

4386

Name Country Acres Inc  
By COLD  
Address Rt 2 Box 392  
Malalla, OR 97038

Change in POU  
Date filed 2-6-80  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 11-25-80 Vol. 34, page 105  
Date for application of water 10-1-82 ~~Ex 84~~  
Ex 85  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River  
Trib. of \_\_\_\_\_ County of Deschutes  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres 34<sup>0</sup> 30<sup>1</sup>  
Name of ditch Pilot Butte Canal  
Date of priority 10-31-1900 & 12-2-1907  
In name of Frank McCaffery  
Deschutes R. Adjudication, Vol. 16, page 123  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 29052  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEEES PAID

Date	Amount	Receipt No.
<u>2-6-80</u>	<u>1430.00</u>	<u>15957</u>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

*Part Surveyed 10/8/86 (Jaqua)  
11/3/86 (Burman) + also 1/84  
to Survey 1-10-86*

REMARKS

*Camp Notice for 20<sup>th</sup> re record 10-7-82  
1-7-86, Hold for C-Notice (2)*

W.R.I.S.

Assembled 7-9-85 by SKA

Entered \_\_\_\_\_ by \_\_\_\_\_

Verified \_\_\_\_\_ by \_\_\_\_\_

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

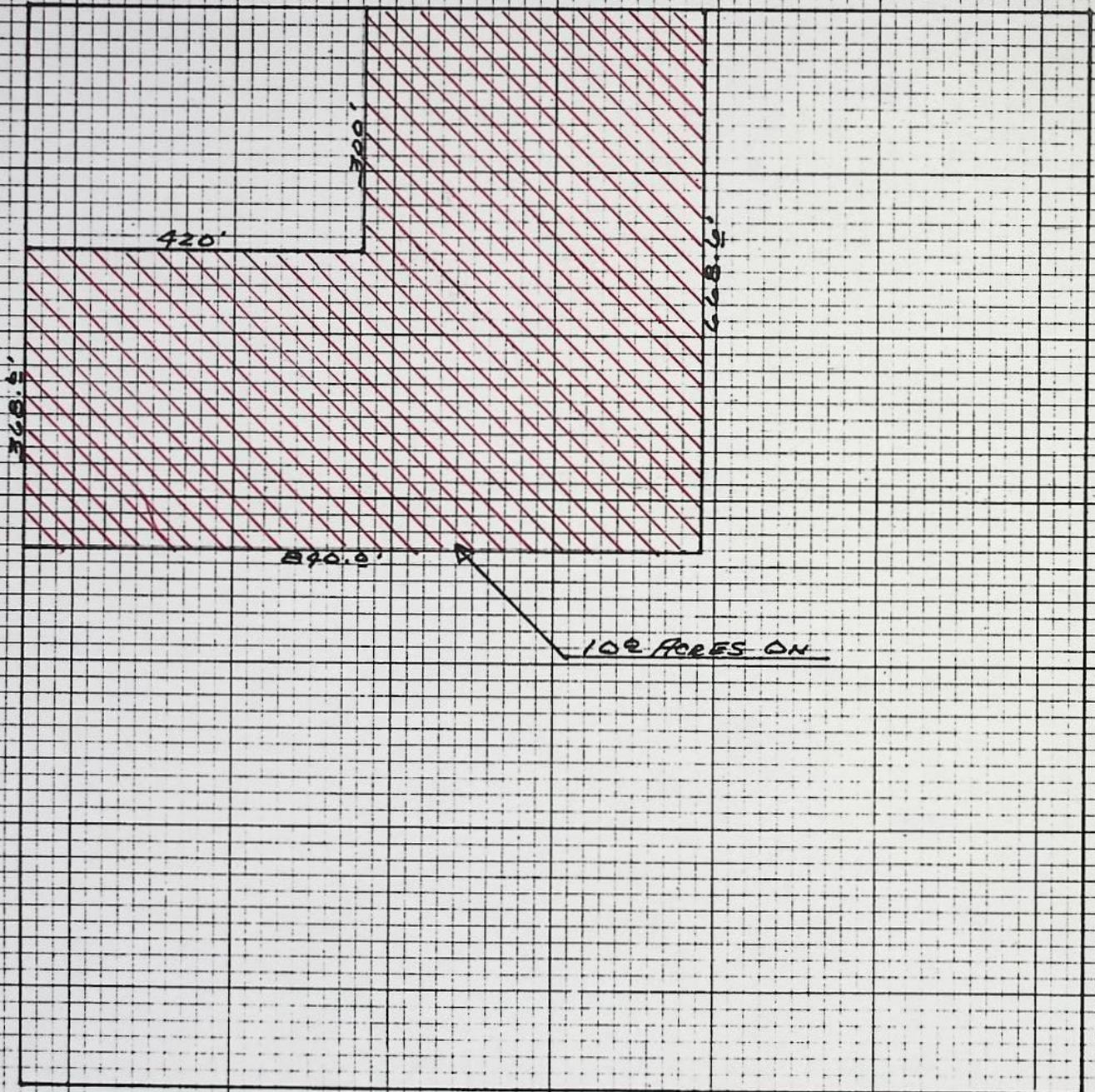
RECEIVED

DEC 10 9 1980

WATER RESOURCES DEPT.  
SALEM, OREGON

SW 1/4 - NW 1/4 (LAT 1)  
SECTION 18  
T. 15S., R. 13E. NW

SCALE 1" = 200'



RECEIVED

FEB 6 1980

WATER RESOURCES DEPT.  
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF )  
COUNTRY ACRES, INC. (CENTRAL OREGON )  
IRRIGATION DISTRICT) FOR APPROVAL )  
OF A CHANGE IN PLACE OF USE OF WATER)  
-----

ORDER APPROVING  
TRANSFER NO. 4386

On February 6, 1980, an application was filed in the office of the Water Resources Director by Country Acres, Inc. for approval of a change in place of use of 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 30.4 acres in SW 1/4 NE 1/4, Section 17, Township 15 South, Range 13 East, W.M., being tabulated in the name of Frank McCaffery at Volume 16, page 123, with dates of priority of October 31, 1900 and December 2, 1907, as evidenced by certificate of water right 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 Pilot Butte Canal.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to a certain 10.0 acres in NW 1/4 NW 1/4, Section 18, Township 15 South, Range 13 East, W. M. (Paul Eggleston) and 20.4 acres in SW 1/4 NW 1/4, Section 25, Township 16 South, Range 12 East, W. M. (David Jacqua).

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.

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.

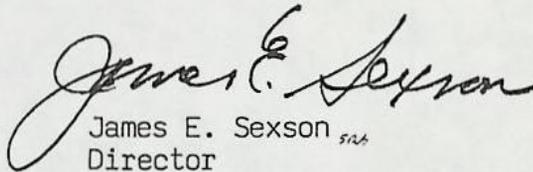
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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, 1982.

It is FURTHER ORDERED that upon 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 25th day of November, 1980.

  
James E. Sexson <sup>5126</sup>  
Director

RECEIVED

JAN 10 1986

WATER RESOURCES DEPT  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use of water

point of diversion of water

use heretofore made of water

Under the Terms of TRANSFER APPLICATION 4386

I, David M. Jagua, USED the water as provided by the  
(print name)

order of the Water Resources Director approving said water right transfer application

BY October 1, 1985

Description of the land on which I use water: SW 1/4 NW 1/4 Sec 25 Twp 16

Range 12

1-3-86

(date)

David M. Jagua

(signature)

PO Box 38, Redmond Ore. 97756

(address)

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

RECEIVED

JAN 09 1986

WATER RESOURCES DEPT  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use of water

point of diversion of water

use heretofore made of water

Under the Terms of TRANSFER APPLICATION 4386

I, Kerry C. Biermann, USED the water as provided by the  
(print name)

order of the Water Resources Director approving said water right transfer application

BY 1 Oct, 1985

Description of the land on which I use water: 10 acres of

Pasture (in process of development)

1/6/86

(date)

Kerry C. Biermann

(signature)

4416 SW Perkins Ave

(address) Pendleton OR 97501

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

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

WATER RIGHT NO. T000043861 PERMIT NO. 016123 CERTIF. NO. 029052  
ORIG. NO. C000290521 PREV. NO. C000290521 SUPER. NO.

NAME: COUNTRY ACRES INC  
ADDRESS: COID PO BOX548  
CITY/STATE/ZIP/COUNTY; REDMOND, OR 97756

STREAM-ID 05 1980

RIV.MI. 0.0 WM.DIST. 11 W.R.TYPE SC STATUS V

CANCEL YEAR--->	CONSTR.COMPLT-->	YR.LAST USED----->	NEXT ACTION DUE-->
PRIORITY-----> 10 31 1900	PUT TO USE----->	LAST TRANS.DATE-->	LAST TRANS.TYPE-->
APPLICATION---> 02 06 1980	SURVEYED----->	EXAM.FEE-----> 20.00	RECORDING FEE----> 10.00
PERMIT ISSUE--> 11 25 1980	CONCURRENCE----->	CYCLE STATUS----->	REPORTED FLAG----->
CONSTR.STRT.--> 11 25 1980	CERTIFIED----->	CORRES.INIT.----->	CORRES.DATE----->

POINT-OF-DIVERSION DATA;

TWNSP	RNGE	SECT	QTR/QTR	STREAM-ID	RIV.MI.	RATE	STATUS	S	OR	P
170S	120E	29	A D	05 1980	164.9		V			P
<del>180S</del>	<del>120E</del>	<del>13</del>	<del>A C</del>	<del>05 1980</del>	<del>171.0</del>		<del>V</del>			<del>P</del>

0.0

\*\* REMARKS; - - - - -

\*\* DATED-->

\*\* PRIORITY ALSO 12-2-1907 CHANGES POU

\*\* PART OF C-29052 PILOT BUTTE CENTRAL

\*\* OREGON CANAL TAB IN NAME OF FRANK

\*\* MC CAFFERY.

