

Name Kenton R. Nelson
 By COID
 Address 365 N.E. Greenwood
Bend, OR 97701

4364

DESCRIPTION OF WATER RIGHT

Change in POU
 Date filed 1-9-80
 Date of hearing _____
 Place of hearing _____
 Date of order 3-12-80 Vol. 33, page 34
 Date for application of water 10-1-81
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

Name of stream Deschutes River
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 15⁰
 Name of ditch Central Oregon Canal
 Date of priority Oct 31, 1900 & Dec 3, 1907
 In name of James Matson
Deschutes Adjudication, Vol. 16, page 59
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>1-9-80</u>	<u>30.00</u>	<u>15633</u>
TOTAL		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

Surveyed 9/4/84 (singhose)

to survey 9/10

HB3111

REMARKS

PC Sent 5/23/90

W.R.I.S.

Assembled 9-9-85 by SCA

Entered _____ by _____

Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/>	Name	<u>lcj</u>	_____
<input checked="" type="checkbox"/>	Stream	<u>lcj</u>	_____
<input checked="" type="checkbox"/>	Pt. of Div.	<u>lcj</u>	_____
<input checked="" type="checkbox"/>	Calendar	<u>lcj</u>	_____
<input checked="" type="checkbox"/>	Twp. & Rge.	<u>SCA</u>	_____
<input checked="" type="checkbox"/>	Decree-vault	<u>SCA</u>	_____
<input checked="" type="checkbox"/>	Decree-safe	<u>SCA</u>	_____
<input checked="" type="checkbox"/>	Cert. of W/R	<u>SCA</u>	_____
<input type="checkbox"/>	Per. Folder	_____	_____
<input type="checkbox"/>	Chaindex	_____	_____
<input type="checkbox"/>	Cross Ref.	_____	_____
<input checked="" type="checkbox"/>	Power Claim	<u>lcj</u>	_____
<input checked="" type="checkbox"/>	Abstracts	<u>lcj</u>	_____

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
KENTON R. NELSON (CENTRAL OREGON)
IRRIGATION DISTRICT) FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4364

On January 9, 1980, an application was filed in the office of the Water Resources Director by Kenton R. Nelson for approval of a change in place of use water from Deschutes River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Deschutes County, Oregon, entered September 30, 1958, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Deschutes River and its Tributaries, a water right was allowed in the name of Central Oregon Irrigation District for the use of the waters of Deschutes River for irrigation of, among other lands, a certain 15.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 17 South, Range 12 East, W.M., being tabulated in the name of James Matson at Volume 16, Page 54, with dates of priority of October 31, 1900 and December 2, 1907, as evidenced by certificate recorded at Page 29052, Volume 21, State Record of Water Right Certificates. These lands also have a supplemental right under permit No. 23256 to the use of water stored in Crane Prairie Reservoir with a date of priority of February 28, 1913. These lands are irrigated by means of the Central Oregon Canal.

The applicant herein, contract purchaser of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to a certain 1.4 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 12.0 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.6 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 17 South, Range 15 East, W.M. (Wayne Singhose).

The lands involved herein are within the boundaries of the Central Oregon Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting held December 4, 1979.

Mr. Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

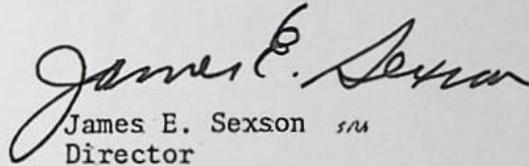
NOW, THEREFORE, it hereby is ORDERED that the requested change in place

of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, a certificate of water right shall be issued to Central Oregon Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon this 12th day of March, 1980.


James E. Sexson *SM*
Director

Info: Wayne Singhose

Crop: alfalfa, grass

Ads. 15 RB 30's on wheel line w/ low-pressure
nozzles at 4.3 gpm.

Pump: 60 hp 8x6
30 hp 6x4

Remarks: TR, 4365 & 4368 & primary & supp
from per G-10319 also in this to. (SUSE)

Tib: 179-211

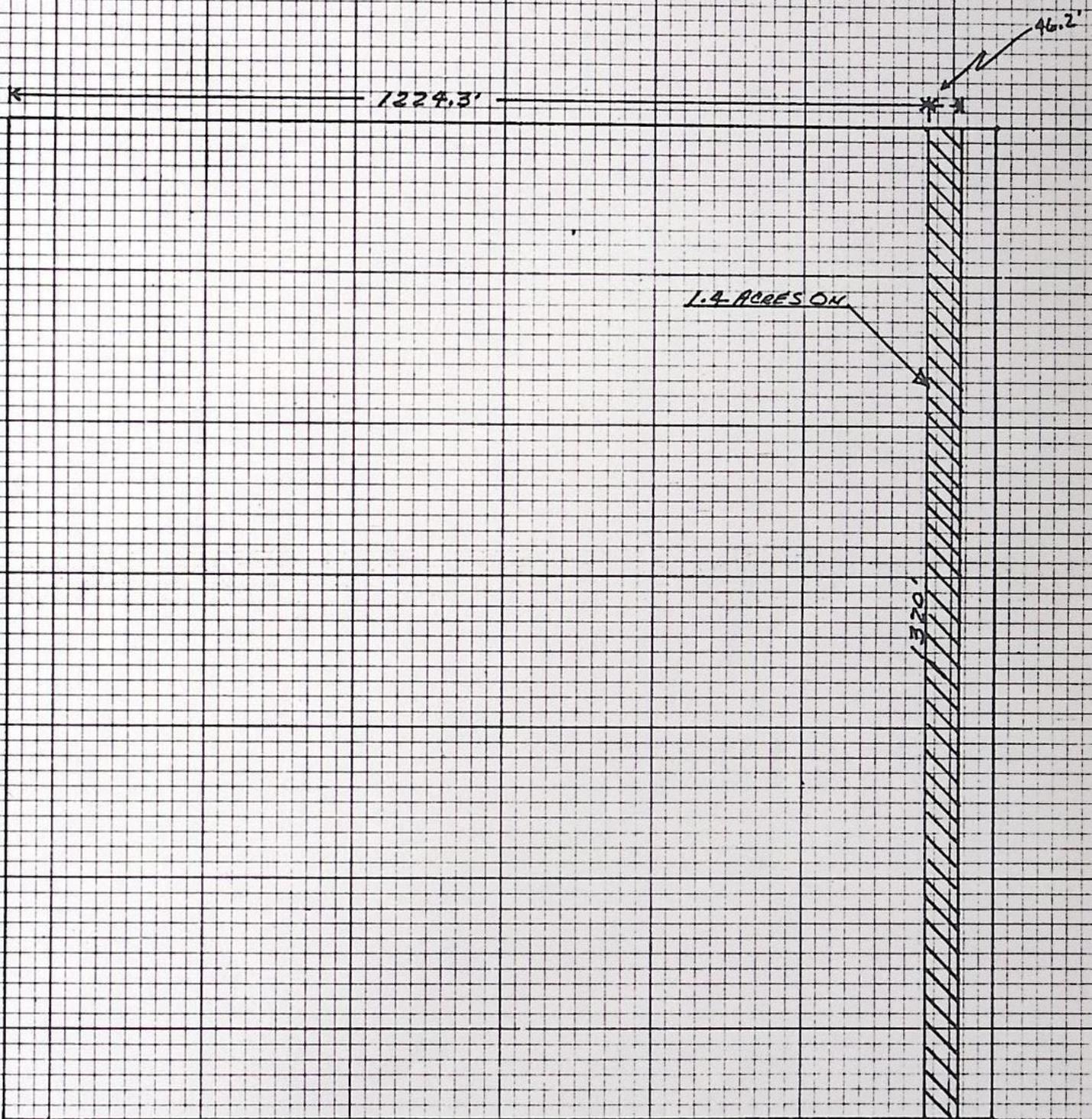
9-4-84

Socio Olson

WRE

NE 1/4 SE 1/4 SECTION 30
T.17 S., R.15 E. N.M.

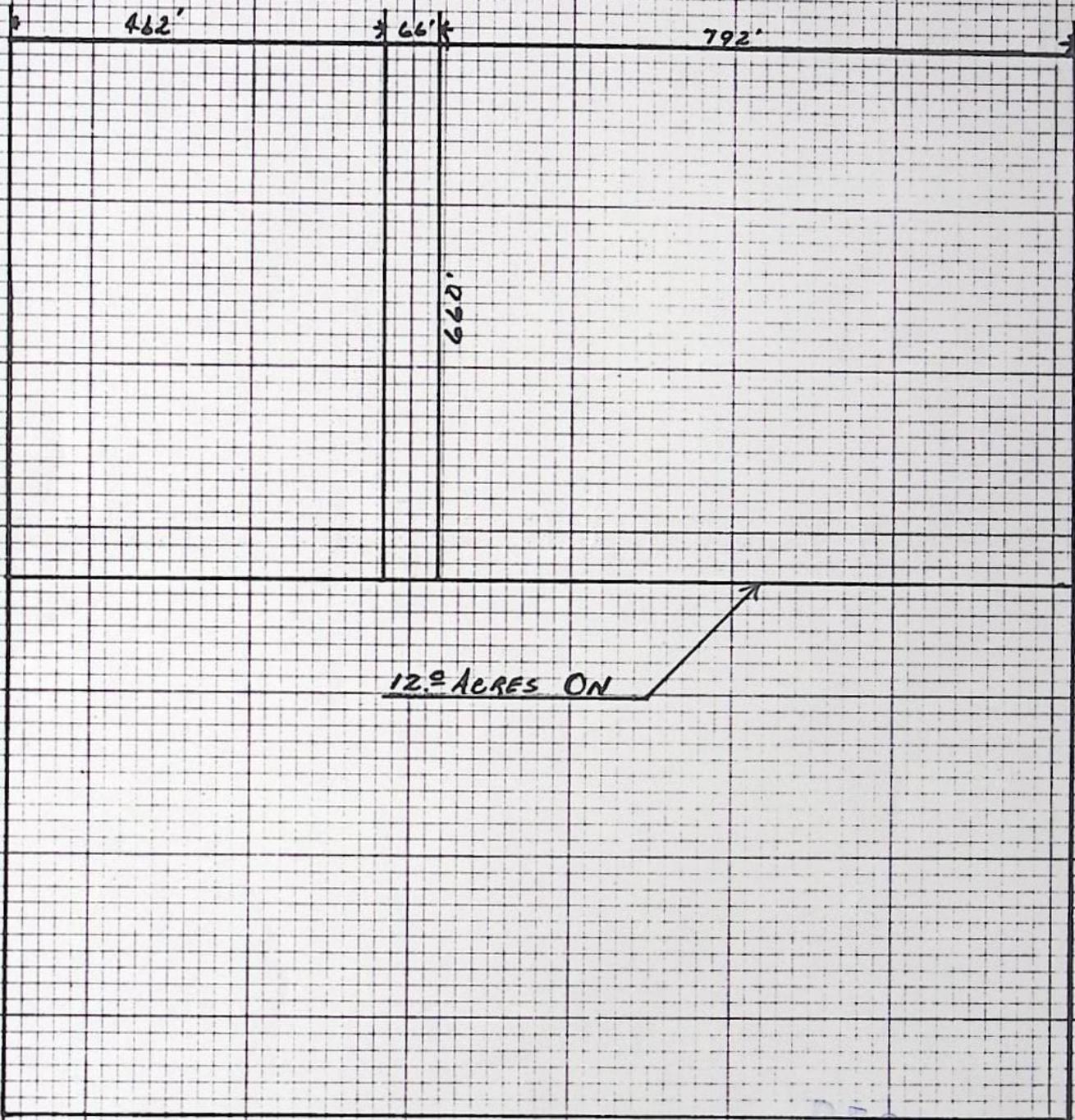
SCALE 1" = 200'



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WATER RESOURCES DEPT
SALIM, OREGON

SW 1/4 SE 1/4 SECTION 30
T. 17 S., R. 15 E. W. M

SCALE 1" = 200'



12.0 ACRES ON

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JAN 9 1980
WATER RESOURCES DEPT
SALEM, OREGON

SE 1/4 SE 1/4 SECTION 30
T. 17 S., R. 15 E. J.N.M.

