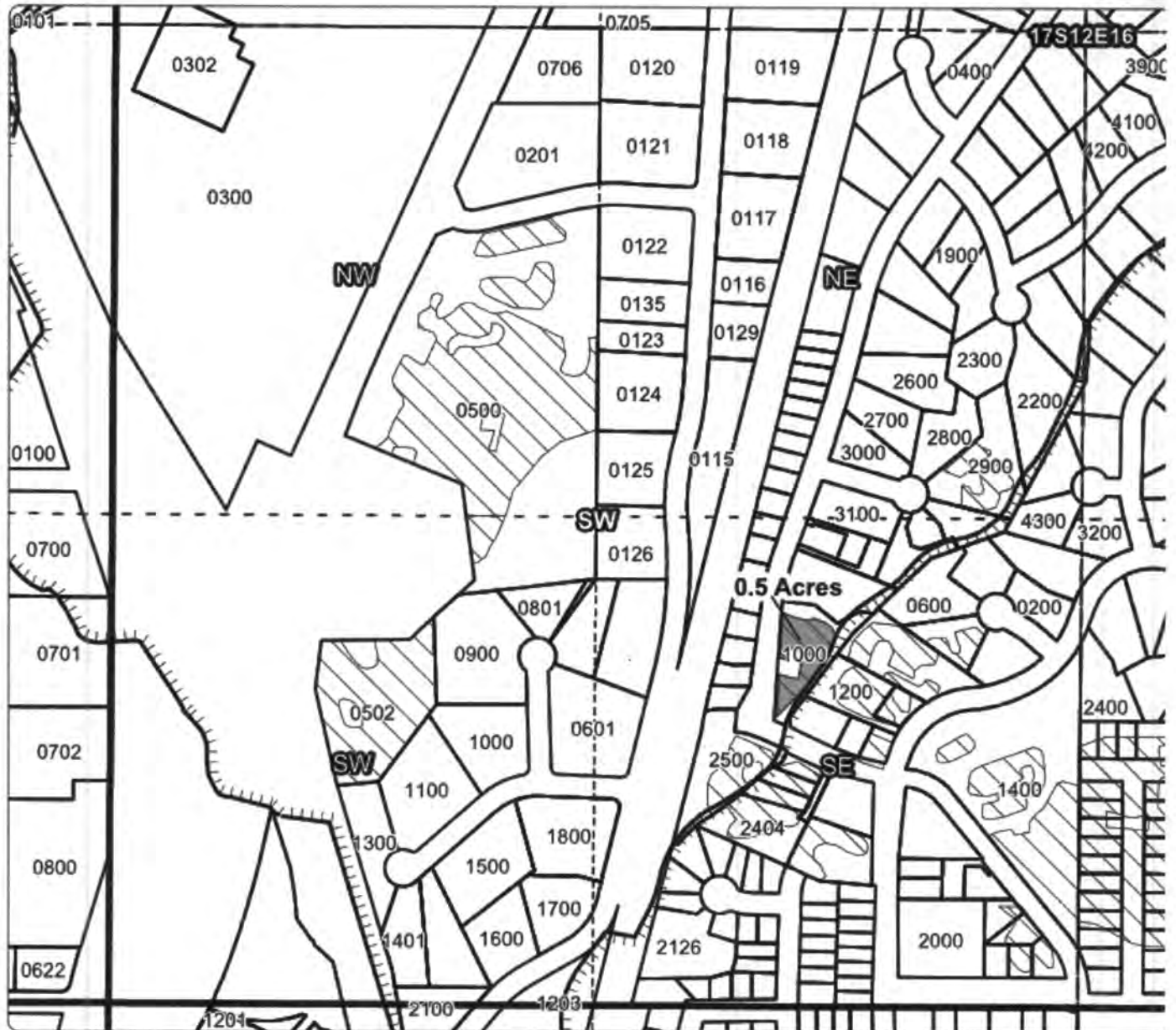
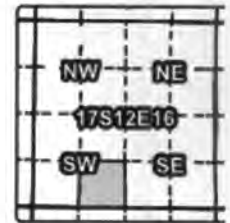
SALEM, OR

# Swalley Irrigation District

## Application for Instream Lease

Cert #: 74145

For: Swalley Irrigation District





### 1 YEAR INSTREAM LEASE MAP

Taxlot 1000, 17S12E16SESW: 0.5 Acres Leased, 0 Acres Remaining

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-  Point of Diversion
-  Canals
-  Taxlots
-  Lease
-  Cert 74145







00972720201400392910020021

11/21/2014 12:13:12 PM

D-D Cnt=1 Str=4 SRB  
\$10.00 \$11.00 \$21.00 \$10.00 \$8.00

✓

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

QUITCLAIM DEED  
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Irvin Attenberger, 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 Irvin Attenberger, 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-01000

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

Grantor:

[Signature]  
Irvin Attenberger

Date 23 OCT 14

State of Oregon SS.  
County of Deschutes

Personally appeared Irvin Attenberger and acknowledged the forgoing instrument to be his / her voluntary act and deed.



[Signature]  
My commission expires March 12 2016

Swalley Irrigation District:

[Signature]  
Suzanne Butterfield, General Manager

Date 10/28/14

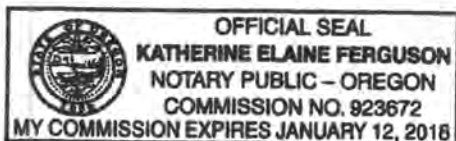
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State of Oregon SS.  
County of Deschutes

SALEM, OR

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



[Signature]  
My commission expires 1-12-2018

Tax statement: No change.

Irvin Attenberger  
63276 Vogt Rd.  
Bend, OR 97701

#2417

## EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC16-SE/SW-01000	171216CD01000	109003	.50

Lot 1, Block 1, **BROOKSIDE**, City of Bend, Deschutes County, Oregon.

**EXCEPTING THEREFROM** the following described portion of Lot 1:

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.

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After recording return to:  
First American Title  
395 SW Bluff Drive, Suite 100  
Bend, OR 97702



5375  
After recording return to:  
Irvin Attenberger  
PO Box 6574  
Bend, OR 97708

Until a change is requested all tax  
statements shall be sent to the  
following address:  
Irvin Attenberger  
PO Box 6574  
Bend, OR 97708

File No.: 7061-2107115 (JRB)  
Date: June 11, 2013

THIS SPACE RESERVED FOR RECORDER'S USE

Deschutes County Official Records **2013-028072**  
D-D  
Stn=1 BN **07/03/2013 10:01:41 AM**  
\$10.00 \$11.00 \$10.00 \$6.00 \$16.00 **\$53.00**

I, Nancy Blankenship, County Clerk for Deschutes County, Oregon,  
certify that the instrument identified herein was recorded in the Clerk  
records.

Nancy Blankenship - County Clerk

## STATUTORY WARRANTY DEED

**Alex R. Hall and Deborah Leseur Hall, as trustees of the Hall Living Trust dated December 21, 2007**, Grantor, conveys and warrants to **Irvin Attenberger**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

**LEGAL DESCRIPTION:** Real property in the County of Deschutes, State of Oregon, described as follows:

**LOT 2 OF NORTH WIND ESTATES, CITY OF BEND, DESCHUTES COUNTY, OREGON.**

**Subject to:**

1. The **2013-2014** Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$25,200.00**. (Here comply with requirements of ORS 93.030)

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BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 28<sup>th</sup> day of June, 2013.

The Hall Living Trust Dated December 21,  
2007

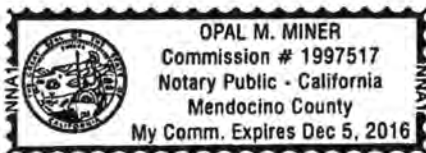
Alex R. Hall Trustee  
Alex R. Hall, Trustee

Deborah Leseur Hall Trustee  
Deborah Leseur Hall, Trustee

STATE OF California )  
County of Mendocino )ss.  
)

This instrument was acknowledged before me on this 28<sup>th</sup> day of June, 2013  
by **Alex R. Hall and Deborah Leseur Hall, Trustees of the Hall Living Trust on behalf of the Trust.**

