

**AFFIDAVIT FOR THE VOLUNTARY PARTIAL DIMINUTION OF
A WATER RIGHT CERTIFICATE**

State of Oregon)
) ss
 County of Klamath)

We, Rodney Lyon and Marie Lyon,
 residing at 20302 Paygr Road, Malin, OR 97632,
 telephone number 541-891-7754, being first duly sworn depose and say:

1. We are the legal owner(s) of the property described as tax lot number 4112-00300-00101, within the $\frac{1}{4}$ NENE $\frac{1}{4}$, Section 3, Township 41 S, Range 12 E, of the Willamette Meridian, in Klamath County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of water right certificate number 67582 issued to Rod & Marie Lyon, with a date of priority of October 10, 1986 for use of 3.48 cubic foot per second of water from A well (sources) for the purpose of Irrigation (uses) is appurtenant to our property;
3. The appurtenant water right is located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: Shasta View Irrigation District);
4. If the water right is issued in the name of an irrigation district, then the affiant must have the concurrence of the district to the diminishment of the portion of the water right. (Signature of district manager on the line below documents concurrence of the district.)

 Signature of district manager Printed Name Date

5. We have obtained a transfer of this right to land served by a primary water right held by Shasta View Irrigation District. This water right needs to be supplemental to KA-1000 (e.g., better, more economical) source of water for the primary irrigation of the portion of this water right shown on the attached map and described as follows: The right to the use of cubic foot per second from for the irrigation of acres located:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.1 Acres
 $\frac{1}{4}$ $\frac{1}{4}$ Acres
 $\frac{1}{4}$ $\frac{1}{4}$ Acres
 Section 3
 Township 41 S, Range 12 E, WM;

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6. we request the water right be diminished from a right for primary irrigation to a right for supplemental irrigation of the lands described above in item #5;

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE
(CONTINUED)**

7. We agree that if this change is approved, it is permanent and the right to the use of water from wells (Klam 11008 and Klam 50168) _____ (source) cannot be changed back to the primary source unless otherwise provided by law. We also agree that so long as there is sufficient water available from the new primary source, we are not entitled to use any water from wells (Klam 11008 and Klam 50168) _____ (source) for primary irrigation of these lands.

Robyn Lyon
Signature of legal owner as listed on deed, or authorized agent

4/2/2020
Date

Marie Lynn
Signature of legal co-owner as listed on deed
(if applicable)

4/2/2020
Date

Subscribed and Sworn to Before Me this 2nd day of April, 2020.

Micaiah E.L. Caldwell
Notary Public for Oregon



My Commission Expires 3-16-2024

PLEASE ATTACH A LEGIBLE COPY OF :

- 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP,
- 2) WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED.
- 3) IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

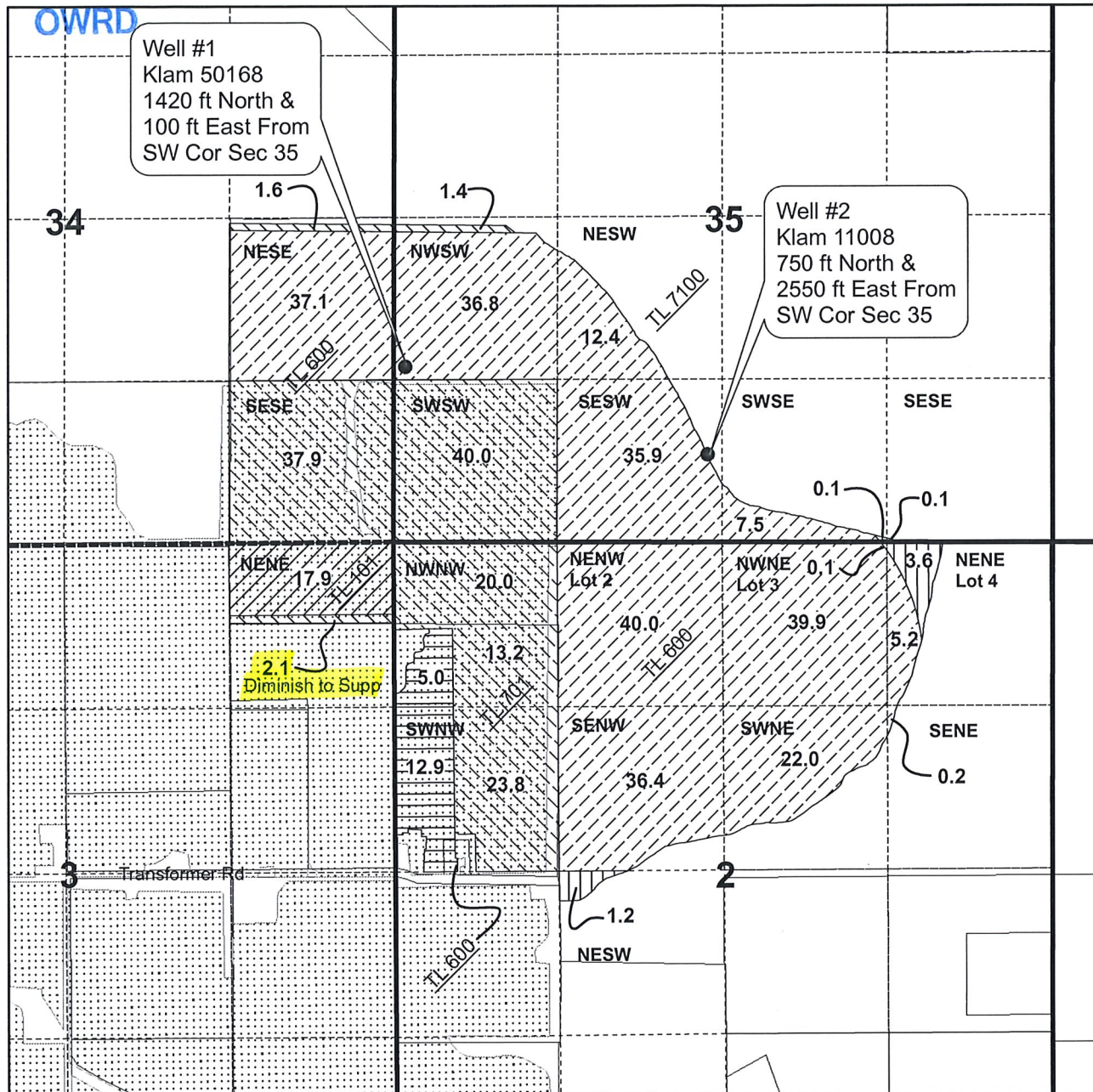
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