SCALE 1"=200'

52.9'

52.9'

1.6 ACRES ON

52.9'

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WATER RESOURCES DEPT
OREGON, OREGON

*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***

WATER RIGHT NO. T00004364/ PERMIT NO. 016 054 CERTIF. NO. 029052
ORIG. NO. C000290521 PREV. NO. C000290521 SUPER. NO.

NAME: KENTON R. NELSON
ADDRESS: COID PO BOX548
CITY/STATE/ZIP/COUNTY: REDMOND, OR 97756

07
09

STREAM-ID 05 1980 RIV.MI. 0.0 WM.DIST. 11 W.R.TYPE SC STATUS V

CANCEL YEAR----> CONSTR.COMPLT-->09 12 1980 YR.LAST USED-----> NEXT ACTION DUE-->
PRIORITY----->10 31 1900 PUT TO USE----->09 12 1980 LAST TRANS.DATE--> LAST TRANS.TYPE-->
APPLICATION---->01 09 1980 SURVEYED----->09 04 1984 EXAM.FEE----->20.00 RECORDING FEE---->10.00
PERMIT ISSUE-->03 12 1980 CONCURRENCE-----> CYCLE STATUS-----> REPORTED FLAG----->
CONSTR.STRT.-->03 12 1980 CERTIFIED-----> CORRES.INIT.-----> CORRES.DATE----->

POINT-OF-DIVERSION DATA:						RIV.MI.	RATE	STATUS	S	OR	P
TWNSP	RNGE	SECT	QTR/QTR	STREAM-ID							
170S	120E	29	A D	05 1980	pg	164.9		V		P	
180S	120E	13	A C	05 1980	co	171.0		V		P	
						0.0					

** REMARKS; - - - - -
** DATED-->
** PRIORITY ALSO 12-2-1907 CHANGES POUL
** PART OF C-29052 PILOT BUPTÉ CENTRAL
** OREGON CANAL TAB IN NAME OF JAMES
** MARSON.

PLACE-OF-USE DATA:											
TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE %	CNSMTV	ACRES	STATUS	S	OR	P
170S	150E	30	D A	07	IR	100.00	1.40	V		P	
			D C				12.00				
			D D				1.60				

** -----
** -----
** -----

W.R.I.S.

Assigned: 9-7-85 by: SPS

Entered: _____ by _____

Verified: _____ by _____

T-4364

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JAN 9 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Kenton R. Nelson (Name of applicant)
of 365 N.E. Greenwood (Mailing address), Bead
State of Oregon, 97701 (Zip Code), 382-3300 (Phone number), do hereby make application for change

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No. James Matson, Page 54
(If not, give name)
2. Was your water right determined by Decree of Court? Yes If so, give title of proceedings
(Yes or No)
Adjudication of the Deschutes River number of certificate 29052
3. Was your water right acquired by Water Right Permit? No If so, give number
(Yes or No)
of permit Number of certificate

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Deschutes River, Central Oregon Canal
5. What is the date of priority of your water right? Oct. 31, 1900 and Dec. 2, 1907
6. The authorized point of diversion is located ft. (N. or S.) and ft. (E. or W.) from the corner of being within the 1/4 1/4 of Section Tp. R. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Deschutes The name of the ditch used is

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located ft. (N. or S.) and ft. (E. or W.) from the corner of being within the 1/4 1/4 of Section Tp. R. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of The name of the ditch to be used is

8. The use to which the water is applied is Irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
17	12	34	NE¼ NW¼	15

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? No
(If not owner, explain your interest)

10. am purchasing by contract of sale from Matson (James and Virginia)
 To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? No
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? No
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Contract of Sale	Matsons	Letter of consent att.

13. The use to which the water is to be applied is Irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
17	15	30	NE¼ SE¼	1.4
17	15	30	SW¼ SE¼	12.
17	15	30	SE¼ SE¼	1.6

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are more beneficial use

15. Construction work will be completed on or before _____

16. The water will be completely applied to the proposed use on or before October 31, 1980

Remarks Water rights being transferred to lands owned by Wayne Singhose lying within 30-17-15, with 1.4 acres to the NE 1/4 SE 1/4, 12.0 acres to the SW 1/4 SE 1/4 and 1.6 acres to the SE 1/4 SE 1/4.

Approved by the Directors of Central Oregon Irrigation District at a regular meeting held December 4, 1979

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, Kenton R. Nelson, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 6th day of June, 1978

Kenta R. Nelson
(Name of applicant)

Subscribed and sworn to before me this 6th day of June, 1978



[Signature]
NOTARY PUBLIC FOR OREGON

My commission expires 9-29-79

Singhose

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SEP 12 1980

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

Pou of water from Deschutes River

PURSUANT TO TRANSFER APPLICATION NO. 4364

I, Wayne P. Singhose, hereby certify that completion of works and use of water to the extent intended within the provisions of the order of the Water Resources Director approving said water right transfer application was accomplished by August 15, 1980

Sept 10, 1980
Date

Wayne P. Singhose
Signature

ok
W.P.S.

(Mail to the Water Resources Department, Salem, Oregon 97310.)



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Jan 14, 1980.

FROM: ** Robert F. Main, Jr., Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4364

IN THE NAME OF Kenton R. Nelson

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JAN 24 1980

WATER RESOURCES DEPT
SALEM, OREGON

In my opinion the proposed change in place of use of water from Deschutes River
MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

Headgate notices HAVE HAVE NOT been issued for diversion from the sources which serves this right.

If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? _____

(yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- ____ (1) PRIOR to the diverting of water at the new point of diversion . . .
- ✓ (2) When in the judgment of the watermaster it becomes necessary . . .

* The approval of this transfer application would result in injury to other water rights because Note the streets are paved and the side walks are in.

1976 photo showed the land irrigated.

**

Watermaster's signature or initials

CENTRAL OREGON IRRIGATION DISTRICT

MUNICIPAL CORPORATION OF THE STATE OF OREGON

BOARD OF DIRECTORS
DON MILTENBERGER, PRESIDENT
KENNETH WERTH, VICE-PRESIDENT
WILLIAM PREWITT
DON FARRIER
TOM KASBERGER

847 SOUTH SIXTH STREET • P. O. BOX 548
REDMOND, OREGON 97756
PHONES 548-2413, 548-3151

ROBERT A. ANDERSON
SECRETARY-MANAGER
DIANA L. EWING
ASSISTANT SECRETARY
J. VINCE HURLEY
COUNSEL

January 30, 1980

Samuel R. Allison
Water Resources Dept.
555-13th St., N.E.
Salem, Oregon 97310

Re: File No. T-4364

Dear Mr. Allison:

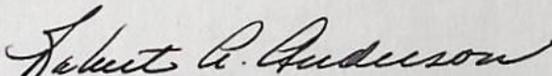
In regard to the lands mapped for determining the area from which the 15.0 acres of rights are to be severed, I submit the following information.

1. The application was filed with this office on June 7, 1978.
2. Because of delays created in my work, I didn't submit the application to the District Board of Directors until December 4, 1979.
3. The applicant was advised by me, at the time of filing, that the owner could begin the development on the land. The streets wereroughed out shortly thereafter.
4. Our records show that the lands were irrigated throughout the 1977 irrigation season. A copy of the water delivery record is enclosed.
5. Because of delinquency in our records, Wayne Singhose, named receiver of the water rights was not accredited with the operational change in the place of use during 1978, nor did the landowners filing to change the place of use, receive the supply.
6. In 1979, Wayne Singhose, landowner assigned to receive the 15.0 acres of rights, received the supply and developed an additional like area.

In summary, (1) I feel that the landowner of the lands described to have the rights severed, acted in good faith by waiting until after the application was filed, to alter the use of the lands by ceasing irrigation and thereafter started the construction of roads or other development; (2) any delay experienced was created by myself or my work schedule and (3) after the application was filed, the receiver was advised, by myself, that in 1979 he could begin development of the additional 15.0 acres and which is now in cropped alfalfa.

Since the intent by all parties was to act in good faith, I respectfully request that you approve all of the area mapped, including the street areas, as lands with 15.0 acres of water rights to be severed and change the place to the new area of Mr. Singhose for continued irrigation.