Opal M. Miner



Notary Public for California  
My commission expires: 12/5/16

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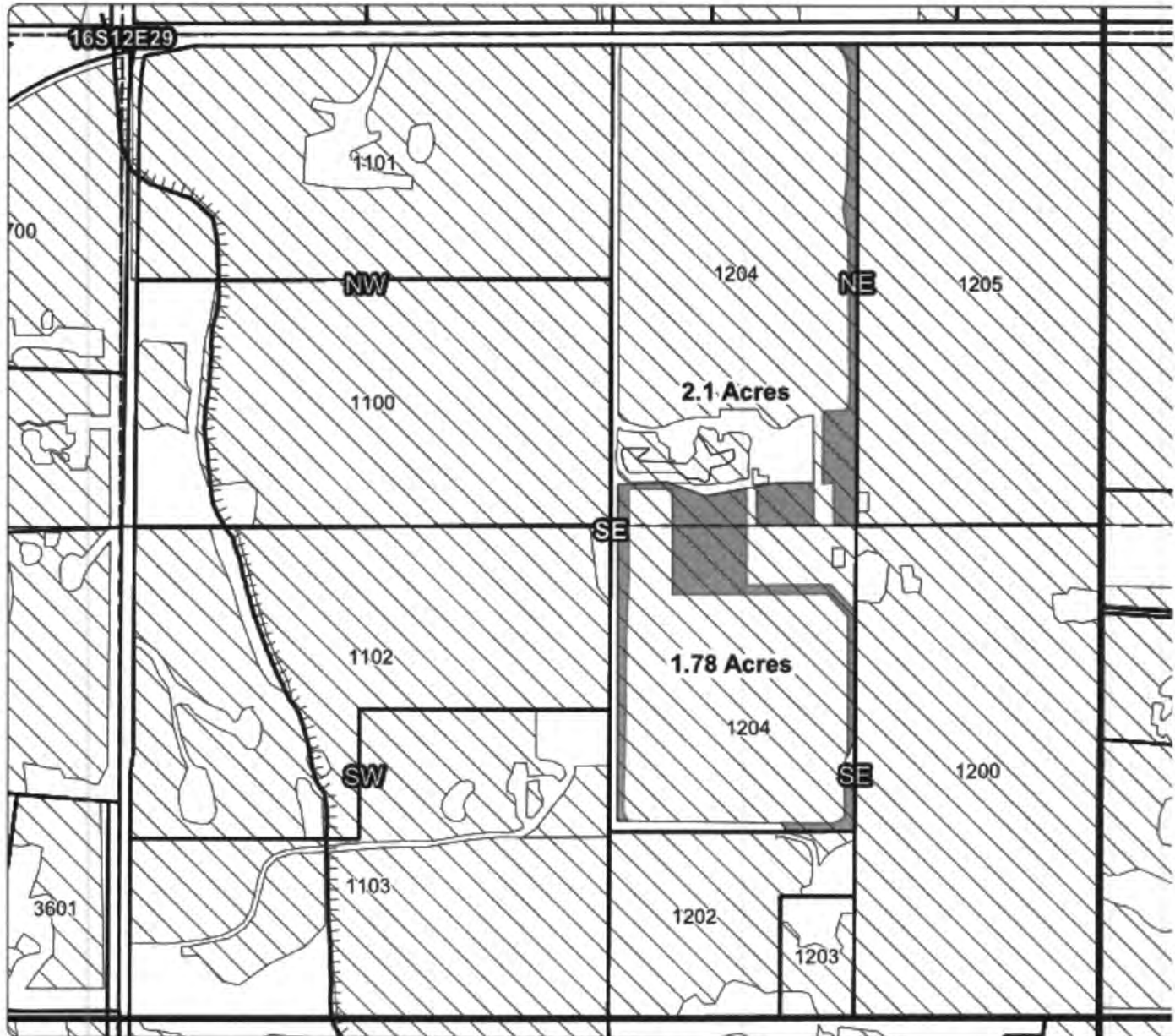
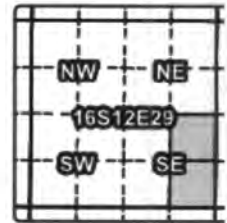
SALEM, OR

# Swalley Irrigation District

## Application for Instream Lease

Cert #: 74145

For: Swalley Irrigation District



### 1 YEAR INSTREAM LEASE MAP

Taxlot 1204, 16S12E29NESE: 2.1 Acres Leased, 16.87 Acres Remaining  
 Taxlot 1204, 16S12E29SESE: 1.78 Acres Leased, 9.67 Acres Remaining

- Point of Diversion
- Canals
- Taxlots
- Lease
- Cert 74145

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11/21/2014 12:15:12 PM

D-D Cnt=1 Str=4 SRB  
\$10.00 \$11.00 \$21.00 \$10.00 \$8.00

QUITCLAIM DEED  
FOR TRANSFER OF INTEREST IN A WATER RIGHT

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

Grantor, Catherine Cruger, 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 3.88 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 Catherine Cruger, shall no longer be liable for any district assessment or charges pertaining to the 3.88 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-NE/SE-01204 - T16S-R12E,WM-SEC29-SE/SE-01204

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

Grantor:

*Catherine Cruger*

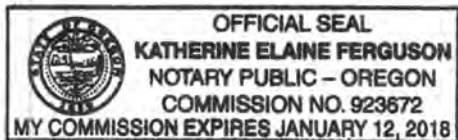
Date

*11/7/14*

Catherine Cruger

State of Oregon SS.  
County of Deschutes

Personally appeared Catherine Cruger and acknowledged the forgoing instrument to be his / her voluntary act and deed.



*Katherine Elaine Ferguson*  
My commission expires 1-12-2018

Swalley Irrigation District:

*Suzanne Butterfield*

Date

*11-7-14*

Suzanne Butterfield, General Manager

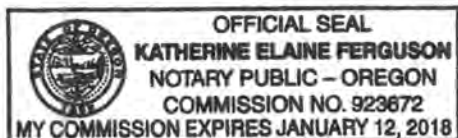
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County of Deschutes

SALEM, OR

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



*Katherine Elaine Ferguson*  
My commission expires 1-12-2018

Tax statement: No change.

Catherine Cruger  
20361 Tumalo Rd.  
Bend, OR 97701

Acct: # 2309

## EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T16S-R12E-WM-SEC29-NE/SE-01204	1612290001204	170688	2.10 ac
T16S-R12E-WM-SEC29-SE/SE-01204	1612290001204	170688	1.78 ac

**LEGAL DESCRIPTION:** Real property in the County of Deschutes, State of Oregon, described as follows:

A parcel of land situated in the Southeast Quarter (SE-) of Section 29, TOWNSHIP 16 SOUTH, RANGE 12, EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, described as follows:

Beginning at a point of the East-West centerline of said Section 29, which bears South 89°44'10" West, 662.61 feet from the East Quarter corner of said Section; thence South 00°05'40" West, 1322.70 feet to a 5/8" iron rod on the North line of the Southeast Quarter of the Southeast Quarter (SE-SE-); thence South 89°50'15" West, on said North line, 1.57 feet to a 5/8" iron rod at the Northeast corner of the West Half of the Southeast Quarter of the Southeast Quarter (W-SE-SE-); thence South 00°11'06" West, on the East line of said West Half (W-), 822.47 feet to a 5/8" iron rod; thence South 89°52'21" West, 660.86 feet to a 5/8" iron rod on the West line of said West Half (W-); thence North 00°09'07" East, on said West line, 822.06 feet to a 5/8" iron rod at the Southwest corner of the West Half of the Northeast Quarter of the Southeast Quarter (W-NE-SE-) of said Section 29; thence North 00°09'54" East, on the West line of said West Half (W-), 1321.54 feet to the Center-East Sixteenth corner on the East-West centerline of said Section 29; thence North 89°44'10" East, on said East-West centerline, 661.29 feet to the point of beginning.

EXCEPTING THEREFROM that portion lying within the right-of-way of Nicholas Market Road (Tumalo Deschutes Highway).

NOTE: This legal description was created prior to January 1, 2008.

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

After recording return to:  
First American Title  
395 SW Bluff Drive, Suite 100  
Bend, OR 97702



After recording return to:  
Catherine V. Cruger  
20361 Tumalo Road  
Bend, OR 97701

Until a change is requested all tax statements  
shall be sent to the following address:  
Catherine V. Cruger  
20361 Tumalo Road  
Bend, OR 97701

58 File No.: 7061-1565896 (CS)  
Date: May 20, 2010

THIS SPACE RESERVED FOR RECORDER'S USE

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2010-21971



\$58.00

06/04/2010 03:56:09 PM

D-D Cntml Stmt BN  
\$15.00 \$11.00 \$18.00 \$10.00 \$8.00

### STATUTORY WARRANTY DEED

**Jack R. Miller and Colleen M. Miller, as tenants by the entirety**, Grantor, conveys and warrants to **Catherine V. Cruger and Paul A. Cruger**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$675,000.00**. (Here comply with requirements of ORS 93.030)

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR



**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Deschutes, State of Oregon, described as follows:

**A parcel of land situated in the Southeast Quarter (SE-) of Section 29, TOWNSHIP 16 SOUTH, RANGE 12, EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, described as follows:**

Beginning at a point of the East-West centerline of said Section 29, which bears South 89°44'10" West, 662.61 feet from the East Quarter corner of said Section; thence South 00°05'40" West, 1322.70 feet to a 5/8" iron rod on the North line of the Southeast Quarter of the Southeast Quarter (SE-SE-); thence South 89°50'15" West, on said North line, 1.57 feet to a 5/8" iron rod at the Northeast corner of the West Half of the Southeast Quarter of the Southeast Quarter (W-SE-SE-); thence South 00°11'06" West, on the East line of said West Half (W-), 822.47 feet to a 5/8" iron rod; thence South 89°52'21" West, 660.86 feet to a 5/8" iron rod on the West line of said West Half (W-); thence North 00°09'07" East, on said West line, 822.06 feet to a 5/8" iron rod at the Southwest corner of the West Half of the Northeast Quarter of the Southeast Quarter (W-NE-SE-) of said Section 29; thence North 00°09'54" East, on the West line of said West Half (W-), 1321.54 feet to the Center-East Sixteenth corner on the East-West centerline of said Section 29; thence North 89°44'10" East, on said East-West centerline, 661.29 feet to the point of beginning.

**EXCEPTING THEREFROM** that portion lying within the right-of-way of Nicholas Market Road (Tumalo Deschutes Highway).

**NOTE:** This legal description was created prior to January 1, 2008.

Together with 30.42 acres of Swalley Irrigation District water right.