\*\* - - - - -

\*\* - - - - -

\*\* - - - - -

PLACE-OF-USE DATA:

TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE %	CNSMTV	ACRES	STATUS	S	OR	P
1503	130E	18	B B	09	IR	100.00	10.00	V			P
1605	120E	25	B C	09	IR	100.00	20.90	V			P

W.R.I.S.

Assessed: 7-7-85 by: SDA

Entered: \_\_\_\_\_ by: \_\_\_\_\_

Verified: \_\_\_\_\_ by: \_\_\_\_\_

APPLICATION FOR EXTENSION OF TIME  
FOR TRANSFER OF WATER RIGHT

RECEIVED

OCT 3 1984

WATER RESOURCES DEPT  
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Kerry C. Biermann  
(Name of Applicant)

of 4949 West Highland, Redmond  
(Mailing Address) (City)

State of Oregon, 97756, 923-2577  
(Zip Code) (Phone Number)

do hereby make application for an extension of time within which to complete a change in:

( ) point of diversion (x) place of use ( ) use heretofore made

of water under the terms of an order of the Water Resources Director entered  
on November 25, 1980, approving Transfer 4386, in the name  
of Country Acres, Inc  
for Paul Eggleston 10 acres onto the NW¼ NW¼ (Lot 1), Section 18, T.15S.,  
R.13EWM.

(give location of your property, as shown on the order approving the transfer)

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time  
allowed, which expired on October 1, 1982 :

Acquired a delivery for water from the COID, installed a sump for pumping, nego-  
tiated a contract with PP and L Co. for a power supply, arranged to purchase a  
sprinkler system and cleared an acre or more.

(if for irrigation, how many acres, total, are now irrigated)

TO FULLY COMPLETE the change, it will be necessary to accomplish the  
following: Finish clearing, plant the 10.0 acres, install the sprikler system and  
irrigate. None of the area is now irrigated.

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed,  
because I assume the ownership of the property not being fully aware of the re-  
sponsibilities that were associated with the permit water rights and the time  
limits on the extention allowed to October 1, 1984. and request that the  
time for completion be extended to October 1, 1985.

K. C. Biermann  
(signature of applicant)

Kerry C. Biermann

Ext to 10-1-85  
0056/8

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$100 TO:

WATER RESOURCES DEPARTMENT  
Mill Creek Office Park  
555 13th Street, NE  
Salem, Oregon 97310

\$100.00  
#44227  
Oct. 3, 1984

RECEIVED

OCT 3 1984

84-12143 WATER RESOURCES DEPT VOL

61 PAGE 879

SPECIAL WARRANTY DEED - STATE OF OREGON FORM

U.S. Creditcorp, an Oregon corporation, Grantor, conveys and specially warrants to Kerry C. Biermann and Joan E. Biermann, Grantee, the following described real property free of encumbrances created or suffered by the Grantor except as specifically set forth herein: (Describe the property conveyed.)

see attached exhibit "A"

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved use.

27-7206

The true consideration for this conveyance is \$ 155,000.00.

Dated this 9th day of July, 19 84.

*C.M. Meyers*

U.S. Creditcorp by C.M. Meyers

STATE OF OREGON )  
County of \_\_\_\_\_ ) ss.

\_\_\_\_\_, 19 \_\_\_\_\_

Personally appeared the above-named \_\_\_\_\_, and acknowledged the foregoing instrument to be \_\_\_\_\_ voluntary act.

Before me:

STATE OF OREGON )  
County of Multnomah )

July 9, 19 84

Notary Public for Oregon  
My commission expires:

Personally appeared C.M. Meyers and \_\_\_\_\_, who, being sworn, stated that \_\_\_\_\_ he, the said assistant vice president is an authorized signer, and \_\_\_\_\_ he, the said \_\_\_\_\_ is a \_\_\_\_\_ of Grantor corporation and that the seal affixed hereto is its seal and that this Special Warranty Deed was voluntarily signed and sealed in behalf of the corporation by authority of its Board of Directors.

Before me:

*Cynthia L. Weiche aka*  
Notary Public for Oregon  
My commission expires: 07-06-86

EXHIBIT "A" TO SPECIAL WARRANTY DEED DATED 7-9-84

Lot 1 Section 18 commonly know as NW 1/4 of NW 1/4 of Section 18, In Township 15 South, Range 13 East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM THE Northerly 30.00 feet thereof which is to be dedicated to the public for road purposes.

STATE OF OREGON )  
COUNTY OF DESCHUTES ) SS.

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

1986 JUL 17 PM 3:55

MARY SUE PENHOLLOW  
COUNTY CLERK

BY: Clydes Deigan DEPUTY  
NO. 84-12143 FEE 9.00  
DESCHUTES COUNTY OFFICIAL RECORDS

was voluntarily signed and sealed in behalf of the corporation of \_\_\_\_\_

Before me:

Cynthia L. Weich  
Notary Public for Oregon: Cynthia L. Mac  
My commission expires: 07-06-86

Transfer 4386

APPLICATION FOR EXTENSION OF TIME  
FOR TRANSFER OF WATER RIGHT

**RECEIVED**

MAR 12 1984

To the WATER RESOURCES DIRECTOR OF OREGON:

WATER RESOURCES DEPT.

I, U. S. CREDITCORP (Richard W. Johnson, District Manager) SALEM, OREGON  
(Name of Applicant)

of 1655 S. W. Odem Way, Redmond,  
(Mailing Address) (City)

State of Oregon, 97756, 548-7175,  
(Zip Code) (Phone Number)

do hereby make application for an extension of time within which to complete a change in:

( ) point of diversion (~~X~~) place of use ( ) use heretofore made

of water under the terms of an order of the Water Resources Director entered  
on November 25, 1980, approving Transfer 4386, in the name  
of Country Acres, Inc.

for 10.0 acres to be transferred to the NW¼ NW¼ of Section 18, T.15S.,  
R. 13EWM in the name of Paul Eggleston.

(give location of your property, as shown on the order approving the transfer)

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time  
allowed, which expired on October 1, 1982 :

A large pond for irrigation water storage was dug in the NW¼ of subject  
property, in anticipation for receiving this transfer.

(if for irrigation, how many acres, total, are now irrigated)

TO FULLY COMPLETE the change, it will be necessary to accomplish the  
following: Install headgate and recording meter from COID canal, clear, seed &  
irrigate 10<sup>0</sup> acres of land.

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed,  
because U.S. Creditcorp foreclosed on the property once owned by Eggleston  
unaware that he had bargained with Country Acres, Inc. to receive 10.0  
acres of additional water rights with an obligation to prove up on the land.  
and request that the  
time for completion be extended to October 1, 1984.

(signature of applicant)

*\$ 100<sup>00</sup>  
# 41807  
3-12-84*

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$100 TO:

→ WATER RESOURCES DEPARTMENT  
Mill Creek Office Park  
555 13th Street, NE  
Salem, Oregon 97310

*Ext to 10-1-84  
56/8 SRT*

**RECEIVED**

**OCT 31 1983**

**WATER RESOURCES DEPT.  
SALEM, OREGON**

APPLICATION FOR EXTENSION OF TIME  
FOR TRANSFER OF WATER RIGHT

To the WATER RESOURCES DIRECTOR OF OREGON:

I, U.S. Creditcorp (Richard W. Johnson, District Manager)  
(Name of Applicant)

of 1655 S.W. Odem Way, Redmond,  
(Mailing Address) (City)

State of Oregon, 97756, 548-7175,  
(Zip Code) (Phone Number)

do hereby make application for an extension of time within which to complete a change in:

( ) point of diversion (x) place of use ( ) use heretofore made

of water under the terms of an order of the Water Resources Director entered  
on November 25, 1980, approving Transfer 4386, in the name  
of Country Acres, Inc.

for 10.0 acres to be transferred to the NW¼ NW¼ of Section 18, T15S,  
R.13EWM in the name of Paul Eggleston.

(give location of your property, as shown on the order approving the transfer)

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time  
allowed, which expired on October 1, 1982 :

Nothing

(if for irrigation, how many acres, total, are now irrigated)

TO FULLY COMPLETE the change, it will be necessary to accomplish the  
following: Install headgate and recording meter from COID canal, clear  
seed and irrigate 10.0 acres of land.

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed,  
because U.S. Creditcorp is a lending institution and foreclosed on the  
property to save financial loss. This extension will give time to  
sell to a user, as significant loss would result if and request that the  
water rights would be lost.  
time for completion be extended to October 1, 1984 .

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$20 TO:  
WATER RESOURCES DEPARTMENT

Mill Creek Office Park  
555 13th Street, NE  
Salem, Oregon 97310

\$100  
39634  
10-31-83

RECEIVED

OCT 4 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use of water from Deschutes River

PURSUANT TO TRANSFER APPLICATION NO. 4386

I, David M. Jagua, 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 April, 1982.

September 30, 1982  
Date

David M. Jagua  
Signature

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

OK  
Ji

#4

MEMO TO: File

DATE: 9/7/82

FROM: Jim Carver

Carver phoned Bob Main, Watermaster, to discuss a possible cancellation proceeding for the 3.6 acres of decreed water right within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 17, T 15 S, R 13 E, WM.

Bob will stop in at the COID office and visit with them about the matter, whether Bob Anderson and/or others of COID would be willing to serve as witnesses if we initiate a proceeding and a hearing becomes necessary.

Neither Bob Main nor Duane Clark have first hand knowledge on nonuse for any specific 5 years.



STATE OF OREGON

**RECEIVED**

INTEROFFICE MEMO

SEP 20 1982

**WATER RESOURCES DEPT.  
SALEM, OREGON**

TO: Jim Carver

DATE: Sept. 17, 1982

FROM: Bob Main

SUBJECT: Cancellation by Professional Management Inc.

The district is not interested in asserting abandonment on this property. In fact, they are working on a transfer to Tumalo I.D. involving this right. They have talked to Larry Jebousek about it. I would suggest waiting to see if they are successful.