Sincerely,


Robert A. Anderson
Secretary-Manager

RAA:jma
Enclosure

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FEB 11 1980

WATER RESOURCES DEPT
SALEM, OREGON

GATE: A-2-11

LATERAL: A-2

CANAL: C.O

10-3027

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FEB 11 1980

NAME HARVEY WATTS, ET AL

A

W. R. ACRES 15

DATE	REFERENCE	D A Y S							TOTAL WEEK	OLD BALANCE	NEW BALANCE	
		SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY				
MAY 25 76	10		NR	NR	NR	1.66	1.66	1.66	1.66	6.64		6.64
8 MAY 76	10 3,027	1.66	1.77	1.66	1.66	1.77	1.77	1.77	1.77	12.06	6.64	18.70
15 MAY 76	10 3,027	1.88	1.88	1.88	1.88	1.99	1.99	1.99	1.99	13.49	18.70	32.19
22 MAY 76	10 3,027	1.99	2.10	2.10	2.10	2.10	1.99	1.99	1.99	14.37	32.19	46.56
29 MAY 76	10 3,027	1.99	1.99	1.99	1.99	1.99	1.99	1.99	1.99	13.93	46.56	60.49
9 JUN 76	10 3,027	1.99	2.10	2.10	2.10	1.77	1.88	2.10	2.10	14.04	60.49	74.53
12 JUN 76	10 3,027	1.99	1.99	2.10	2.10	2.10	2.10	2.10	2.10	14.48	74.53	89.01
19 JUN 76	10 3,027		2.10	2.10	1.99	1.99	2.10	2.10	2.10	12.38	89.01	101.39
26 JUN 76	10 3,027	2.10	2.10	2.10	1.99	2.10	1.99	2.10	2.10	14.48	101.39	115.87
3 JUL 76	10 3,027	2.10	1.99	2.10	2.10	2.10	1.99		R	12.38	115.87	128.25
10 JUL 76	10 3,027	2.10	2.10	2.10	1.99	2.10	2.10	2.10	2.10	14.59	128.25	142.84
17 JUL 76	10 3,027	2.10	2.10	2.10	2.10	2.10	1.99	2.10	2.10	14.59	142.84	157.43
24 JUL 76	10 3,027	2.10	2.10	2.10	1.99	1.99	1.88	2.10	2.10	14.26	157.43	171.69
31 JUL 76	10 3,027	2.10	2.10		R	1.77	1.66	2.10	2.10	11.83	171.69	183.52
7 AUG 76	10 3,027		R	2.10	2.10	2.10	2.10	2.10	2.10	12.60	183.52	196.12
14 AUG 76	10 3,027		R		R		R	R	R	4.20	196.12	200.32
21 AUG 76	10 3,027	2.10	2.10	1.99	1.99	1.88	1.88	1.99	1.99	13.93	200.32	214.25
28 AUG 76	10 3,027	1.99	1.99	1.99	2.10	2.10	2.10	2.10	2.10	14.37	214.25	228.62
4 SEP 76	10 3,027	2.10	2.10	2.10	2.10	2.10	2.10	2.10	2.10	14.70	228.62	243.32
11 SEP 76	10 3,027	2.10	2.10	2.10	2.21	2.33	2.33	2.21	2.21	15.38	243.32	258.70
18 SEP 76	10 3,027	2.21	2.21	2.21	2.21	.32	.32	.32	.32	9.80	258.70	268.50
25 SEP 76	10 3,027	.32	.32	.32	.26	.26	.26	.26	.26	2.00	268.50	270.50
2 OCT 76	10 3,027	.26	.26	.33	.83	.83	.83	1.77	1.77	6.55	270.50	277.05
9 OCT 76	10 3,027	1.88	1.77	1.99	1.77	1.88	1.66	1.66	1.66	12.50	277.05	289.55
16 OCT 76	10 3,027	1.88	1.88	1.99	.52	.52	.52	.52	.52	7.83	289.55	297.38

GATE: *A-2-11*
 LATERAL: *A-2*
 CANAL: *C.O*

10-3027

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FEB 11980

WATER RESOURCES DEPT
 SALEM, OREGON

DATE	REFERENCE	D A Y S							TOTAL WEEK	OLD BALANCE	NEW BALANCE
		SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY			
6 APR 77	10 3,027		NR 1.00	.75	.75	.75	.75	.75	4.75		4.75
23 APR 77	10 3,027	.83	.83	.75	.75	1.27	1.27	1.16	6.86	4.75	11.61
30 APR 77	10 3,027	1.16	1.16	1.16	1.16	1.16	1.16	1.16	8.02	11.61	19.73
7 MAY 77	10 3,027	1.27	1.27	1.27	1.27	1.27	1.27	1.27	8.89	19.73	28.62
14 MAY 77	10 3,027	1.27	1.27	1.27	1.16	1.08	1.16	1.16	8.37	28.62	36.99
21 MAY 77	10 3,027	1.27	1.27	1.27	1.27	1.27	1.27	1.27	8.89	36.99	45.88
28 MAY 77	10 3,027	1.27	1.27	1.27	1.27	1.27	1.27	1.37	8.99	45.88	54.67
4 JUN 77	10 3,027	1.27	1.27	.75	.75	1.37	1.37	1.27	8.03	54.67	62.92
11 JUN 77	10 3,027	1.37	1.37	1.37	1.48	1.27	1.37	1.37	9.80	62.92	72.92
18 JUN 77	10 3,027	1.37	1.37	1.37	1.37	1.37	1.37	1.37	7.5	72.92	80.42
25 JUN 77	10 3,027	1.37	1.37	1.37	1.37	1.37	1.37	1.37	9.59	80.42	91.70
2 JUL 77	10 3,027	1.37	1.27	1.27	1.27	1.27	1.27	1.27	8.99	91.70	100.69
9 JUL 77	10 3,027	1.27	1.27	1.27	1.27	1.27	1.27	1.27	8.89	100.69	109.58
16 JUL 77	10 3,027	1.27	1.27	1.27	1.27	1.27	1.16	1.27	8.78	109.58	118.36
23 JUL 77	10 3,027	1.27	1.27	1.27	1.27	1.27	1.27	1.08	8.70	118.36	127.06
30 JUL 77	10 3,027	1.27	1.27	1.27	1.27	1.27	1.27	1.27	8.89	127.06	135.95
6 AUG 77	10 3,027	1.27	1.27	1.27	1.27	1.27	1.27	1.27	8.89	135.95	144.84
13 AUG 77	10 3,027	1.27	1.00	1.27	1.27	1.27	1.27	1.27	8.62	144.84	153.46
20 AUG 77	10 3,027	1.27	1.37	1.37	1.27	1.27	1.27	1.27	9.09	153.46	162.55
27 AUG 77	10 3,027	1.27	1.27	1.37	1.37	1.37	1.37	1.37	9.39	162.55	171.94
3 SEP 77	10 3,027	1.37	1.37	1.37	1.37	1.37	1.37	1.37	9.59	171.94	181.53
10 SEP 77	10 3,027	1.37	1.37	1.37	1.37	1.37	1.37	1.37	9.59	181.53	191.12
17 SEP 77	10 3,027	1.37	1.37	1.37	1.37	1.37	1.37	1.37	9.59	191.12	200.71
24 SEP 77	10 3,027	1.37	1.37	1.37	1.37	1.37	1.37	1.37	9.59	200.71	210.70
1 OCT 77	11 3,027	1.37	1.37	1.37	1.37	1.37	1.57	1.57	9.99	210.70	210.92

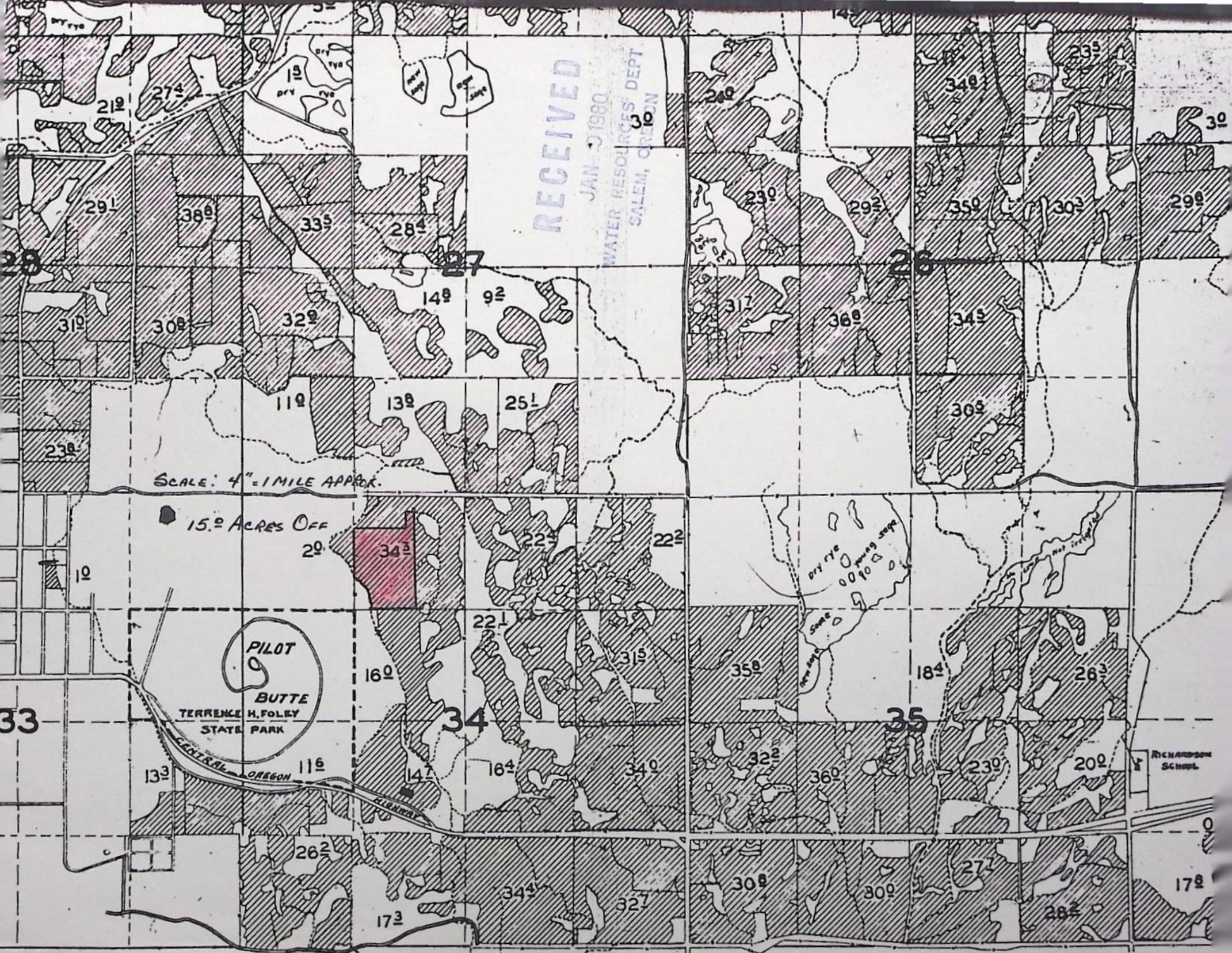
RECEIVED

JAN 9 1980

WATER RESOURCES DEPT
SALEM, OREGON

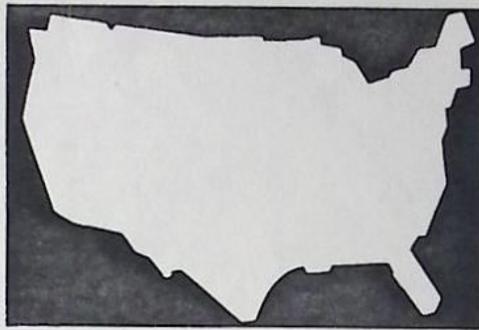
SCALE: 4" = 1 MILE APPROX.

15.0 ACRES OFF



PILOT BUTTE
TERRENCE H. FOLEY
STATE PARK

RICHARDSON
SCHOOL



RECEIVED
JAN 9 1980
WATER RESOURCES DEPT
SALEM, OREGON

Timberline & Taylor Realty

365 N.E. Greenwood Avenue
Bend, Oregon 97701
(503) 382-3300

April 11, 1979

Mr. Wayne Singhose
County Line Road
Alfalpa
Bend, OR 97701

Re: C.O.I. Water Transfer

Dear Wayne:

Referring to the attached map, we are selling to you 61 acres of water.

Parcel 2	21 Acres
Parcel 4	10 Acres
Parcel 5	15 Acres
Parcel 6	<u>15 Acres</u> ✓ 152
	61 Acres

Kenton R. Nelson

I am purchasing the above mentioned water.

