

4329

Name Thomas J. Case

By COLD

Address 4635 S.W. Obsidian

Redmond, OR 97756

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River

Trib. of _____ County of Deschutes

Use irrigation

Quantity of water _____ No. of acres 1 1/2

Name of ditch Pilot Butte Canal

Date of priority Oct 31, 1900 & Dec 2, 1907

In name of Lewis Tackitt & Al Eppenbaugh

Deschutes R. Adjudication, Vol. 16, page 127

App. No. _____ Per. No. _____ Cert. No. 29052

Certificate cancelled _____

Notation made on record by _____

Change in POU

Date filed Nov 19, 1979

Date of hearing _____

Place of hearing _____

Date of order 1-21-80 Vol. 32, page 654

Date for application of water 10-1-81

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

FEES PAID

Date	Amount	Receipt No.
<u>11-19-79</u>	<u>30.00</u>	<u>13056</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

to sur 12/81

HB 3111

Surveyed 8/1/84 (Walkley)

REMARKS

W.R.I.S.

Assembled 7-3-85 by SPB

Entered _____ by _____

Verified _____ by _____

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

SPB

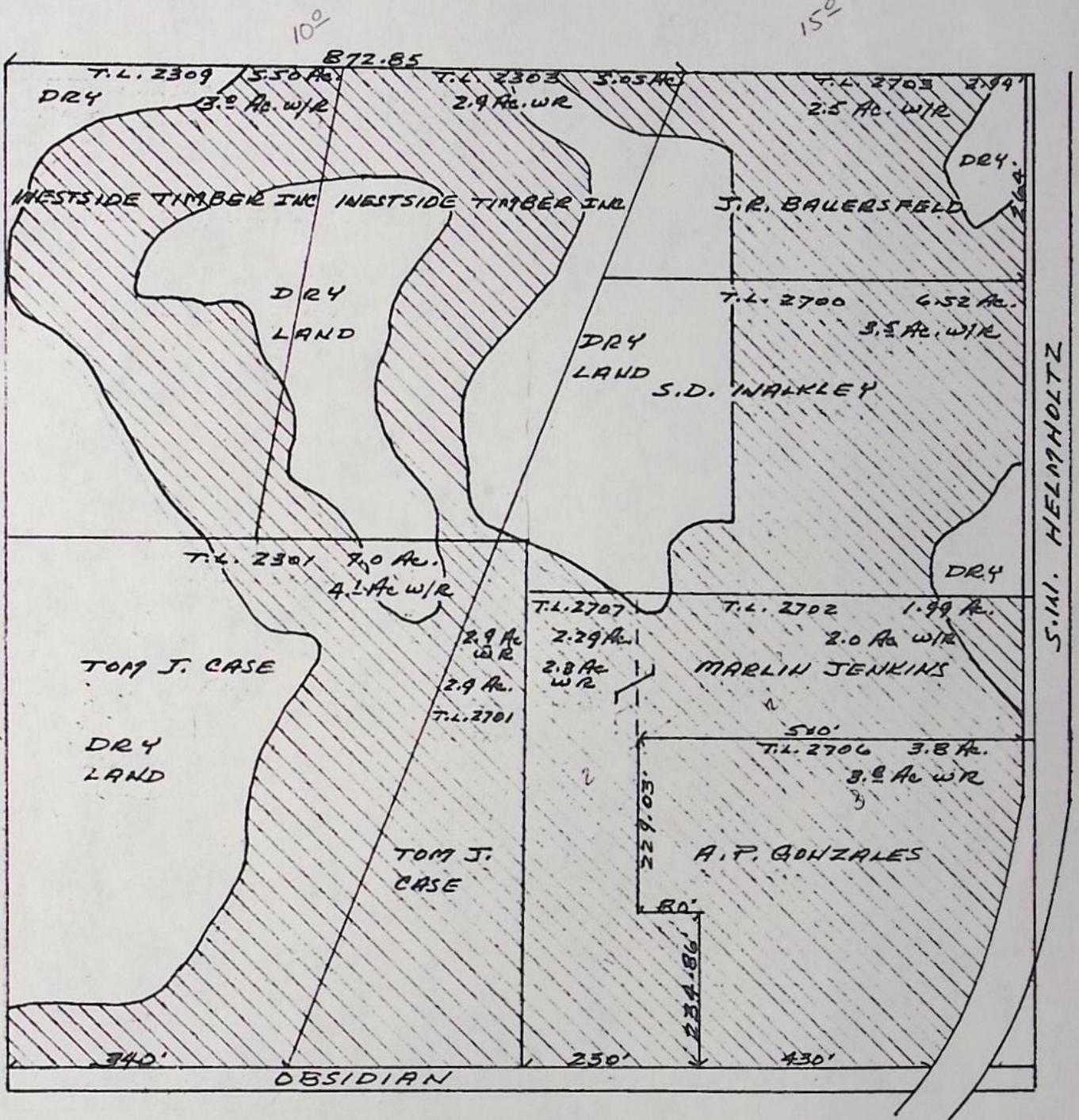
4-1-81

SECTION 18, T.15S., R.13E1/4M

SE 1/4 - SW 1/4

SCALE 1" = 200'

27.0 ACRES W/R



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
THOMAS J. CASE (CENTRAL OREGON IRRIG-)
GATION DISTRICT) FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4329

On November 19, 1979, an application was filed in the office of the Water Resources Director by Thomas J. Case 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 1.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 15 South, Range 13 East, W.M., being tabulated in the name of Al Eppengaugh at Volume 16, page 127, 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 other 1.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 18.