Ernest Rawlins, President  
Roger Mosier, Vice President  
Michael A. Flasco, Secretary-Treasurer

RECEIVED  
JAN 14 1982  
WATER RESOURCES DEPT.  
SALEM, OREGON

632 S.W. 6th  
Redmond, OR 97756  
Phone (503) 548-5178

January 7, 1981

Director of Water Resources  
Water Resources Division  
Mill Creek Office Park  
555 13th. St. N.E.  
Salem, Oregon 97310

Dear Sir:

Enclosed please find a copy from Bob Anderson showing water rights within Nolan's Addition Sub-division. As per my telephone conversation with Mr. Newt Perry on January 5, 1981, I am requesting the Director to cancel our rights on Lot 2, Block four, Nolan's Addition.

- I. Professional Management is Legal Owner of Lot 2 Block 4.  
(See Attached)
- II. We disclaim any water rights pertinent thereof.
- III. We have abandoned all interest and rights to use of water.
- IV. We request the Director of Water Resources to cancel said rights in the State Records.

Sincerely,

*Michael A. Flasco*

Michael A. Flasco  
Sec.-Treas.  
Professional Management, Inc.

Copy: Bob Anderson, C.O.I. Redmond,

MAF/ggk

STATE OF OREGON  
COUNTY OF DESCHUTES  
January 7, 1981

Personally appeared the above named MICHAEL A FLASCO and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

*Gloria G. Kress*

Notary Public for Oregon  
My commission expires:

3-29-83

BOARD OF DIRECTORS  
DON MILTENBERGER, PRESIDENT  
KENNETH WERTH, VICE-PRESIDENT  
NEIL DAVIS  
HAL MEYERS  
TOM KASBERGER

MUNICIPAL CORPORATION OF THE STATE OF OREGON  
847 SOUTH SIXTH STREET • P.O. BOX 548  
REDMOND, OREGON 97756  
PHONE: 548-6047

RON NELSON  
SECRETARY-MANAGER  
ROBERT A. ANDERSON  
ASSISTANT-MANAGER  
J. VINCE HURLEY  
COUNSEL

RECEIVED  
JAN 14 1982  
WATER RESOURCES DEPT.  
SALEM, OREGON

January 5, 1982

Central Oregon Escrow  
1397-A North 6th Street  
Redmond, Oregon 97756

Re: Water rights  
Country Acres

As of this date the records of this office show remaining water rights within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 17, T.15 S., R.13 EWM to be assessed by this District as follows:

Block 1	Lot 30	.13	acre
1	31	.16	"
1	32	.16	"
1	33	.14	"
Block 2	Lot 6	.14	"
2	7	.10	"
Block 3	Lot 1	.10	"
3	2	.06	"
3	9	.11	"
3	10	.16	"
Block 4	Lot 1	.16	"
4	2	.06	"
4	41	.09	"
4	42	.16	"
*West Fissure Loop		.18	"
*East Fissure Loop		.17	"
*Glacier Avenue		.32	"
*S.W. 25th Street		.62	"
*Tax Lot 10400		.58	"
Total---		3.60	Acres

\* The District will not assess these water rights against tracts within Country Acres

SIGNED Robert A. Anderson  
Robert A. Anderson  
Ass't Mgr.

NOTICE

This is not a certification of water rights nor does this information in any way warrant the same but serves only to provide information available at this office as of this date. DATE: 12/15/81

CENTRAL OREGON IRRIGATION DISTRICT

by Robert A. Anderson

KNOW ALL MEN BY THESE PRESENTS, That ERNEST M. RAWLINS

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto PROFESSIONAL MANAGEMENT, INC., an Oregon Corporation, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Deschutes, State of Oregon, described as follows, to-wit:

Lots 1, 2, 3, 4 and 5, Block 4, NOLAN'S ADDITION in the City of Redmond, Deschutes County, Oregon

RECEIVED

JAN 1 1982 WATER RESOURCES DEPT. SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars is \$ NONE

However, the actual consideration consists of or includes other property of value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and individuals.

In Witness Whereof, the grantor has executed this instrument this 29th day of April, 1981; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Ernest M. Rawlins Ernest M. Rawlins

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Deschutes April 29 1981

STATE OF OREGON, County of Deschutes April 29 1981 Personally appeared Ernest M. Rawlins and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

Personally appeared the above named Ernest M. Rawlins

and acknowledged the foregoing instrument to be his voluntary act and deed. Before me: Ernest M. Rawlins

Notary Public for Oregon My commission expires 5 30 82

Notary Public for Oregon My commission expires:

Ernest M. Rawlins Professional Management, Inc. 632 SW 6th Street, Redmond, Ore.

Professional Management, Inc. 632 SW 6th Street Redmond, Oregon 97756

After recording return to

Key Title and Escrow Company Post Office Box 6173 Bend, Oregon 97701

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

Professional Management, Inc. 632 S.W. 6th Street Redmond, Oregon 97756

STATE OF OREGON, County of Deschutes

26763

I certify that the within instrument was received for record on the 7 day of May, 1981, at 4:02 o'clock PM, and recorded in book/reel volume No. 340 on page 473 or as document/fee/file/instrument/microfilm No. Record of Deeds of said county.

Witness my hand and seal of County affixed.

Rosemary Patterson By Rosemary Patterson Deputy



## STATE OF OREGON

## INTEROFFICE MEMO

TO: File

DATE: January 20, 1982

FROM: Mike Bish, Adjudication *MVB*

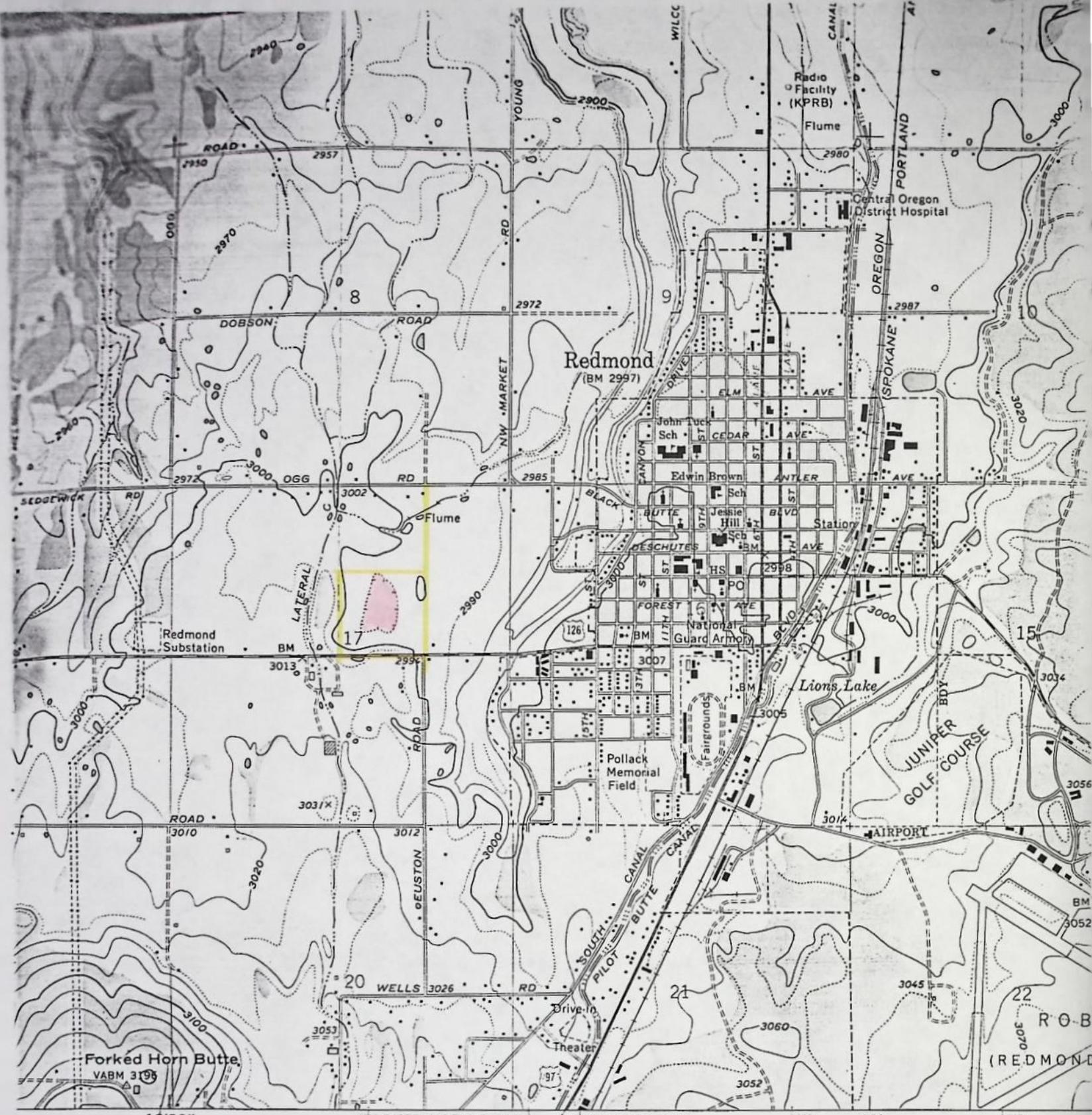
SUBJECT:

Phone call to Michael Flasco. He did own Lot 1, Block 4 but sold it recently to Tom Galice who he said also would be sending in a cancellation of water right. Mr. Flasco said the right had been abandoned for 15 years due to a pond or lake and it was his understanding after talking to Bob Anderson and Newt Perry that the assessment would be dropped by the COID. I pointed out ORS 545.444 and quoted ORS 545.613(1), that the District could still legally assess any bonded indebtedness and O & M, but whether or not they would I could not say. He said he still wished to proceed on the cancellation.

Mr. Flasco said Country Acres, Grant Schiewe, President, owned the rest of the involved lots with 1st Interstate Bank of Oregon City holding the loan.

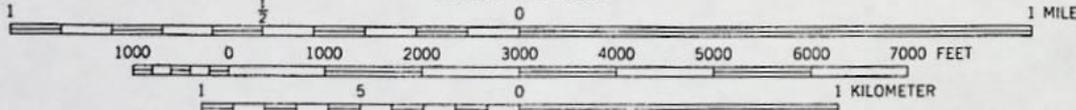
ORS 545.620 covers buying out the bond obligation.