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Water Right Transfer Certificate 67582 & 91653 Rod & Marie Lyon

T 40 S, R 12 E,
Section 34 & 35
T 41 S, R 12 E,
Sections 2 & 3



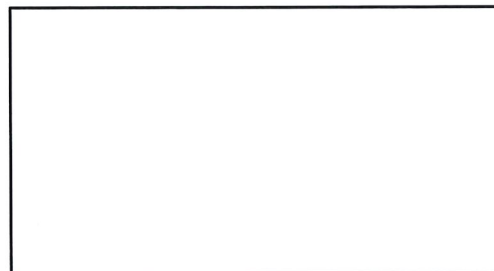
Legend

-  C 67582 Additional POA only 273.4 ac
 -  C 67582 From 5.1 ac
 -  C 67582 To and Add. POA 5.1 ac
 -  C 91653 IS Unchanged 333.9 ac
 -  C 91653 IS From 17.9 ac
 -  C 91653 IS To 17.9
 -  KA 1000 in SVID
 -  Wells
- 1 inch = 1,320 feet

For C 67582 Well #2 is existing POA, requesting Well #1 be additional POA

For C 91653 both Well #1 and #2 are existing POA.

Note: This map is not intended to provide legal dimensions or locations of property ownership lines.



04 JUL 15 PM 2:12

After Recording Return to:
RODNEY R. LYON and MARIE M. LYON
20302 Pagar Rd.
Malin OR 97632
Until a change is requested all tax statements
Shall be sent to the following address:
RODNEY R. LYON and MARIE M. LYON
Same as above

State of Oregon, County of Klamath
Recorded 07/15/2004 3:12 P M
Vol M04 Pg 46318-23
Linda Smith, County Clerk
Fee \$ 46.00 # of Pgs 6

ASPEN:ESCROW
WARRANTY DEED
(INDIVIDUAL)

VIOLETTE N. KUNZ, herein called grantor, convey(s) to RODNEY R. LYON and MARIE M. LYON, husband and wife, herein called Grantee, all that real property situated in the County of KLAMATH, State of Oregon, described as:

RECEIVED See Exhibit A attached hereto and made a part hereof.

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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 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 \$30,000.00.
(here comply with the requirements of ORS 93.930)

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 July 13, 2004.

VIOLETTE N. KUNZ

Violette N Kunz by Bill Graham her attorney in fact
BY BILL GRAHAM, HER ATTORNEY IN FACT

STATE OF OREGON, County of Klamath) ss.

On July 15, 2004 personally appeared Bill Graham as attorney in fact for the above named VIOLETTE N. KUNZ and acknowledged the foregoing instrument to be his voluntary act and deed.