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 January 9, 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.

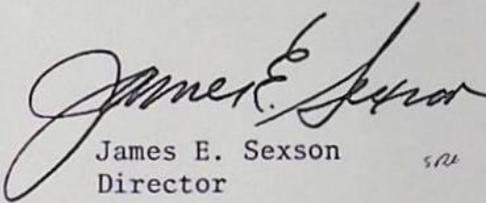
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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 21st day of January, 1980.


James E. Sexson
Director

Info: Mrs. Walkley

Irrigate to S property line, back
to west p.l. & north to rocky area.
Also a pasture in front
see TR 3457

TG: 179-186

8-1-84

Jessie Olson
WFE

Note

During drafting, I found that there was
not enough irrigated land to make proof
on this transfer. All land irrigated is
covered by decree & TR. 3457

Therefore, this is an adverse report.
JJO

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

WATER RIGHT NO. T0000 *43291* PERMIT NO. 016127 CERTIF. NO. 029052
ORIG. NO. C000290521 PREV. NO. C000290521 SUPER. NO.

NAME: *THOMAS J. CASE*
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--> *10 01 1981* YR.LAST USED-----> NEXT ACTION DUE-->
PRIORITY-----> 10 31 1900 PUT TO USE-----> *10 01 1981* LAST TRANS.DATE--> LAST TRANS.TYPE-->
APPLICATION---> *11 19 1979* SURVEYED-----> EXAM.FEE-----> RECORDING FEE---->
PERMIT ISSUE--> *01 21 1980* CONCURRENCE-----> CYCLE STATUS-----> REPORTED FLAG---->
CONSTR.STRT.--> *01 21 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	<i>rs</i> 164.9		V			P
180S	120E	13	A C	05 1980	<i>co</i> 171.0		V			P
					0.0					

** REMARKS; - - - - -
** DATED-->
** PRIORITY ALSO 12-2-1907. CHANGES POIL
** PART OF C-29052 PILOT BUTTE CENTRAL
** OREGON CANAL TAB IN NAME OF LEWIS
** *TACKLE & AL EPPENBAUGH.*
**
**
**

PLACE-OF-USE DATA:

TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE %	CNSMTV	ACRES	STATUS	S	OR	P
<i>150S</i>	<i>130E</i>	<i>18</i>	<i>D C</i>	<i>09</i>	<i>IR</i>	<i>100.00</i>	<i>1.50</i>	<i>V</i>			<i>P</i>

W.R.I.S.