MVB/as

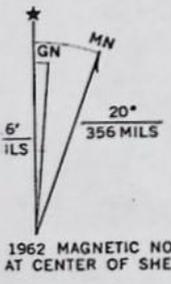


12'30" (FORKED HORN BUTTE) 1772 II NW DESCHUTES 7.3 MI. BEND 16 MI. 646 10' 647

SCALE 1:24000



CONTOUR INTERVAL 20 FEET  
 DOTTED LINES REPRESENT 10-FOOT CONTOURS  
 DATUM IS MEAN SEA LEVEL



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
 FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242  
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



BOARD OF DIRECTORS

DON MILTENBERGER, PRESIDENT  
KENNETH WERTH, VICE-PRESIDENT  
NEIL DAVIS  
HAL MEYERS  
TOM KASBERGER

MUNICIPAL CORPORATION OF THE STATE OF OREGON

847 SOUTH SIXTH STREET • P.O. BOX 548  
REDMOND, OREGON 97756

PHONE: 548-6047

RON NELSON  
SECRETARY-MANAGER  
ROBERT A. ANDERSON  
ASSISTANT-MANAGER  
J. VINCE HURLEY  
COUNSEL

RECEIVED  
JAN 11 1982  
WATER RESOURCES DEPT.  
SALEM, OREGON

January 5, 1982

Central Oregon Escrow  
1398-A North 6th Street  
Redmond, Oregon 97756

Re: water rights  
Country Acres

As of this date the records of this office show remaining water rights within the SW 1/4 NE 1/4 of Section 17, T.15 E., R.13 E.W. to be assessed by this District as follows:

Block 1	Lot 30	.13	acre - Noland Franklin	2276 W Highland Redm
	1	.16	" - Country Acres Inc	Rt 2 Box 392 Malalla 97756
	1	.16	" - " " "	" " " " 9703
	1	.14	" - Noland Franklin	
Block 2	Lot 6	.14	" - Country Acres Inc	
	2	.10	" - Noland Franklin	
Block 3	Lot 1	.10	" - Country Acres Inc.	
	3	.06	" - " " "	
	3	.11	" - " " "	
	3	.16	" - " " "	
Block 4	Lot 1	.16	" - Gilleese Thomas F & Josie L.	6545W 25th Redmond
	4	.06	" - Professional Management Inc	632 SW 6th Redmond
	4	.09	" - Country Acres Inc	
	4	.15	" - " " "	
	*West Fissure Loop	.12	"	
	*East Fissure Loop	.17	"	
	*Glacier Avenue	.32	"	
	*S.W. 25th Street	.52	"	
	*Tax Lot 10400	.58	" Noland Franklin	
		Total---3.00 Acres		

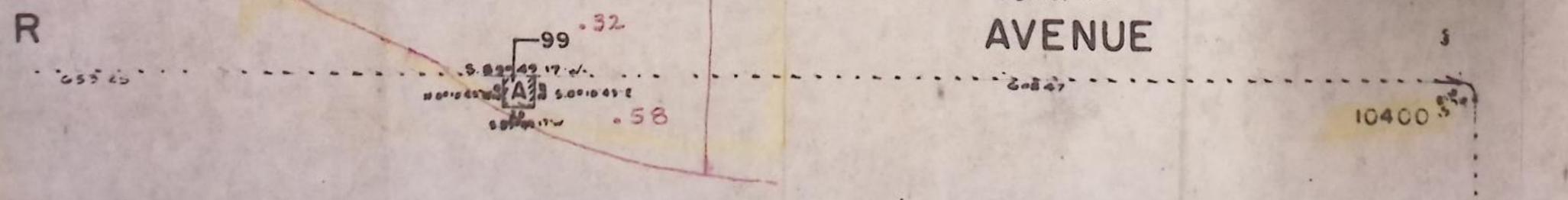
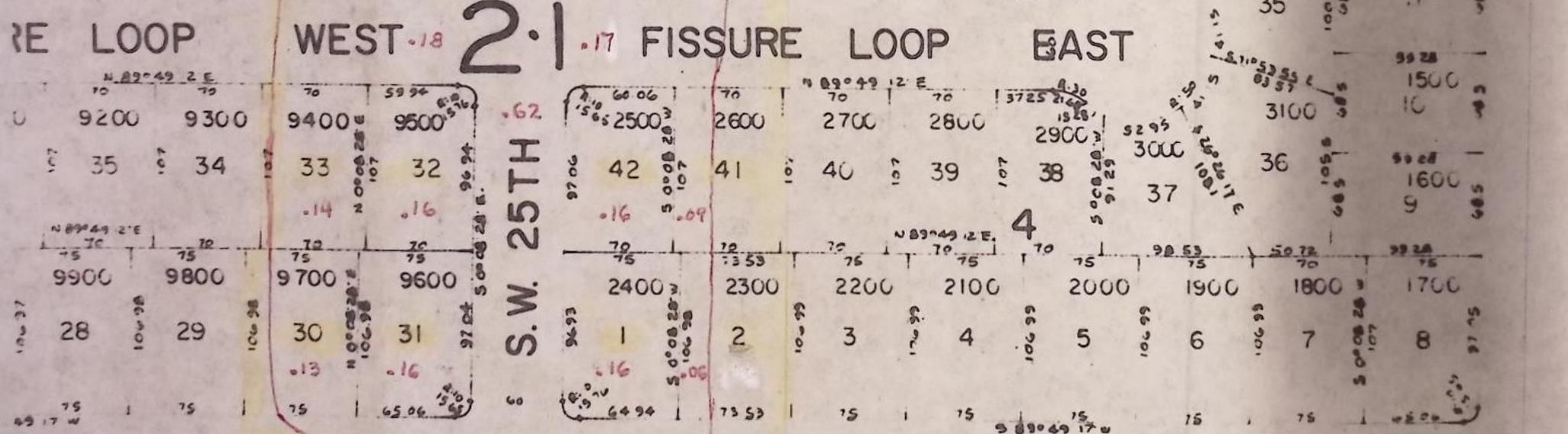
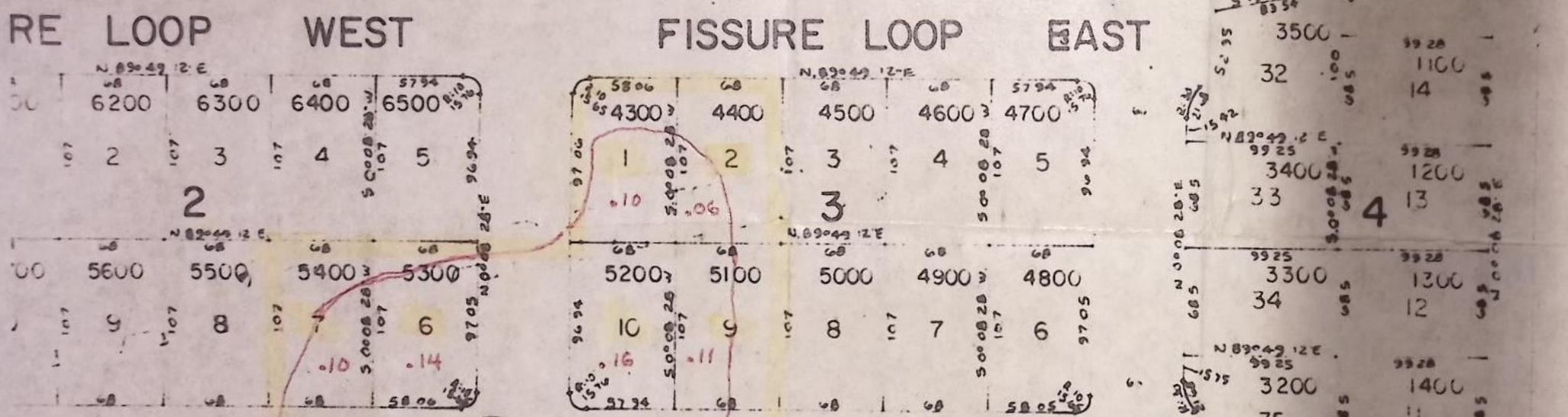
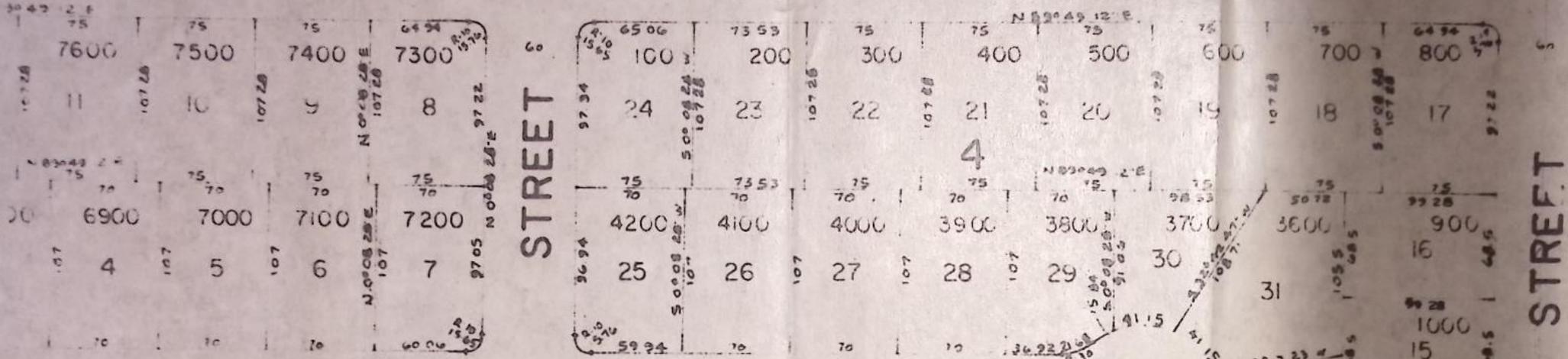
\* The District will not assess these water rights against tracts within Country Acres

SIGNED Robert A. Anderson  
Asst. Mgr.