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MAY 26 2015

SALEM, OR



# Swalley Irrigation District Application for Instream Lease

Cert #: 74145

For: Swalley Irrigation District



## 1 YEAR INSTREAM LEASE MAP

Taxlot 2200, 16S12E27SWNE: 0.7 Acres Leased, 0 Acres Remaining

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

- Point of Diversion
- Canals
- Taxlots
- Lease
- Cert 74145

1 inch = 400 feet  
April 2015





00972726201400392880020020

\$58.00

11/21/2014 12:11:12 PM

D-D Cnt=1 Str=4 SRB  
\$10.00 \$11.00 \$21.00 \$10.00 \$8.00

QUITCLAIM DEED  
FOR TRANSFER OF INTEREST IN A WATER RIGHT

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

Grantor, Andrew & Johanna Groza, 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 .70 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 Andrew & Johanna Groza, shall no longer be liable for any district assessment or charges pertaining to the .70 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-SEC27-SW/NE-02200

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.  
Consideration for this Quitclaim is 0.00

Grantor: [Signature] Date 9/30/14  
Andrew Groza  
[Signature] Date 9/30/14  
Johanna Groza

State of Oregon SS.  
County of Deschutes

Personally appeared Andrew & Johanna Groza and acknowledged the forgoing instrument to be his / her voluntary act and deed.



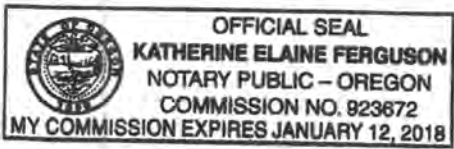
[Signature]  
My commission expires Feb. 8, 2017

Swalley Irrigation District:  
[Signature] Date 10-27-14  
Suzanne Butterfield, General Manager

RECEIVED BY OWRD  
MAY 26 2015  
SALEM, OR

State of Oregon SS.  
County of Deschutes

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



[Signature]  
My commission expires 1-12-2018

Tax statement: No change.

Andrew & Johanna Groza  
21070 Tumalo Rd.  
Bend, OR 97701

#2434

## EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T16S-R12E-WM-SEC27-SW/NE-02200	161227A002200	132989	.70


**Lot 16, Block 7, FIRST ADDITION TO WHISPERING PINES ESTATES, Deschutes  
County, Oregon.**

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

After recording return to:  
 Order Number: 78487

  
**Western** Title & Escrow  
 380 SW Bond, Suite 100  
 Bend, OR 97702

**Grantee Name(s)**  
 Andrew Joseph Groza  
 Johanna Groza  
 21070 Tumalo Road  
 Bend, OR 97701

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

Deschutes County Official Records **2013-039079**  
 D-D  
 Stn=4 BN **09/13/2013 12:01:30 PM**  
 \$10.00 \$11.00 \$10.00 \$6.00 \$16.00 **\$53.00**

I, Nancy Blankenship, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.  
 Nancy Blankenship - County Clerk

Reserved for Recorder's Use

**STATUTORY WARRANTY DEED**

**James W. Prindle and Vicki Jo Prindle, Trustees of the PRINDLE FAMILY REVOCABLE TRUST, dated April 25, 2006 and Shirley Maxwell, or the survivor thereof**

**Grantor(s)** convey and warrant to **Joy Andrew Joseph Groza and Johanna Groza**, as tenants by the entirety, Grantees the following described real property free of encumbrances except as specifically set forth herein:

**Lot 16, Block 7, FIRST ADDITION TO WHISPERING PINES ESTATES, Deschutes County, Oregon.**

Account: **132989**  
 Map & Tax Lot: 161227A002200

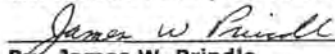
This property is free of encumbrances, EXCEPT: All those items of record, if any, as of the date of this deed, including any real property taxes due, but not yet payable.

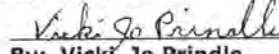
The true consideration for this conveyance is **\$137,000.00**. (Here comply with requirements of ORS 93.030.)

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.**

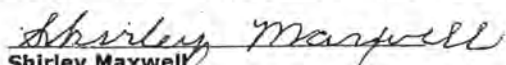
Executed this 27 day of August, 2013

The Prindle Family Revocable Trust, dated April 25, 2006

  
 By: James W. Prindle  
 Its Trustee

  
 By: Vicki Jo Prindle  
 Its Trustee

Executed this 27 day of August, 2013

  
 Shirley Maxwell

**RETURN TO WESTERN  
 TITLE & ESCROW**

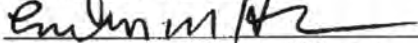
RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

State of **Oregon**, County of **Deschutes** ) ss.

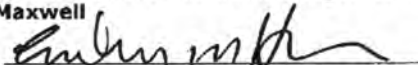
This instrument was acknowledged before me on this 22 day of August, 2013 by **James W. Prindle**, as Trustee and **Vicki Jo Prindle**, as Trustee of The Prindle Family Revocable Trust, dated April 25, 2006

  
\_\_\_\_\_  
Notary Public for the State of Oregon  
My commission expires: 7-25-17



State of **Oregon**, County of **Deschutes** ) ss.

This instrument was acknowledged before me on this 22 day of August, 2013 by **Shirley Maxwell**

  
\_\_\_\_\_  
Notary Public for the State of Oregon  
My commission expires: 7-25-17



RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

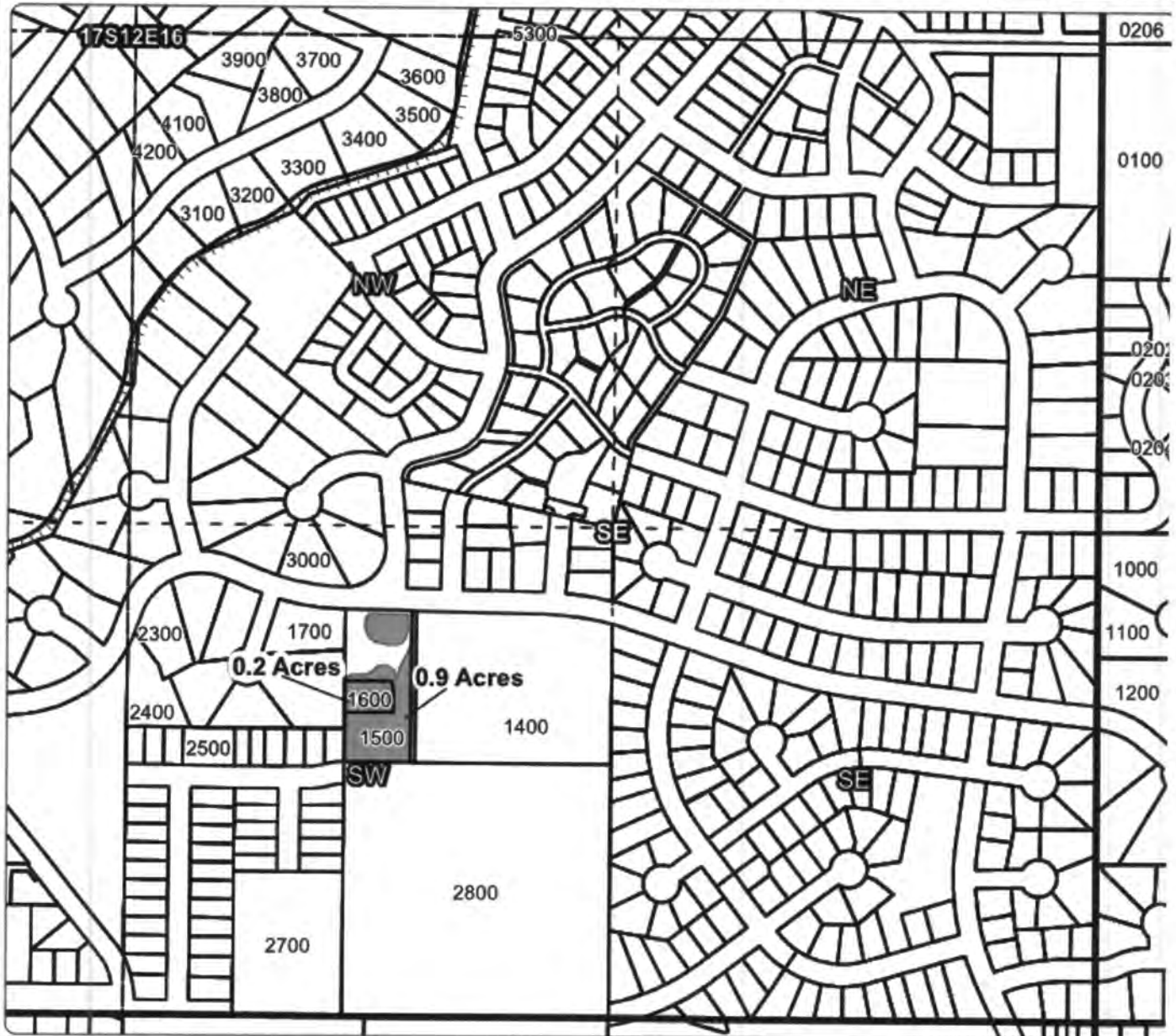
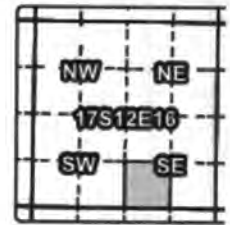


