



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

Application for Instream Lease Pooled Lease Form

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: COPB-07-11

Lease Application Number (assigned by WRD): L-952 / MP-109

This Lease is between:

Lessor #2: Irrigation District or Other Water Purveyor

Name Central Oregon Irrigation District
Mailing address 1055 SW Lake Ct
City, State, Zip Code Redmond, OR 97756
Telephone number 541-548-6047
Email address lauraw@coid.org

The water right to be leased is located in Crook & Deschutes County.

Lessee (if different than Oregon Water Resources Department):

Name Deschutes Water Exchange Mitigation Bank
Mailing address PO Box 1560
City, State, Zip Code Bend, OR 97709
Telephone number 541-382-5186
Email address gen@deschutesriver.org

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SALEM, OREGON

Trustee:

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

~I~ Water Right Holder and Water Right Information

1.2 Lessor #2 is the (Check one):

- Official representative of Central Oregon Irrigation District, the irrigation district, which conveys water to the subject water rights.
- Another party with an interest in the subject water rights representing _____.
- Not applicable.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 76358 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 Water Rights Proposed to be Leased Instream.

The first right to be leased identified in Section 1.3 is further described as follows:

Certificate No.: 76358

Priority date: October 31, 1900 & December 2, 1907 Type of use: Irrig

Legal Season of Use: April 1 to November 1

If an irrigation right, total number of acres to be leased: 39.02

Total acre-feet of storage to be leased, if applicable: 0

Maximum rate associated with subject water rights (cfs) being leased:

Priority 10/31/1900: Season 1: 0.488, Season 2: 0.650, Season 3: 0.858

Priority 12/02/1907: Season 3: 0.346

If there is more than one rate associated with a water right, describe below:

Season 1 (cfs) _____ Time period: _____

Season 2 (cfs) _____ Time period: _____

Season 3 (cfs) _____ Time period: _____

Maximum duty associated with subject water rights (ac-ft): 386.69

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Conditions or other limitations, if any: None

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SALEM, OREGON

If you need to enter another leased right, please use the additional water rights form.

~II~ Instream Water Right Information

2.1 **Public use.** This lease will increase streamflows that will benefit:

- Conservation, maintenance and enhancement of aquatic and fish life, wildlife, and fish and wildlife habitat
- Pollution abatement
- Recreation and scenic attraction

2.2 **Instream use created by lease.** The instream use to be created is described as follows:

Deschutes River

Tributary to Columbia River in the Deschutes Basin.

Describe the point of diversion (POD) and any associated reach(es) of the instream use being created. If possible list the reach by river mile. If no reach is identified, and there is only one POD listed on the certificate, the lease will be processed to be protected at the POD. (If more than one POD is listed on the certificate, then the POD and any associated reach(es) must be identified): POD #1 & 11 to Lake Billy Chinook

Maximum volume in acre-feet: Priority 10/31/1900: 212.68

Rate in cfs: Priority 10/31/1900: Season 1: 0.268, Season 2: 0.358, Season 3: 0.662

(If more than one rate, describe the rate associated within each time period or instream reach.)

Rate in cfs: _____

Rate in cfs: _____

(Use the section below to indicate a more restrictive period of use than allowed by the water right.)

Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from _____ through _____.

Other (describe): _____

2.3 Term of lease. This lease shall terminate on October 31, 2007.

2.4 Flow protection. The Trustee will regulate use of water from the source, subject to prior appropriation and the agency enforcement guidance, to assure the water is delivered to the point of diversion, and through the reach past junior downstream users, so long as flow is sufficient to meet the demand under priority date of the new instream use (see Section 2.2). As part of regulation activities the watermaster or a designee has access to the point of diversion and place of use for the water rights involved in this lease. No party is required to continuously measure the flow of the waterway described in Section 2.2.

~III~ Other Information

3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5 Termination provision.

- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
- Written notice to the Department with original signatures;
 - Consent by all parties to the lease; and/or
 - Written notice to the Watermaster's office.
- For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

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3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

3.7 Fees. Pursuant to ORS 536.050, the following fee is included:

- \$200 for an application with four or more landowners or four or more water rights.
 \$100 for all other applications.

Lessor #2: Rebecca K. Ross Date: June 15, 2007
Central Oregon Irrigation District

Lessee: Genevieve Hubert Date: June 19, 2007
Deschutes Water Exchange Mitigation Bank

Other Attachments as Needed:

Attachment 1: Tax Lot Map. (See instructions.)

Attachment 2: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. (See instructions.)

Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 is checked).

Attachment 4: Split Season Instream Use Form

Attachment 5: Pooled Lease Water Right Holder Form

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**WATER RESOURCES DEPT
SALEM, OREGON**



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

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 859

Lease Application Number (assigned by WRD): IL-852/MP-109

This Lease is with:

Lessor #1 (Water Right Holder):

Name Michael Brown
Mailing address 13501 SW Riggs Rd
City, State, Zip Code Powell Butte, OR 97753-1514
Telephone number 541-447-9897
Email address _____

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If additional water right holders, enter water right holder information below

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SALEM, OREGON

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 76358 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

T	R	Sect	1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority *	
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	15 S	14 E	26	NE SE	803	0.12	Irrigation	76358	47	10/31/1900
2.	15 S	14 E	26	NW SE	803	1.44	Irrigation	76358	47	10/31/1900
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #76358, Oct. 31, 1900 - 1.56 acres (Since HB 3111, a tax lot split occurred creating TL 800 & 803. In the NW SE 1/4 - 1/4 (now TL 803), 0.38 acres was transferred off on T-8532, leaving 39.62 acres W/R. In the NE SE 1/4 - 1/4 (now TL 800 & 803), 0.75 acres was transferred off on T-8532, leaving 1.85 acres on TL 803 & 36.4 acres on original TL 800.)

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

1.6 **Validity of rights.** Lessor(s) attests (mark one) that:

The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or

The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

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~II~ Instream Water Right Information

2.3 **Term of lease.** This lease shall terminate on October 31, 2007. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~III~ Other Information

3.1 **Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 **Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

- 3.3 Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.
- 3.4 Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.
- 3.5 Termination provision.**
- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
- Written notice to the Department with original signatures;
 - Consent by all parties to the lease; and/or
 - Written notice to the Watermaster's office.
- For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.
- 3.6 Modification to prevent injury.** Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1: Michael Brown Date: 5-29-07
Michael Brown

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

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 SALEM, OREGON

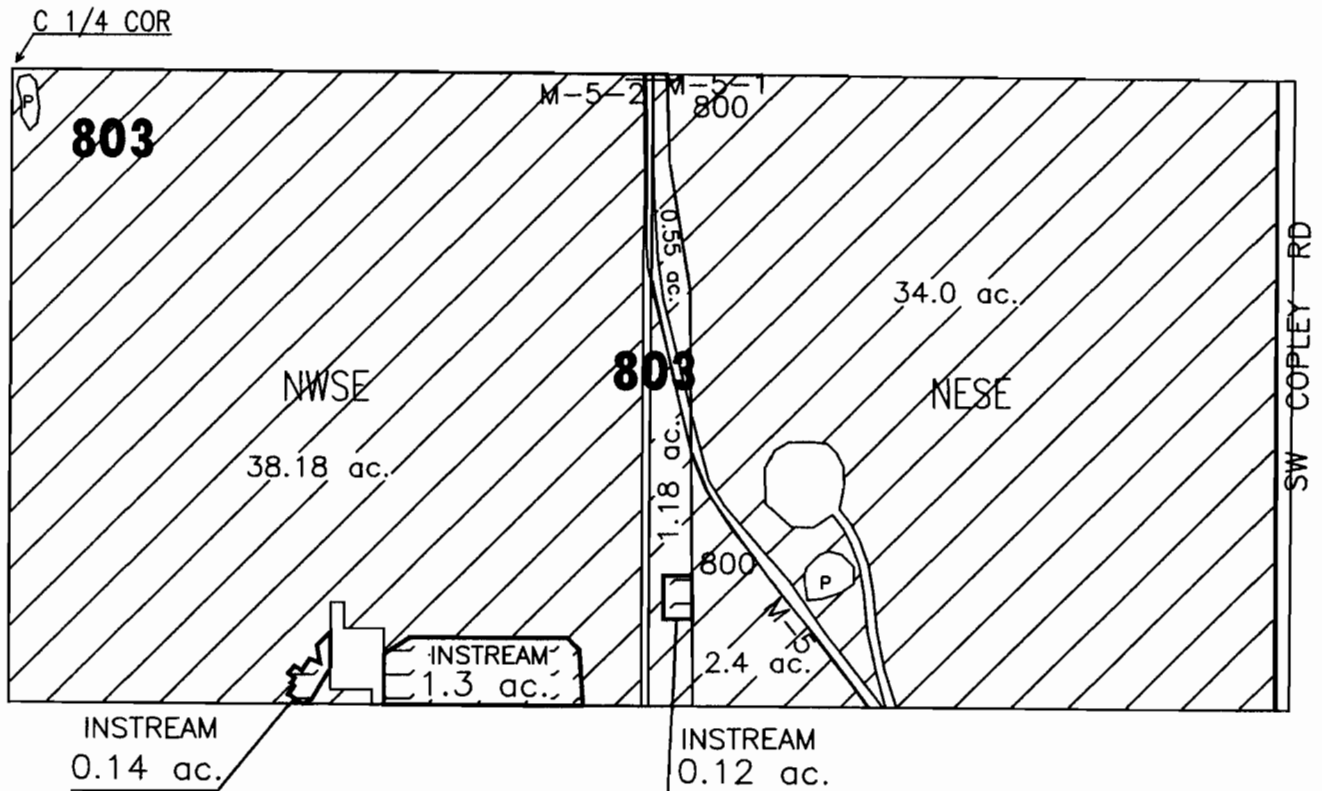
FSD

**CROOK COUNTY
SEC.26 T15S. R14E. W.M.**

SCALE - 1" = 400'



NW 1/4 OF THE SE 1/4; NE 1/4 OF THE SE 1/4



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SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: MICHAEL A. BROWN

TAXLOT #: 803

1.56 ACRES INSTREAM

DATE: 06-04-07

FILE NO: E:\TRANSFER\INSTREAM\INSTRM07\1YR\BROWN



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

Application for
Instream Lease

Attachment 5: Pooled Water Right Holder Form

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www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 1997
Lease Application Number (assigned by WRD):

This Lease is with:

Lessor #1 (Water Right Holder):

Name Darin & Nancy Ensz
Mailing address 62850 Dickey Rd
City, State, Zip Code Bend, OR 97701
Telephone number
Email address

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WATER RESOURCES DEPT
SALEM, OREGON

If additional water right holders, enter water right holder information below

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 76358 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. [] Yes [X] No

1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows: [This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

T	R	Sect	1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority *	
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	17 S	13 E	19	SW SW	1500	0.50	Irrigation	76358	76	10/31/190 0
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #76358, Oct. 31, 1900 - 0.50 acres

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

1.6 Validity of rights. Lessor(s) attests (mark one) that:

- The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
- The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

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**WATER RESOURCES DEPT
SALEM, OREGON**

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 31, 2007. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~III~ Other Information

- 3.1 Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 3.3 Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

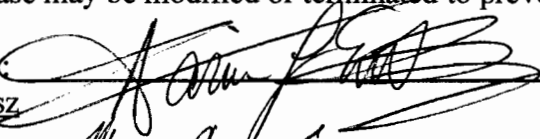
shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

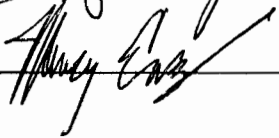
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Lessor #1:  Date: 5-10-07
 Darin Enszt