NOTICE

This is a certification of value of water rights...  
any way part of the same but not...  
with the...  
CENTRAL OREGON IRRIGATION DISTRICT  
600...

SW 1/4 NE 1/4 SEC 17 T15S R13E  
EEN AVENUE



2.1

S.W. 25TH

AVENUE



## STATE OF OREGON

## INTEROFFICE MEMO

TO: File

DATE: January 19, 1982

FROM: Mike Bish, Adjudication *mve*

SUBJECT: Flasco (Professional Management Inc.)  
Cancellation SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 17, T15S, R13E, WM  
COID - Transfer 4386

I talked to Chris this date. He recalled previously talking to Bob Anderson, Assistant Manager COID. Anderson had referred to an area they were transferring acreage from. This area had a lake caused by irrigation drainage overflow. The conversation pertained to not transferring the lake area because the district felt the irrigation had been abandoned. The transfer was caused by a subdivision. While there was no conversation as to location, Chris thought that probably this was the same area referred to that is involved with the Flasco cancellation and also Transfer 4386.

MB/as

Oct 31 1900 for 985 cfs  
Bal Doc 2, 1907

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF CANCELLATION )  
OF A PORTION OF A WATER RIGHT )  
IN THE NAME OF Central Oregon )  
Irrigation District )

O R D E R

On Jan. 14, 1982, Michael A. Flasco, Secretary - Treasurer of Professional Management, Inc. of 632 S.W. 6th Street, Redmond, OR 97756, submitted an affidavit that Professional Management is the owner of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question was established by Decree of Circuit Court for Deschutes County, entered Sept. 30, 1958, in the Matter of the Determination of the Relative Rights ~~of~~ <sup>to</sup> the Use of the Waters of Deschutes River, which is tabulated in the name of Central Oregon Irrigation District, at Page ~~123~~ 123 Volume ~~16~~ 16, Order Record of the Water Resources Director, and is a portion of the right described by the certificate recorded at Page 29052, Volume 21, State Record of Water Right Certificates, in the name of Central Oregon Irrigation District and is for the use of ~~not to exceed~~ \_\_\_\_\_ c.f.s. Oct. 31, 1900 of Deschutes River, with a date<sup>s</sup> of priority of Dec. 2, 1907, for irrigation of 0.06 acre, in the SW 1/4 NE 1/4 Section 17 T. 15S., R. 13E. W.M.

12 p 282  
16 18396

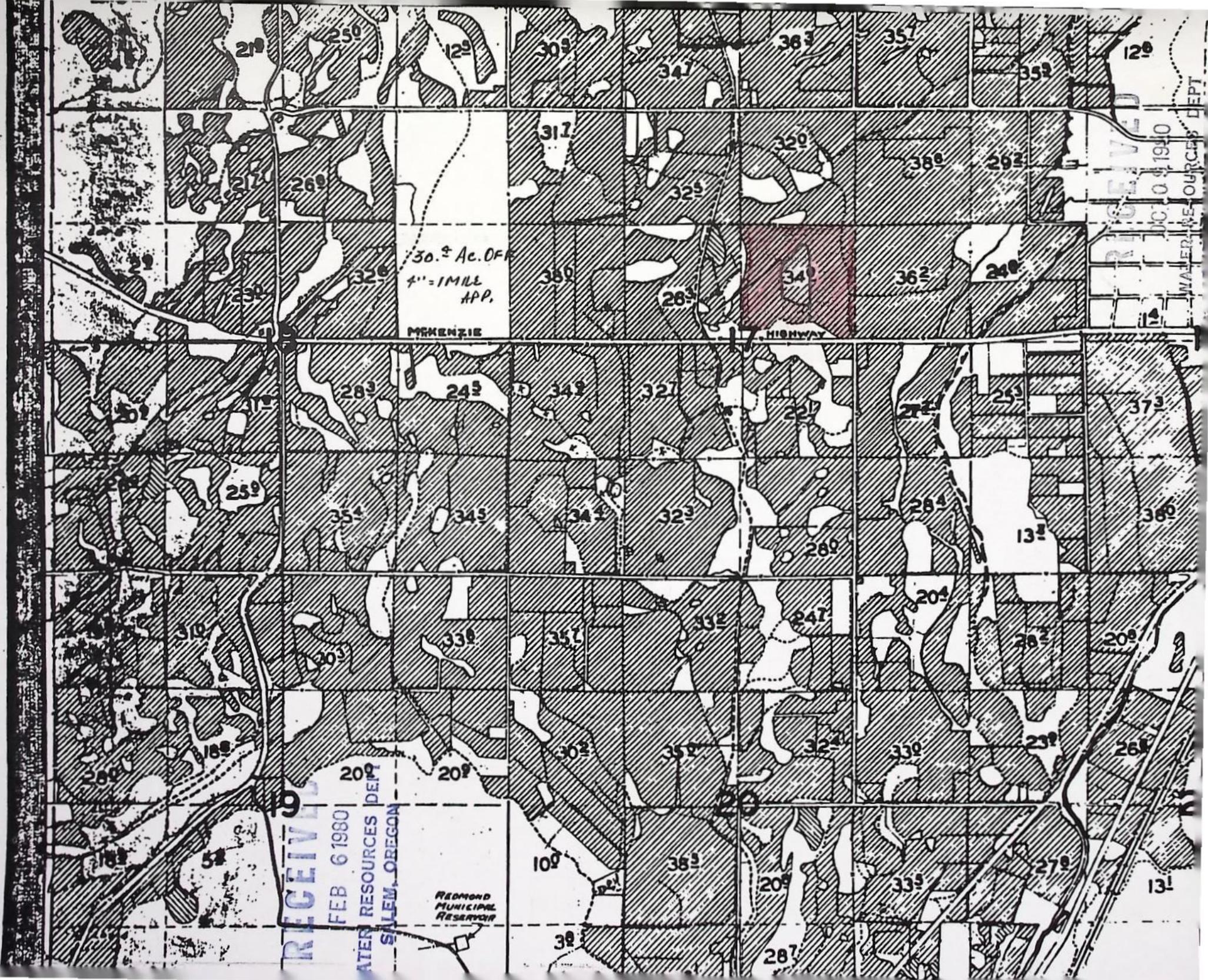
ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the said water right, being a portion of the right described by the certificate recorded at Page 29052, Volume 21, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled, and in lieu thereof a new certificate be issued to describe the balance of the water right NOT involved in this proceeding.

Dated at Salem, Oregon, this \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_.

James E. Sexson  
Director



RECEIVED  
FEB 6 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

30.3 Ac. OF  
4" = 1 MILE  
APP.  
MCKENZIE

HIGHWAY

REDMOND  
MUNICIPAL  
RESERVOIR

WATER RESOURCES DEPT  
JAN 10 1980

July 9, 1979

This will authorize the transfer of Central Oregon Irrigation District water rights by Country Acres, Inc., off of the forty acre parcel west of Redmond High School described as the SW $\frac{1}{4}$ , NE $\frac{1}{4}$  Section 17, Township 15 South, Range 13 East Willamette Meridian, Deschutes County, Oregon.

  
FRANKLIN NOLAN

NOTED  
EXCELLENCE  
RIVER  
**RECEIVED**

FEB 6 1980

WATER RESOURCES DEPT.  
SALEM, OREGON



STATE OF OREGON

INTEROFFICE MEMO

RECEIVED  
NOV 13 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 11/14/80

FROM: WATERMASTER, DISTRICT NO. 11  
(signature) Bob Main

SUBJECT: Water Right Transfer Application No. 4386 for change in POU, POD, Use of water

In the name(s) of Country Acres, Inc / COAD

In my opinion (assuming the water right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY\* to an existing water right.

\*The approval of this transfer application would result in injury to other water rights because \_\_\_\_\_

The existing right may not be valid because see previous inspection

Headgate notices HAVE HAVE NOT been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) of diversion between the authorized and 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 ... .

No New inspection.

The enclosed copy of the transfer application and map(s) are for your records.



Contains Recycled Materials



# FIRST NATIONAL BANK OF OREGON

REAL ESTATE LOAN DIVISION • 911 MAIN STREET, P. O. BOX 666, OREGON CITY, OREGON 97045  
TELEPHONE: 657-2601

October 22, 1979

Central Oregon Irrigation District  
Redmond, Oregon 97756

RECEIVED

FEB 6 1980

WATER RESOURCES DEPT  
SALEM, OREGON

Gentlemen:

The First National Bank of Oregon has no objection to your transfer of the irrigation rights adjudicated to the Country Acres, Inc. project in Redmond. We make no claim to these rights.



First National Bank of Oregon

Virgil Banks,  
Assistant Vice-President

VB:gb

RECEIVED

OCT 09 1980

WATER RESOURCES DEPT  
SALEM, OREGON

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Feb 27, 1980.

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

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4386

IN THE NAME OF Country Acres, Inc./COID

In my opinion the proposed change in POU 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 Nolan's Addition streets are paved and ground is torn up but photo showed that there was a est. 5 acre pond in the middle of the 34 acres of ground the ground showed irrigation in photo. The pond was not irrigated.

\*\* *Deane Clark*  
Watermaster's signature or initials

RECEIVED

MAR 5 1980

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

OCT 09 1980

WATER RESOURCES DEPT  
SALEM, OREGON

T-4386

RECEIVED  
FEB 6 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

### Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Country Acres Inc. (Name of applicant)

of Rt. 2 Box 392 (Mailing address), Molalla (City)

State of Oregon (Zip Code) 97038, 381-6362 (Phone number), do hereby make application for change

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

1. Is the water right recorded in your name? No. Frank McCaffery, page 123 (If not, give name)

2. Was your water right determined by Decree of Court? yes (Yes or No) If so, give title of proceedings  
Adjudication of the Deschutes River number of certificate 22252

3. Was your water right acquired by Water Right Permit? no (Yes or No) If so, give number 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, Pilot Butte 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
15	13	17	SW¼ NE¼	30.4

(If more space required, attach separate sheet)

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

10. 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
Deed	Franklin Nolan	Letter of consent attached
Construction Loan	1st National Bank of Oregon City	Letter of consent attached

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
15	13	18	NW¼ NW¼	10
16	12	25	SW¼ NW¼	20.4

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are more beneficial use and that the lands are being platted for subdivision.