# Swalley Irrigation District

## Application for Instream Lease

Cert #: 74145

For: Swalley Irrigation District



### 1 YEAR INSTREAM LEASE MAP

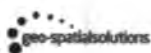
Taxlot 1500, 17S12E16SWSE: 0.9 Acres Leased, 0 Acres Remaining  
 Taxlot 1600, 17S12E16SWSE: 0.2 Acres Leased, 0 Acres Remaining

- Point of Diversion
- Canals
- Taxlots
- Lease
- Cert 74145

RECEIVED BY OWRD

MAY 26 2015

1 inch = 400 feet  
 April 2015



SALEM, OR



11/21/2014 12:12:12 PM

D-D Cnt=1 Str=4 SRB  
\$10.00 \$11.00 \$21.00 \$10.00 \$5.00

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

QUITCLAIM DEED  
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Interex USA, John Roeder, 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 1.10 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 Interex, USA, John Roeder, shall no longer be liable for any district assessment or charges pertaining to the 1.10 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-SW/SE-01500 - T17S-R12E,WM-SEC16-SW/SE-01600

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

Grantor: *John W.S. Roeder* Date 10-29-14  
Interex USA, John Roeder

State of Oregon SS. Texas  
County of Deschutes DALLAS

Personally appeared *John W.S. Roeder* and acknowledged the forgoing instrument to be his / her voluntary act and deed.



*Edith A. Perez*  
My commission expires September 30, 2015

Swalley Irrigation District:  
*Suzanne Butterfield* Date 11-3-14  
Suzanne Butterfield, General Manager

RECEIVED BY OWRD

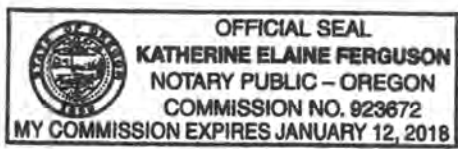
MAY 26 2015

SALEM, OR

State of Oregon SS.  
County of Deschutes

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

*Katherine Elaine Ferguson*  
My commission expires 1-12-2018



Tax statement: No change.

INTEREX, USA - John Roeder  
63300 Boyd Acres Rd.  
Bend, OR 97701

#2225

## EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC16-SW/SE-01500	171216DC01500	173892	.90 ac
T17S-R12E-WM-SEC16-SW/SE-01600	171216DC01600	109024	.20 ac

### PARCEL I:

A tract of land located in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 16, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, which is described as follows:

Beginning at a point from whence the South Quarter corner of said Section 16 bears South 40°52'52" West, 906.80 feet; thence North 132.50 feet; thence East 131.58 feet; thence on a 120.00 foot radius curve right, 2.90 feet, the long chord of which bears North 00°41'31" East, 2.89 feet, thence North 47.15 feet, thence on a 120.00 foot radius curve left, 33.54 feet, the long chord of which bears North 08°00'30" West, 33.44 feet; thence West, 126.95 feet; thence North 194.34 feet; thence South 89°12'55" East, 180 feet; thence south, 407.53 feet; thence West 179.98 feet to the point of beginning.

### PARCEL II:

A tract of land located in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 16, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, which is described as follows:

Beginning at a point from whence the South Quarter corner of said Section 16 bears South 40°52'52" West, 906.80 feet; thence North 132.50 feet to the true point of beginning; thence East 131.58 feet to a point on a 120.00 foot radius curve from which a radial line bears North 88° West; thence Northerly along said 120.00 foot curve to the left, whose central angle is 01°23'02", a distance of 2.90 feet; thence North 47.15 feet, thence along a 120.00 foot radius curve left, whose central angle is 16°01'00", a distance of 33.55 feet; thence West, 126.95 feet; thence South 83.16 feet to the true point of beginning.

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR



After recording return to:  
 INTEREX USA INC  
 6854 W WRIGHT ST  
 Boise, ID 83709

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

INTEREX USA INC  
 6854 W WRIGHT ST  
 Boise, ID 83709

Escrow No. BA117334LR  
 Title No. 117334  
 SWD

THIS SPACE RESERVED FOR RECORDER'S USE

DESCHUTES COUNTY OFFICIAL RECORDS  
 NANCY BLANKENSHIP, COUNTY CLERK

2009-32029



\$36.00

00001988200000320290020028

07/28/2009 01:20:02 PM

D=0 Cnt=1 Stn=3 PG  
 \$10.00 \$11.00 \$10.00 \$5.00

**STATUTORY WARRANTY DEED**

**JOHN W S. ROEDER**, Grantor(s) hereby convey and warrant to **INTEREX USA INC**, Grantee(s) the following described real property in the County of **DESCHUTES** and State of Oregon free of encumbrances except as specifically set forth herein:

**SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE**

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:  
 2009-2010 Real Property Taxes a lien not yet due and payable.

The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Dated this 27 day of July, 2009

JOHN W S. ROEDER



State of Oregon  
 County of DESCHUTES

This instrument was acknowledged before me on 7/27, 2009 by JOHN W S. ROEDER.

(Notary Public for Oregon)

My commission expires 2-11-13

After recording, return to  
 AmeriTitle  
 16 OREGON AVENUE, BEND

*Libby*

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

Exhibit A

Real property in the County of Deschutes, State of Oregon, described as follows:

A tract of land located in the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 16, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, more particularly describes as follows:

Beginning at a point whence the South Quarter corner of said Section 16 bears South  $40^{\circ} 52' 52''$  West 906.80 feet; thence East 179.98 feet to the true point of beginning; thence North 407.53 feet; thence South  $89^{\circ} 12' 55''$  East 12.0 feet; thence South 407.36 feet; thence West 12.0 to the true point of beginning.

RECEIVED BY OWRD

MAY 26 2015

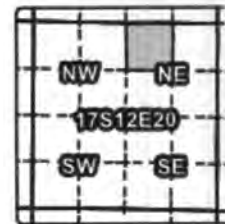
SALEM, OR



# Swalley Irrigation District Application for Instream Lease

Cert #: 74145

For: Swalley Irrigation District



## 1 YEAR INSTREAM LEASE MAP

Taxlot 1500, 17S12E20NWNE: 0.5 Acres Leased, 0 Acres Remaining

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

- Point of Diversion
- Canals
- Taxlots
- Lease
- Cert 74145





11/21/2014 12:15:14 PM

D-D Cnt=1 Str=4 SRB  
\$10.00 \$11.00 \$21.00 \$10.00 \$6.00

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

QUITCLAIM DEED  
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Michael Knoell, 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 Michael Knoell, 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-SEC20-NW/NE-01500

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

Grantor: [Signature] Date 11/7/14  
Michael Knoell

State of Oregon SS.  
County of Deschutes

Personally appeared 11/7/14 and acknowledged the forgoing instrument to be his / her voluntary act and deed.

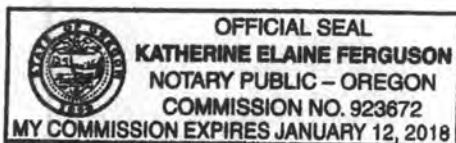


[Signature: Heather Joy VanHouten]  
My commission expires 5-7-18

Swalley Irrigation District:  
[Signature: Suzanne Butterfield] Date 11-12-14  
Suzanne Butterfield, General Manager

State of Oregon SS.  
County of Deschutes

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



[Signature: Katherine Elaine Ferguson]  
My commission expires 1-12-2018

RECEIVED BY OWRD

Tax statement: No change.

MAY 26 2015

SALEM, OR

Michael Knoell  
63145 OB Riley Rd.  
Bend, OR 97701

#2470

## EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC20-NW/NE-01500	171220AB01500	160584	.50 ac.

A tract of land located in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section 20, Township 17 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, said tract also being a portion of Tract One of NORWOOD recorded June 19, 1935, in Cabinet A, Page 257, Deschutes County Records, Deschutes County, Oregon., being described as follows: Commencing at the Southwest corner of said Tract One of NORWOOD, said point also being the center North 1/16 corner of said Section 20; thence North 00°30'00" East along the North-South center section line of said Section 20, a distance of 231.30 feet; thence North 00°03'00" East along said line, 100.00 feet; thence leaving said line South 82°57'49" East, 256.20 feet; thence North 10°20'51" East, 370.50 feet; thence South 87°47'29" East, 201.90 feet to the true point of beginning of this description; thence South 87°47'29" East, 135.00 feet to a point on the Westerly right of way line of O. B. Riley Road; thence South 27°12'08" East along said line, a distance of 249.91 feet; thence leaving said line South 87°30'34" West, 203.63 feet; thence along the arc of a 41.79 foot radius curve concave to the Southeast, a distance of 48.12 feet (long chord bears South 54°31'42" West, 45.50 feet); thence North 68°28'36" West, 15.00 feet; thence North 06°02'50" West, 156.89 feet to a 5/8" iron rod; thence North 12°10'31" East, 103.54 feet to the point of beginning and there terminating.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

Acct# 160584

17 12 20 AB 01500

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR



After recording return to:  
 MICHAEL C. KNOELL  
 PO BOX 1860  
 BEND, OR 97709

Until a change is requested all tax statements  
 shall be sent to the following address:  
 MICHAEL C. KNOELL  
 PO BOX 1860  
 BEND, OR 97709

Escrow No. SB152484DS  
 Title No. 152484  
 SWD r.020212

Deschutes County Official Records **2014-018760**  
 D-D  
 Stn=4 BN **06/13/2014 08:52:35 AM**  
 \$10.00 \$11.00 \$10.00 \$6.00 \$21.00 **\$58.00**

I, Nancy Blankenship, County Clerk for Deschutes County, Oregon,  
 certify that the instrument identified herein was recorded in the Clerk  
 records.