 Date: 5-10-07
 Nancy Enszt

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
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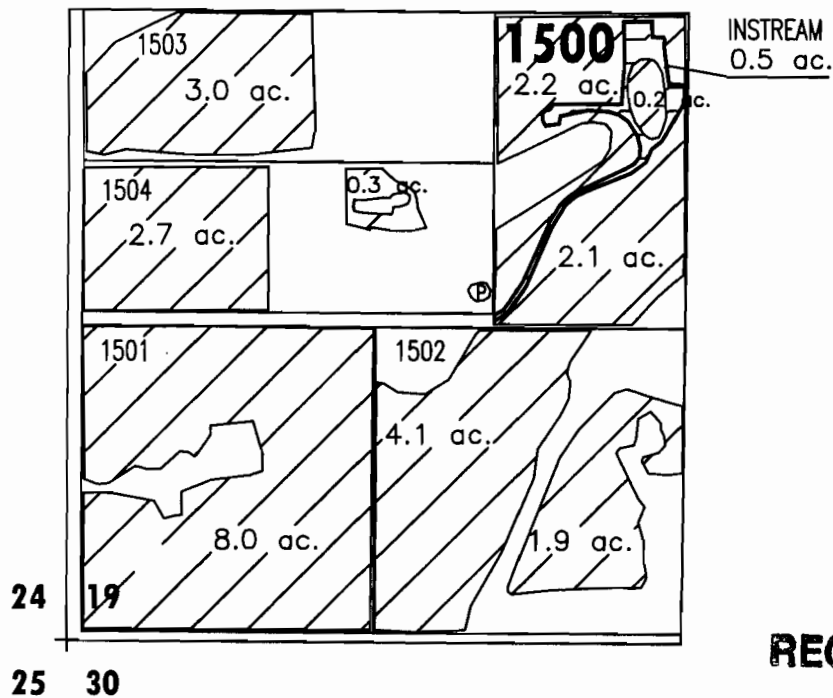
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 SALEM, OREGON

**DESCHUTES COUNTY
SEC. 19 T17S. R13E. W.M.**

SCALE - 1" = 400'



SW 1/4 OF THE SW 1/4



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WATER RESOURCES DEPT
SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: DARIN & NANCY ENSZ

TAXLOT #: 1500

0.5 ACRES INSTREAM

DATE: 05-11-07

FILE NO: E:\TRANSFER\INSTREAM\INSTRM07\1YR\ENSZ



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

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 1086
 Lease Application Number (assigned by WRD): IL-852(MP-109)

This Lease is with:

Lessor #1 (Water Right Holder):

Name Thomas Feldmann & Jill Shealy
 Mailing address 64635 Deschutes Market Rd
 City, State, Zip Code Bend, OR 97701
 Telephone number 541-280-3678
 Email address _____

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If additional water right holders, enter water right holder information below

WATER RESOURCES DEPT
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Certificate No. 76358 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
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T	R	Sect	1/4	1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	16 S	12 E	35	SE NW	600	1.00	Irrigation	76358	58	10/31/190 0
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #76358, Oct. 31, 1900 - 1.00 acres

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

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- The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
- The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

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SALEM, OREGON

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 31, 2007. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

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3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

From: METOLIUS CLIMBING

5413828531

06/07/2007 13:56 #584 P.001/001

shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 **Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5 **Termination provision.**

For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:

- Written notice to the Department with original signatures;
- Consent by all parties to the lease; and/or
- Written notice to the Watermaster's office.

For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

3.6 **Modification to prevent injury.** Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1: _____ Date: _____

Thomas Feldmann

Bill Shealy

Date: 6/7/07

For additional Lessors, type in space for signature and date

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WATER RESOURCES DEPT
SALEM, OREGON

Other Attachments As Needed:

Exhibit 5-A: Tax Lot Map. (See instructions.)

Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)

Exhibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)

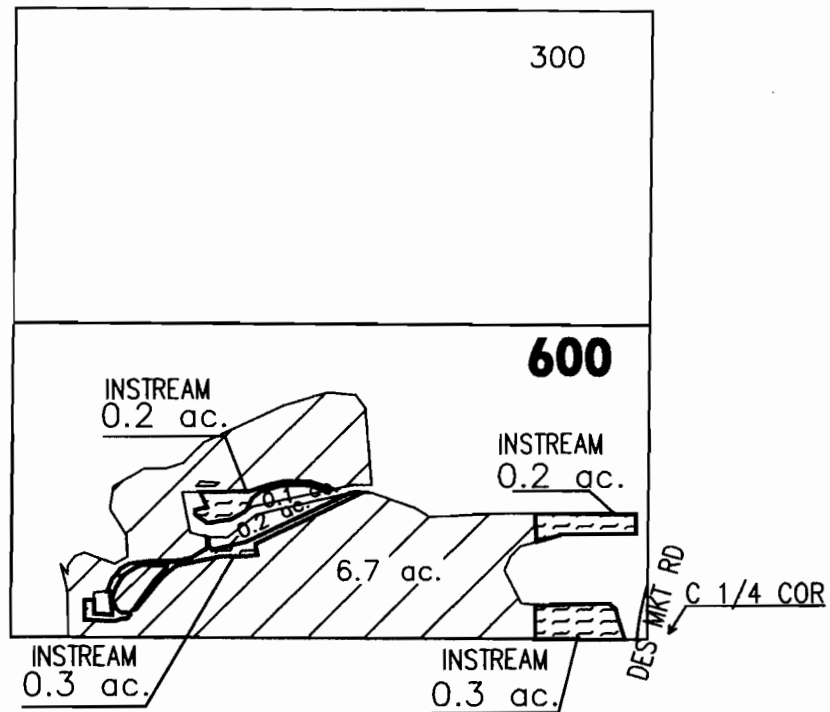
Exhibit 5-D: Split Season Instream Use Form

**DESCHUTES COUNTY
SEC.35 T16S. R12E. W.M.**

SCALE - 1" = 400'



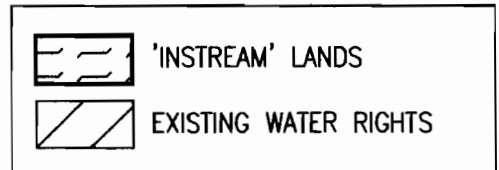
SE 1/4 OF THE NW 1/4



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WATER RESOURCES DEPT
SALEM, OREGON



APPLICATION FOR 1YR INSTREAM LEASE
NAME: THOMAS J. FELDMANN & JILL SHEALY

TAXLOT #: 600

1.0 ACRES INSTREAM

DATE: 06-07-07

FILE NO: E:\TRANSFER\INSTREAM\INSTRM07\1YR\FELDMAN



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

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 2110

Lease Application Number (assigned by WRD): IL-852/MP-109

This Lease is with:

Lessor #1 (Water Right Holder):

Name William Honer
Mailing address PO Box 4026
City, State, Zip Code Coos Bay, OR 97420
Telephone number 541-269-1212
Email address _____

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WATER RESOURCES DEPT
SALEM, OREGON

If additional water right holders, enter water right holder information below

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 76358 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

T	R	Sect	1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority	
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	14 S	13 E	09	NW NW	501	4.81	Irrigation	76358	5	10/31/190 0
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #76358, Oct. 31, 1900 - 4.81 acres

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

1.6 **Validity of rights.** Lessor(s) attests (mark one) that:

- The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
- The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

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WATER RESOURCES DEPT
SALEM, OREGON

~II~ Instream Water Right Information

2.3 **Term of lease.** This lease shall terminate on October 31, 2007. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~III~ Other Information

3.1 **Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 **Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5 Termination provision.

- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
- Written notice to the Department with original signatures;
 - Consent by all parties to the lease; and/or
 - Written notice to the Watermaster's office.
- For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1: Wm Honer Date: 5/16/07
William Honer

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

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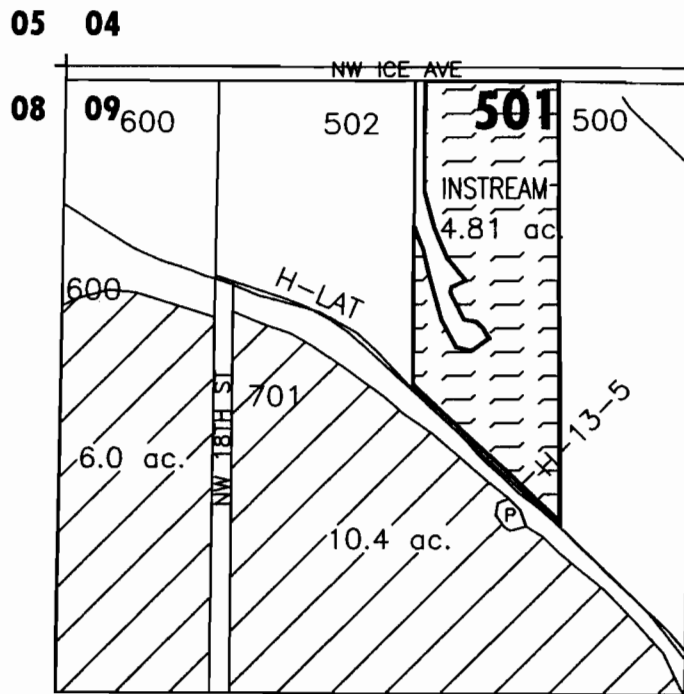
**WATER RESOURCES DEPT
SALEM, OREGON**

**DESCHUTES COUNTY
SEC.09 T14S. R13E. W.M.**

SCALE - 1" = 400'



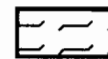
NW 1/4 OF THE NW 1/4



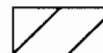
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WATER RESOURCES DEPT
SALEM, OREGON



'INSTREAM' LANDS



EXISTING WATER RIGHTS

CENTRAL OREGON



IRRIGATION DISTRICT

APPLICATION FOR 1YR INSTREAM LEASE

NAME: WILLIAM F. HONER

TAXLOT #: 501

4.81 ACRES INSTREAM

DATE: 06-05-07

FILE NO: E:\TRANSFER\INSTREAM\INSTRM07\1YR\HONER



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

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 1426
Lease Application Number (assigned by WRD): IL-8527MA-109

This Lease is with:

Lessor #1 (Water Right Holder):

Name Gregory & Laurie Madesh
Mailing address PO Box 1562
City, State, Zip Code Redmond, OR 97756-0509
Telephone number 541-548-6312
Email address _____

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JUN 20 2007

If additional water right holders, enter water right holder information below

WATER RESOURCES DEPT
SALEM, OREGON

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 76358 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 **Water Right(s) Proposed to be Leased Instream.** Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:

[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼ ¼, tax lot number, map orientation and scale.]

T	R	Sect	1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)									
1.	15 S	13 E	30	NW NW	907	0.25	Irrigation	76358	10/31/1900
2.									
3.									
4.									
5.									

Total number of acres, if for irrigation, by certificate and priority date: Cert #76358, Oct. 31, 1900 - 0.25 acres (Since HB3111, there has been a tax lot split forming 3 tax lots with 3.60 acres being left on TL 905 (pg 41), 1.50 ac to TL 906, and 1.70 acres to TL 907.)

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

1.6 **Validity of rights.** Lessor(s) attests (mark one) that:

- The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
- The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

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WATER RESOURCES DEPT
SALEM, OREGON

~II~ Instream Water Right Information

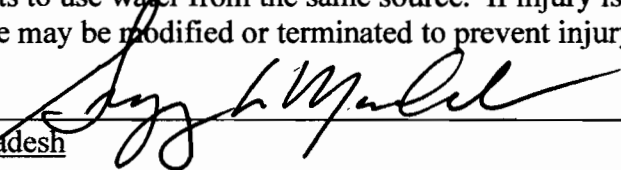
2.3 **Term of lease.** This lease shall terminate on October 31, 2007. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

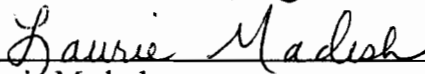
~III~ Other Information

3.1 **Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 **Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

- 3.3 Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.
- 3.4 Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.
- 3.5 Termination provision.**
- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
- Written notice to the Department with original signatures;
 - Consent by all parties to the lease; and/or
 - Written notice to the Watermaster's office.
- For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.
- 3.6 Modification to prevent injury.** Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1:  Date: 5-17-07
Gregory Madesh