Wayne Singhose

krrn/mr

RECEIVED

JAN 9 1980

WATER RESOURCES DEPT
SALEM, OREGON

TO: Sunderlund, Pound, Stevens, Watt, Nelson and Austin

You have our consent to sell the irrigation water appurtenant
to the land you are purchasing from us.

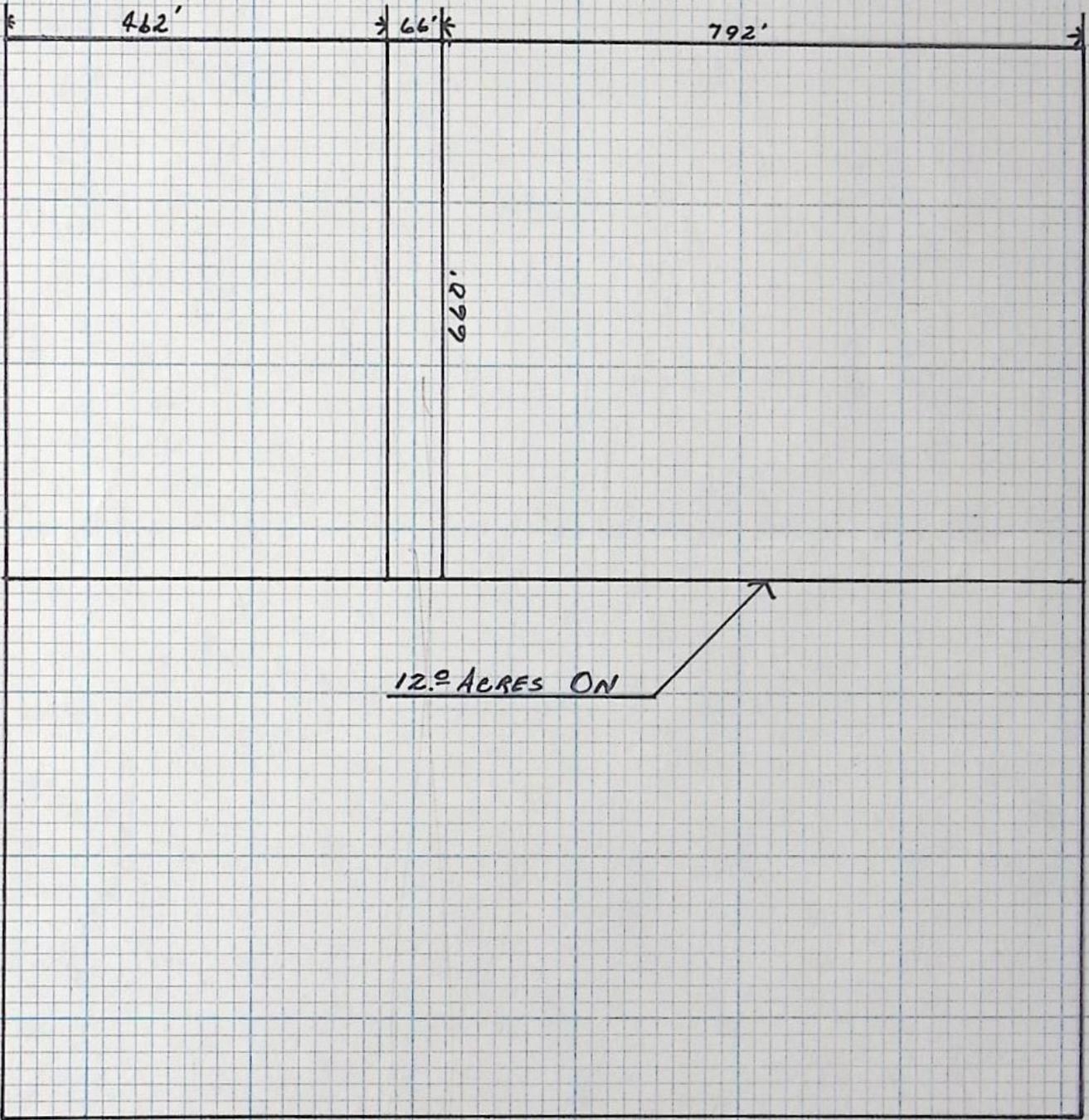
James W. Matson
James W. Matson

Virginia A. Matson
Virginia A. Matson

April 19, 1978

SW 1/4 SE 1/4 SECTION 30
T. 17S., R. 15 E.W.M

SCALE 1"=200'



RECEIVED

JAN 3 1930

WATER RESOURCES DEPT
SALMON, OREGON

Name and Residence Address of Applicant	Date of Original Purchase	Original Containing Feet Per Acre	Number Acres	Class	Name of Block	Description of Land or Part of Same
Central Oregon Irrigation District - Continued:						
Hooper Dyer			10.2			10.2 acres in that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, T. 17 S., R. 12 E., W.M., described as follows: Beginning at the SE corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, thence N. 88° 57' W. along the south line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ 504.9 ft., thence north 1145.68 ft., thence N. 74° 41' E. 204.02 ft., thence N. 9° 38' 20" W. 102.72 ft. to a point on the north line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, thence S. 89° 23' 40" E. along said north line 328.02 ft. to the NE corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, thence S. 0° 07' 20" W. along the east line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ 1306.5 ft. to the point of beginning.
Vernon Stevenson			5.4	2.0 Ac Trsf. Sp. Or. Vol. 12, p. 2		5.4 acres in that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, T. 17 S., R. 12 E., W.M., described as follows: That portion of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying northerly and westerly from the Powell Butte-Paulina Creek County Road as now constructed, and westerly from the road leading north to Boyd Acres from said Powell Butte-Paulina Creek County Road in said SE $\frac{1}{4}$ NW $\frac{1}{4}$.
Central Oregon Irrigation District			1.7	17 Ac. Trsf., Sp. Or. Vol. 10, p. 62		1.7 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, T. 17 S., R. 12 E., W.M.
Foley Tracts (Ellis Subdivision)			55.74	4.0 Ac. Trsf. Sp. Or. Vol. 10, p. 300 5.8 Ac. Trsf. Sp. Or. Vol. 10, p. 301 8" T-4348 A P. 10		24.74 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 31.0 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, T. 17 S., R. 12 E., W.M.
City of Bend			20.0			4.2 acres in that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32, T. 17 S., R. 12 E., W.M., known as "Pioneer Park" in the city of Bend. 10.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 3.1 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 2.7 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, T. 17 S., R. 12 E., W.M., known as "Drake Park" and "Harmon Field" in the city of Bend.
						See also under: Section 20, T. 17 S., R. 13 E., W.M.
Pete Klobus			61.0	12.0 Ac. Trsf. Sp. Or. Vol. 28, p. 24		20.0 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 31.0 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, T. 17 S., R. 12 E., W.M. 10.0 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, T. 18 S., R. 12 E., W.M.
				3.0 Ac. Trsf. Sp. Or. Vol. 26, p. 117 3.0 Ac. Trsf. Sp. Or. Vol. 26, p. 118 3.0 Ac. Trsf. Sp. Or. Vol. 27, p. 115 (T. 17 S.)		
Peder Pederson			94.0			22.0 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 21.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 34.0 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 17.0 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, T. 17 S., R. 12 E., W.M.
James Matson			35.0			35.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34, T. 17 S., R. 12 E., W.M.

40705

11632 RECEIVED

JAN 9 1980

MEMORANDUM OF SALE WATER RESOURCES DEPT VOL 243 PAGE 692
SALEM, OREGON

DATE: December 31, 1976
SELLER: JAMES W. MATSON and VIRGINIA A. MATSON,
as tenants by the entirety

BUYER: RODNEY SUNDERLAND, KENTON R. NELSON,
CHARLES D. AUSTIN, JACK E. STEVENS, GLENN
POUND and HARVEY WATT, as tenants in common

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

365 N.E. GREENWOOD
BEND, OREGON 97701

PROPERTY: The Northeast Quarter of the Northwest Quar-
ter (NE 1/4 NW 1/4) of Section Thirty-four
(34), Township Seventeen (17) South, Range
Twelve (12) East of the Willamette Meridian,
Deschutes County, Oregon;

Pr
Out-4

Excepting therefrom that portion lying South
and West of Central Oregon Irrigation Lateral
A-2;

Also excepting the following portion:

Beginning at a point on the North line of
said Section 34, South 89°34'26" West 640.5
feet from the North Quarter corner (N 1/4) of
Section 34; thence South 89°34'26" West,
660.0 feet along the section line to the
Northwest corner of said NE 1/4 NW 1/4;
thence South along the West line of said NE
1/4 NW 1/4 330 feet; thence South 89°02' 28"
East 660.00 feet; thence North 0°25'34" West,
330 feet to the point of beginning;

Also excepting therefrom the following:

Beginning at a point on the North line of
said Section 34, South 89°34'36" West, 420.5
feet from the North Quarter corner (N 1/4)
and running thence South 89°34'36" West, 80.0
feet along the section line; thence South
0°25'34" East 151.95 feet; thence South
89°02'28" East, 80.0 feet; thence North
0°25'34" West, 153.90 feet to the point of
beginning;

Beginning at a point on the North line of
said Section 34, South 89°34'36" West, 340.5
feet from the North Quarter corner (N 1/4)
and running thence South 89°34'36" West, 80.0
feet along the section line; thence South
0°25'34" East, 153.90 feet; thence South
89°02'28" East, 80.0 feet; thence North
0°25'34" West, 155.8 feet to the point of
beginning;

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
BEND, OREGON 97701

BEND TITLE COMPANY
1050 ROAD, BEND, OREGON 97701

Beginning at a point on the North line of said Section 34, South 89°34'26" West, 500.5 feet from the North Quarter corner (N 1/4) and running thence South 89°34'26" West 80.0 feet along the section line; thence South 0°25'34" East, 150.0 feet; thence South 89°02'28" East, 80.0 feet; thence North 0°25'34" West, 151.95 feet to the point of beginning.

TOGETHER with fifteen (15) acres of Central Oregon Irrigation District water rights.

INCLUDING all pumps, irrigation pipe and irrigation equipment presently located on the premises.

PURCHASE PRICE: \$165,000.00

Seller

Buyer

James W. Matson
JAMES W. MATSON

Rodney Sunderland
RODNEY SUNDERLAND

Virginia A. Matson
VIRGINIA A. MATSON

Kenton R. Nelson
KENTON R. NELSON

Charles D. Austin
CHARLES D. AUSTIN

Jack E. Stevens
JACK E. STEVENS

Glenn Pound
GLENN POUND

Harvey Watt
HARVEY WATT

STATE OF OREGON)
County of Deschutes) ss.

December 31, 1976.

Personally appeared the above named JAMES W. MATSON and VIRGINIA A. MATSON and acknowledged the foregoing instrument to be their voluntary act. Before me:



Max Merrill
Notary Public for Oregon
My Commission Expires: 5-20-79

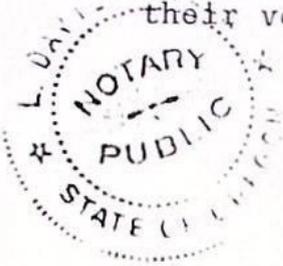
LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
BEND, OREGON 97701

STATE OF OREGON)
County of Deschutes) ss.