Approved: *4-3-85* *SPX*

Entered _____ by _____

Verified _____ by _____

RECEIVED

DEC 2 1981

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

Place of Use

PURSUANT TO TRANSFER APPLICATION NO. 4329

I, Stephen D. Walkley, 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, 1979.

11/30/81
Date

Stephen D. Walkley
Signature

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

OK
Gij

TRANSFERS, WATER RIGHTS DIVISION

DATE: 12/21, 1979

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

RECEIVED

DEC 28 1979

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4329

WATER RESOURCES DEPT
SALEM, OREGON

IN THE NAME OF Thomas J. Case

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 _____

** Bob Main
Watermaster's signature or initials

T-4329

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NOV 19 1979

WATER RESOURCES DEPT
SALEM, OREGON

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SEP 12 1979

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Thomas J. Case (Floy Case, deceased)

(Name of applicant)

of 4635 S.W. Obsidian

(Mailing address)

Redmond

(City)

State of Oregon

977566

(Zip Code)

548-2486

(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)

Lewis Tackitt, page 127

1. Is the water right recorded in your name? No. Al Eppenbaugh, page 127

(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? 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, Pilot Butte Cahal

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. and ft. from the

(N. or S.)

(E. or W.)

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. and ft. from the

(N. or S.)

(E. or W.)

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	18	SE¼ SW¼	1.5

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes
(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.? yes
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
None		

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	SE¼ SW¼	1.5

(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 Oct. 31, 1979

Remarks Water rightd being transferred within property owned by Thomas Case.

Approved by the Board of Directors of the Central Oregon Irrigation District at a regular meeting held January 9, 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, Thomas J. Case (Floy Case, deceased), 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 22nd day of December, 1978

Thomas J. Case
(Name of applicant)

Subscribed and sworn to before me this 22nd day of December, 1978

Robert A. Anderson
NOTARY PUBLIC FOR OREGON

[Notarial Seal]



My commission expires Sept. 14, 1979

Maurice Pendroy

8.0

McKenzie Highway 453.5 ft. easterly from the west line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, thence N. 0° 01' E. 836.7 ft., thence S. 88° 42' E. 425 ft., more or less, to a point 440 ft. west of the east line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, thence S. 0° 01' W. 941.7 ft. to the north r/w line of the McKenzie Highway, thence westerly along said north r/w line to the point of beginning.

8.0 acres in that part of - the SE $\frac{1}{4}$ NW $\frac{1}{4}$,

Section 18,

T. 15 S., R. 13 E., W.M., described as follows:

Beginning at a point on the north r/w line of the

McKenzie Highway N. 0° 01' E. 30 ft. from the center of said Section 18, thence N. 0° 01' E. 975.8 ft., thence N. 88° 42' W. 440 ft., thence S. 0° 01' W. 941.7 ft. to the north r/w line of said McKenzie Highway, thence easterly along said r/w line on a 2° curve 441.4 ft. to the point of beginning.

32.0 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, - 10.0 acres in the W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ -

Section 18,

T. 15 S., R. 13 E., W.M.

2.0 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ -

T. 4329

A POV part

+15

Al Eppenbaugh

42.0

Lewis Tackitt

15.0

L. E. Rice

18.0

Milo Wilmott

48.0

Owen Brown

10.0

15.0 acres in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ - Section 18,

T. 15 S., R. 13 E., W.M.

18.0 acres in Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), - Section 18,

T. 15 S., R. 13 E., W.M.

28.0 acres in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), - Section 18,

20.0 acres in Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), - Section 19,

T. 15 S., R. 13 E., W.M.

10.0 acres in that part of - the NE $\frac{1}{4}$ SE $\frac{1}{4}$,

Section 18,

T. 15 S., R. 13 E., W.M., described as follows:

Beginning at the intersection of the south r/w line of the Red and Sisters Highway with the east line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$,