 Date: 5-17-07
Laurie Madesh

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

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JUN 20 2007

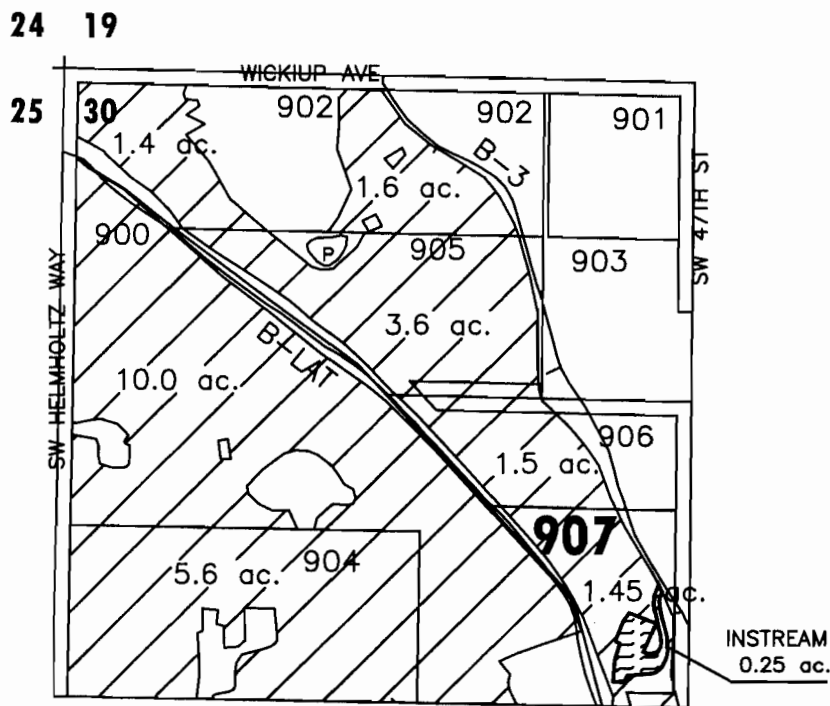
WATER RESOURCES DEPT
 SALEM, OREGON FSD

**DESCHUTES COUNTY
SEC. 30 T15S. R13E. W.M.**

SCALE - 1" = 400'



NW 1/4 OF THE NW 1/4



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WATER RESOURCES DEPT
SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: GREGORY & LAURIE MADESH

TAXLOT #: 907

0.25 ACRES INSTREAM

DATE: 05-11-07

FILE NO: E:\TRANSFER\INSTREAM\INSTRM07\1YR\MADESH



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

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 901665

Lease Application Number (assigned by WRD): IL-852/MP-109

This Lease is with:

Lessor #1 (Water Right Holder):

Name Guy Vernon

Mailing address ~~1293 NW Wall St, #1361~~ 319 SE Logsdon #101 Bend OR 97702

City, State, Zip Code Bend, OR ~~97701-1036~~ 97702

Telephone number 541-322-0183

Email address vp:n@rentalsinbend.com

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If additional water right holders, enter water right holder information below

WATER RESOURCES DEPT
 SALEM, OREGON

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 76358 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
 [This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼ ¼, tax lot number, map orientation and scale.]

T	R	Sect	1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority *	
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	17 S	12 E	14	NW SW	900	0.30	Irrigation	76358	64	10/31/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #76358, Oct. 31, 1900 - 0.30 acres (Since HB 3111, a tax lot split occurred creating new TL 901 with 1.60 acres W/R and leaving 1.90 acres W/R on TL 900.)

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

1.6 Validity of rights. Lessor(s) attests (mark one) that:

- The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
- The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

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WATER RESOURCES DEPT
SALEM, OREGON

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 31, 2007. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

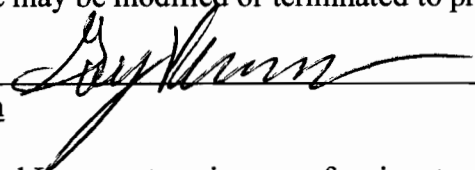
~III~ Other Information

3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

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- 3.6 Modification to prevent injury.** Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1: _____
Guy Vernon



Date: 6/4/07

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

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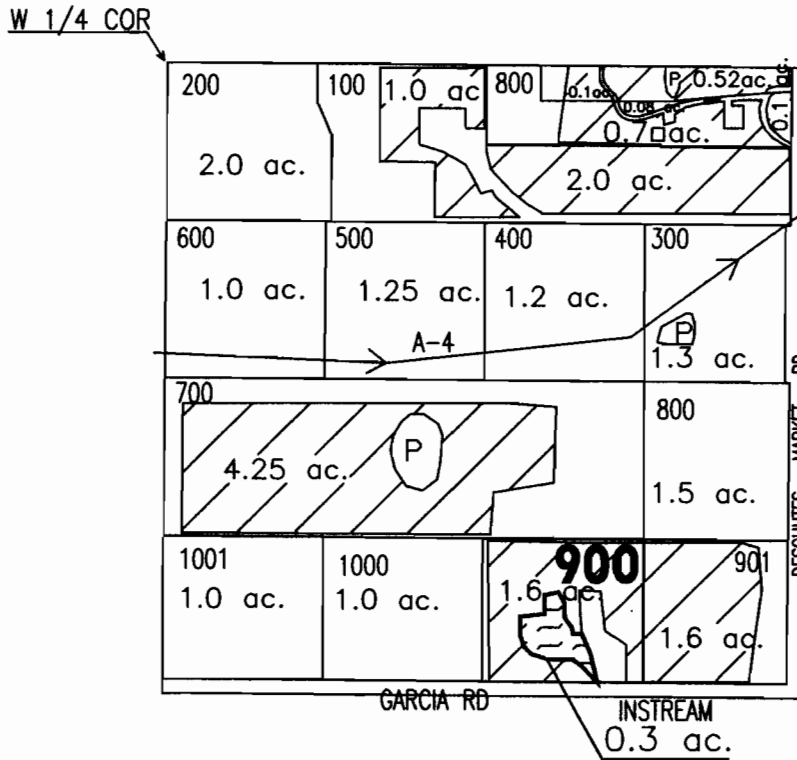
WATER RESOURCES DEPT
 SALEM, OREGON

DESCHUTES COUNTY SEC. 14 T17S. R12E. W.M.

SCALE - 1" = 400'



NW 1/4 OF THE SW 1/4



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WATER RESOURCES DEPT
SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS
	PARCELS W/ WATER RIGHTS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: GUY VERNON

TAXLOT #: 900

0.3 ACRES INSTREAM

DATE: 06-05-07

FILE NO: E:\TRANSFER\INSTREAM\INSTRM07\1YR\VERNON



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

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 2024

Lease Application Number (assigned by WRD): IL 852 MP-109

This Lease is with:

Lessor #1 (Water Right Holder):

Name Central Oregon Irrigation District
Mailing address 1055 SW Lake Ct
City, State, Zip Code Redmond, OR 97756
Telephone number 541-548-6047
Email address lauraw@coid.org

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If additional water right holders, enter water right holder information below

WATER RESOURCES DEPT
SALEM, OREGON

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 76358 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

T	R	Sect	City	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority *
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)									
1.							76358		10/31/1900
2.									
3.									
4.									
5.									

Total number of acres, if for irrigation, by certificate and priority date: Cert #76358, Oct. 31, 1900 - 30.60 acres (See attached Exhibit "A")

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

1.6 **Validity of rights.** Lessor(s) attests (mark one) that:

- The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
- The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

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WATER RESOURCES DEPT
SALEM, OREGON

~II~ Instream Water Right Information

2.3 **Term of lease.** This lease shall terminate on October 31, 2007. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~III~ Other Information

3.1 **Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 **Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

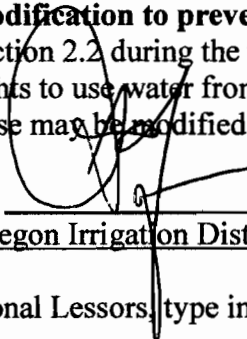
shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5 Termination provision.

- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
- Written notice to the Department with original signatures;
 - Consent by all parties to the lease; and/or
 - Written notice to the Watermaster's office.
- For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1:  _____
Central Oregon Irrigation District

Date: 11 June, 2007

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

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WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

CENTRAL OREGON IRRIGATION DISTRICT - QUITCLAIMED RIGHTS
2007 POOLED INSTREAM LEASE #2 (May 2007)

PRIMARY CERTIFICATE 76358
SUPPLEMENTAL CERTIFICATE 76714

	TRS	QQ	TL	# ACRES	TYPE	POD #	PAGE #	QUITCLAIM #
Higbee	14-13-16	SW SW	2300*	0.15	IRRIG	11	11	2007-31048
Stutz	15-13-17	NE NW	101	2.50	IRRIG	11	37	2007-22980
Burgess	15-13-19	NE SW	1001	1.60	IRRIG	11	39	2007-28016
Burgess	15-13-19	NE SW	1004	1.00	IRRIG	11	39	2007-28016
Burgess	15-13-19	NE SW	1006***	1.00	IRRIG	11	39	2007-28016
Pewther	15-13-19	NE SW	1003	2.00	IRRIG	11	39	2007-29103
Badger	15-13-30	NE SE	1405	2.20	IRRIG	11	42	2007-17391
Badger	15-13-30	NW SE	1405	0.30	IRRIG	11	42	2007-17391
Badger	15-13-30	NW SE	704****	1.50	IRRIG	11	42	2007-17391
Badger	15-13-30	NW SE	700****	5.00	IRRIG	11	42	2007-17391
Badger	15-13-30	NW SE	702****	2.50	IRRIG	11	42	2007-17391
Scorza	15-13-30	NW SE	701****	0.50	IRRIG	11	42	2007-21575
Canyon P.	15-13-30	NW NW	906*****	1.50	IRRIG	11	41	2007-28015

	TRS	QQ	TL	# ACRES	TYPE	POD #	PAGE #	QUITCLAIM #
Clough	17-13-30	NW NW	206	1.75	IRRIG	1	79	2007-12991
Bennett	18-12-03	SE NE	1400	0.50	IRRIG	1	93	2007-11100
Glenco	18-12-03	NE SE	200*****	0.50	IRRIG	1	95	2006-65611
Glenco	18-12-03	NE SE	201*****	6.10	IRRIG	1	95	2006-65611

* HB 3111 showed TL 0.88 acres of water. Since then the lot has been partitioned into 2300 with 0.38, of that 0.15 has been quitclaimed. Newly created TL 2304 now has 0.50 acres

***0.80 acres transferred "on" T-9022. Final Proof submitted and DSP issued

**** HB 3111 listed as TL 1413 w/9.50 acres. TL partitioned and water reconfigured as listed

*****HB 3111 listed TL 905 w/6.8 acres. TL partitioned and water reconfigured as:

TL 905 3.6
TL 906 1.5
TL 907 1.7

*****Lot-line adjustment and water rights reconfigured as follows:

TL 200 0.5
TL 201 6.1

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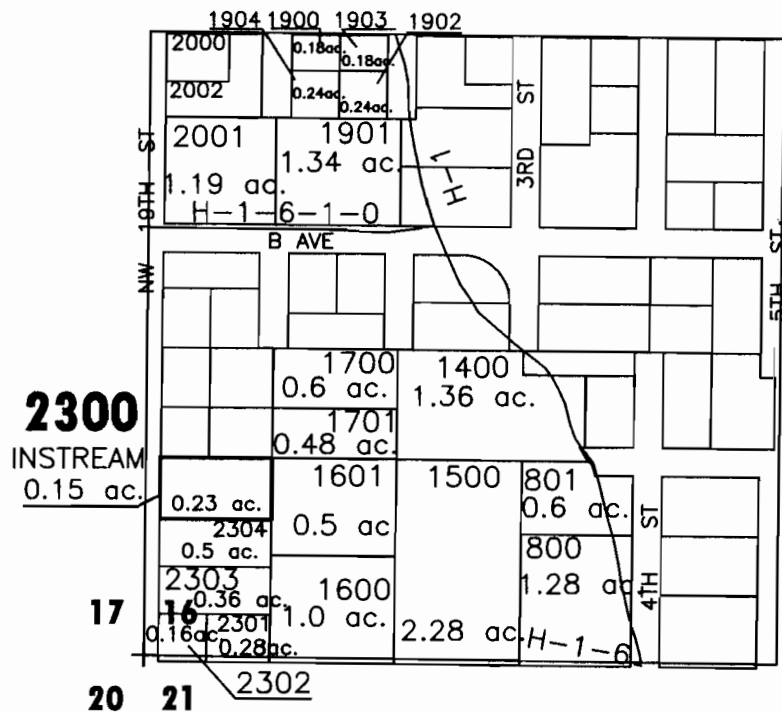
WATER RESOURCES DEPT
SALEM, OREGON

**DESCHUTES COUNTY
SEC. 16 T14S. R13E. W.M.**

SCALE - 1" = 400'