VOL 243 PAGE 694

Deed Book 31, 1976.

Personally appeared the above named RODNEY SUNDERLAND, KENTON R. NELSON, CHARLES D. AUSTIN, JACK E. STEVENS, GLENN POUND and HARVEY WATT and acknowledged the foregoing instrument to be their voluntary act. Before me:



[Signature]
Notary Public for Oregon
My Commission Expires: 9-29-77

14682

INDEX

STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 12 day of June A.D. 19 77 at 3:39 o'clock P. M., and recorded in Book 243 on Page 692 Records of Deeds

ROSEMARY PATTERSON
County Clerk

By [Signature] Deputy

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
BEND, OREGON 97701

CENTRAL OREGON IRRIGATION DISTRICT
P14158

LAND ROLL BOOK
OWNERSHIP LIST BY SECTION-TOWNSHIP-RANGE

34-17-12 NE NW
9/13/79

LR SEQ	TRANSFER DATE	CUST NO	NAME	DESCRIPTION	ACRES	HISTORY ACRES	SEQ NO
1		21280	MORACE FENNELL	PENDING TRANSFER	.2000000		001
1	5/12/76	42624	YOUNG KYU LEE			.2000000	900
2		21280	MORACE FENNELL	PENDING TRANSFER	.2000000		002
2	5/12/78	46592	EVERETT MATSON			.2000000	900
3		21280	MORACE FENNELL	PENDING TRANSFER	.2000000		003
3	5/12/76	46656	URVILL MATSON			.2000000	900
4		21280	MORACE FENNELL	PENDING TRANSFER	.2000000		004
4	5/12/76	62112	ANTHONY ROSENGARTH			.2000000	900
5		21280	MORACE FENNELL	PENDING TRANSFER	.2000000		005
5	5/12/78	76784	JAMES WINSLOW			.2000000	900
6	1/15/79	27006	JOHN GROVER			16.0000000	900
7		46624	JAMES MATSON		3.0000000		001
8		72520	HARVEY WATT		15.0000000		001
SUB-TOTAL OF ACRES FOR QUARTER					19.0000000		

8/22/79 8.0000000 TRANSFERRED TU 15-17-14 NE SE
 8/22/79 4.0000000 TRANSFERRED TU 15-17-14 SE SE
 8/22/79 4.0000000 TRANSFERRED TU 22-17-14 NE NE

RECEIVED
 JAN 3 1980
 WATER RESOURCES DEPT
 SALEM, OREGON

RECEIVED

JAN 9 1980

WATER RESOURCES DEPT
SALEM, OREGON

Nelson

REAL ESTATE PURCHASE CONTRACT

DATE:

SELLER:

JAMES W. MATSON and VIRGINIA A. MATSON,
as tenants by the entirety

BUYER:

RODNEY SUNDERLAND, KENTON R. NELSON,
CHARLES D. AUSTIN, JACK E. STEVENS, GLENN
POUND and HARVEY WATT, as tenants in common

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

365 NE. GREENWOOD

BEND, OR. 97701

PROPERTY:

The Northeast Quarter of the Northwest Quar-
ter (NE 1/4 NW 1/4) of Section Thirty-four
(34), Township Seventeen (17) South, Range
Twelve (12) East of the Willamette Meridian,
Deschutes County, Oregon;

Excepting therefrom that portion lying South
and West of Central Oregon Irrigation Lateral
A-2;

Also excepting the following portion:

Beginning at a point on the North line of
said Section 34, South 89°34'26" West 640.5
feet from the North Quarter corner (N 1/4) of
Section 34; thence South 89°34'26" West,
660.0 feet along the section line to the
Northwest corner of said NE 1/4 NW 1/4;
thence South along the West line of said NE
1/4 NW 1/4 330 feet; thence South 89°02' 28"
East 660.00 feet; thence North 0°25'34" West,
330 feet to the point of beginning;

Also excepting therefrom the following:

Beginning at a point on the North line of
said Section 34, South 89°34'36" West, 420.5
feet from the North Quarter corner (N 1/4)
and running thence South 89°34'36" West, 80.0
feet along the section line; thence South
0°25'34" East 151.95 feet; thence South
89°02'28" East, 80.0 feet; thence North
0°25'34" West, 153.90 feet to the point of
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said Section 34, South 89°34'36" West, 340.5
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and running thence South 89°34'36" West, 80.0
feet along the section line; thence South
0°25'34" East, 153.90 feet; thence South
89°02'28" East, 80.0 feet; thence North
0°25'34" West, 155.8 feet to the point of
beginning;

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MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
BEND, OREGON 97701

Beginning at a point on the North line of said Section 34, South 89°34'26" West, 500.5 feet from the North Quarter corner (N 1/4) and running thence South 89°34'26" West 80.0 feet along the section line; thence South 0°25'34" East, 150.0 feet; thence South 89°02'28" East, 80.0 feet; thence North 0°25'34" West, 151.95 feet to the point of beginning.

TOGETHER with fifteen (15) acres of Central Oregon Irrigation District water rights.

INCLUDING all pumps, irrigation pipe and irrigation equipment presently located on the premises.

PURCHASE PRICE: \$165,000.00

DOWN PAYMENT: \$27,000.00

Seller agrees to sell and Buyer agrees to purchase the above described property upon the following terms and conditions:

Payment of Purchase Price: \$27,000.00 of the purchase price was paid by Buyer to Seller as a down payment, receipt of which is hereby acknowledged by Seller. The balance of \$138,000.00, together with interest at the rate of 8 1/2 per cent per annum, shall be payable as follows: Interest only on the unpaid balance shall be due on December 31, 1977, and December 31, 1978. After the first two years, \$15,000.00, including interest, shall be due and payable annually on the 31st day of December of each year until ten years from the date of this contract, at which time the entire principal balance together with interest shall be paid in full. Interest shall begin to run December 31, 1976. Interest shall be computed at all times upon the unpaid principal balance of this contract and each annual payment shall be credited first to interest and second to principal.

Taxes: Buyer shall be responsible for the annual general property tax and all special assessments on the real property and all personal property located on the premises. Real property taxes shall be prorated for the current year to December 31, 1976. Buyer agrees to pay when due all taxes which are hereafter

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327 N.W. GREENWOOD
BEND, OREGON 97701

levied against the property and all public, municipal and statutory liens which may hereafter be lawfully imposed upon the premises. In the event Buyer fails to pay, when due, any amounts required hereunder, Seller may, at his option, pay any or all of such amounts. Any sums paid hereunder by Seller shall be added to the purchase price of the property on the date paid and such amounts shall bear interest at the same rate as provided above. Such payment by Seller shall not waive any remedies Seller has under this contract for failure of Buyer to pay said taxes.

Deed Releases: Seller will give deed releases in five-acre parcels for a principal payment of \$25,000.00 in addition to regular payments under the terms of this contract. Any such releases shall be of contiguous parcels and shall not be done in any manner which would destroy or lessen the value of the remaining property.

Pasture Rights: Seller shall have the right to use the property for pasture land until approximately May 1, 1977, when the irrigation season begins.

Water Releases: Seller owns 35 acres of Central Oregon Irrigation District water rights appurtenant to this property. Buyer agrees to release to Seller upon Seller's request twenty (20) acres of Central Oregon Irrigation District water rights to Seller or Seller's assigns.

Right of First Refusal: Seller, as part of the consideration for Buyer's payments hereunder, grants to Buyer the right of first refusal to purchase that certain land adjacent to the subject property described in attached Exhibit "A". Buyer shall have thirty (30) days after written notification of intent to sell to purchase said property upon the same terms and conditions as offered Seller by any third party purchaser. If Buyer does not exercise his rights within thirty (30) days, Seller shall be free to sell said property to said third party purchaser.

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327 N.W. GREENWOOD
BEND, OREGON 97701

Possession and Maintenance: Buyer shall be entitled to possession of the premises on December 31, 1976, and shall be entitled to remain in possession so long as there is no default on the part of the Buyer in carrying out the terms of this agreement. The Buyer shall maintain the premises and improvements thereon in good condition, ordinary wear and tear excepted. The Buyer shall not commit waste or suffer any person to commit waste on the premises.

Prepayment Privilege: Buyer shall have the privilege, without penalty, of increasing any annual payment or prepaying the whole consideration at any time, so long as Buyer shall not pay over twenty-nine (29) per cent of the total purchase price during the first calendar year of this contract. Additional partial payments shall not be credited as regular future payments and shall not excuse payment of regular annual installments as provided herein.

Covenant of Title: Seller covenants that he is the owner of the above described property free and clear of all liens and encumbrances except:

- (a) The existence of roads, railroads, irrigation ditches and canals, telephone, telegraph and power transmission facilities;
- (b) The premises fall within the boundaries of Central Oregon Irrigation District and are subject to rules, regulations, assessments and liens thereon;
- (c) Rights of the public in streets, roads and highways;
- (d) Easement, including the terms and provisions thereof, for irrigation laterals and canals as reserved by State of Oregon, recorded July 1, 1909, in Volume 6, Page 56, Deed Records.

Title Insurance: Seller shall furnish at his expense a purchaser's title insurance policy in the amount of \$165,000.00 as soon as practicable from the date hereof insuring the Buyer

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
BEND OREGON 97701

against loss or damage sustained by him by reason of the unmarketability of Seller's title or liens or encumbrances thereon excepting matters contained in usual printed exceptions in such title insurance policies and exceptions set forth in this agreement.

Buyer's Deed: Seller shall furnish to Buyer upon date of final payment by Buyer under this contract a good and sufficient warranty deed subject only to the exceptions contained in this agreement and any liens and encumbrances placed upon the premises by Buyer or suffered by Buyer.

Costs: Seller shall pay for the title insurance policy and Buyer shall pay for the recording of the warranty deed when delivered to Buyer at the time of final payment by Buyer under this contract.

Buyer's Inspection: Buyer certifies that this contract of purchase is accepted and executed on the basis of his own examination and personal knowledge of the premises and opinion of the value thereof and that no representations as to the premises have been made by Seller or any agent of Seller.

Removal of Improvements: No improvements placed on the property shall be removed before this contract is paid in full.

Seller's Remedies: Time is of the essence of this contract and in the event that Buyer shall fail to perform any of the terms of this Agreement, Seller shall, at his option, subject to the requirements of notice as herein provided, have the following rights:

- (a) To foreclose this contract by strict foreclosure in equity;
- (b) To declare the full unpaid balance of the purchase price immediately due and payable;
- (c) To specifically enforce the terms of this Agreement by suit in equity;
- (d) To declare this Agreement null and void as of the date of this breach and to

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
BEND, OREGON 97701

retain as liquidated damages the amount of the payment heretofore made upon said premises. Under this option all of the right, title and interest of Buyer shall revert and revert in Seller without any act of re-entry or without any other act by Seller to be performed, and Buyer agrees to peaceably surrender the premises to Seller, or in default thereof, Buyer may, at the option of Seller, be treated as a tenant holding over unlawfully after the expiration of a lease and may be removed as such;

(e) Any and all other remedies provided by law.