V16 P127

T-4329

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NOV 10 1979

WATER RESOURCES DEPT SEI 12 1979
SALEM, OREGON WATER RESOURCES DEPT
11064
SALEM, OREGON
260 PAGE 904

4544
FORM No. 633-1-CASABARTY DESO
1967 01

KNOW ALL MEN BY THESE PRESENTS, That Roy Glen Tackitt

, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Thomas J. Case and Floy Case, Husband and Wife,

hereinafter called the grantees, do hereby grant, bargain, sell and convey unto the said grantees and grantees heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Deschutes and State of Oregon, described as follows, to-wit:

IN TOWNSHIP 15 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon:

Section 18: That portion of the SE 1/4 of the SW 1/4 lying south of a line 264 feet South of and parallel to the North line of said SE 1/4 SW 1/4; and lying east of a line beginning South 89° 57' East, 340 feet from the southwest corner of said SE 1/4 SW 1/4 of said Section 18, thence North 21° 10' East, 1402.9 feet to a point on the North line of said SE 1/4 SW 1/4 which point is 872.95 feet East of the Northwest corner of said SE 1/4 SW 1/4; and lying north of a line 66 feet south of and parallel to the North line of the SE 1/4 SW 1/4 of said Section 18; and excepting that portion thereof lying in the SW 1/4 of the SE 1/4 of the SW 1/4 of said Section 18.

TOGETHER with an appurtenant water right of six (6) acres under the system of the Central Oregon Irrigation District.

SUBJECT TO existing roads, highways, easements and rights of way of record and reservations contained in state deeds and federal patents.

To Have and to Hold the same unto the said grantees and grantees heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantees and grantees heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except specifically mentioned above and those encumbrances which have accrued since February 1, 1973.

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 15,000. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural.
WITNESS grantor's hand this 20 day of October 1977

Roy Glen Tackitt

STATE OF OREGON, County of Deschutes) ss
I hereby approved the above named Roy Glen Tackitt October 20, 1977



his voluntary act and deed.
Before me: Cheryl Innes
Notary Public for Oregon
My commission expires 1-16-81

Roy Glen Tackitt
521 S. 6th St.
Redmond, Oregon 97756
GRANTOR'S NAME AND ADDRESS
Thomas Case & Floy Case
Redmond, Oregon 97756
GRANTEES' NAME AND ADDRESS
Thomas Case & Floy Case
Redmond, Oregon 97756

11064

STATE OF OREGON,
County of Deschutes
I certify that the within instrument was received for record on the 20th day of October, 1977, at 8:00 o'clock P.M., and recorded in book 260 on page 904 or on file/reel number
Record of Deeds of said county.
Witness my hand and seal of County aforesaid.

SPACE RESERVED FOR RECORDER'S USE

Send a change to requested all tax statements following address

T-4329

1967 VOL 185 PAGE 464

KNOW ALL MEN BY THESE PRESENTS, That a single man

ROY GLEN TACKITT, SEP 12 1979

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by THOMAS J. CASE and FLOY CASE, husband and wife

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Deschutes and State of Oregon, described as follows, to-wit:

IN TOWNSHIP 15 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN:

SECTION 18: That part of the Southwest Quarter Southeast Quarter Southwest Quarter (SW 1/4 SE 1/4 SW 1/4) of said Section 18, lying easterly of a line beginning South 89° 57' East, 340 feet from the Southwest corner of said SW 1/4 SE 1/4 SW 1/4 of said Section 18; thence North 21° 10' East across said SW 1/4 SE 1/4 SW 1/4 of said Section 18; together with an appurtenant water right of one (1) acre served through the system of the Central Oregon Irrigation District; and

TOGETHER with an easement for delivery of water by ditch on adjacent property of grantor down the South line of Section 18.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances excepting easements and rights of way of record, if any;