SW 1/4 OF THE SW 1/4



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WATER RESOURCES DEPT
SALEM, OREGON

- # ac. PARCELS W/ WATER RIGHTS
- # ac. 'INSTREAM' LAND PARCELS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: COID (HIGBEE)

TAXLOT #: 2300

0.15 ACRES INSTREAM

DATE: 05-22-07

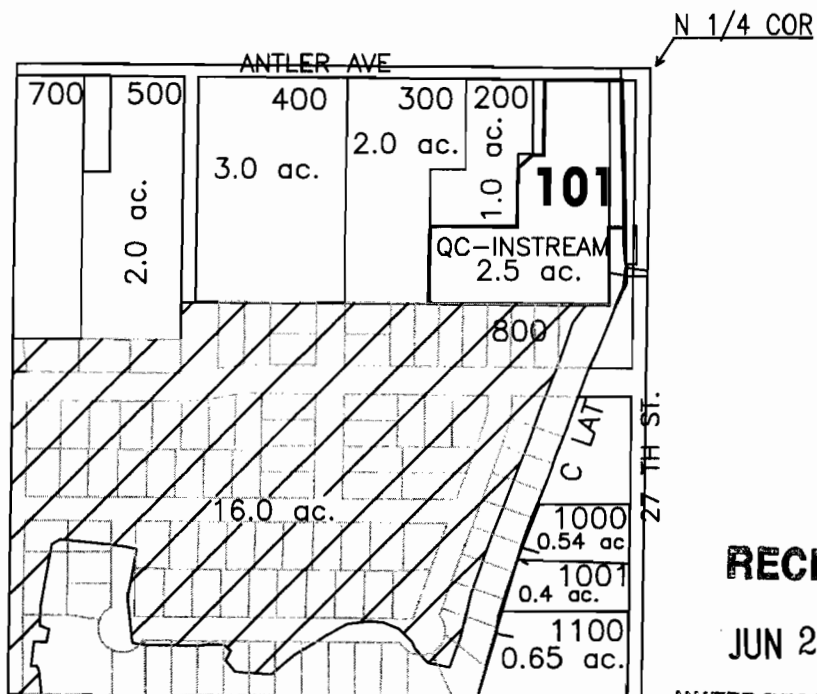
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**DESCHUTES COUNTY
SEC.17 T15S. R13E. W.M.**

SCALE - 1" = 400'



NE 1/4 OF THE NW 1/4



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WATER RESOURCES DEPT
SALEM, OREGON

	EXISTING WATER RIGHTS
	'INSTREAM' LAND PARCELS
	PARCELS W/ WATER RIGHTS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: COID (STUTZ)

TAXLOT #: 101

2.5 ACRES INSTREAM

DATE: 05-22-07

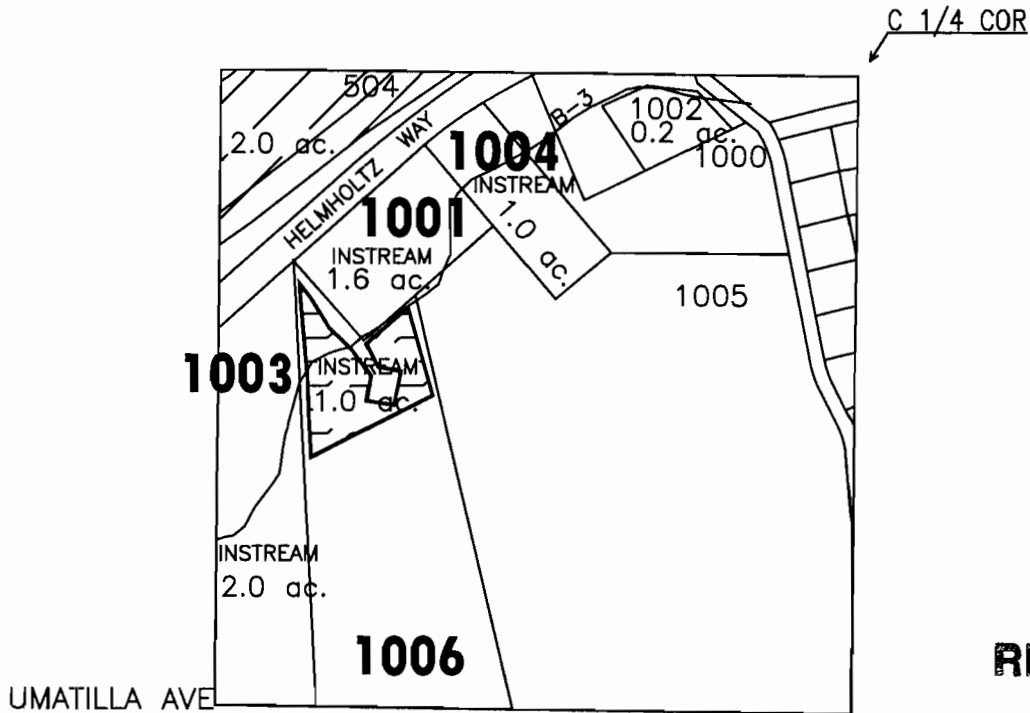
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**DESCHUTES COUNTY
SEC.19 T15S. R13E. W.M.**

SCALE - 1" = 400'



NE 1/4 OF THE SW 1/4



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JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

	EXISTING WATER RIGHTS
	'INSTREAM' LANDS
	'INSTREAM' LAND PARCELS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: COID (BURGESS, PEWTHER)

TAXLOT #: 1001, 1003, 1004, 1006

5.6 ACRES INSTREAM

DATE: 05-22-07

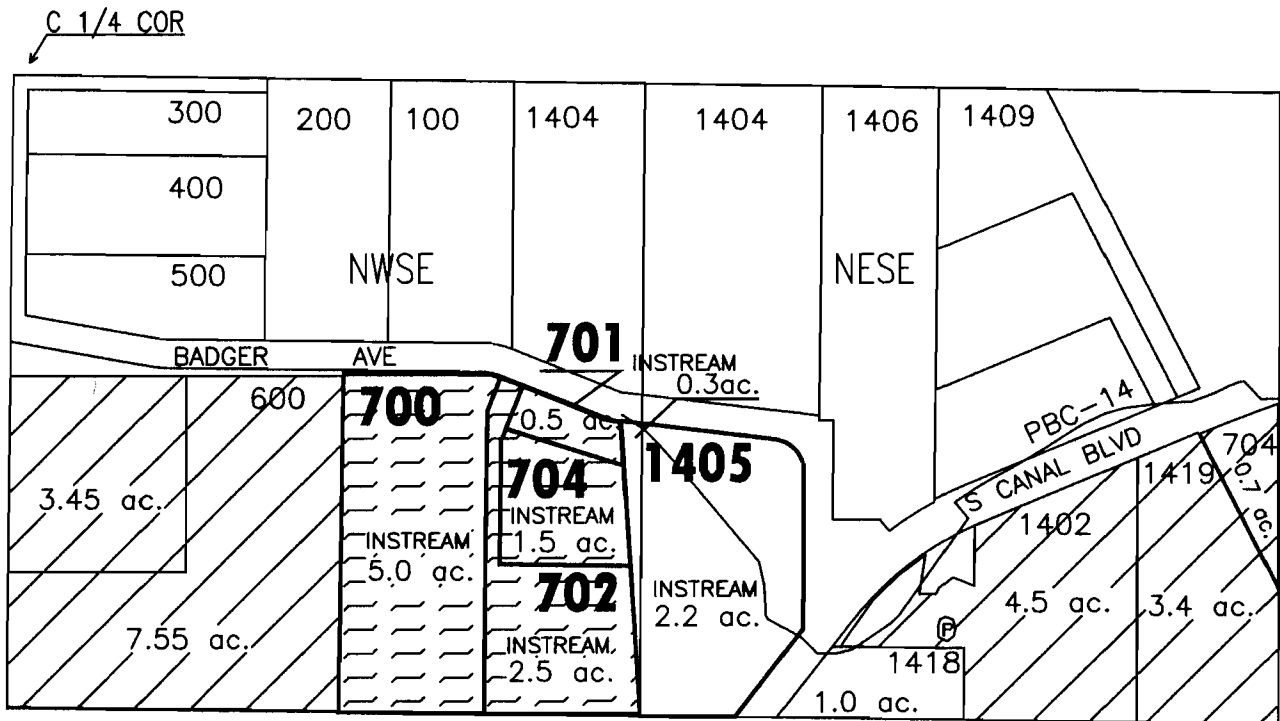
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**DESCHUTES COUNTY
SEC.30 T15S. R13E. W.M.**

SCALE - 1" = 400'



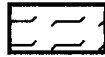

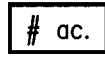
NW 1/4 OF THE SE 1/4; NE 1/4 OF THE SE 1/4



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WATER RESOURCES DEPT
SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS
	'INSTREAM' LAND PARCELS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: COID (BADGER, SCORZA)

TAXLOT #: 700, 701, 702, 704, 1405 12.0 ACRES INSTREAM

DATE: 05-22-07

FILE NO: E:\TRANSFER\INSTREAM\INSTRM07\COID\151330_NWSE

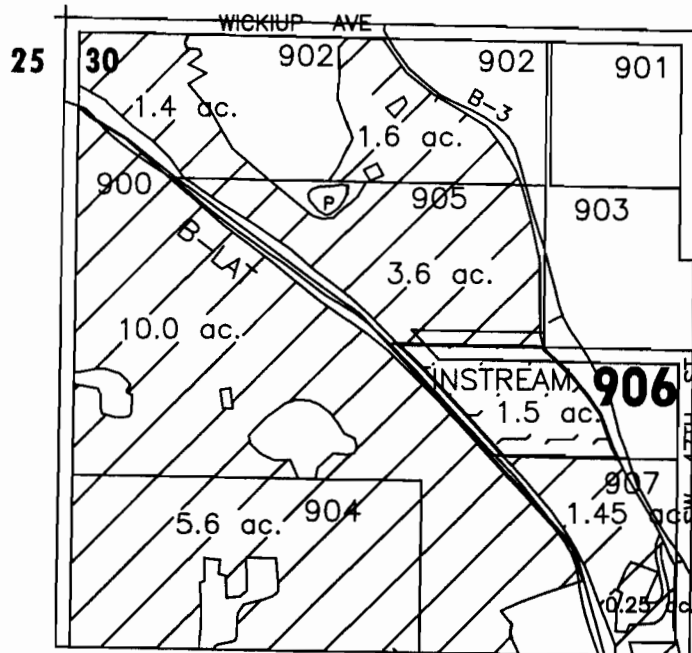
**DESCHUTES COUNTY
SEC. 30 T15S. R13E. W.M.**

SCALE - 1" = 400'



NW 1/4 OF THE NW 1/4



24 19



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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

-  'INSTREAM' LANDS
-  EXISTING WATER RIGHTS

CENTRAL OREGON



IRRIGATION DISTRICT

APPLICATION FOR 1YR INSTREAM LEASE

NAME: COID (CANYON PARK)

TAXLOT #: 906

1.5 ACRES INSTREAM

DATE: 05-22-07

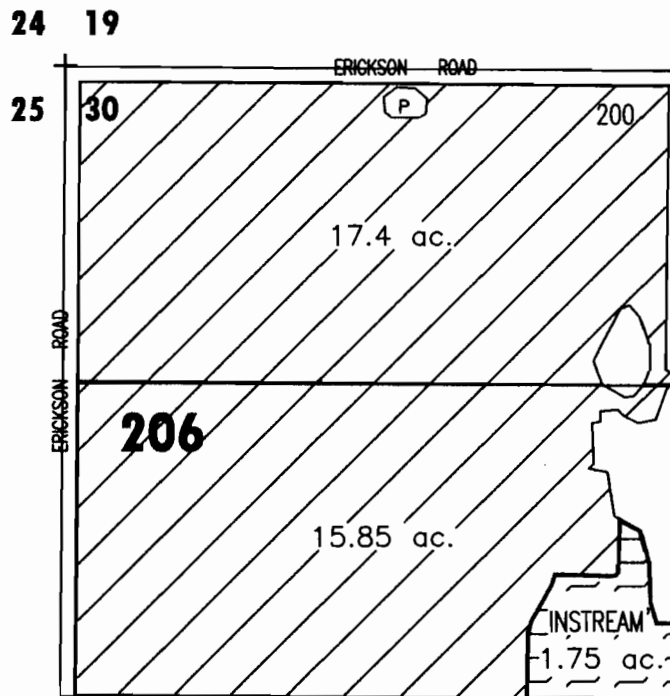
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**DESCHUTES COUNTY
SEC.30 T17S. R13E. W.M.**