This document is filed at the request of:



525 Main Street
Klamath Falls, OR 97601
Order No.: 00059027

Before me: *Marlene T. Addington*
Notary Public for Oregon
My commission expires: 3-22-2005

Official Seal



46-

f. 10f6

OWNERS

DENNIS ENSOR O.L.S., C.W.R.E
SANDIE ENSOR

TRU SURVEYING, INC. LINE
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603
PHONE: (541) 884-3691

46319

JOHN HEATON L.S.T.

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JUNE 8, 2004

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LEGAL DESCRIPTION
FOR
PROPERTY LINE ADJUSTMENT 8-04

A TRACT A LAND SITUATED IN THE NE1/4 OF SECTION 3, T41S, R12EWM, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 3; THENCE S89°31'15"W, ALONG THE NORTH LINE OF SAID SECTION 3, 1332.06 FEET TO THE NORTHWEST CORNER OF THE NE1/4 NE1/4 OF SAID SECTION 3; THENCE S00°24'17"E, ALONG THE WEST LINE OF THE NE1/4 NE1/4 OF SAID SECTION 3, 654.07 FEET; THENCE N89°31'15'E, PARALLEL WITH THE NORTH LINE OF SAID SECTION 3, 1331.90 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 3; THENCE N00°23'35"W 654.06 FEET TO THE POINT OF BEGINNING, CONTAINING 20.00 ACRES, MORE OR LESS, WITH BEARINGS BASED ON RECORD OF SURVEY 2600 ON FILE AT THE OFFICE OF THE KLAMATH COUNTY SURVEYOR.

Dennis A. Ensor
DENNIS A. ENSOR O.L.S. 2442

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Dennis A. Ensor

OREGON
JULY 25, 1990
DENNIS A. ENSOR
2442

R.L.
H.L.
[Signature]

EXPIRES 12/31/05

2076


**EXHIBIT 1
REVISED ROADWAY EASEMENT**

SELLER: Violette N. Kunz

BUYERS: Rodney R. & Marie M. Lyon

Date: June 29, 2004

Together with an easement for roadway purposes: 20' in width to West of Right of Way, recorded at M-72, pp 8692-93 of Klamath County Deed Records and to a distance 30' North of northerly terminus of said roadway and then 20' to the West of and parallel to the easterly line of the SE 1/4, NE 1/4 and S 1/2 of NE 1/4, NE 1/4 to the above described real property, all in Section 3. T41S, R12EWM, Klamath County, Oregon. Grantor, her heirs, successors and assigns shall not fence, gate, obstruct, block the easement in any way and shall not use, develop or maintain the adjoining property in such way to adversely effect access, use and enjoyment of the easement herein conveyed. The remaining property in such way to adversely affect agricultural access, use and enjoyment of the property being herein conveyed.

R.L.
M.L.


46321

RECORDATION REQUESTED BY:
Violette Kunz

AFTER RECORDATION, RETURN TO:
Violette Kunz
P.O. Box 45
Malin, OR 97632

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AS PEN 59027 MA
GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS

That I, Violette Kunz, whose residence and post office address is P.O. Box 45, Malin, Oregon 97632 hereinafter referred to as "Principal", hereby names, constitutes and appoints Bill J. Graham, whose residence and post office address is 32585 Transformer Road, Malin, OR 97632 hereinafter referred to as the "Agent", to be the Principal's true and lawful attorney-in-fact to act for and in the Principal's stead, and for Principal's benefit and use, to do all and any of the following things, to wit:

1. To carry on and to transact all of the Principal's business in the State of Oregon and in the United States of America; to enter into, perform and carry out, and to rescind, terminate and cancel contracts of all kinds;
2. To buy, take on, lease and otherwise acquire, and to hold, sell, mortgage, hypothecate, pledge, lease and otherwise dispose of and in any and every manner deal with real property, leaseholds and other interests in real property, stocks, bonds, goods, ware, merchandise, chooses in action and other property and rights of any nature whatsoever in possession or in action; and to sign, seal, execute, acknowledge and deliver deeds, bills of sale, contracts, agreements, options, leases and other instruments;
3. To transact all of the Principal's ordinary bank and finance business at any of the banks, savings and loan associations or financial institutions in the State of Oregon or in the United States of America; to draw checks on said banks; to endorse checks, promissory notes, drafts and bills of exchange for collection or deposit; to waive demand and notice of protest of all such writings; to deposit and withdraw any sum of money from any of the Principal's accounts with said banks, savings and loan associations or financial institutions;
4. To accept drafts and other negotiable instruments and to receive, endorse, negotiate and deliver bills of lading and other evidences and documents of title to merchandise stock certificates and other securities; and to borrow money from said banks, savings and loan associations or financial institutions in the State of Oregon or in the United States of America, from time to time upon such terms and at such rates of interest as the Agent shall deem proper or expedient, either without security or upon the security of all or any portion or portions of the Principal's property, whether real, personal or mixed;
5. To give, make, sign, seal, execute, acknowledge, and deliver promissory notes and other obligations, mortgages, pledge agreements, hypothecations and other securities and any such mortgage, pledge agreements or hypothecations may be with such powers of sale and/or foreclosure and may contain such other provisions, covenants and conditions as may be deemed necessary or desirable by the Agent; and to execute all documents and writing of whatsoever kind and nature in connection therewith;
6. To collect, receive, enforce payment and collection of and otherwise reduce all sums of