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NOV 19 1979

WATER RESOURCES DEPT SALEM, OREGON

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1,000.00

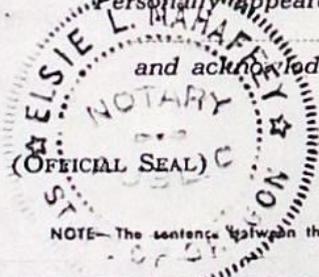
However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which):

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

WITNESS grantor's hand this 7th day of July, 1969

Roy Glen Tackitt ROY GLEN TACKITT

STATE OF OREGON, County of Deschutes) ss. July 7, 1969 Personally appeared the above named Roy Glen Tackitt, a single man



and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: Elsie L. Mahaffey Notary Public for Oregon My commission expires April 24, 1973

NOTE - The sentence between the symbols (1), if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

WARRANTY DEED

ROY GLEN TACKITT, a single man

TO THOMAS J. CASE and FLOY CASE, husband and wife

AFTER RECORDING RETURN TO

DESCHUTES COUNTY TITLE INSURANCE CO. 1030 BOND STREET - BEND, OREGON 97701

STATE OF OREGON, County of Deschutes) ss.

I certify that the within instrument was received for record on the 7th day of July, 1969, at 3:22 o'clock P.M., and recorded in book 185 on page 467. Record of Deeds of said County.

Witness my hand and seal of County affixed.

Helen M. Dancy County Clerk Title. By Cyndee Seljan Deputy.

(DON'T USE THIS SPACE; RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

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SEP 12 1979

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

NOV 19 1979

WATER RESOURCES DEPT
SALEM, OREGON

VOL 171 PAGE 428

STATE OF OREGON,

County of Deschutes

ss.

I, Roy Glen Tackitt

being duly sworn, depose and say that I am the sole owner of the property described in the foregoing bill of sale, and that the same is free and clear of liens and encumbrances of every kind and nature,

at date of execution of said bill of sale, and the same has been paid for in full.

Roy Glen Tackitt
Roy Glen Tackitt

Subscribed and sworn to before me this 29th day of July 1979

Dale T. Crafton,

Notary Public for Oregon

My Commission expires April 24, 1973



BILL OF SALE

(FORM No. 181)

TO

Dated _____, 19____

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

9470

STATE OF OREGON

County of Deschutes

I hereby certify that the within instr

ment of writing was received & reco

rd on 31st day of July A.D. 1979

at 4:45 o'clock P.M. and record

ed in Book 171 on Page 427 Record

of _____

_____ County Clerk

_____ Deputy

*Thomas Stets Case
4635 SW Oaklawn*

THIS INDENTURE WITNESSETH, That for and in consideration of the sum of EIGHT HUNDRED and no/100 ----- DOLLARS, the receipt whereof is hereby acknowledged, I do hereby grant, bargain, sell, transfer and deliver unto THOMAS J. CASE and FLOY CASE, husband and wife herein called Buyer, the following described Personal Property, now being and situate

in State of Oregon, County of Deschutes

to-wit: WATER RESOURCES DEPT SALEM, OREGON

SEP 1 1979

Three acres of water right, served through the Central Oregon Irrigation District, and now appurtenant to lands described as follows:

IN TOWNSHIP 15 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN:

SECTION 18: That part of the Southwest Quarter Southeast Quarter Southwest Quarter (SW 1/4 SE 1/4 SW 1/4) of said Section 18, lying easterly of a line beginning South 89° 57' East, 340 feet from the Southwest corner of said SW 1/4 SE 1/4 SW 1/4 of said Section 18; thence North 21° 10' East across said SW 1/4 SE 1/4 SW 1/4 of said Section 18.

RECEIVED

NOV 19 1979

WATER RESOURCES DEPT SALEM, OREGON

TO HAVE AND TO HOLD, the same unto the said Buyer S., their executors, administrators and assigns forever.

And I, the said Seller, do hereby covenant and agree to and with the said Buyer that I am the owner of said above described Personal Property; that the same is free from all encumbrances and that I have a good right to sell the same, and that I, my heirs, executors, administrators and assigns shall warrant and defend the same against the lawful claims and demands of all persons whomsoever.