SCALE - 1" = 400'



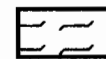
NW 1/4 OF THE NW 1/4



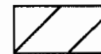
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WATER RESOURCES DEPT
SALEM, OREGON



'INSTREAM' LANDS



EXISTING WATER RIGHTS

CENTRAL OREGON



IRRIGATION DISTRICT

APPLICATION FOR 1YR INSTREAM LEASE

NAME: COID (CLOUGH)

TAXLOT #: 206

1.75 ACRES INSTREAM

DATE: 06-06-07

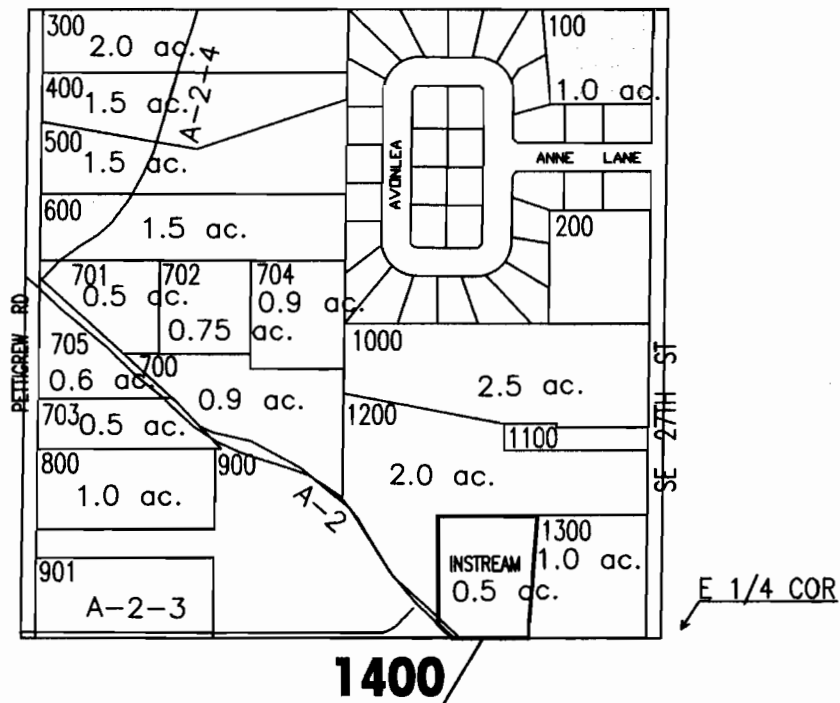
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**DESCHUTES COUNTY
SEC.03 T18S. R12E. W.M.**

SCALE - 1" = 400'



SE 1/4 OF THE NE 1/4



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WATER RESOURCES DEPT
SALEM, OREGON

ac. PARCELS W/ WATER RIGHTS

ac. 'INSTREAM' LAND PARCELS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: COID (BENNETT)

TAXLOT #: 1400

0.5 ACRES INSTREAM

DATE: 06-06-07

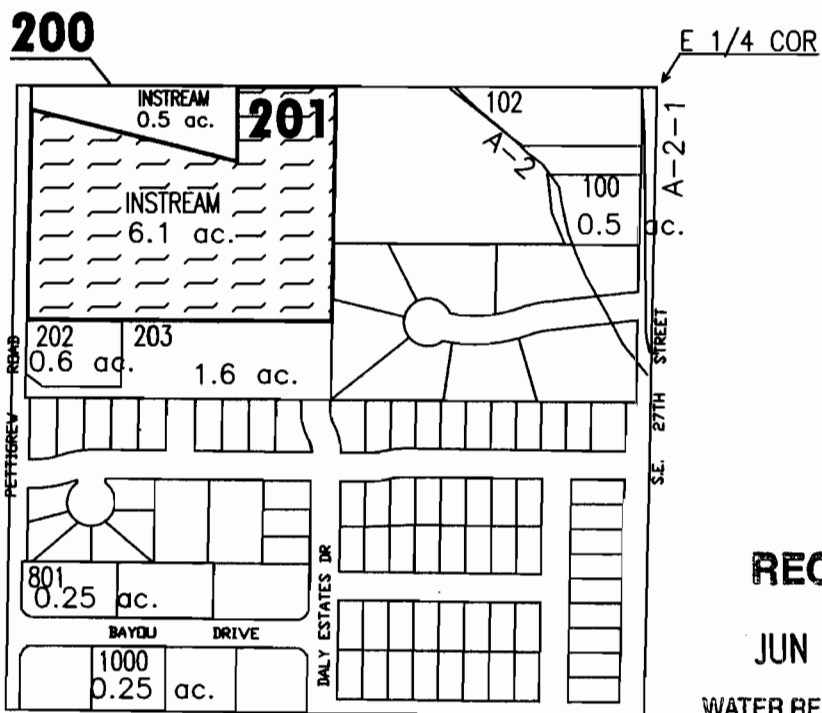
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**DESCHUTES COUNTY
SEC.03 T18S. R12E. W.M.**

SCALE - 1" = 400'



NE 1/4 OF THE SE 1/4



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JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

	'INSTREAM' LANDS
	'INSTREAM' LAND PARCELS
	PARCELS W/ WATER RIGHTS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: COID (LENCO)

TAXLOT #: 200, 201

6.6 ACRES INSTREAM

DATE: 5-30-07

FILE NO: E:\TRANSFER\INSTREAM\INSTRM07\COID\181203_NESE



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK 2007-31048



\$31.00

D-D Cnt=1 Stn=6
\$5.00 \$11.00 \$10.00 \$5.00

06/01/2007 10:15:59 AM

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

MAIL TAX STATEMENT
TO: NO CHANGE

**QUITCLAIM DEED
WATER CONVEYANCE AGREEMENT
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Louise B. Higbee, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands described as: Lots 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, Block One (1), HILLMAN, Deschutes County, Oregon. TOGETHER WITH that portion of the south Half (S 1/2) of vacated "A" Avenue and the west Half (W 1/2) of vacated First Street inuring thereto ("Subject Lands") attached, and incorporated by this reference and located on land commonly known as: 14-13-16 SW SW 2300, release their claim and responsibility for 0.15 acres of COID water rights that are appurtenant to the Subject Lands, to COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Lands that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will have 0.23 acres of appurtenant water right remaining.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 0.15 acres of water rights incurred.

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

Consideration for this Quitclaim: \$150.00

Grantor:

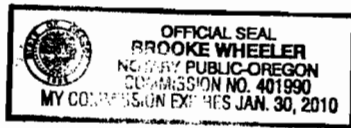
Louise B. Higbee

Date 5-15-07

Louise B. Higbee

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on May 15th, 2007 by Louise B. Higbee.



Brooke Wheeler
Notary Public

Grantee:

Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

Date 21 May 2007

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on May 21, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Feb 05, 2010

Leslie Clark
Notary Public

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON



THIS SPACE RESERVED FOR RECORDER'S USE

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2007-05096



\$36.00

01/25/2007 03:38:45 PM

D-D Cntml Strml BN
\$10.00 \$11.00 \$10.00 \$5.00

36
After recording return to:
Louise B Higbee
60361 Arnold Market Rd.
Bend, OR 97702

Until a change is requested all tax statements shall be sent to the following address:
Louise B Higbee
60361 Arnold Market Rd.
Bend, OR 97702

2
File No.: 7061-968066 (hs)
Date: January 11, 2007

STATUTORY WARRANTY DEED

Denver S. Duncan and Kimmie J. Duncan, as tenants by the entirety, Grantor, conveys and warrants to Louise B Higbee, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Lots 13, 14, 15, 16, 17, 18, 19 and 20 in Block 1 of HILLMAN, Deschutes County, Oregon TOGETHER WITH that portion of the South Half of Vacated "A" Street and the West Half of Vacated First Street (now known as 18th Street) inuring thereto.

Subject to:

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

The true consideration for this conveyance is **\$180,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 25 day of Jan, 2007.

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JUN 20 2007

FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON
P.O. BOX 323
BEND, OR 97709

WATER RESOURCES DEPT
SALEM, OREGON

APN: 134335

Statutory Warranty Deed
- continued

File No.: 7061-968066 (hs)
Date: 01/11/2007

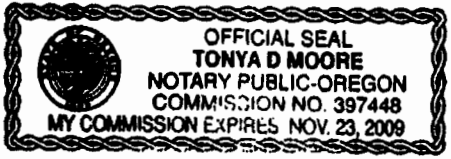
Denver S. Duncan
Denver S. Duncan

Kimmie J. Duncan
Kimmie J. Duncan

STATE OF Oregon)
County of ~~Deschutes~~ Crook)ss.

This instrument was acknowledged before me on this 25 day of Feb, 2007
by Denver S. Duncan and Kimmie J. Duncan.

Tonya D Moore
Notary Public for Oregon
My commission expires:



RECEIVED
JUN 20 2007
WATER RESOURCES DEPT
SALEM, OREGON



After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

MAIL TAX STATEMENT
TO: NO CHANGE

**QUITCLAIM DEED
WATER CONVEYANCE AGREEMENT
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Lauren M. Stutz, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands described in Exhibit "A ("Subject Lands") attached, and incorporated by this reference and commonly known as: 15-13-17 NE NW 101, release their claim and responsibility for 2.50 acres of COID water rights that are appurtenant to the Subject Lands, to COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Lands that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land no longer will have appurtenant water rights.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 2.50 acres of water rights incurred.

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

Consideration for this Quitclaim: \$2,500.00

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Grantor:

Lauren M. Stutz
Lauren M. Stutz

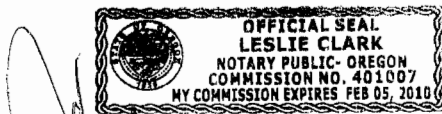
Date 4/17/07

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on April 17, 2007 by Lauren M. Stutz.



Leslie Clark
Notary Public

Grantee:

Steven C. Johnson
Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

Date 17 April, 2007

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on April 17, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Leslie Clark
Notary Public



PARCEL 1:

A parcel of land lying and being in the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section 17, Township 15 South, Range 13, East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Starting at the point of intersection at the South line of Ogg Road and the West line of the said NE1/4 NW1/4, the initial point; thence South 0'0" East along the West line of said NE1/4 NW1/4, 550 lineal feet; thence North 90'0" East, 350 lineal feet; thence North 0'0" East, 80 lineal feet; thence North 90'0" East, 518 lineal feet to the point of beginning; thence North 90' East, 374.6 lineal feet; thence North 0'55" West, 162 lineal feet; thence North 90' West, 372 lineal feet; thence South 0'0" East, 162 lineal feet to the point of beginning.

PARCEL 2:

That portion of the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section 17, Township 15 South, Range 13, East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at a point on the South line of the County Road which bounds said NE1/4 NW1/4 on the North, which said point is at a distance of 1102 feet measured Easterly along said South line of said County Road from the West line of said NE1/4 NW1/4; thence Southerly along a line parallel with said West line, a distance of 157.5 feet; thence Westerly along a line parallel with said South line of said County Road, a distance of 23 feet; thence along a line at a 45' angle to the left, a distance of 42.43 feet; thence along a line at a 45' angle to the left, said line also being parallel to the West line of said NE1/4 NW1/4, a distance of 122.5 feet; thence Easterly along a line parallel with said South line of said County Road, a distance of 226 feet, more or less, to the centerline of Lateral "C" of the Central Oregon Irrigation Company; thence Northerly along the centerline of said Lateral "C" to the South line of said County Road; thence Westerly along the South line of said County Road, 167.5 feet, more or less, to the point of beginning.

RECEIVED

JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

40

Title Order No. 301875-JS
Escrow No. 301875-JS

After recording return to:
Lauren M. Stutz
4270 W. Hwy 126, Apt. B
Redmond, OR 97756
Name, Address, Zip
Until a change is requested all tax statements shall be sent to the following address:
Lauren M. Stutz
4270 W. Hwy 126, Apt. B
Redmond, OR 97756
Name, Address, Zip

STATE OF OREGON)
COUNTY OF DESCHUTES) ss.