Nancy Blankenship - County Clerk

### STATUTORY WARRANTY DEED

**SCOTT SEROS and CATHY LAWRENCE,**

Grantor(s), hereby convey and warrant to

**MICHAEL C. KNOELL,**

Grantee(s), the following described real property in the County of **Deschutes** and State of Oregon free of encumbrances except as specifically set forth herein:

A tract of land located in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section 20, Township 17 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, said tract also being a portion of Tract One of NORWOOD recorded June 19, 1935, in Cabinet A, Page 257, Deschutes County Records, Deschutes County, Oregon., being described as follows: Commencing at the Southwest corner of said Tract One of NORWOOD, said point also being the center North 1/16 corner of said Section 20; thence North 00°30'00" East along the North-South center section line of said Section 20, a distance of 231.30 feet; thence North 00°03'00" East along said line, 100.00 feet; thence leaving said line South 82°57'49" East, 256.20 feet; thence North 10°20'51" East, 370.50 feet; thence South 87°47'29" East, 201.90 feet to the true point of beginning of this description; thence South 87°47'29" East, 135.00 feet to a point on the Westerly right of way line of O. B. Riley Road; thence South 27°12'08" East along said line, a distance of 249.91 feet; thence leaving said line South 87°30'34" West, 203.63 feet; thence along the arc of a 41.79 foot radius curve concave to the Southeast, a distance of 48.12 feet (long chord bears South 54°31'42" West, 45.50 feet); thence North 68°28'36" West, 15.00 feet; thence North 06°02'50" West, 156.89 feet to a 5/8" iron rod; thence North 12°10'31" East, 103.54 feet to the point of beginning and there terminating.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:  
 Acct# 160584 17 12 20 AB 01500

The true and actual consideration for this conveyance is \$475,000.00.  
 The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

RECEIVED BY OWRD

Return to:

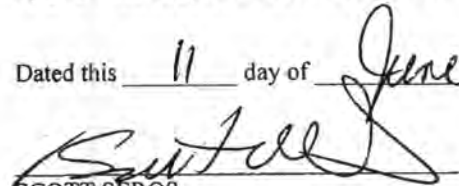


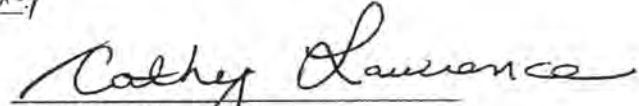
MAY 26 2015

SALEM, OR

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 11 day of June, 2014

  
SCOTT SEROS

  
CATHY LAWRENCE

State of Oregon  
County of DESCHUTES

This instrument was acknowledged before me on June 11, 2014 by SCOTT SEROS and CATHY LAWRENCE.

  
(Notary Public for Oregon)

My commission expires 8/21/14



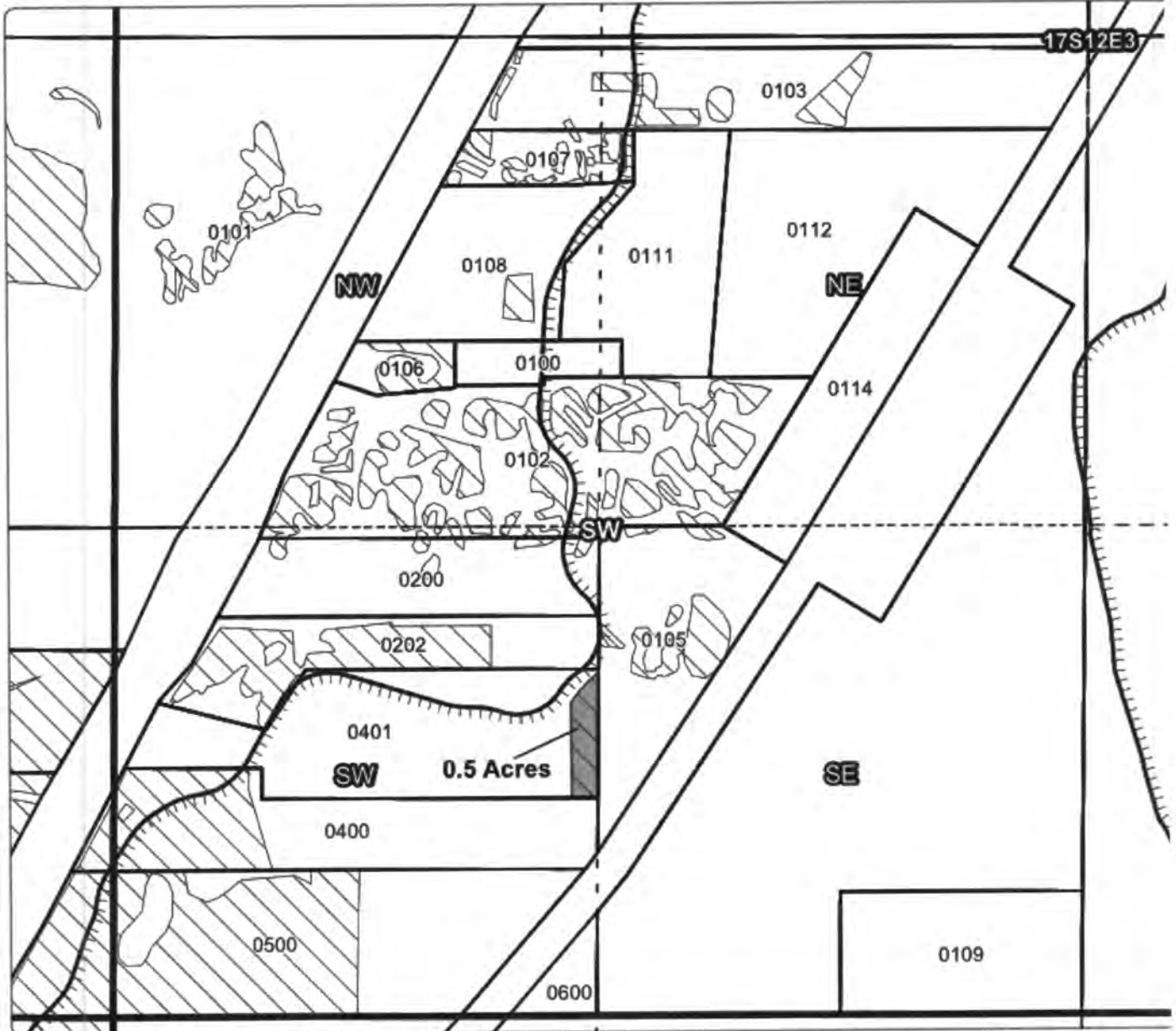
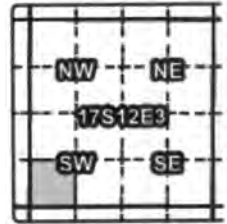
RECEIVED BY OWRD  
MAY 26 2015  
SALEM, OR



# Swalley Irrigation District Application for Instream Lease

Cert #: 74145

For: Swalley Irrigation District



## 1 YEAR INSTREAM LEASE MAP

Taxlot 401, 17S12E03SWSW: 0.5 Acres Leased, 0 Acres Remaining

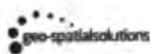
RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

- Point of Diversion
- Canals
- Taxlots
- Lease
- Cert 74145

1 inch = 400 feet  
April 2015





\$58.00

00000289201400334300020025

10/06/2014 03:20:45 PM

D-D Cnt=1 Str=2 TH  
\$10.00 \$11.00 \$21.00 \$10.00 \$5.00

QUITCLAIM DEED  
FOR TRANSFER OF INTEREST IN A WATER RIGHT

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

Grantor, Eugene & Emarine Mayea, 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 Eugene & Emarine Mayea, 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-SEC03-SW/SW-00401

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.  
Consideration for this Quitclaim is 0.00

Grantor: Eugene Mayea Date 9/29/14  
Emarine Mayea Date 9/29/14  
Eugene Mayea  
Emarine Mayea

State of Oregon SS.  
County of Deschutes

Personally appeared Eugene & Emarine Mayea and acknowledged the forgoing instrument to be his / her voluntary act and deed.

~~PAY TO THE ORDER OF  
BANK OF THE CASCADES  
BEND, OR 97709-0389  
FOR DEPOSIT ONLY  
SWALLEY IRRIGATION DISTRICT  
05 04631 9~~

Katherine Elaine Ferguson  
My commission expires 1-12-2018

OFFICIAL SEAL  
KATHERINE ELAINE FERGUSON  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 923672  
MY COMMISSION EXPIRES JANUARY 12, 2018

Swalley Irrigation District:  
Suzanne Butterfield Date 9/29/14  
Suzanne Butterfield, General Manager

State of Oregon SS.  
County of Deschutes

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

OFFICIAL SEAL  
KATHERINE ELAINE FERGUSON  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 923672  
MY COMMISSION EXPIRES JANUARY 12, 2018

Katherine Elaine Ferguson RECEIVED BY OWRD  
My commission expires 1-12-2018

Tax statement: No change.