Buyer shall not be deemed in default for failure to perform any covenant or condition of this contract, other than the failure to make payments as provided for herein, until notice of said default has been given by Seller to Buyer and Buyer shall have failed to remedy said default within thirty (30) days after the giving of the notice. Notice for this purpose shall be deemed to have been given by the deposit in the mails of a certified letter containing said notice and addressed to Buyer at: 365
NE, GREENWOOD, BEND, OR 97701.

If Buyer shall fail to make payment as herein provided and said failure shall continue for more than thirty (30) days after the payment becomes due, Buyer shall be deemed in default and Seller shall not be obligated to give notice to Buyer of a declaration of said default.

Payment of Court Costs: If a suit or action is instituted to enforce any of the provisions of this contract, the prevailing party shall be entitled to such sums as the Court may adjudge reasonable as attorney fees in said suit or action in any court including any appellate court, in addition to costs and disbursements provided by statute. The prevailing party shall also recover cost of title report.

Waiver of Breach of Contract: The parties agree that failure by either party at any time to require performance of any provision of this contract shall in no way affect the right to enforce

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
BEND, OREGON 97701

that provision or be held as a waiver of any subsequent breach of any such provisions.

Assignment: Buyer shall not sell or assign Buyer's interest in this contract or the property herein contracted to be sold without the written consent of Seller, provided, however, that the consent of Seller shall not be unreasonably withheld.

This Agreement shall extend to and be binding upon the heirs, personal representatives, successors and assigns of the respective parties.

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

EXECUTED IN TRIPLICATE this 31 day of December, 1976.

Seller

Buyer

James W. Matson
JAMES W. MATSON

Rodney Sunderland
RODNEY SUNDERLAND

Virginia A. Matson
VIRGINIA A. MATSON

Kenton R. Nelson
KENTON R. NELSON

Charles D. Austin
CHARLES D. AUSTIN

Jack E. Stevens
JACK E. STEVENS

Glenn Pound
GLENN POUND

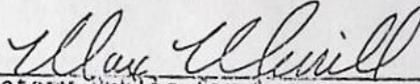
Harvey Watt
HARVEY WATT

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
BEND, OREGON 97701

STATE OF OREGON)
County of Deschutes) ss.

December 31, 1976.

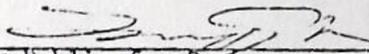
Personally appeared the above named JAMES W. MATSON and VIRGINIA A. MATSON and acknowledged the foregoing instrument to be their voluntary act. Before me:


Notary Public for Oregon
My Commission Expires: 5-20-79

STATE OF OREGON)
County of Deschutes) ss.

December 31, 1976.

Personally appeared the above named RODNEY SUNDERLAND, KENTON R. NELSON, CHARLES D. AUSTIN, JACK E. STEVENS, GLENN POUND and HARVEY WATT and acknowledged the foregoing instrument to be their voluntary act. Before me:


Notary Public for Oregon
My Commission Expires: 9-29-79

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
BEND, OREGON 97701

EXHIBIT "A"

Beginning at a point on the North line of said Section 34, South 89°34'26" West 640.5 feet from the North Quarter corner (N 1/4) of Section 34; thence South 89°34'26" West 650.0 feet along the section line to the Northwest corner of said NE 1/4 NW 1/4; thence South along the West line of said NE 1/4 NW 1/4 330 feet; thence South 89°02'28" East 660.00 feet; thence North 0°25'34" West, 330 feet to the point of beginning.

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
BEND, OREGON 97701

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MAILED PERK

JAN 9 1980

WATER RESOURCES DEPT
GALEM, OREGON

48143

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

VA 275 DE 238

365 NE Greenwood
Bea, Or 97221

33434

MEMORANDUM OF LAND SALE CONTRACT

THIS MEMORANDUM is to give notice of the following

described land sale contract between RODNEY SUNDERLAND, KENTON
R. NELSON, CHARLES D. AUSTIN, JACK E. STEVENS, GLENN POUND and
HARVEY WATT, as Tenants in Common, as Seller, and M E PROJECT,
INC., as Purchaser, dated May 1, 1978, concerning
the following-described property:

A parcel of land located in the Northwest Quarter
(NW1/4) of Section Thirty-four (34), Township
Seventeen (17) South, Range Twelve (12) East of the
Willamette Meridian, Deschutes County, Oregon, being
more particularly described as follows:

Beginning at the North 1/4 corner of said Section
34; thence South 00° 11' 55" East 308.08 feet to
the true point of beginning for this description;
thence South 00° 11' 55" East 796.08 feet; thence
North 89° 54' 27" West 258.11 feet; thence North 59°
29' 53" West 74.40 feet; thence South 73° 29' 52"
West 270.14 feet; thence South 53° 45' 18" East
275.43 feet; thence South 89° 57' 24" West 317.81
feet; thence North 11° 47' 36" West 185.92 feet;
thence North 30° 57' 50" West 58.31 feet; thence
North 57° 30' 31" West 150.53 feet; thence North
00° 07' 24" West 654.90 feet; thence South 89°
02' 28" East 692.05 feet; thence South 27° 38' 36"
East 279.36 feet; thence South 41° 09' 21" East
60.00 feet; thence along the arc of a 160.05 foot
radius curve right 203.23 feet, the chord of which
bears North 85° 13' 16" East 189.85 feet; thence
South 58° 24' 08" East 20.75 feet; thence South
54° 53' 34" East 60.00 feet; thence along the arc of
a 412.66 foot radius curve right 40.34 feet, the
chord of which bears North 37° 54' 29" East 40.33
feet; thence North 40° 42' 31" East 133.70 feet;

DEMO COLE COMPANY
1195 N.W. WALL BEND, OR 97701

GRAY, FANCHER, HOLMES & HURLEY
ATTORNEYS AT LAW
1044 N.W. BOND STREET
BEND, OREGON 97701

MEMORANDUM

Page One

JAN 9 1980

WATER RESOURCES DEPT
SALEM, OREGON

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along the arc of a 352.56 foot radius curve left 251.14 feet, the chord of which bears North 20° 18' 08" East 245.86 feet; thence North 82° 53' 44" East 0.51 feet to the true point of beginning and terminus of this description.

SUBJECT TO:

1. The existence of roads, railroads, irrigation ditches and canals, telephone, telegraph and power transmission facilities.
2. The premises under search fall within the boundaries of Central Oregon Irrigation District and are subject to rules, regulations, assessments and liens thereon.

for the sum of \$214,000.00.

DATED This 12 day of May, 1978.

SELLER:

Robney Sunderland
RODNEY SUNDERLAND

Kenton R. Nelson
KENTON R. NELSON

Charles D. Austin
CHARLES D. AUSTIN

Jack B. Stevens
JACK B. STEVENS

Glenn Pound
GLENN POUND

Harvey Weber
HARVEY WEBER

PURCHASER:

M E PROJECT, INC.
By Kenton R. Nelson
KENTON R. NELSON, President

STATE OF OREGON, County of Deschutes, ss:

5/19, 1978

Personally appeared the above named RODNEY SUNDERLAND and acknowledged the foregoing instrument to be his voluntary act. Before me:



NOTARY PUBLIC FOR OREGON
My Commission Expires:

GRAY FANCHER, HAMMES & HUBLEY
ATTORNEYS AT LAW
1000 N. W. BROAD STREET
BEND, OREGON 97701

STATE OF OREGON, County of Deschutes, ss:

5/19, 1978



Personally appeared the above named KENTON R. NELSON and acknowledged the foregoing instrument to be his voluntary act. Before me:

[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-29-79

STATE OF OREGON, County of Deschutes, ss:

5/19, 1978



Personally appeared the above named CHARLES D. AUSTIN and acknowledged the foregoing instrument to be his voluntary act. Before me:

[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-29-79

STATE OF OREGON, County of Deschutes, ss:

5/19, 1978



Personally appeared the above named JACK E. STEVENS and acknowledged the foregoing instrument to be his voluntary act. Before me:

[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-29-79

STATE OF OREGON, County of Deschutes, ss:

5/19, 1978

Personally appeared the above named GLENN POUND and acknowledged the foregoing instrument to be his voluntary act. Before me:

[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-29-79

STATE OF OREGON, County of Deschutes, ss:

5/19, 1978

Personally appeared the above named HARVEY WATT

CRAY, FANCHER, HOLMES & HURLEY

ATTORNEYS AT LAW
1000 N.W. THIRD STREET
SEASIDE, OREGON 97138

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WATER RESOURCES DEPT
SALEM, OREGON

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and acknowledged the foregoing instrument to be his voluntary act. Before me:



[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-29-79

STATE OF OREGON, County of Deschutes, ss:
5/19, 1978

Personally appeared KENTON R. NELSON, who, being first duly sworn, did say that he is the President of M E PROJECT, INC., and that this instrument was voluntarily signed in behalf of the corporation by authority of its Board of Directors. Before me:



[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-29-79

33434

STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was received for filing the 6 day of April AD 1978 at 1:15 o'clock P.M. and recorded in Book 216 on Page 23 Records of Clatsop

INDEX

ROSEMARY PATTERSON
County Clerk
By *[Signature]* Deputy

GRAY, FANCHER, HOLMES & HURLEY
ATTORNEYS AT LAW
1026 N. D. ROAD, SUITE 200
SEASIDE, OREGON 97138

MEMORANDUM

Page Four

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JAN 9 1980

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WATER RESOURCES DEPT
SALEM, OREGON

series of Central Oregon Irrigation District
and are subject to rules, regulations,
assessments and liens thereon;

(3) Rights of the public in streets, roads
and highways;

(4) Easement, including the terms and pro-
visions thereof, for irrigation laterals
and canals as reserved by State of Oregon,
recorded July 1, 1909, in Volume 6, Page
56, Deed Records.

The true and actual consideration for this conveyance is
\$27,500.00.

DATED this 18th day of January, 1978.

James W. Matson
JAMES W. MATSON

Virginia A. Matson
VIRGINIA A. MATSON

STATE OF OREGON)
County of Deschutes) ss.

January 18, 1978.