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:

96 SEP 17 11:11:04

MARY SUE PENHOLLOW
COUNTY CLERK

BY: *M. Sams* DEPUTY
NO. 96-34173 FEE 40-

DESCHUTES COUNTY OFFICIAL RECORDS

STATUTORY WARRANTY DEED

Tommy J. Barnum, Grantor, conveys and warrants to Lauren M. Stutz, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in Deschutes county, OREGON, to wit: (See Exhibit "A")

This property is free from encumbrances, EXCEPT:

- 1. 1996-1997 taxes a lien as of July 1, but not yet payable.
- 2. Regulations, including levies, liens, assessments, water and irrigation rights and easements for ditches and canals of Central Oregon Irrigation District.
- 3. The existence of roads, railroads, irrigation ditches and canals, telephone, telegraph and power transmission facilities.
- 4. Central Oregon Irrigation District Lateral "C", as shown on the Deschutes County Assessors Map.

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

The true consideration for this conveyance is \$95,000.00. (Here comply with the requirements of ORS 93.030)

Dated this 12th day of September, 19 96.

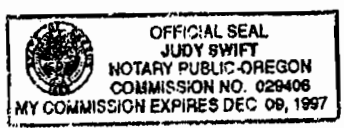
Tommy J. Barnum
Tommy J. Barnum

RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON, County of DESCHUTES) ss.
This instrument was acknowledged before me on September 12, 96,
by Tommy J. Barnum



Judy Swift
Notary Public for Oregon
My commission expires 12-9-97

Exhibit "A"

PARCEL 1:

A parcel of land lying and being in the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section Seventeen (17), Township Fifteen (15) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Starting at the point of intersection at the South line of Ogg Road and the West line of the said NE1/4 NW1/4, the initial point; thence South 00°00' East along the West line of said NE1/4 NW1/4, 550 feet; thence North 90°00' East, 350 feet; thence North 00°00' East, 80 feet; thence North 90°00' East, 518 feet to the TRUE POINT OF BEGINNING; thence North 90° East, 374.6 feet; thence North 00°55' West 162 feet; thence North 90° West, 372 feet; thence South 00°00' East, 162 feet to the point of beginning.

PARCEL 2:

That portion of the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section Seventeen (17), Township Fifteen (15) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at a point on the South line of the County Road which bounds said NE1/4 NW1/4 on the North, which said point is at a distance of 1102 feet measured Easterly along said South line of said County Road from the West line of said NE1/4 NW1/4; thence Southerly along a line parallel with said West line, 157.5 feet; thence Westerly along a line parallel with said South line of said County Road, 23 feet; thence along a line at a 45° angle to the left, 42.43 feet; thence along a line at a 45° angle to the left; said line also being parallel to the West line of said NE1/4 NW1/4, 122.5 feet; thence Easterly along a line parallel with said South line of said County Road, 226 feet, more or less, to the center line of Lateral "C" of the Central Oregon Irrigation Company; thence Northerly along the center line of said Lateral "C" to the South line of said County Road; thence Westerly along the South line of said County Road, 167.5 feet more or less to the point of beginning.

RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON



00548856200700280160030034

05/17/2007 10:04:18 AM

D-D Cnt=1 Str=3 PG
\$15.00 \$11.00 \$10.00 \$5.00

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

MAIL TAX STATEMENT
TO: NO CHANGE

**QUITCLAIM DEED
WATER CONVEYANCE AGREEMENT
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Burgess Meadows, LLC, an Oregon Limited Liability Company, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands described in Exhibit "A ("Subject Lands") attached, and incorporated by this reference and commonly known as: 15-13-19 NE SW 1001 (1.60 acres irrigation); 15-13-19 NE SW 1004 (1.0 acres irrigation); 15-13-19 NE SW 1006 (1.0 acres irrigation), release their claim and responsibility for 3.60 acres of COID water rights that are appurtenant to the Subject Lands, to COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Lands that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land no longer will have appurtenant water rights.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 3.60 acres of water rights incurred.

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

Consideration for this Quitclaim: A True and Valuable Consideration

Grantor: [Signature], MANAGING MEMBER Date 5/7/07
Burgess Meadows, LLC

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on May 7, 2007 by John Pawther as MANAGING MEMBER for Burgess Meadows, LLC.

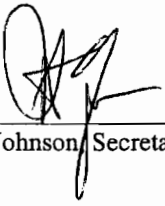
[Signature]
Notary Public



RECEIVED
JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

Grantee:

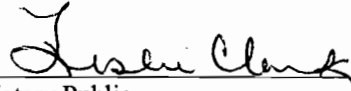


Date 8 May, 2007

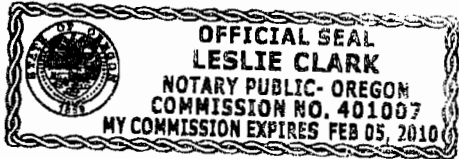
Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on May 8, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Notary Public



RECEIVED
JUN 20 2007
WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

A portion of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Nineteen (19), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at a point where the Southerly right-of-way of the Country road commonly known as Helmholtz Road (formerly known as Kirk Whited Road) and intersects with the Westerly boundary of said NE1/4SW1/4; thence Northeasterly along Southerly right-of-way of Helmholtz Road East, 210.00 feet to the true point of beginning; thence Northeasterly at a right angle to said right-of-way, 222.00 feet to a point; thence Northeasterly parallel to said right-of-way, 143.00 feet to a point; thence Southeasterly to a point on the South line of said NE1/4SW1/4 which is 620.00 feet East of the Southwest corner of said NE1/4SW1/4; thence West along the South line of the NE1/4SW1/4, 410.00 feet to a point; thence Northwesterly to the point of beginning.

PARCEL 2:

A portion of the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section 19, Township 15 South, Range 13, East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at a point where the Southerly right of way of the county road commonly known as the "Kirk Whited Road" intersects the Westerly boundary of the said NE1/4 SW1/4; thence Northeasterly along the Southerly right of way of said road, 210.00 feet to the true point of beginning; thence continuing Northeasterly along the said right of way for 360.00 feet to a point; thence Southeasterly at right angles to said right of way, 222.00 feet to a point; thence Southwesterly parallel to said right of way for 360.00 feet to a point; thence Northwesterly, 222.00 feet to the point of beginning.

PARCEL 3:

A portion of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Nineteen (19), Township Fifteen (15) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at a point where the Southerly right of way of the county road commonly known as the "Kirk Whited Road" intersects the Westerly boundary of the said NE1/4SW1/4; thence Northeasterly along the Southerly right of way of said road, 570.00 feet to the true point of beginning; thence Southeasterly at right angles to said right of way, 422.00 feet to a point; thence Northeasterly parallel to said right of way, 150.00 feet to a point; thence Northwesterly at right angles to said right of way, 422.00 feet, more or less, to the Southerly boundary of said right of way; thence Southwesterly along said right of way, 150.00 feet to the point of beginning.

RECEIVED
JUN 20 2007
WATER RESOURCES DEPT
SALEM, OREGON

36

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-53589



\$36.00

08/31/2005 04:00:28 PM

D-D Crnl Srwl BECKEY
\$10.00 \$11.00 \$10.00 \$5.00

2

After recording return to:
BURGESS MEADOWS, LLC
1790 SW 23RD
REDMOND, OR 97756

Until a change is requested all tax statements
shall be sent to the following address:
BURGESS MEADOWS, LLC
1790 SW 23RD
REDMOND, OR 97756

WARRANTY DEED -- STATUTORY FORM

MELVIN R. ROSEBROOK and MARY LOU ROSEBROOK, husband and wife,
Grantor,

conveys and warrants to

BURGESS MEADOWS, LLC, an Oregon Limited Liability Company, Grantee,

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

A portion of the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of
Section 19, Township 15 South, Range 13 East of the Willamette Meridian,
Deschutes County, Oregon, described as follows: Commencing at a point where
the Southerly right of way of the county road commonly known as the "Kirk
Whited Road" intersects the Westerly boundary of said Northeast Quarter of the
Southwest Quarter (NE1/4 SW1/4); thence Northeasterly along the Southerly right
of way of said road 210 feet to the true point of beginning; thence continuing
Northeasterly along the said right of way for 360 feet to a point; thence
Southeasterly at right angles to said right of way 222 feet to a point; thence
Southwesterly parallel to said right of way for 360 feet to a point; thence
Northwesterly 222 feet to the point of beginning.

Tax Account No(s): 130033
Map/Tax Lot No(s): 15-13-19-00-01001

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

The true consideration for this conveyance is \$265,000.00 .

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

Dated this 31 day of August, 2005.

RECORDED BY
WESTERN TITLE & ESCROW CO.
12-0039805

Melvin R Rosebrook
MELVIN R. ROSEBROOK
Mary Lou Rosebrook
MARY LOU ROSEBROOK


RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON, COUNTY OF DESCHUTES) SS.

This instrument was acknowledged before me on August 31, 2005 by MELVIN R. ROSEBROOK and MARY LOU ROSEBROOK.



(Notary Public for Oregon)
My commission expires 12/9/2005

TITLE NO. 12-0039805
ESCROW NO. 12-0039805



RECEIVED

JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

EXHIBIT A
DESCRIPTION SHEET

A portion of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Nineteen (19), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at a point where the Southerly right-of-way of the County road commonly known as Helmholtz Road (formerly known as Kirk Whited Road) and intersects with the Westerly boundary of said NE1/4SW1/4; thence Northeasterly along Southerly right-of-way of Helmholtz Road East, 210 feet to the true point of beginning; thence Southeasterly at a right angle to said right-of-way, 222 feet to a point; thence Northeasterly parallel to said right-of-way, 143 feet to a point; thence Southeasterly to a point on the South line of said NE1/4SW1/4 which is 620 feet East of the Southwest corner of said NE1/4SW1/4; thence West along the South line of the NE1/4SW1/4, 410 feet to a point; thence Northwesterly to the point of beginning.

-END-

RECEIVED

JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**



After Recording Return to:
BURGESS MEADOWS, LLC
523 SW 7TH ST., STE 100
REDMOND, OR 97756

Until a change is requested all tax statements
Shall be sent to the following address:
(same as above)

Order No. 61141RH

STATUTORY WARRANTY DEED

TIMOTHY W FLEWELLING and TANA C FLEWELLING, herein called grantor, convey(s) and warrant(s) to **BURGESS MEADOWS, LLC**, an Oregon limited liability company, herein called grantee, all that real property situated in the County of **DESCHUTES**, State of Oregon, described as:

SEE ATTACHED EXHIBIT "A"

2

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except covenants, conditions, restrictions, reservations, rights, rights of way and easements of record, if any, and apparent upon the land, contracts and/or liens for irrigation and/or drainage; and except any real property taxes due but not yet payable;

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is **\$475,000.00**.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER "ORS 197.352". THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER "ORS 197.352".

Dated: 9-8-06

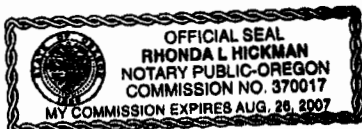
TIMOTHY W FLEWELLING

TANA C FLEWELLING

STATE OF OREGON, County of Deschutes) ss.

On Sept. 8, 2006 personally appeared the above named **TIMOTHY W FLEWELLING** and **TANA C FLEWELLING** and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:
Notary Public for Oregon
My commission expires: 8-26-07



Official Seal

RECEIVED

JUN 20 2007

DESCHUTES COUNTY TITLE COMPANY

WATER RESOURCES DEPT
SALEM, OREGON

Exhibit A

A portion of the Northeast Quarter of the Southwest Quarter of Section 19, Township 15 South, Range 13 East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at a point where the Southerly right-of-way of the county road commonly known as the "Kirk Whited Road" intersects the Westerly boundary of the said Northeast Quarter of the Southeast Quarter; thence Northeasterly along the Southerly right-of-way of said road, 570 feet to the true point of beginning; thence Southeasterly at right angles to said right-of-way, 422 feet to a point; thence Northeasterly parallel to said right-of-way 150 feet to a point; thence Northwesterly at right-angles to said right-of-way, 422 feet, more or less, to the Southerly boundary of said right-of-way; thence Southwesterly along said right-of-way 150 feet, more or less, to the point of beginning.