MAY 26 2015

SALEM, OR

Eugene & Emarine Mayea  
64054 N. Hwy 97  
Bend, OR 97701

#1277

## EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC03-SW/SW-00401	1712030000401	113032	.50

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

**VOL: 2000 PAGE: 20612**  
**RECORDED DOCUMENT**

STATE OF OREGON  
COUNTY OF DESCHUTES



\*2000-20612 \* Vol-Page

Printed: 05/25/2000 15:59:42

**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: May. 25, 2000; 3:56 p.m.

RECEIPT NO: 21288

DOCUMENT TYPE: Deed

FEE PAID: \$36.00

NUMBER OF PAGES: 2

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

MARY SUE PENHOLLOW  
DESCHUTES COUNTY CLERK

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

NS

FIRST AMERICAN TITLE  
INSURANCE COMPANY OF OREGON

2000-2062-1



Eugene J MAYEA  
E MARIE MAYEA  
PO BOX 632 Patrum, NV 89041

P.O. BOX 323  
BEND, OR 97709

STATE OF OREGON,

County of \_\_\_\_\_

} ss.

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

Witness my hand and seal of County affixed.

NAME

TITLE

By \_\_\_\_\_, Deputy.

Grantor's Name and Address

MAYEA FAMILY TRUST  
PO BOX 632  
PATRUMP NV 89041

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

MAYEA FAMILY TRUST  
PO BOX 632  
PATRUMP, NV 89041

SPACE RESERVED  
FOR  
RECORDER'S USE

Until requested otherwise, send all tax statements to (Name, Address, Zip):

MAYEA FAMILY TRUST  
PO BOX 632  
PATRUMP, NV 89041

BARGAIN AND SALE DEED - STATUTORY FORM

(INDIVIDUAL GRANTOR)

Eugene J MAYEA And E MARIE MAYEA

conveys to MAYEA Family Trust, Dated June 16, 1999 Grantor,  
EUGENE J MAYEA, EMARINE MARIE MAYEA, Grantee,  
the following real property situated in Deschutes County, Oregon, to-wit: Justices

See Exhibit A

RECORDED BY FIRST AMERICAN TITLE  
INSURANCE COMPANY OF OREGON AS AN  
ACCOMODATION ONLY. NO LIABILITY IS  
ACCEPTED FOR THE CONDITION OF TITLE  
OR FOR THE VALIDITY, SUFFICIENCY, OR  
EFFECT OF THIS DOCUMENT.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The true consideration for this conveyance is \$ 1.00 (Here, comply with the requirements of ORS 93.030.)

Dated this 25 day of May, 2000

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

Emarine Marie Mayea

Eugene J Mayea

STATE OF OREGON, County of Deschutes ) ss. May 25, 2000

This instrument was acknowledged before me on  
by Eugene J Mayea + Emarine Marie Mayea

Bonnie C. Wilkins

Notary Public for Oregon

My commission expires 2-19-02



RECEIVED BY OWRD

MAY 26 2015

SALEM OR



2000-20612-2

Exhibit A

IN TOWNSHIP 17 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon:

Section 3: A parcel of land located in the Southwest Quarter of the Southwest Quarter of Section 3 lying East of the Dalles-California Highway right of way which is further described as follows: Beginning at a point on the Easterly line of said Southwest Quarter of the Southwest Quarter that bears South 00° 05' 40" West 385.00 feet from the Southwest one-sixteenth corner of said Section 3; thence South 89° 37' 00" West 789.66 feet; thence South 33° 43' 40" West 195.83 feet; thence North 76° 16' 00" West 321.26 feet to the Easterly right of way line of the Dalles-California Highway; thence South 28° 26' West 206.62 feet along said highway right of way; thence North 89° 33' 06" East 400.00 feet; thence South 00° 05' 40" West 83.73 feet; thence North 89° 33' 06" East 908.44 feet to the Easterly line of said Southwest Quarter of the Southwest Quarter; thence along said Easterly line North 00° 05' 40" East 347.05 feet to the point of beginning.

Together with Five (5) shares of Deschutes Reclamation Irrigation District water. *AM*

DOCUMENT OF ILLEGIBLE/POOR QUALITY AT TIME OF RECORDING.

RECEIVED BY OWRD

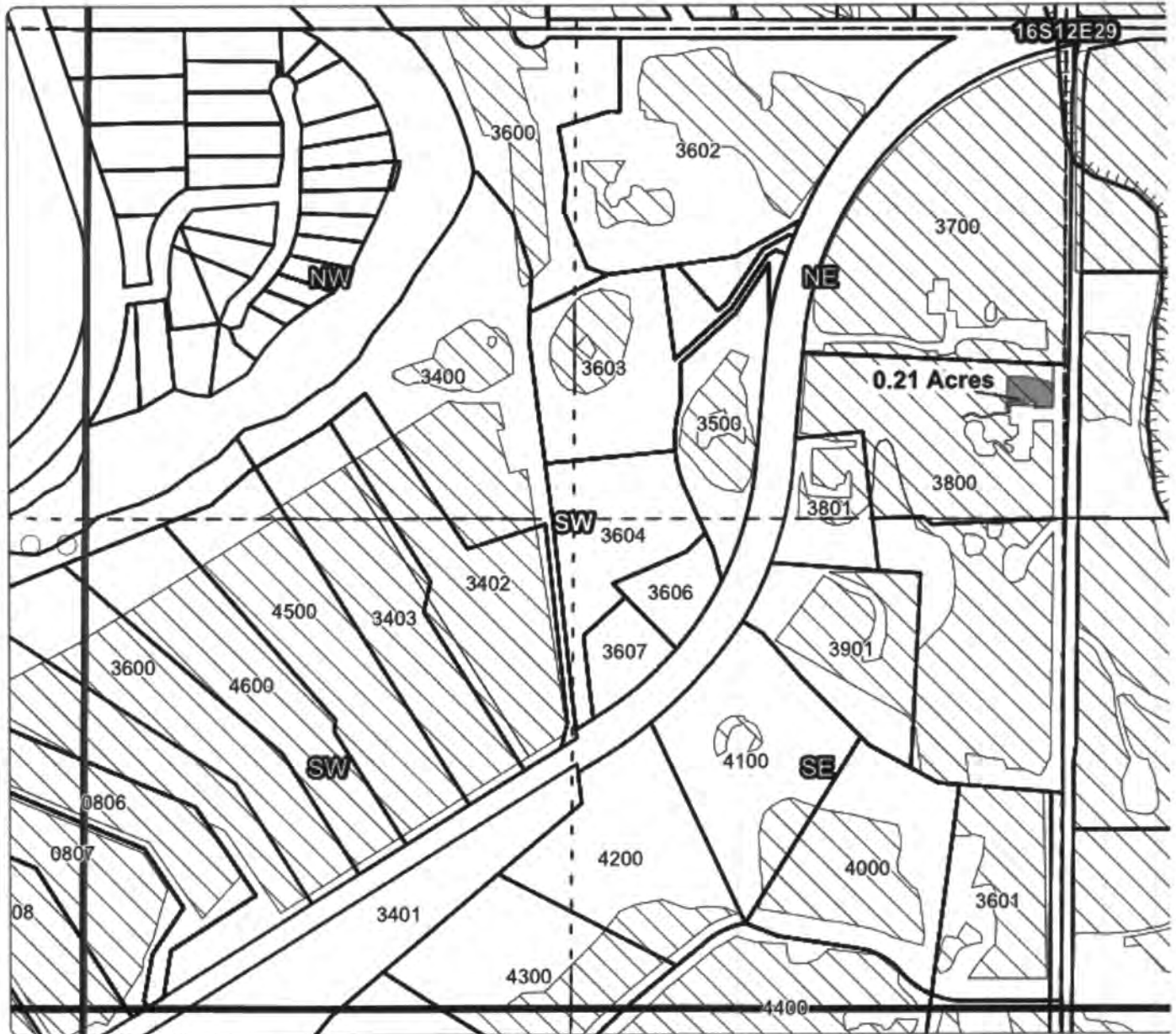
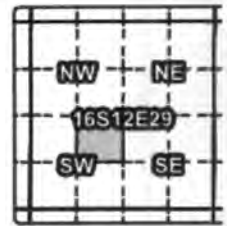
MAY 26 2015

SALEM, OR

# Swalley Irrigation District Application for Instream Lease

Cert #: 74145

For: Swalley Irrigation District



## 1 YEAR INSTREAM LEASE MAP

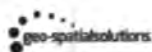
Taxlot 3800, 16S12E29NESW: 0.21 Acres Leased, 4.88 Acres Remaining

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

- Point of Diversion
- Canals
- Taxlots
- Lease
- Cert 74145



1 inch = 400 feet  
April 2015



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

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2014-39289



\$58.00

00972727201400392890020027

11/21/2014 12:11:48 PM

D-D Cnt=1 Stn=4 SRB  
\$10.00 \$11.00 \$21.00 \$10.00 \$8.00

QUITCLAIM DEED  
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Tim & Barbara Tennis, 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 .21 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 Tim & Barbara Tennis shall no longer be liable for any district assessment or charges pertaining to the .21 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-NE/SW-03800

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

Consideration for this Quitclaim is 0.00

Grantor: [Signature]

Date 10/20/14

Tim Tennis

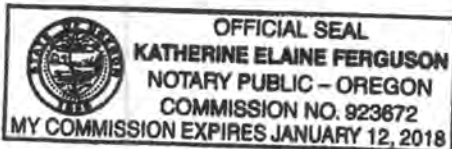
[Signature]

Date 10/20/14

Barbara Tennis

State of Oregon SS.  
County of Deschutes

Personally appeared Tim & Barbara Tennis and acknowledged the forgoing instrument to be his / her voluntary act and deed.