WITNESS my hand this 29th day of July, 19 70.

Roy Glen Tackitt
ROY GLEN TACKITT

WARRANTY DEED

VOL 108 PAGE 103

GRANTORS: ALVIN M. EPPENBAUGH and PHYLLIS H. EPPENBAUGH, husband and wife

GRANTEES: THOMAS J. CASE and FLOY CASE, husband and wife

CONSIDERATION: \$2,889.00

RECEIVED
SEP 12 1979

Grantors hereby grant, bargain, sell and convey unto Grantees, their heirs and assigns, the following described real property, to-wit:

WATER RESOURCES DEPT
SALEM, OREGON
RECEIVED
NOV 19 1979
WATER RESOURCES DEPT
SALEM, OREGON

IN TOWNSHIP 15 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon:

Section 18: That portion of the following described property lying South of a line 695.12 feet North of and parallel to the South line of the SE1/4 SW1/4: That portion of the SE1/4 SW1/4 bounded as follows: Starting at the South quarter corner of said Section 18 and running thence South 89° 40' West along the South line of said Section, 932.0 feet to the point of beginning; thence North 21° 10' East 1402.9 feet to the North line of said SE1/4 SW1/4; thence South 89° 52' West 872.95 feet, more or less, to the Northwest corner of said SE1/4 SW1/4; thence South 1° 28' East along the West line of said SE1/4 SW1/4 1306.12 feet to the South line of said SE1/4 SW1/4; thence South 89° 57' East along the South line of said SE1/4 SW1/4, 340 feet, more or less, to the point of beginning.

TOGETHER with an appurtenant water right of five (5) acres under the system of the Central Oregon Irrigation District.

TOGETHER with all of the right, title and interest of Grantors to have delivery of water through the existing ditch through which water is presently delivered to said premises to the West boundary line thereof.

SUBJECT to existing roads, highways, easements and rights of way of record, and reservations contained in state deeds and federal patents, AND FURTHER SUBJECT to taxes levied and assessed subsequent to June 30th, 1964 and liens and encumbrances created or suffered to accrue by Grantees herein or those claiming by, through or under them.

THIS DEED is given in performance of that certain contract of sale dated April 15th, 1964 between Grantors herein as seller and Grantees herein as purchaser.

Grantors warrant and covenant that they are the owners of the above described real property in fee simple, free and clear of liens and encumbrances and will warrant and defend the same against all persons who lawfully claim the same, except as hereinabove mentioned.

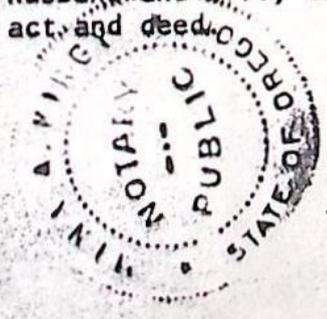
EXECUTED this 31st day of December, 1969.

Alvin M. Eppenbaugh
Alvin M. Eppenbaugh

Phyllis H. Eppenbaugh
Phyllis H. Eppenbaugh

STATE OF OREGON, County of Deschutes) ss. December 31st, 1969

Personally appeared the above named ALVIN M. EPPENBAUGH and PHYLLIS H. EPPENBAUGH, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me: Maria A. Kirby
Notary Public for Oregon
My Commission Expires: 9-23-70

DESCHUTES COUNTY TITLE INSURANCE
1020 BOND STREET - BEND, OREGON

3319

No.