RECEIVED

JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**



00550035200700201030040046

05/23/2007 10:17:10 AM

D-D Cnt=1 Stn=3 PG
\$20.00 \$11.00 \$10.00 \$5.00

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

MAIL TAX STATEMENT
TO: NO CHANGE

**QUITCLAIM DEED
WATER CONVEYANCE AGREEMENT
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, John Pewther, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands described in Exhibit "A" ("Subject Lands") attached and incorporated herewith and commonly known as: 15-13-19 NE SW 1003, release their claim and responsibility for 2.0 acres of COID water rights that are appurtenant to the Subject Lands, to COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31,1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Lands that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will have ~~X~~0 acres of appurtenant water rights remaining.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 2.0 acres of water rights incurred.

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

Consideration for this Quitclaim: A True and Valuable Consideration

Grantor:

Date May 9, 2007

John Pewther

State of Oregon)
) ss.
County of Deschutes)

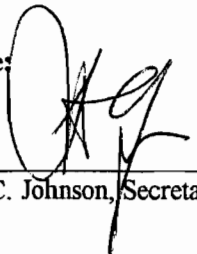
This instrument was acknowledged before me on May 9, 2007 by John Pewther.

Notary Public

RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

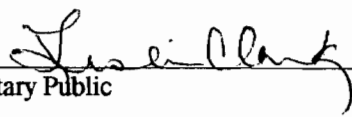
Grantee: 

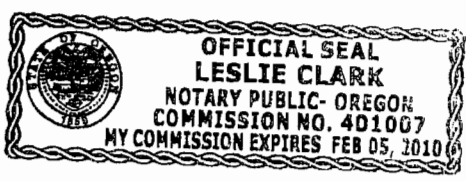
Date 10 May, 2007

Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on May 10, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.


Notary Public



RECEIVED

JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

A portion of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Nineteen (19), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the Southwest corner of said NE1/4SW1/4; thence Northerly along the West boundary of said NE1/4SW1/4 to the Southerly boundary of the "Kirk Whitted Road"; thence Northeasterly along the Southerly boundary of said road 210.00 feet to a point; thence Southerly to a point on the South boundary of said E1/4SW1/4, which point is located 210.00 feet Easterly of the point of beginning; thence Westerly 210 feet to the point of beginning.

PARCEL 2

Commencing at a 1 1/2" iron pipe monumenting the South 1/4 corner of Section Nineteen (19), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, the initial point; thence North 00°09'39" East along the East line of the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of said Section 19, 1334.52 feet to a 5/8" rebar on the North line of said SE1/4SW1/4; thence North 89°24'41" West along said North line, 1112.34 feet to a 1/2" pipe and the true point of beginning; thence North 89°24'41" West along said North line, 212.04 feet to the West line of said SE1/4SW1/4; thence South 00°08'17" West along said West line, 24.82 feet; thence North 89°30'18" East, 3.31 feet to a 1/2" rebar on the boundary of a survey performed by E.G. Mansfield for George Hicks, dated May 5, 1972; thence North 89°30'18" East along said boundary, 210.00 feet to a 1/2" pipe; thence North 03°20'35" West along said boundary, 20.84 feet to the point of beginning.

RECEIVED

JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**



\$41.00

10/19/2006 03:44:21 PM

D-D Cnt=1 Str=1 BN
\$15.00 \$11.00 \$10.00 \$5.00



After recording return to:
John Pewther
523 Sw 7th #100
Redmond, OR 97756

Until a change is requested all tax statements
shall be sent to the following address:
John Pewther
523 Sw 7th #100
Redmond, OR 97756

File No.: 7062-732794 (GT)
Date: October 17, 2006

STATUTORY WARRANTY DEED

Robert T. Rasmussen and Je'anne B. Rasmussen, as tenants by the entirety, Grantor, conveys and warrants to **John Pewther**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF

Subject to:

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

The true consideration for this conveyance is **\$700,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 17th day of October, 2006

RECEIVED

Page 1 of 2

FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON
P.O. BOX 323
BEND, OR 97709

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

Date: December 14, 2005

File No.: 7062-732794 (GT)

EXHIBIT 'A'

LEGAL DESCRIPTION:

Parcel 1:

A portion of the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section 19, TOWNSHIP 15 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, described as follows:

Beginning at the Southwest corner of said Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4); thence Northerly along the West boundary of said Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) to the Southerly boundary of the "Kirk Whitted Road"; thence Northeasterly along the Southerly boundary of said road 210 to a point; thence Southerly to a point on the South boundary of said Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4), which point is located 210 feet Easterly of the point of beginning; thence Westerly 210 to the point of beginning.

Parcel 2:

Commencing at a 1 1/2" iron pipe monumenting the South quarter corner of Section 19, TOWNSHIP 15 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, the initial point; thence North 00°09'39" East along the East line of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of said Section 19, 1334.52 feet to a 5/8" rebar on the North line of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4); thence North 89°24'41" West along said North line, 1112.34 feet to a 1/2" pipe and the True Point of Beginning; thence North 89°24'41" West along said North line, 212.04 feet to the West line of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4); thence South 00°08'17" West along said West line, 24.82 feet; thence North 89°30'18" East, 3.31 feet to a 1/2" rebar on the boundary of a survey performed by E.G. Mansfield for George Hicks, dated May 5, 1972; thence North 89°30'18" East along said boundary, 210.00 feet to a 1/2" pipe; thence North 03°20'35" West along said boundary, 20.84 feet to the Point of Beginning.

Initials: _____

RECEIVED
JUN 20 2007
WATER RESOURCES DEPT
SALEM, OREGON



After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

MAIL TAX STATEMENT
TO: NO CHANGE

**QUITCLAIM DEED
WATER CONVEYANCE AGREEMENT
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, BADGER INVESTMENTS, LLC an Oregon Limited Liability Company, as to Parcel 1 and BADGER INVESTMENTS, LLC, as to Parcel 2, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands described in Exhibit "A" ("Subject Lands") attached, and incorporated by this reference and located on land commonly known as: 15-13-30 NE SE 1405 (2.20 acres irrigation); 15-13-30 NW SE 1405 (0.30 acres irrigation); 15-13-30 NW SE 704 (1.50 acres irrigation); 15-13-30 NW SE 700 (5.0 acres irrigation); 15-13-30 NW SE 702 (2.50 acres irrigation), release their claim and responsibility for 11.50 acres of COID water rights that are appurtenant to the Subject Lands, to COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Lands that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land no longer will have appurtenant water rights.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 11.50 acres of water rights incurred.

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

Consideration for this Quitclaim: \$11,500.00

Grantor:

James L. Neal Date 2/21/07
James L. Neal for Badger Investments, LLC/Oregon Limited Liability Company

Richard A. Boro Date 2/22/07
Richard A. Boro/Gold Beach Investment Group LLC for Badger Investments, LLC/Oregon Limited Liability Company

Richard Williams Date 2-26-07
Richard Williams for Badger Investments, LLC/Oregon Limited Liability Company

Douglas Zimmerman Date 2-26-07
Douglas Zimmerman for Badger Investments, LLC/Oregon Limited Liability Company

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on February 21, 2007 by James L. Neal as Managing Member for Badger Investments, LLC, an Oregon Limited Liability Company.



Leslie Clark
Notary Public

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on February 22, 2007 by Richard A. Boro, Gold Beach Investment Group LLC as Managing Member for Badger Investments, LLC, an Oregon Limited Liability Company.



Leslie Clark
Notary Public

State of Oregon)
) ss.
County of Deschutes)

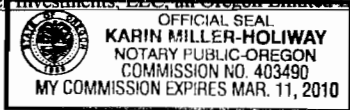
This instrument was acknowledged before me on February 26, 2007 by Richard Williams as Managing Member for Badger Investments, LLC, an Oregon Limited Liability Company.



Karin Miller-Holiway
Notary Public

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on February 26, 2007 by Douglas Zimmerman as Managing Member for Badger Investments, LLC, an Oregon Limited Liability Company. 'Badger Investments, LLC, an Oregon Limited'



Karin Miller-Holiway
Notary Public

Grantee:

Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

Date 26 March 2007

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on March 21, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Leslie Clark
Notary Public

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**WATER RESOURCES DEPT
SALEM, OREGON**

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

Parcels 1, 2 and 3 of Partition Plat No. 2003-31, filed May 29, 2003, and being located in a portion of the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

Description of a tract of land situate in a portion of Parcel 2 of Partition Plat No. 2003-31, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, City of Redmond, Deschutes County, Oregon, more particularly described as follows:

Commencing at a ½" inside diameter metal pipe monumenting the Northeast corner of Parcel 2 Partition Plat 2003-31, the initial point as well as the true point of beginning; thence South 04°07'13" East along the East line of said Parcel 2, 93.51 feet; thence North 73°11'36" West, 258.35 feet to the West line of said Parcel 2; thence North 21°07'33" East along said West line, 100.00 feet to a ½" pipe with plastic cap marked "Povey & Assoc." (hereafter called "cap") on the right of way (R/W) of S.W. Badger Avenue as per said partition; thence South 68°52'27" East along said South R/W, 179.85 feet to a ¾" pipe with cap; thence 38.17 feet along the arc of a 180 foot radius curve, concave North, forming a central angle of 12°08'58" and a long chord bearing South 74°56'56" East, 38.10 feet to the point of beginning.

PARCEL 2:

A parcel of land situate in the North Half of the Southeast Quarter (N1/2SE1/4) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at the South Quarter corner of said Section 30, the initial point; thence North 00°00'18" East along the West line of the East Half of the Southeast Quarter (E1/2SE1/4) of said Section 30, 1320.18 feet to the Center-South 1/16th corner; thence South 89°49'59" East along the South line of the N1/2SE1/4, 1313.64 feet to the point of beginning; thence North 00°10'14" West parallel to the Easterly line of said Northwest Quarter of the Southeast Quarter (NW1/4SE1/4), 643.673 feet to the centerline of an access road easement; thence South 83°43'58" East along the centerline of said road easements, 383.01 feet; thence South 00°05'20" East, 379.69 feet to the Westerly right of way of S.W. Canal Boulevard; thence around the arc of a curve left, on the said Westerly right of way line 37.76 feet, this curve having a radius of 746.20 feet, delta angle of 02°53'58", long chord bearing South 38°39'33" West and a distance of 37.76 feet; thence South 37°12'34" West along said Westerly right of way line, 242.70 feet to the South line of said N1/2SE1/4; thence North 89°49'59" West along the South line of said N1/2SE1/4, 197.08 feet to the Southeast 1/16th corner; thence North 89°49'59" West along the South line of said N1/2SE1/4, 11.96 feet to the point of beginning.

TOGETHER WITH:

Commencing at a One-half inch rod at the East Quarter corner of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, the initial point; thence North 89°48'56" West along the North line of the Southeast Quarter (SE1/4) of said Section 30, 2641.06 feet to the West line of the Northwest Quarter of said Southeast Quarter (NW1/4SE1/4);

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

thence South 00°00'18" West along said West line, 1326.18 feet to the South line of said NW1/4SE1/4; thence South 89°49'59" East along said South line, 1312.64 feet to the Southeast corner of a parcel of land recorded in Book 266, Page 231, Deed Records, from which the Southeast 1/16th corner bears South 89°49'59" East, 11.96 feet; thence North 00°10'15" West along the West line of said Deed, 168.19 feet to the true point of beginning; thence North 04°14'12" West, 480.54 feet to a one-half inch pipe; thence South 83°43'58" East, 34.29 feet to the Northwest corner of said Deed; thence South 00°10'15" East along said West line, 475.49 feet to the point of beginning.

EXCEPTING THEREFROM:

Commencing at a one-half inch rod at the East Quarter corner of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, the initial point; thence North 89°48'56" West along the North line of the Southeast Quarter (SE1/4) of said Section 30, 2641.06 feet to the West line of the Northwest Quarter of said Southeast Quarter (NW1/4SE1/4); thence South 00°00'18" West along said West line, 1326.18 feet to the South line of said NW1/4SE1/4; thence South 89°49'59" East along said South line, 1312.64 feet to the Southwest corner of a parcel of land recorded in Book 266, Page 231, Deed Records, and the true point of beginning; thence South 89°49'59" East along said South line and along the South line of said Deed, 11.96 feet to the Southeast 1/16th corner; thence North 04°14'12" West, 168.68 feet to the West line of said Deed; thence South 00°10'15" East along said West line, 168.19 feet to the point of beginning.