[Signature]

My commission expires 1-12-2018

Swalley Irrigation District:

[Signature]

Date 10/21/14

Suzanne Butterfield, General Manager

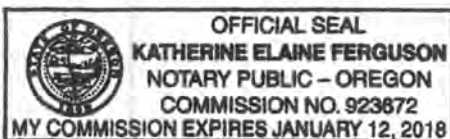
RECEIVED BY OWRD

MAY 26 2015

State of Oregon SS.  
County of Deschutes

SALEM, OR

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



[Signature]

My commission expires 1-12-2018

Tax statement: No change.

Tim & Barbara Tennis  
64885 Simon Rd  
Bend, OR 97701

#2148

## EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T16S-R12E-WM-SEC29-NE/SW-03800	161229C003800	113342	.21 ac

### LEGAL DESCRIPTION

A parcel of land located in a portion of the Southwest One Half (SW1/2) of Section Twenty-nine (29), TOWNSHIP SIXTEEN (16), SOUTH, RANGE TWELVE (12), EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon being more particularly described as follows:

Beginning at a point on the north-south centerline of said Section 29 from which a brass cap in asphalt marking the Center quarter corner of Section 29 bears the following two courses and said north-south centerline: North 00°06'09" East a distance of 113.45 feet; North 00°08'09" East a distance of 1206.65 feet; thence following an existing fence line the following three courses and distances: South 86°28'14" West a distance of 355.82 feet; North 47°45'49" West a distance of 28.50 feet; South 87°00'53" West a distance of 135.80 feet; thence North 05°59'41" West a distance of 248.73 feet to a 1/2" iron rod; thence South 85°01'30" West a distance 183.79 feet to a 1/2" iron rod in the center of Nichols Secondary Market Road; thence following said road centerline North 04°20'53" East a distance of 237.62 feet to a 3/4" iron pipe; thence leaving said road centerline South 86°18'51" East a distance of 705.11 feet to a 3/4" iron pipe on the north-south centerline of said Section 29; thence following said north-south centerline of said Section 29 South 00°08'09" West a distance of 413.23 feet to the point of beginning, the terminus of this description.

TOGETHER WITH A parcel of land located in a portion of the Southwest One Half (SW1/2) of Section Twenty-nine (29), TOWNSHIP SIXTEEN (16), SOUTH RANGE TWELVE (12), EAST OF THE WILLAMETTE MERIDIAN, Deschutes County Oregon, being more particularly described as follows:

Beginning at a point on the north-south centerline of said Section 29 from which a brass cap in asphalt marking the Center quarter corner of Section 29 bears the following two courses and said north-south centerline: North 00°06'09" East a distance of 113.45 feet; North 00°08'09" East a distance of 1206.65 feet; thence following said north-south centerline of said Section 29 the following two courses: North 00°06'09" East a distance of 113.45 feet to a 3/4" iron pipe; North 00°08'09" East a distance of 299.78 feet to a 3/4" iron pipe; thence South 88°55'19" East a distance of 10.64 feet to a 5/8" iron rod with plastic cap stamped "DEJARNATT LS 2208" thence South 01°02'19" West a distance of 412.85 feet to a 5/8" iron rod with a plastic cap stamped "HWA 1678"; thence south 86°28'14" West a distance of 3.90 feet to the point of beginning, the terminus of this description.

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR



0m083691 OM-56



DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2005-88453



\$56.00

00425652200500884530020028

12/23/2005 02:38:53 PM

THI:

D-D Cnt=1 Stn=4 TRACY  
\$10.00 \$11.00 \$10.00 \$5.00 \$20.00

After recording return to:  
Tim Tennis  
3038 NW Kenwood Court  
Bend, OR 97701

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

Tim Tennis  
3038 NW Kenwood Court  
Bend, OR 97701

Escrow No. OM083691DM  
Title No. 083691

STATUTORY WARRANTY DEED

TIMOTHY G. TENNIS A.

**Keldano Ranch LLC**, Grantor(s) hereby convey and warrant to **Tim Tennis and Barbara Tennis, as tenants by the entirety**, Grantee(s) the following described real property in the County of **Deschutes** and State of Oregon free of encumbrances except as specifically set forth herein:

EXHIBIT "A"  
LEGAL DESCRIPTION

A parcel of land located in a portion of the Southwest One Half (SW1/2) of Section Twenty-nine (29), TOWNSHIP SIXTEEN (16), SOUTH, RANGE TWELVE (12), EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon being more particularly described as follows:

Beginning at a point on the north-south centerline of said Section 29 from which a brass cap in asphalt marking the Center quarter corner of Section 29 bears the following two courses and said north-south centerline: North 00°06'09" East a distance of 113.45 feet; North 00°08'09" East a distance of 1206.65 feet; thence following an existing fence line the following three courses and distances: South 86°28'14" West a distance of 355.82 feet; North 47°45'49" West a distance of 28.50 feet; South 87°00'53" West a distance of 135.80 feet; thence North 05°59'41" West a distance of 248.73 feet to a 1/2" iron rod; thence South 85°01'30" West a distance 183.79 feet to a 1/2" iron rod in the center of Nichols Secondary Market Road; thence following said road centerline North 04°20'53" East a distance of 237.62 feet to a 3/4" iron pipe; thence leaving said road centerline South 86°18'51" East a distance of 705.11 feet to a 3/4" iron pipe on the north-south centerline of said Section 29; thence following said north-south centerline of said Section 29 South 00°08'09" West a distance of 413.23 feet to the point of beginning, the terminus of this description.

TOGETHER WITH A parcel of land located in a portion of the Southwest One Half (SW1/2) of Section Twenty-nine (29), TOWNSHIP SIXTEEN (16), SOUTH RANGE TWELVE (12), EAST OF THE WILLAMETTE MERIDIAN, Deschutes County Oregon, being more particularly described as follows:

Beginning at a point on the north-south centerline of said Section 29 from which a brass cap in asphalt marking the Center quarter corner of Section 29 bears the following two courses and said north-south centerline: North 00°06'09" East a distance of 113.45 feet; North 00°08'09" East a distance of 1206.65 feet; thence following said north-south centerline of said Section 29 the following two courses: North 00°06'09" East a distance of 113.45 feet to a 3/4" iron pipe; North 00°08'09" East a distance of 299.78 feet to a 3/4" iron pipe; thence South 88°55'19" East a distance of 10.64 feet to a 5/8" iron rod with plastic cap stamped "DEJARNATT LS 2208" thence South 01°02'19" West a distance of 412.85 feet to a 5/8" iron rod with a plastic cap stamped "HWA 1678"; thence south 86°28'14" West a distance of 3.90 feet to the point of beginning, the terminus of this description.

Account 113342

1612 29C 03800

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

After recording, return to  
AmeriTitle  
15 OREGON AVENUE, BEND

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MAY 26 2015

SALEM, OR



The true and actual consideration for this conveyance is **\$495,900.00**.

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

Dated this 17 day of NOVIEMBRE, 2005

Kelldano Ranch LLC

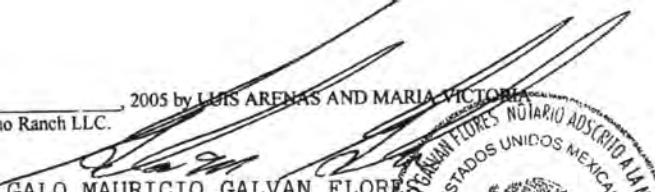
BY:   
LUIS ARENAS, MEMBER

BY:   
MARIA VICTORIA GUERREREO DE ARENAS, MEMBER

State of SAN LUIS POTOSI

County of MEXICO

This instrument was acknowledged before me on \_\_\_\_\_, 2005 by LUIS ARENAS AND MARIA VICTORIA GUERREREO DE ARENAS, MEMBERS OF Kelldano Ranch LLC.