15. Construction work will be completed on or before .....

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

Remarks 10 acres being transferred to Paul Eggleston on the NW¼ NW¼ 18-15-13 and

20.4 acres being transferred to David Jacqua on the SW¼ NW¼ of 25-16-12. Immediately after filing, the lands were platted and alteration of the lands commenced.

Approved by the Board of Directors of the Central Oregon Irrigation District at a regular meeting held July 10, 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**

χ I, Grant Schiewe, President, Country Acres Inc., 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.

χ In Witness Whereof, I have hereunto set my hand this 9th day of July, 1979.

Grant Schiewe  
(Name of applicant)

χ Subscribed and sworn to before me this 9th day of July, 1979.

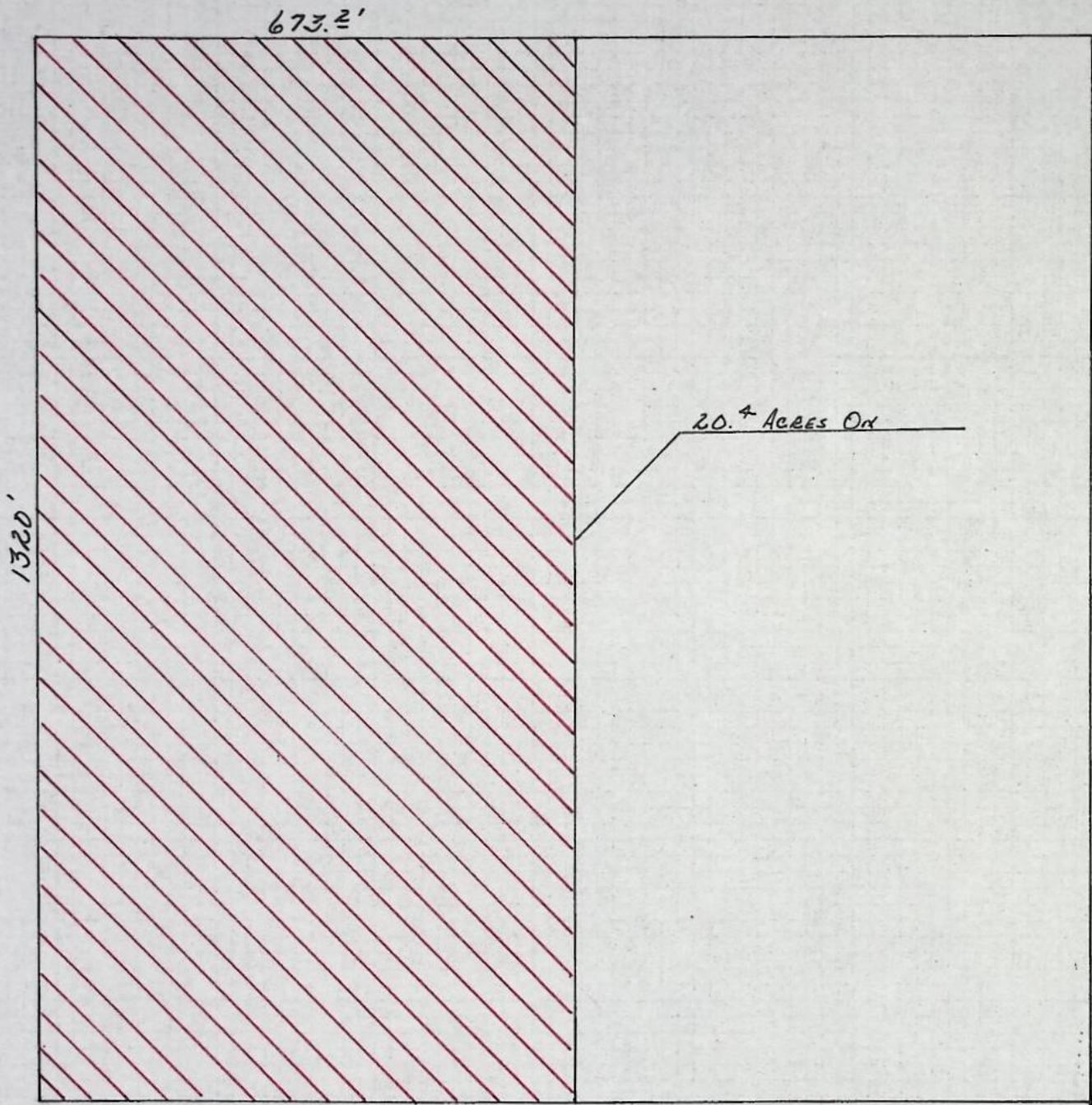
[Notarial Seal]

χ David M. Jacqua  
NOTARY PUBLIC FOR OREGON

χ My commission expires 4-03-83

SW<sup>1</sup>/<sub>4</sub> - NW<sup>1</sup>/<sub>4</sub> SECTION 25  
T. 12 S., R. 12 E W.M.

SCALE - 1" = 200'



RECEIVED  
OCT 09 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED  
FEB 6 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED  
FEB 6 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

441041

23806

VOL 269 PAGE 109

NOTICE OF SALE

Notice is hereby given to whom it may concern that under and by virtue of a certain agreement of sale dated February 15, 1978, FRANKLIN S. NOLAN and DORIS MARIE NOLAN, for and in consideration of the sum of \$200,000, have agreed to sell to COUNTRY ACRES, INC. the following described real property located in Deschutes County, Oregon:

The SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 17, Twp. 15 South, Range 13, E.W.M., Deschutes County, Oregon.

EXCEPT That portion conveyed to the State of Oregon by deed recorded August 29, 1963, in Book 136, Page 277, Deed records.

ALSO EXCEPT The West 30 feet of the North 686.08 feet, more or less, of the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 17, as conveyed to the County of Deschutes, by deed recorded March 15, 1971, in Book 174, Page 717, Deed records.

SUBJECT To easements, restrictions, reservations and rights of way of record.

Said agreement in part provides that the taxes shall be prorated as of February 15, 1978, and thereafter shall be the obligation of the Purchaser.

WITNESS Our hands this 10<sup>th</sup> day of February, 1978.

*Franklin S. Nolan*  
FRANKLIN S. NOLAN

*Doris Marie Nolan*  
DORIS MARIE NOLAN

COUNTRY ACRES, INC.  
*G. Schiewe*  
By GUY SCHIEWE, President

*Walt Hutchison*  
By WALT HUTCHISON, Secretary

STATE OF OREGON )  
                          ) ss.  
County of Deschutes )

February 10, 1978

Personally appeared the above named Franklin S. Nolan

ERVANT, ERINGSON, JENSEN & BROWN  
ATTORNEYS AT LAW  
ONE GARY BUILDING  
P. O. BOX 697  
RENO, NEVADA 89501  
TELEPHONE 782-0200

-1- NOTICE OF SALE  
GUY SCHIEWE  
WALTER W. WALL, JR. CLERK

RECEIVED

OCT 09 1980

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

FEB 6 1980

WATER RESOURCES DEPT  
SALEM, OREGON

VOL 269 PAGE 110

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

Before me:

Brenda S. Kincaid  
Notary Public for Oregon  
My Commission expires: 7-10-78

STATE OF OREGON

County of Clatsop

February 22, 1978

Personally appeared the above named Grant Schiewe, President, and Walt Hutchison, Secretary, of County Acres, Inc. and acknowledged the foregoing instrument to be its voluntary act and deed.

Before me:

Anna J. Hillman  
Notary Public for Oregon  
My Commission expires: 2-28-81



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

Country Acres, Inc.  
Box 892  
Seaside, Oregon 97138

23806

STATE OF OREGON

County of Deschutes

I hereby certify that the within instrument of writing was received for filing the 16th day of February 1978 at 11:20 o'clock A.M. and registered in Book 269 on Page 110.

Richard D. [Signature]  
Notary Public for Oregon

BRYANT, ERIDSON, JAGUA & BROWN  
ATTORNEYS AT LAW  
200 WEST GUYTON AVENUE  
S. E. COR 227  
RECREATION CENTER OFFICE  
TELEPHONE (503) 585-6101

-2- NOTICE OF SALE

RECEIVED

FEB 6 1980

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

OCT 9 1980

WATER RESOURCES DEPT  
SALEM, OREGON

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FRANKLIN S. NOLAN and DORIS MARIE NOLAN, husband and wife,  
Grantor, conveys and warrants to COUNTRY ACRES, INC., an Oregon corporation,

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

That part of the Southwest Quarter of the Northeast Quarter of Section 17, Township 15 South, Range 13 East of the Willamette Meridian in Deschutes County Oregon described as follows: Beginning at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 17, Township 15 South, Range 13 East which point is South 44° 56' 12" West 1870.01 feet from the Northeast corner of said Section 17; thence South 0° 08' 28" West 1317.71 feet to the Southeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 17; thence South 89° 54' 46" West 30.00 feet; thence North 0° 08' 28" East 455.33 feet; thence along the arc of a 20 foot radius curve to the left ( the chord of which bears North 45° 01' 07" West 14.18 feet) 15.76 feet; thence South 89° 49' 17" West 608.47 feet; thence South 0° 10' 43" East 20.00 feet; thence South 89° 49' 17" West 20.00 feet; thence North 0° 10' 43" West 20.00 feet; thence South 89° 49' 17" West 95.00 feet; thence North 0° 08' 28" East 166.98 feet; thence North 89° 49' 12" East 5.00 feet; thence North 0° 08' 28" East 107.00 feet; thence North 2° 02' 58" East 60.04 feet; thence North 0° 08' 28" East 214.00 feet; thence North 1° 46' 06" West 60.02 feet; thence North 0° 08' 28" East 107.00 feet; thence South 89° 49' 12" West 5.00 feet; thence North 0° 08' 28" East 137.28 feet; thence North 89° 49' 12" East 763.53 feet to the place of beginning.