STATE OF OREGON

County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 6th day of Jan A.D. 1920 at 3:53 o'clock P.M., and record in Book 168 on Page 163. Record of Deeds

Bliss M. Dancy County Clerk
By Agnes Dancy Deputy

FILED

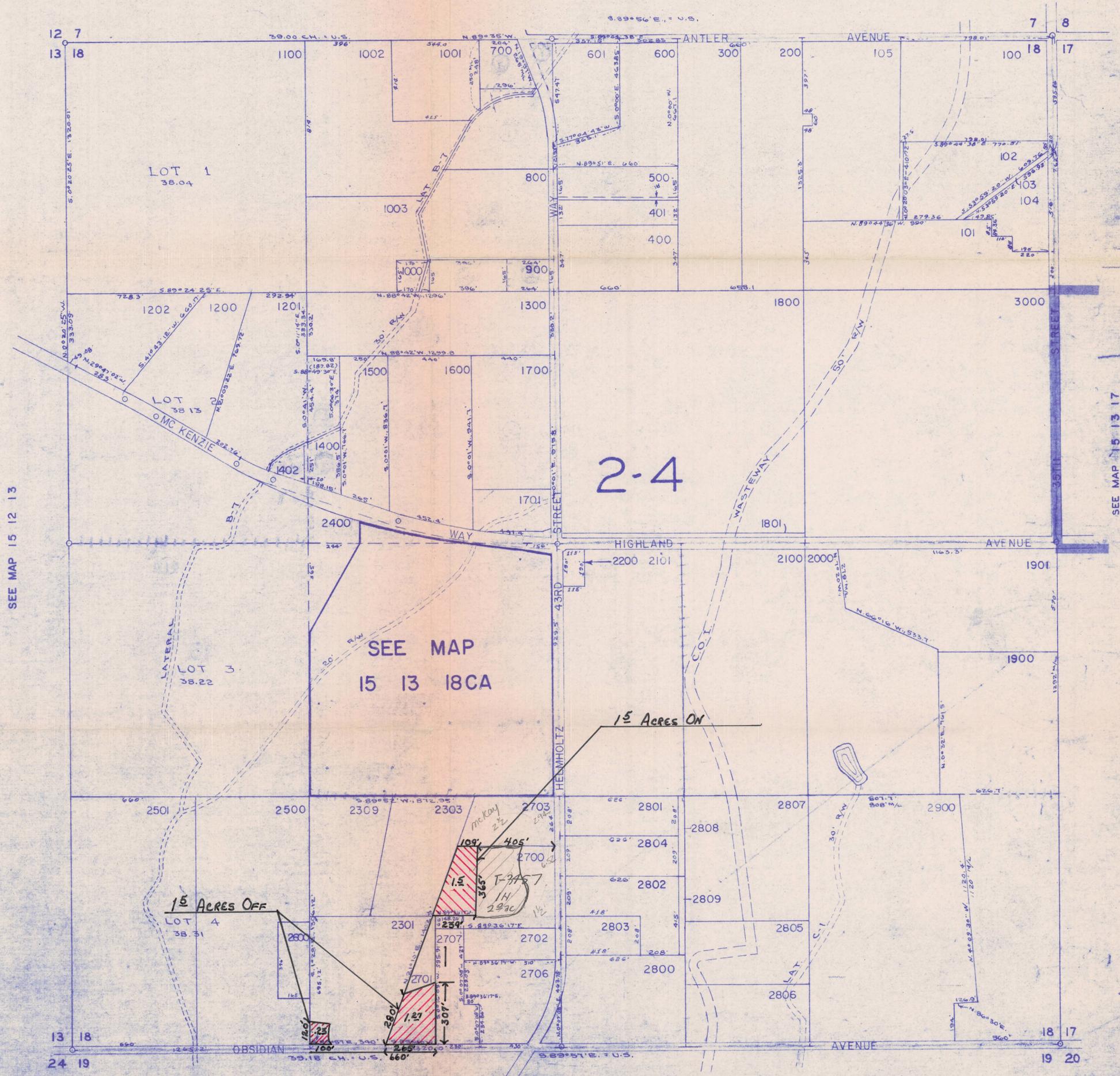
RECORDED
INDEXED
JAN 10 1920
CLERK OF COUNTY OF DESCHUTES
ASHEM, OREGON

RECORDED

RECORDED

RECEIVED

SEE MAP 15 13 7



SEE MAP 15 12 13

SEE MAP 15 13 17

SEE MAP 15 13 19