  
LIC. GALO MAURICIO GALVAN FLORES  
(Notary Public)

My commission expires INDEFINIDA



RECEIVED BY OWRD

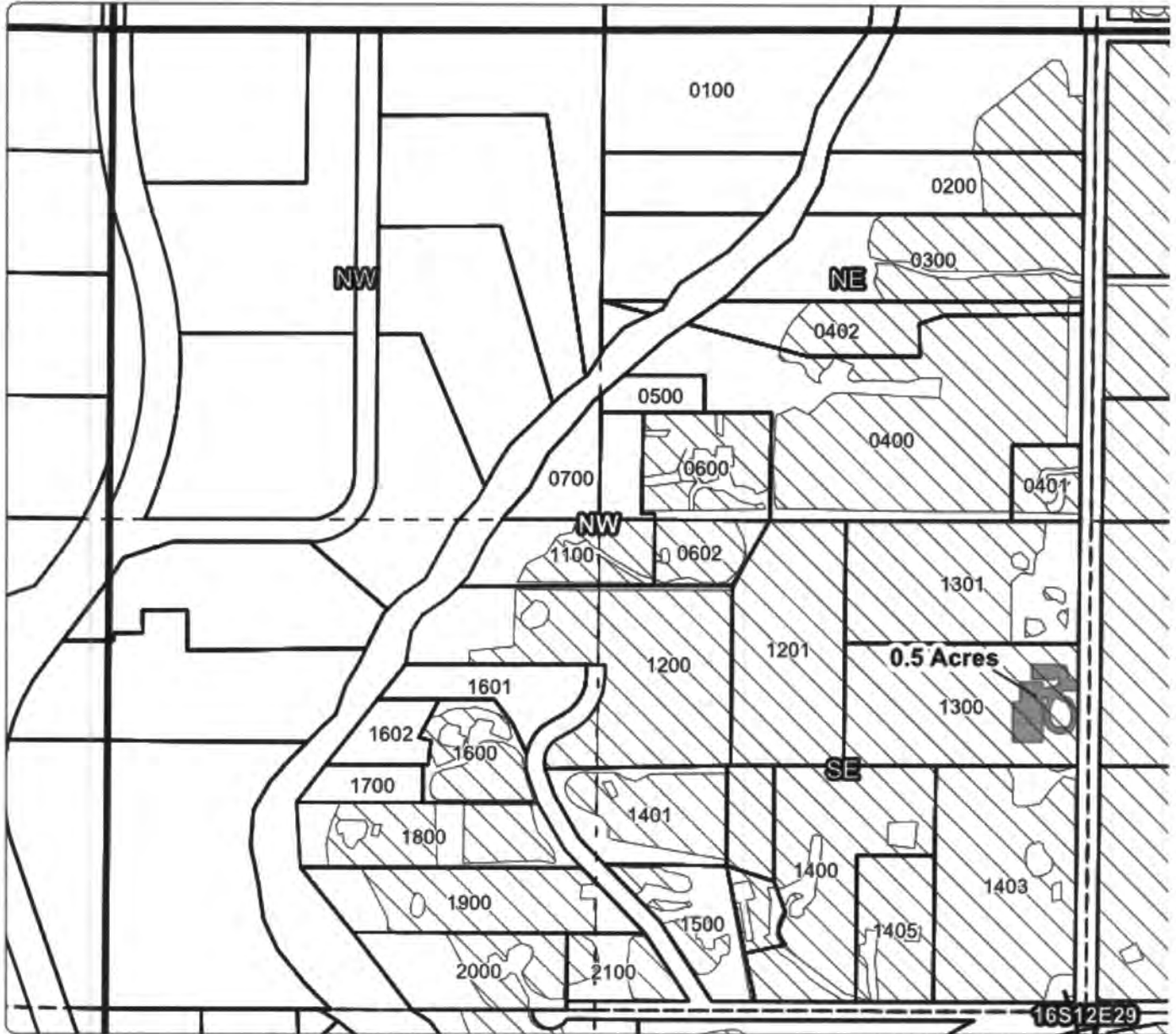
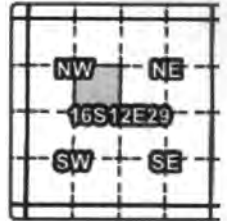
MAY 26 2015

SALEM, OR

# Swalley Irrigation District Application for Instream Lease

Cert #: 74145

For: Swalley Irrigation District



## 1 YEAR INSTREAM LEASE MAP

Taxlot 1300, 16S12E29SESW: 0.5 Acres Leased, 4.3 Acres Remaining

- Point of Diversion
- Canals
- Taxlots
- Lease
- Cert 74145

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

1 inch = 400 feet  
April 2015





\$58.00

11/21/2014 12:16:12 PM

D-D Cnt=1 Str=4 SRB  
\$10.00 \$11.00 \$21.00 \$10.00 \$6.00

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

QUITCLAIM DEED  
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Katie Thraen, 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 Katie Thraen, 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:  
**T16S-R12E,WM-SEC29-SE/NW-01300**

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. **Consideration for this Quitclaim is 0.00**

Grantor:

Date 10/21/14

Katie Thraen

State of Oregon SS.  
County of Deschutes

Personally appeared KATIE THRAEN and acknowledged the forgoing instrument to be his (her) voluntary act and deed.



My commission expires Sept. 22, 2018

Swalley Irrigation District:

Suzanne Butterfield, General Manager

Date 10/22/14

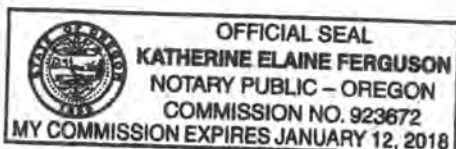
RECEIVED BY OWRD

MAY 26 2015

State of Oregon SS.  
County of Deschutes

SALEM, OR

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



My commission expires 1-12-2018

Tax statement: No change.

**Katie Thraen  
65035 Swalley Rd.  
Bend, OR 97701**

#2455

## **EXHIBIT A**

<b>Legal Description:</b>	<b>Taxlot</b>	<b>Serial#</b>	<b>WR Acres:</b>
<b>T16S-R12E-WM-SEC29-SE/NW-01300</b>	<b>161229B001300</b>	<b>133342</b>	<b>.50 ac</b>

**The South Half of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter (S1/2 NE1/4 SE1/4 NW1/4) of Section Twenty-nine (29), Township Sixteen (16) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon.**

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR



After recording return to:

Katie Thraen  
 19528 Sunshine Way  
 Bend, OR 97702

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

Katie Thraen  
 19528 Sunshine Way  
 Bend, OR 97702

Escrow No. OM151053DM  
 Title No. 151053  
 SWD r.020212

Deschutes County Official Records **2014-000519**  
 D-D  
 Stn=2 PG **01/09/2014 10:14:40 AM**  
 \$10.00 \$11.00 \$10.00 \$6.00 \$21.00 **\$58.00**

I, Nancy Blankenship, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Nancy Blankenship - County Clerk

### STATUTORY WARRANTY DEED

**Bruce J. Brothers and Carol L. Brothers, trustees of The Brothers Living Trust dated April 20, 2010,**

Grantor(s), hereby convey and warrant to

**Katie Thraen,**

Grantee(s), the following described real property in the County of **Deschutes** and State of Oregon free of encumbrances except as specifically set forth herein:

**The South Half of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter (S1/2 NE1/4 SE1/4 NW1/4) of Section Twenty-nine (29), Township Sixteen (16) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon.**

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

Account No 133342

161229BO01300

The true and actual consideration for this conveyance is **\$260,000.00**.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

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MAY 26 2015

SALEM, OR

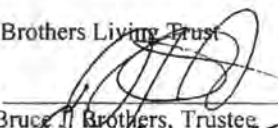
Return to:

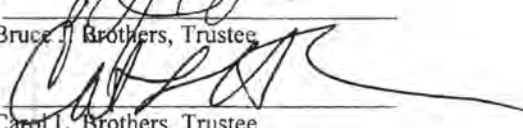


BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 6 day of January, 2014.

The Brothers Living Trust

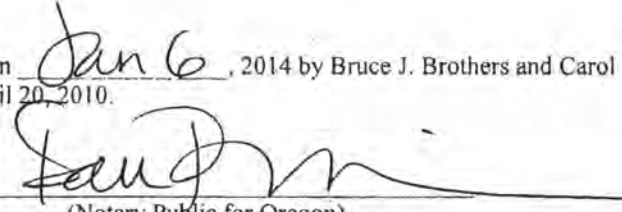
BY:   
Bruce J. Brothers, Trustee

BY:   
Carol L. Brothers, Trustee

State of Oregon  
County of Deschutes

This instrument was acknowledged before me on Jan 6, 2014 by Bruce J. Brothers and Carol L. Brothers, trustees of The Brothers Living Trust dated April 20, 2010.



  
(Notary Public for Oregon)

My commission expires 4/6/15

RECEIVED BY OWRD

MAY 26 2015

SALEM, OR

## Part 4 of 4 – Water Right and Instream Use Information

Use a separate Part 4 for each water right to be leased instream

**Table 2**

**Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4) Water Right # 74145**

Total rate and volume by priority date, POD, use and acreage as appropriate considering the right to be leased. If not enough room below, you may add rows (see instructions) or create a spreadsheet (matching Table 2 and clearly labeled) and attach.  
(cfs = cubic feet per second and af = acre-feet)

Priority Date	POD #	Use	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
1899	3-Main	IRR	7.89	Season 1	.060	52.18
				Season 2	.081	
				Season 3	.152	

Total af from storage, if applicable: \_\_\_\_\_ AF or  N/A

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

**Table 3**

**Instream Use created by the lease** | River Basin: Deschutes | River/Stream Name: Deschutes tributary to Columbia

**Proposed Instream Reach:**

A reach typically begins at the POD and ends at the mouth of the source stream: From the POD Main Canal to the mouth of the Deschutes River

**Or Proposed Instream Point:**

Instream use protected at the POD

**OR**  Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)

**Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)**

Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.

Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
1899	3-Main	IRR	7.89	Season 1	.054	42.92
				Season 2	.073	
				Season 3	.134	

**OR**  Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.

Yes  N/A **Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:** list here Instream April 1 - OCT 25

Note: The Department may identify additional conditions to prevent injury and/or enlargement.<sup>IN</sup>

**Any additional information about the proposed instream use:** \_\_\_\_\_

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MAY 26 2015

SALEM, OR