SAVE AND EXCEPT: that portion lying within the McKenzie Highway Right-of-Way.

Notary Public for Oregon  
My commission expires  
FRANKLIN S. NOLAN

Notary Public for Oregon  
My commission expires

\* If the consideration consists of or includes other property or value, add the following:  
(Indicate which)

Franklin S. & Doris Marie Nolan  
Grantor's Name and Address

Country Acres, Inc.  
Route 2, Box 392  
Malalla, Oregon 97038  
Grantee's Name and Address

After recording return to:  
Country Acres, Inc.  
Route 2, Box 392  
Malalla, Oregon 97038  
Name, Address, Zip

Until a change is requested all tax statements shall be sent to the following address:  
Country Acres, Inc.  
Route 2, Box 392  
Malalla, Oregon 97038  
Name, Address, Zip

27135

STATE OF OREGON  
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 5 day of April A.D. 1979 at 4:22 o'clock P.M. and recorded in Book 296 on Page 462 Records of Deeds

ROSEMARY PATTERSON  
County Clerk  
By Rhonda Lantz Deputy

en the  
78 in  
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recorded  
April 25,  
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board of  
to be its

74

DEED

RECEIVED  
FEB 6 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

KNOW ALL MEN BY THESE PRESENTS, That Minnie D. McCaffery, a  
widow, single, and the survivor of Frank W. McCaffery, deceased, grantor,  
in consideration of Ten- and no/100--- Dollars, and other good and  
valuable consideration, to her paid by Franklin S. Nolan and Doris Marie  
Nolan, husband and wife, grantees, do hereby grant, bargain, sell and  
convey unto the said grantees, their heirs and assigns, all the  
following real property, with the tenements, hereditaments and appur-  
tenances, situated in the County of Deschutes and State of Oregon,  
bounded and described as follows, to-wit:

The Southwest Quarter of the Northeast Quarter and the  
Southeast Quarter of the Northeast Quarter of Section  
Seventeen, Township Fifteen South, Range Thirteen East of  
the Willamette Meridian EXCEPT that certain tract of land,  
a portion of the Southeast Quarter of the Northeast Quarter  
of Section Seventeen, Township Fifteen South, Range Thirteen  
East of the Willamette Meridian, bounded as follows: Starting  
at the East Quarter-Corner of said Section and running thence  
North 67 degrees 59'36" West a distance of 1089.60 feet to  
a point on the northerly line of the right of way of the  
McKenzie Highway as now located and established over and  
across said premises, being the point of beginning, thence  
North 0 degrees 19'24" East a distance of 208.08 feet,  
thence North 89 degrees 48'36" West a distance of 208.72  
feet, thence South 0 degrees 19'24" West on a line parallel  
to and 30 feet East of the West line of said Southeast  
Quarter of the Northeast Quarter a distance of 208.72 feet  
to a point on the northerly line of the right of way of  
said Highway, thence North 89 degrees 36'24" East along  
said northerly line a distance of 208.93 feet to the point  
of beginning;

The Northeast Quarter of the Southeast Quarter of Section  
Seventeen, Township Fifteen South, Range Thirteen East of  
the Willamette Meridian, EXCEPT the following:

(1) That certain tract of land in the Northeast Quarter  
of the Southeast Quarter of Section Seventeen, Township  
Fifteen South, Range Thirteen East of the Willamette  
Meridian, particularly described as follows: Commencing  
at the intersection of the East line of said Northeast  
Quarter of the Southeast Quarter with the South line of the  
McKenzie Highway, thence westerly along said South line of  
said Highway a distance of 183.35 feet, thence South  
16 degrees 22'24" West a distance of 766.72 feet to a point  
on the top of canyon wall, thence Southeasterly following  
said top of canyon wall a distance of 670 feet, more or less,  
to the South line of said Northeast Quarter of the Southeast  
Quarter, thence easterly along said South line of said  
Northeast Quarter of the Southeast Quarter a distance of  
228.66 feet to the Southeast Corner of said Northeast Quarter  
of the Southeast Quarter, thence northerly along the East  
line of said Northeast Quarter of the Southeast Quarter a  
distance of 1089.63 feet to the point of beginning.

(2) That portion of the Northeast Quarter of the  
Southeast Quarter of Section Seventeen, Township Fifteen  
South, Range Thirteen East of the Willamette Meridian,

bounded as follows: Starting at the Northeast Corner of said Northeast Quarter of the Southeast Quarter as the initial point and running thence South 88 degrees 31'24" West a distance of 756.66 feet to a point on the southerly right of way line of the McKensie Highway as now located and established, said point being the point of beginning, thence South 0 degrees 45'36" East on a line parallel to the East line of said Northeast Quarter of the Southeast Quarter a distance of 461.90 feet to a cross on rock at edge of rim rock of canyon wall, thence North 30 degrees 24'24" East a distance of 596.22 feet to a cross on rock on the southerly right of way line of said McKensie Highway, thence South 89 degrees 22'30" West along the southerly right of way line of said McKensie Highway a distance of 377.2 feet to the point of beginning.

To Have and to Hold the above described and granted premises unto the said grantees, their heirs and assigns forever.

And I the grantor do covenant that I am lawfully seized in fee simple of the above granted premises free from all encumbrances, and that I will and my heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness my hand and seal this 21st day of July, 1955.

Minnie D. McCaffery (SEAL)

STATE OF OREGON,                    )  
County of Deschutes            ) ss.

On this 21st day of July, 1955, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Minnie D. McCaffery, a widow, single, and the survivor of Frank W. McCaffery, deceased, who is known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that she executed the same freely and voluntarily.

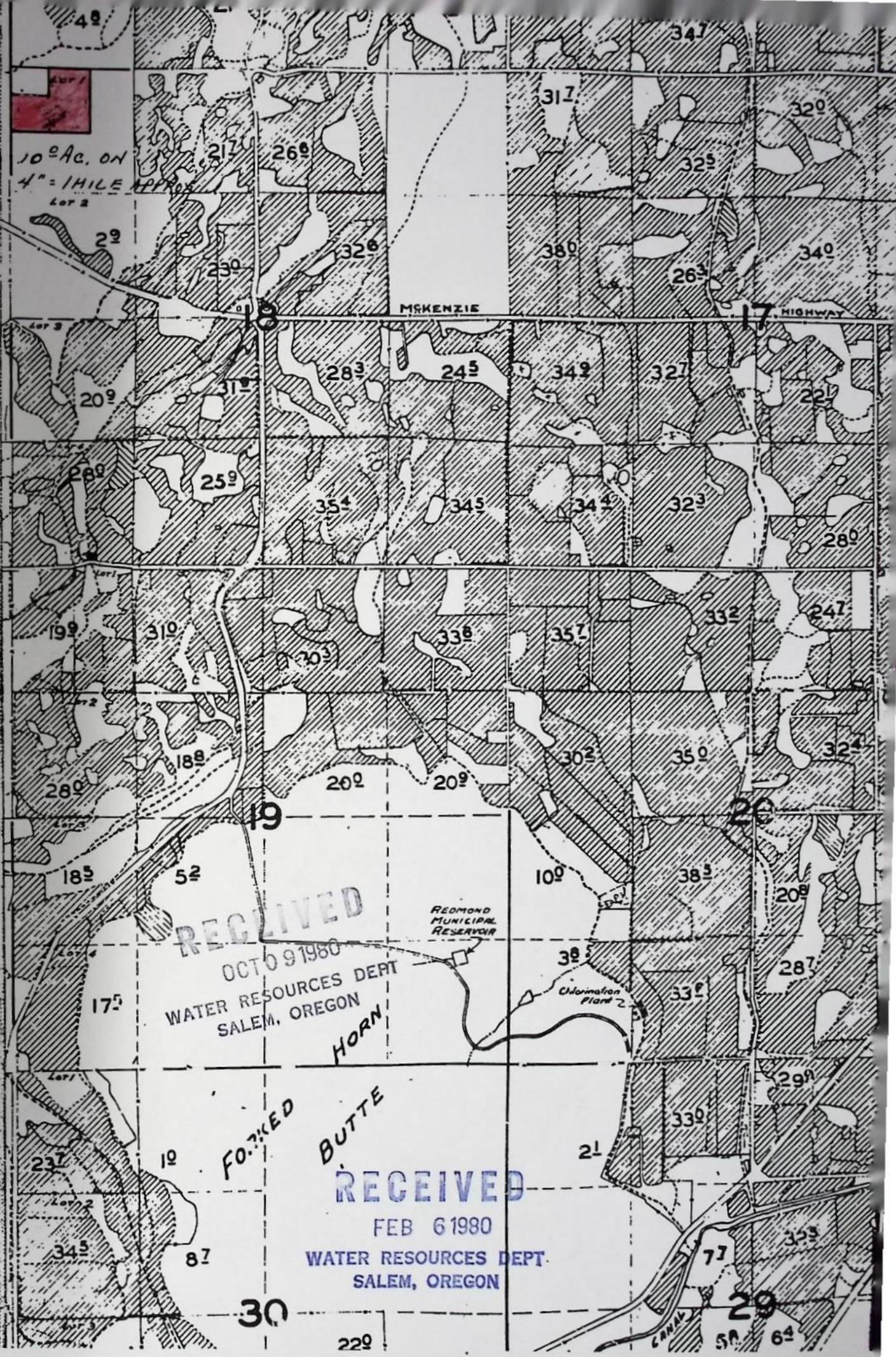
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Thomas G. ...  
Notary Public for Oregon.

My commission expires Jan. 22, 1958.