Personally appeared the above named JAMES W. MATSON and
VIRGINIA A. MATSON and acknowledged the foregoing instrument to
be their voluntary act. Before me:



Charlotte A. Sullivan
Notary Public for Oregon
My Commission Expires: 8-11-78

19371

STATE OF OREGON
County of Deschutes

I hereby certify that the within instu-
ment of writing was received for Record
the 20 day of Jan, A.D. 1978
at 2:50 o'clock P. M. and recorded
in Book 266 on Page 293 Records
of Deschutes

ROSEMARY PATTERSON
County Clerk
By Timothy J. Johnson, Deputy

MERRILL & O'SULLIVAN
227 N.W. GREENWAY
DEPT. OF REVENUE

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44763 JAN 9 1980

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WATER RESOURCES DEPT 19871

SALEM, OREGON WARRANTY DEED

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

4475 S.W. Scholls Ferry Rd.
Suite 156A
Portland, Or. 97225

JAMES W. MATSON and VIRGINIA A. MATSON, Grantors, convey and warrant to RODNEY SUNDERLAND, KENTON R. NELSON, CHARLES D. AUSTIN, JACK B. STEVENS, GLENN POUND and HARVEY WATT, as tenants in common, Grantees, the following described real property free of encumbrances except as specifically set forth herein:

A tract of land containing five acres - more or less, located in the Northeast One-quarter of the Northwest One-quarter (NE 1/4 NW 1/4) of Section Thirty-four (34), Township Seventeen (17) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the North One-quarter (N 1/4) corner of said Section 34; thence South 89°38'58" West along the North line of said Section 34, a distance of 60.00 feet; thence South 00°25'34" East a distance of 40.00 feet to the true point of beginning of this description; thence South 00°11'55" East a distance of 267.92 feet; thence along the arc of a 292.56 foot radius curve right 208.40 feet, the chord of which bears South 20°12'29" West 204.02 feet thence South 40°36'52" West a distance of 119.43 feet; thence North 58°29'47" West a distance of 28.09 feet; thence along the arc of 220.05 foot radius curve left 279.42 feet, the chord of which bears South 85°07'37" West 261.02 feet; thence North 27°44'40" West a distance of 299.53 feet; thence North 00°25'34" West a distance of 180.00 feet; thence South 89°02'28" East a distance of 300.00 feet; thence North 00°25'34" West a distance of 115.80 feet; thence North 89°38'58" East a distance of 273.00 feet to the point of beginning and terminus of this description.

SUBJECT TO:

- (1) The existence of roads, railroads, irrigation ditches and canals, telephone, telegraph and power transmission facilities;
- (2) The premises fall within the bound-

EMERSON TITLE COMPANY
1100 N.W. WALL BLDG. ST. 2700

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
SEASIDE, OREGON 97138

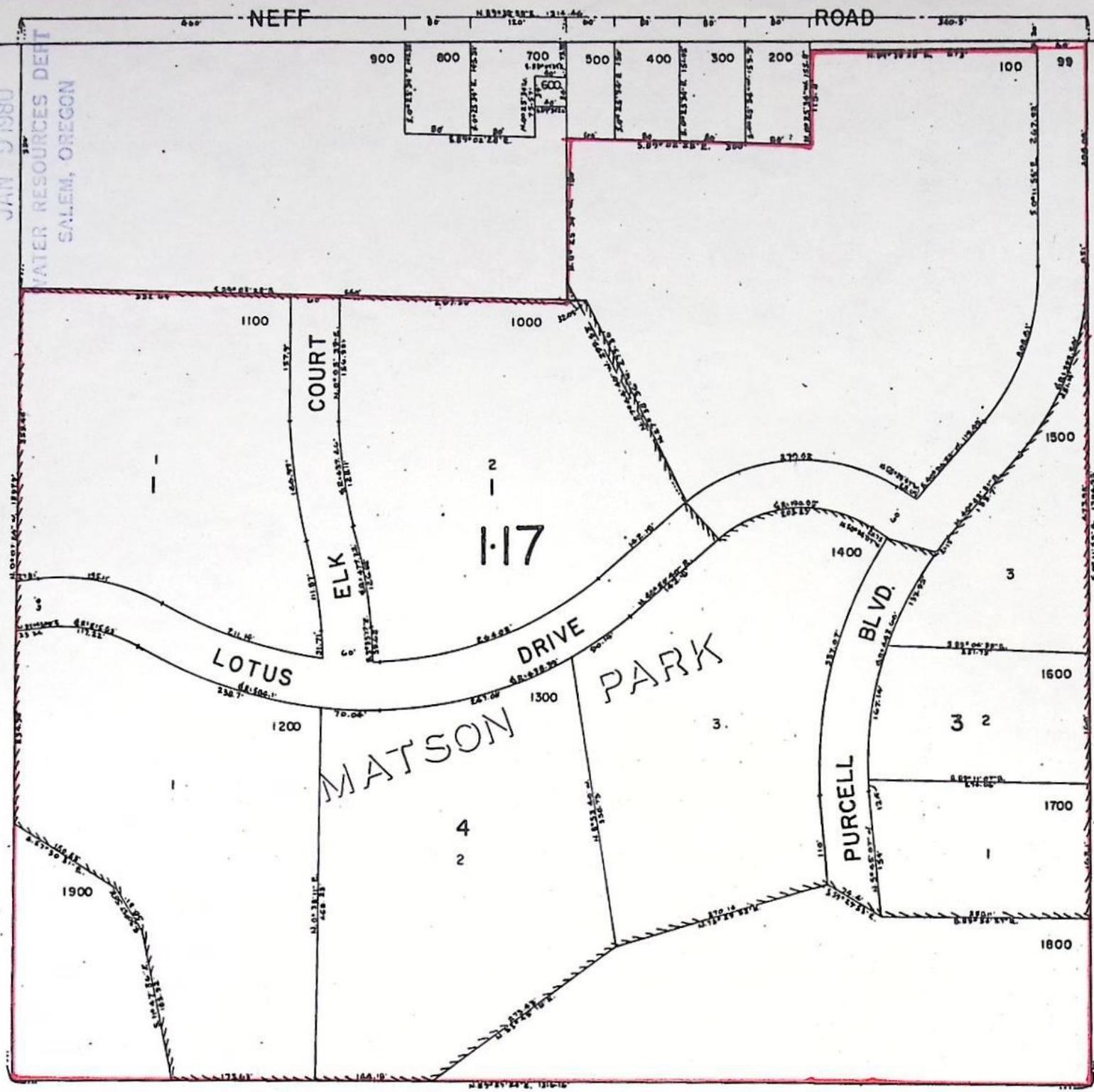
Warranty Deed

Page 1

17-12-34 BA

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WATER RESOURCES DEPT
SALEM, OREGON



See Map 17 12 34

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JAN 9 1980

WATER RESOURCES DEPT
SALEM, OREGON

SEC. 34 T.17S R.12E.W.M.

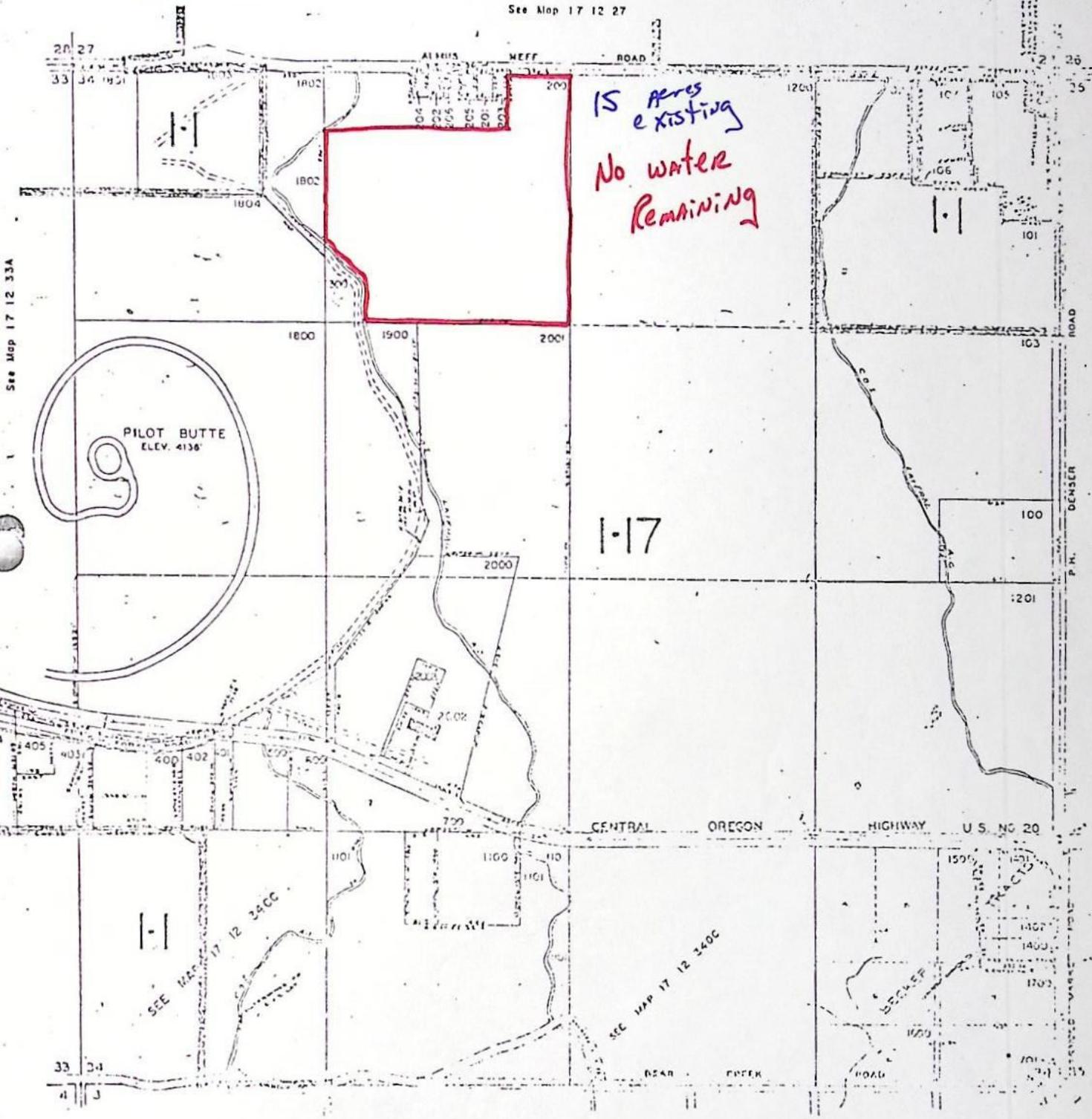
DESCHUTES COUNTY

SCALE: 1" = 400'