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money and other kind of property whatsoever that may be due, payable or belonging to the Principal to which the Principal may be entitled to possession, or which lawfully should belong to the Principal;

7. To remise, release and quitclaim to all my estate, right, title and interest in any property of whatsoever kind or nature; to give, sign, seal, execute and deliver such bonds, guaranty, indemnity or other agreements or undertakings as may be necessary or proper or convenient in connection with any of the transactions hereby authorized; to vote at any and all meetings of stockholders of any corporation on any shares of stock which the Principal may own in such corporation and, by which the Principal is entitled to vote on any and all questions, elections and other issues that may come before such stockholders' meetings;

8. To exercise and/or claim any and all rights, options and other privileges whatsoever held by the Principal as an insured or as a beneficiary under any policy of insurance whether it be life insurance or any other insurance and to sign such papers as may be necessary in the execution thereof;

9. To prepare, sign, execute, acknowledge or swear to and to file any and all returns for income and other taxes to the State of Oregon and to the United States of America;

10. To prepare, make, execute, swear to or acknowledge any return, information, affidavit or report which may be required by any governmental authority, to pay all taxes, fees assessments and other similar claims as may become due and to do and perform all things lawfully required of me by authority of law; to make all reports and returns under the Social Security Act; to make charitable and other contributions which the Agent may deem wise;

11. To spend such sums of money for the Principal's family and make advancements to members of the Principal's family for their living expenses, education expenses and other necessary expenses;

12. To make investments deemed wise by the Agent, including investment in any governmental bonds;

13. The Principal hereby gives and grants unto the Agent full power of substitution to appoint and substitute another attorney-in-fact, and any such substitute duly appointed by the Agent shall have the same or more limited powers as herein given within the discretion of the Agent;

14. And generally, without any prejudice to any of the foregoing powers, the Principal hereby gives and grants unto the Agent full power to do any act, thing or deed for and in the Principal's behalf which the Agent may deem wise and proper.

Giving and granting unto the Agent full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as the Principal might or could do if personally present, hereby ratifying and confirming all that the Agent shall lawfully do or cause to be done by virtue of these presents.

This power of attorney shall take effect immediately upon being recorded with the County Clerk of Klamath County, Oregon.

This General Power of Attorney shall not be affected by Principal's disability, it being Principal's intent that the authority herein conferred shall be exercisable notwithstanding any incapacity or disability, until a Successor Trustee is appointed to manage my affairs, and all acts done by Agent pursuant to the

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Corrected Table 2

T	R	Sec	Cert	Prim / Sup	QQ	Cert ac	From	To	RR	After Trans
40	12	34	67582 IR		NESE	37.1	0	1.6	37.1	38.7
		34	91653 IS		SESE	37.9	0	0	37.9	37.9
		35	67582 IR		NESW	12.4	0	0	12.4	12.4
		35	67582 IR		NWSW	36.8	0	1.4	36.8	38.2
		35	91653 IS		SWSW	40	0	0	40	40
		35	67582 IR		SESW	35.9	0	0	35.9	35.9
		35	67582 IR		SWSE	7.6	0.1	0	7.5	7.5
		35	67582 IR		SESE	0.1	0.1	0	0	0
41	12	2	67582 IR		NENE	8.8	3.6	0	5.2	5.2
		2	67582 IR		NWNE	40	0.1	0	39.9	39.9
		2	67582 IR		SWNE	22	0	0	22	22
		2	67582 IR		SENE	0.2	0	0	0.2	0.2
		2	67582 IR		NENW	40	0	0	40	40
		2	91653 IS		NWNW	38.2	5	0	33.2	33.2
		2	91653 IS		SWNW	36.7	12.9	0	23.8	23.8
		2	67582 IR		NESW	1.2	1.2	0	0	0
		2	67582 IR		SESW	36.4	0	0	36.4	36.4
		3	91653 IS		NENE	0	0	17.9	0	17.9
		3	67582 IR to IS		NENE	0	0	2.1	0	2.1
						431.3	23	23		431.3

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