10<sup>±</sup> Ac. ON  
4" = 1 MILE APPROX  
Lot 2



RECEIVED  
OCT 09 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED  
FEB 6 1980  
WATER RESOURCES DEPT.  
SALEM, OREGON

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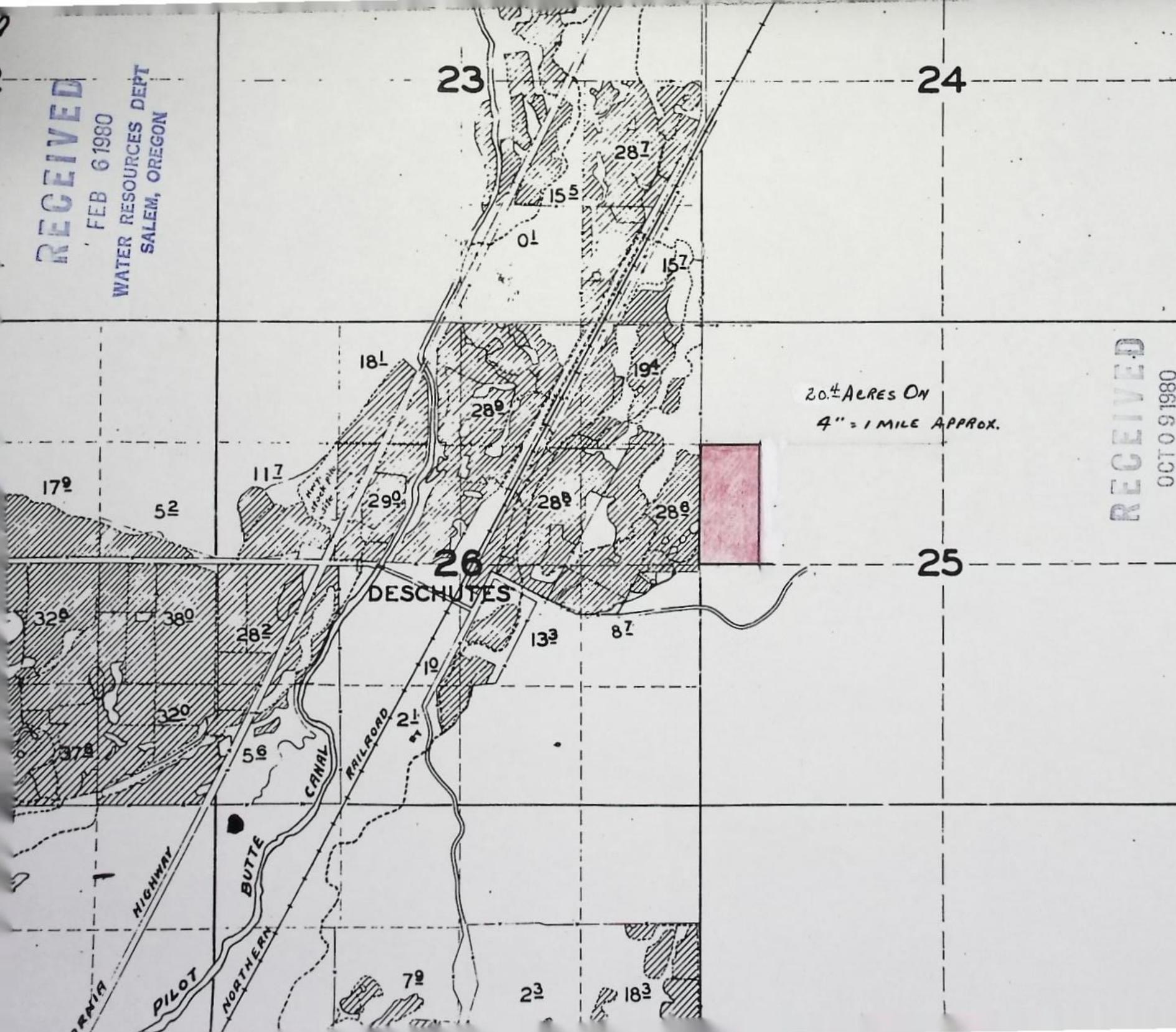
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RECEIVED

FEB 6 1980

WATER RESOURCES DEPT  
SALEM, OREGON



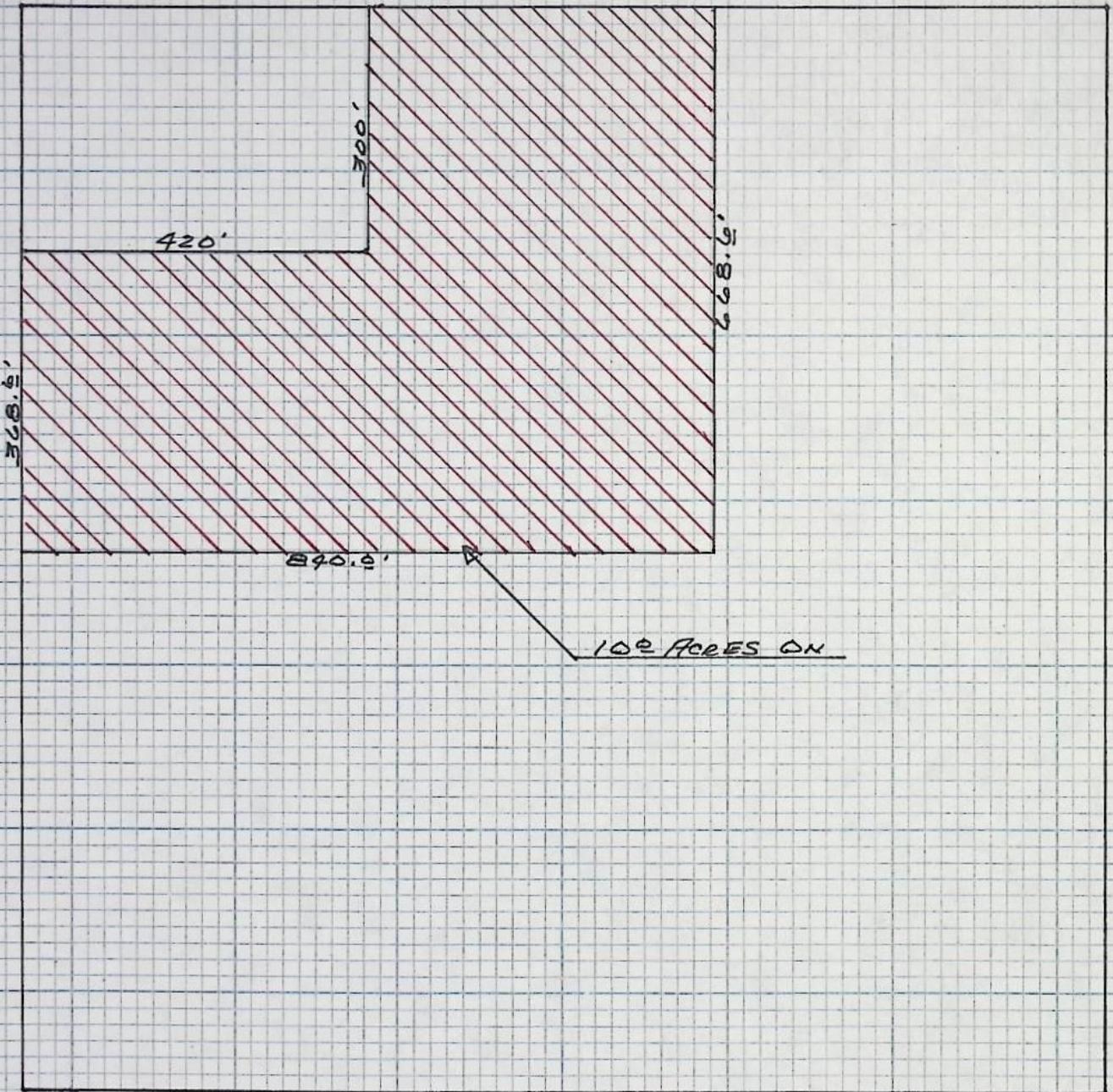
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OCT 09 1980

WATER RESOURCES DEPT  
SALEM, OREGON

N1/4 - N1/4 (LOT 1)  
SECTION 18  
T. 15S., R. 13E1/4N

SCALE 1" = 200'



RECEIVED

OCT 9 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

FEB 6 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

OCT 09 1980

WATER RESOURCES DEPT  
SALEM, OREGON

FORM NO. 10 - WARRANTY DEED

4007

**KNOW ALL MEN BY THESE PRESENTS, That Leonard G. Paulsen, a single man**

in consideration of Ten and 20/100 Dollars  
and other value  
to him paid by Lloyd M. Pisk, a single man

do hereby grant, bargain, sell and convey unto the said grantee, his heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Deschutes and State of Oregon, bounded and described as follows, to-wit:

The Southwest quarter of the Southeast quarter of Section 7 in Township 15 South of Range 13 East of the Willamette Meridian.

To Have and to Hold the above described and granted premises unto the said grantee, his heirs and assigns forever.  
And he the grantor do covenant that he is lawfully seized in fee simple of the above granted premises free from all encumbrances.

and that his will and his heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness my hand and seal this 18th day of October, 1954.

Leonard G. Paulsen (SAL)  
(SAL)

STATE OF OREGON,  
County of Crook }  
On this 18th day of October, 1954,  
before me, David M. McCallum, a Notary Public in and for said County and State, personally appeared the within named Leonard G. Paulsen, a single man



who is known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily.  
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

David M. McCallum  
Notary Public for Oregon  
My Commission expires July 5, 1956

**WARRANTY DEED**  
Leonard G. Paulsen  
TO  
Lloyd M. Pisk  
D. J. Box 242, Redmond  
AFTER RECORDING RETURN TO

4007

DON'T USE THIS SPACE RESERVED FOR RECORDING LABEL IN OTHER STATES

STATE OF OREGON,  
County of Deschutes  
I certify that the within instrument was recorded for record on the 27th day of October, 1954, at 8:15 AM at the Public Office of the County of Deschutes and is indexed in book 100 on page 5 of the Record of Deeds of said County.  
Witness my hand and seal of County of Deschutes

INDEX

Henry D. Deane  
County Clerk - Deschutes