See Map 17 12 27

100
101
102
103
104
105
106
107
108
109
110

17 12 34



See Map 17 12 33A

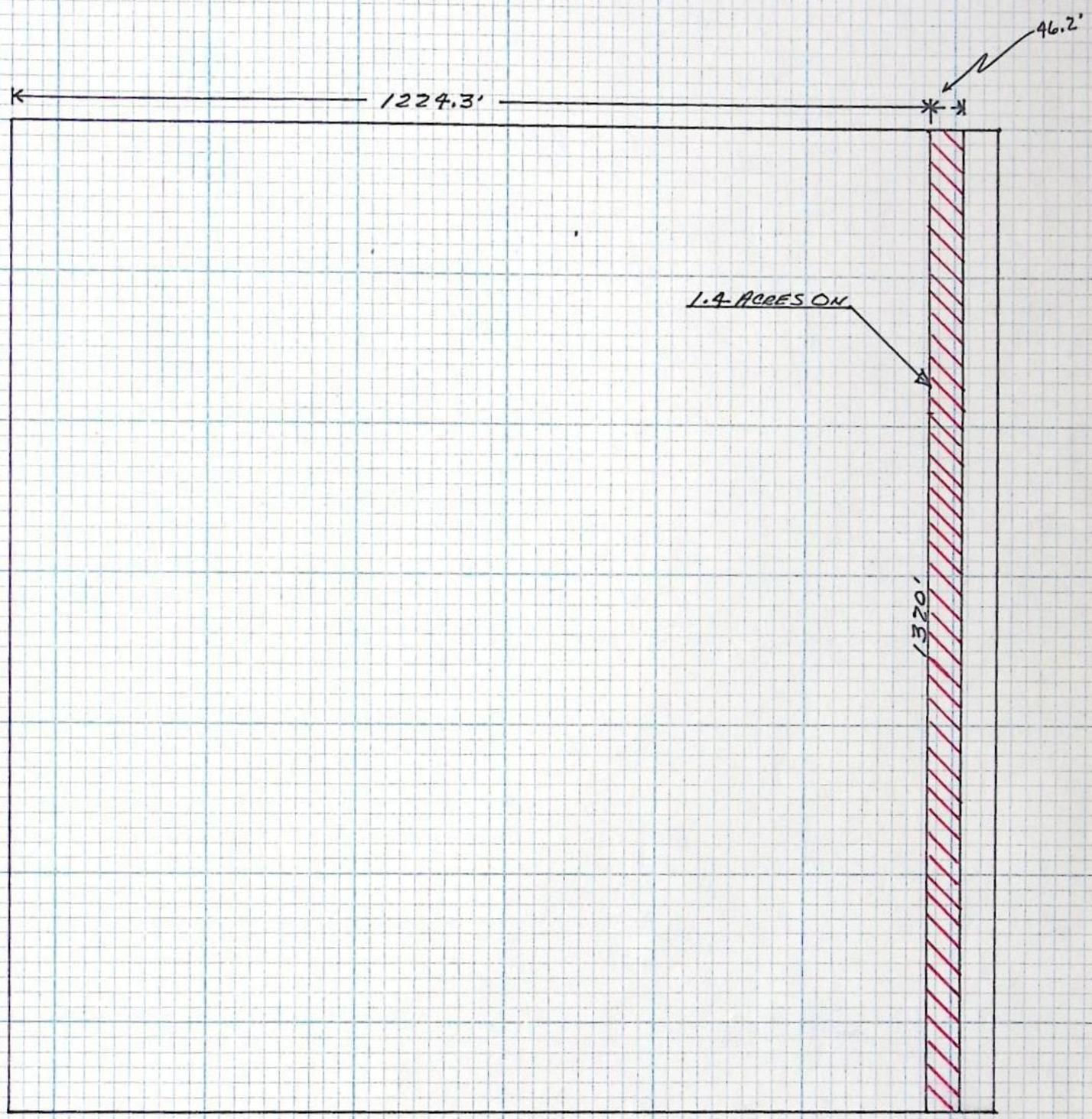
See Map 17 12 35

See Map 17 12 3

17 12 34

NE 1/4 SE 1/4 SECTION 30
T. 17 S., R. 15 E. N.M.

SCALE 1" = 200'



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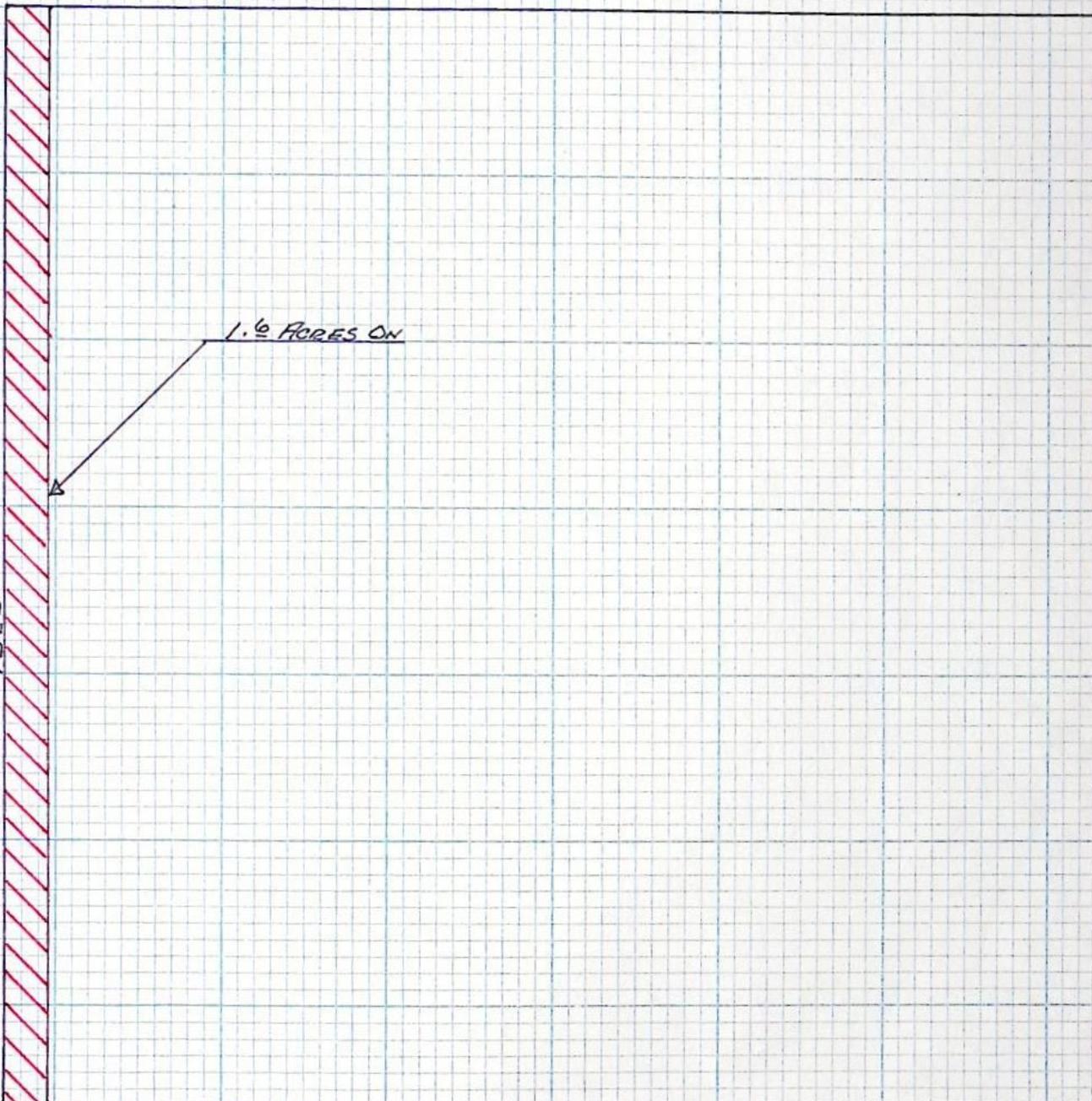
JAN 9 1980

WATER RESOURCES DEPT.
SALEM, OREGON

SE 1/4 SE 1/4 SECTION 30
T. 17 S., R. 15 E. N. M.

SCALE 1" = 200'

152.8'



52.8'

1.6 ACRES ON

52.8'

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WATER RESOURCES DEPT
SALEM, OREGON

DESCHUTES COUNTY

1"=100'

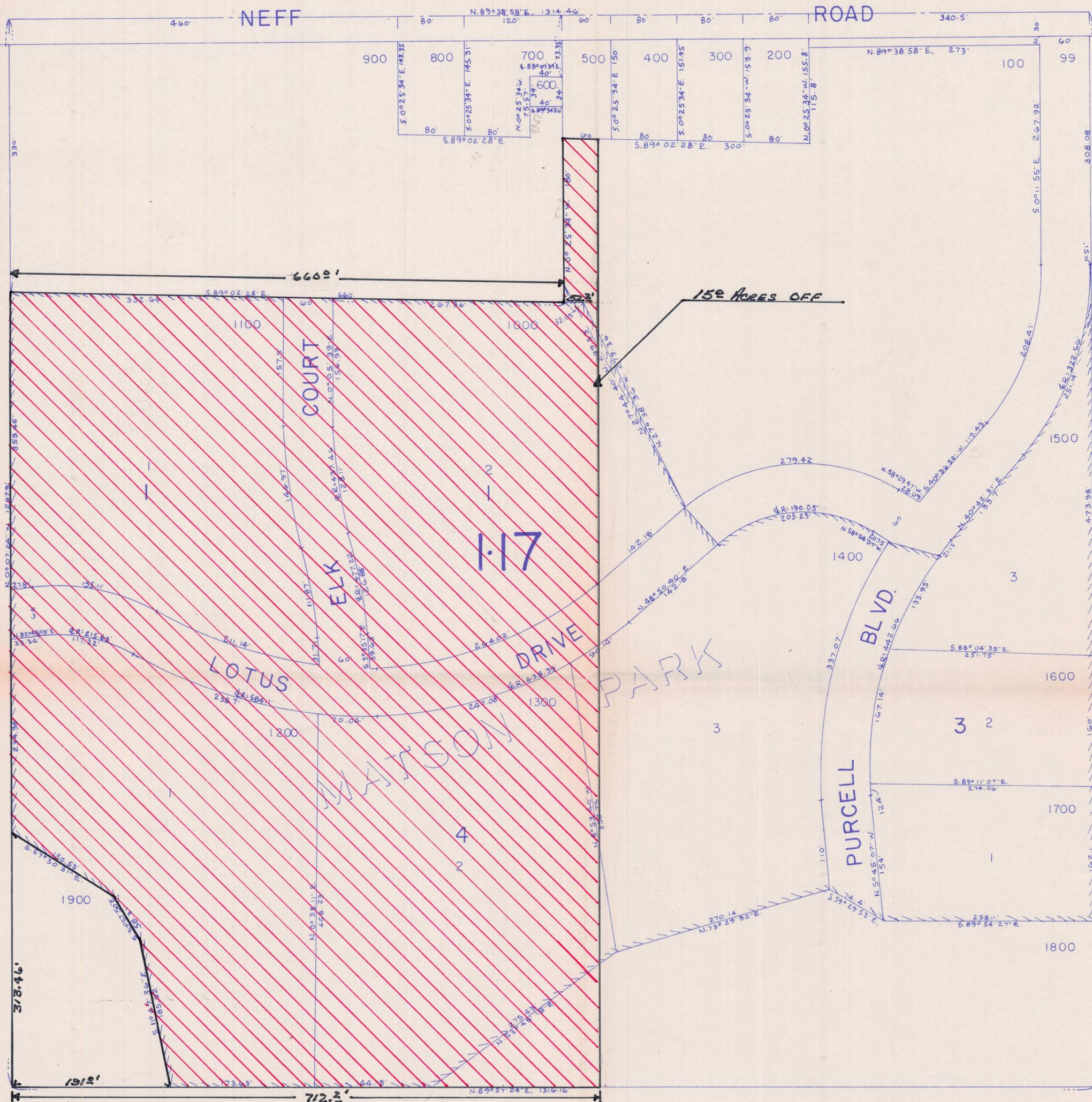
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JAN 9 1980

WATER RESOURCES DEPT
SALEM, OREGON

T-4364

See Map 17 12 27CD



See Map 17 12 34