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**WATER RESOURCES DEPT
SALEM, OREGON**



\$41.00

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10/03/2006 11:35:26 AM

D-D Cnt=1 Str=3 PG
\$15.00 \$11.00 \$10.00 \$5.00

41



After recording return to:
Badger Investments, LLC
PO Box 1169
Prineville, OR 97754

3

Until a change is requested all tax statements
shall be sent to the following address:
Badger Investments, LLC
PO Box 1169
Prineville, OR 97754

File No.: 7062-881277 (KM)
Date: August 10, 2006

STATUTORY WARRANTY DEED

Richard A Scorza and Judith L Scorza, Grantor, conveys and warrants to **Badger Investments, LLC, an Oregon Limited Liability Company**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

PARCELS 1, 2 AND 3 OF PARTITION PLAT NO. 2003-31, FILED MAY 29, 2003, AND BEING LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 15 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON. Excepting therefrom: A Parcel described in Exhibit "A" attached hereto and made a part hereof

This property is free from liens and encumbrances, EXCEPT:

1. The **2006-2007** Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$1,623,350.00**. (Here comply with requirements of ORS 93.030)

FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON
P.O. BOX 323
BEND, OR 97709

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON



POVEY & ASSOCIATES—LAND SURVEYORS

REGISTERED PROFESSIONAL LAND SURVEYORS, OREGON NO. 1652 and 2039
PARTNERSHIP I.D. #93-0738184

P.O. BOX 131 • OFFICE 338 S.W. 7th • REDMOND, OREGON 97756 • (541) 548-6778
Fax (541) 548-0478

EXHIBIT "a"

Description:

RICHARD SCORZA

located in County Partition Plat No. 2003-31,
in the NW1/4 SE1/4 of Section 30, T.15S., R.13E., W.M.

REMAINDER PARCEL

Description of a tract of land situate in a portion of Parcel 2 of Partition Plat No. 2003-31, located in the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) of Section 30, Township 15 South, Range 13 East of the Willamette Meridian, City of Redmond, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 1/2" inside diameter metal pipe monumenting the Northeast corner of Parcel 2 of Partition Plat No. 2003-31, the Initial Point as well as the true **POINT OF BEGINNING**;

thence S04°07'13"E along the East line of said Parcel 2 - 93.51 feet;

thence N73°11'36"W - 258.35 feet to the West line of said Parcel 2;

thence N21°07'33"E along said West line - 100.00 feet to a 1/2" pipe with plastic cap marked "Povey & Assoc." (hereafter called "cap") on the right-of-way (R/W) of SW Badger Avenue as per said partition;

thence S68°52'27"E along said South R/W - 179.85 feet to a 3/4" pipe with cap;

thence 38.17 feet along the arc of a 180-foot radius curve, concave North, forming a central angle of 12°08'58" and a long chord bearing S74°56'56"E - 38.10 feet to the **POINT OF BEGINNING**.

The same containing approximately 0.50 land acres (21,780 square feet), together with ___ C.O.I.D. water right acres appurtenant thereon, subject to all existing easements and rights-of-way over and across the above described parcel of land.

PAGE 1 DESCRIPTION

G:\01-165\LEGAL-2A.WPS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert R. Povey 10/2/06

OREGON
JULY 14, 1978
ROBERT R. POVEY
1652

Renews: 12/31/06

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WATER RESOURCES DEPT
SALEM, OREGON



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09/01/2006 04:00:50 PM

THIS

D-D Cnt=1 Str=4 TRACY
\$15.00 \$11.00 \$10.00 \$5.00



After recording return to:
Badger Investments, LLC
422 NW Beaver St.
Prineville, OR 97754

Until a change is requested all tax statements
shall be sent to the following address:
Badger Investments, LLC
422 NW Beaver St.
Prineville, OR 97754

File No.: 7062-827455 (KM)
Date: August 30, 2006

STATUTORY WARRANTY DEED

Ben A. Bidwell and Claudette Bidwell, as tenants by the entirety, Grantor, conveys and warrants to **Badger Investments LLC**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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

This property is free from liens and encumbrances, EXCEPT:

1. The **2006-2007** Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$785,000.00**. (Here comply with requirements of ORS 93.030)

FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON
P.O. BOX 323
BEND, OR 97709

RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

Date: May 17, 2006

File No.: 7062-827455 (KM)

EXHIBIT 'A'

LEGAL DESCRIPTION:

A parcel of land situate in the North Half of the Southeast (N1/2 SE1/4) of Section 30, TOWNSHIP 15 SOUTH, RANGE 13 EAST, of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at the South Quarter corner of said Section 30, the initial point; thence North 00°00' 18" East along the West line of the East one-half of the Southeast Quarter (E1/2 SE1/4) of said Section 30, 1320.18 feet to the Center-South 1/16th corner; thence South 89° 49' 59" East along the South line of the North one-half of said Southeast Quarter (N1/2 SE1/4), 1313.64 feet to the POINT OF BEGINNING; thence North 00° 10' 14" West parallel to the Easterly line of said Northwest Quarter of the Southeast Quarter (NE1/4 SE1/4), 643.673 feet to the centerline of an access road easement; thence South 83° 43' 58" East along the centerline of said road easements 383.01 feet; thence South 00° 05' 20 East 379.69 feet to the Westerly right-of-way line of SW Canal Boulevard; thence around the arc of a curve left, on the said Westerly right-of-way line 37.76 feet, this curve having a radius of 746.20 feet, delta angle of 02° 53' 58", long chord bearing South 38° 39' 33" West and a distance of 37.76 feet; thence South 37° 12' 34" West along said Westerly right-of-way line 242.70 feet to the South line of said North one-half of the Southeast Quarter (N1/2 SE1/4); thence North 89° 49' 59" West along the South line of said North one-half of the Southeast Quarter (N1/2 SE1/4), 197.08 feet to the Southeast 1/16th corner; thence North 89° 49' 59" West along the South line of said North one-half of said Southeast Quarter, 11.96 feet to the POINT OF BEGINNING.

TOGETHER WITH, commencing at a one-half inch rod at the East Quarter corner of Section 30, Township 15 South, Range 13 East, of the Willamette Meridian, the initial point; thence North 89° 48' 56" West along the North line of the Southeast Quarter (SE1/4) of said Section 30, 2641.06 feet to the West line of the Northwest Quarter of said Southeast Quarter (NW1/4 SE1/4); thence South 00° 00' 18" West along said West line, 1326.18 feet to the South line of said Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4); thence South 89° 49' 59" East along said South line, 1312.64 feet to the Southeast corner of a parcel of land recorded in book 266, Page 231, Deed Records, from which the Southeast 1/16th corner bears South 89° 49' 59" East, 11.96 feet; thence North 00° 10' 15" West along the West line of said Deed, 168.19 feet to the TRUE PONT OF BEGINNING, thence North 04° 14' 12" West, 480.54 feet to a one-half inch pipe; thence South 83° 43' 58" East, 34.29 feet to the Northwest corner of said deed; thence South 00° 10' 15" East along said West line, 475.49 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM, Commencing at a one-half inch rod at the East Quarter corner of Section 30, Township 15, Range 13 East, of the Willamette Meridian, the initial point; thence North 89° 48' 56" West along the North line of the Southeast Quarter (SE1/4) of said Section 30, 2641.06 feet to the West line of the Northwest Quarter of said Southeast Quarter (NW1/4 SE1/4); thence South 00° 00' 18" West along said West line, 1326.18 feet to the South line of said Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4); thence South 89° 49' 59" East along said South line, 1312.64 feet to the Southwest corner of a parcel of a land recorded in Book 266, Page 231, Deed Records, and the TRUE POINT OF BEGINNING; thence South 89° 49' 59" East along said South line and along the South line of said Deed, 11.96 feet to the Southeast 1/16th corner; thence North 04° 14' 12" West, 168.68 feet to the West line of said Deed; thence South 00° 10' 15" East along said West line, 168.19 feet to the THE POINT OF BEGINNING.

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JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

Initials: _____



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2007-21575

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756



\$41.00

00541864200700215750030031

04/16/2007 12:13:27 PM

D-D Cnt=1 Str=2 JS
\$15.00 \$11.00 \$10.00 \$5.00

MAIL TAX STATEMENT
TO: NO CHANGE

**QUITCLAIM DEED
WATER CONVEYANCE AGREEMENT
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Richard A. Scorza and Judith L. Scorza as tenants by the entirety, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands described in Exhibit "A ("Subject Lands") attached, and incorporated by this reference and commonly known as: 15-13-30 NW SE 701, release their claim and responsibility for 0.50 acres of COID water rights that are appurtenant to the Subject Lands, to COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Lands that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land no longer will have appurtenant water rights.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 0.50 acres of water rights incurred.

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

Consideration for this Quitclaim: \$500.00

Grantor:
Richard A. Scorza

Date 4-6-07

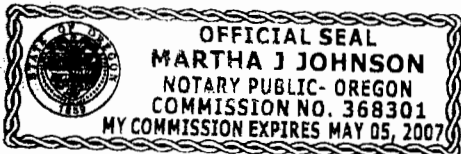
Judith L. Scorza

Date 4/6/07

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on 4/6/07 by Richard A. Scorza.

Notary Public



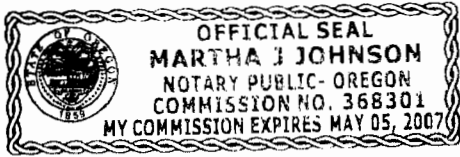
RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on 4/6/07 by Judith L. Scorza.



Martha J. Johnson
Notary Public

Grantee: [Signature]

Date 9 April, 2007

Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on April 9, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Leslie Clark
Notary Public

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JUN 20 2007
WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"
LEGAL DESCRIPTION

Description of a tract of land situated in a portion of Parcel 2 of Partition Plat No. 2003-31, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13) East of the Willamette Meridian, City of Redmond, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 1/2" inside diameter metal pipe monumenting the Northeast corner of Parcel 2 of Partition Plat No. 2003-31, the initial point as well as the true point of beginning; thence South 04°07'13" East along the East line of said Parcel 2, 93.51 feet; thence North 73°11'36" West, 258.35 feet to the West line of said Parcel 2; thence North 21°07'33" East along said West line, 100.00 feet to a 1/2" pipe with plastic cap marked "Povey & Assoc." (hereafter called "cap") on the right-of-way (R/W) of SW Badger Avenue as per said partition; thence South 68°52'27" East along said South R/W, 179.85 feet to a 3/4" pipe with cap; thence 38.17 feet along the arc of a 180.00 foot radius curve, concave North, forming a central angle of 12°08'58" and a long chord bearing South 74°56'56" East, 38.10 feet to the point of beginning.

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JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

DESCHUTES COUNTY OFFICIAL RECORDS 2001-35101
MARY SUE PENHOLLOW, COUNTY CLERK



\$55.00

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07/25/2001 04:19:37 PM

D-D Cntw1 Strw2 TRACY

\$10.00 \$11.00 \$10.00 \$5.00 \$20.00

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



**This page must be included
if document is re-recorded.
Do Not remove from original document.**

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JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

35603 56-

WARRANTY DEED

ROBERT C. KRANCE AND JEAN S. KRANCE, AS TENANTS BY THE ENTIRETY, AS TO AN UNDIVIDED ONE-HALF (1/2) INTEREST AND ROBERT L. GALLUP AND PATRICIA A. GALLUP, AS TENANTS BY THE ENTIRETY, AS TO AN UNDIVIDED ONE-QUARTER (1/4) INTEREST AND CRAIG F. BROTCHEM, AS TO AN UNDIVIDED ONE-QUARTER (1/4) INTEREST, Grantor(s) hereby grant, bargain, sell, warrant and convey to: RICHARD A. SCOREA and JUDITH L. SCORZA, as tenants by the entirety, Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of DESCHUTES and State of Oregon, to wit:

Description of a parcel of land which lies South of the South line of that certain tract as described in a deed to Roy L. Clark et ux on August 29, 1977 in Book 257, Page 139 Deed records, being in a portion of the Northwest Quarter of the Southeast Quarter of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows: Description of a parcel of land which lies South of the South line of that certain tract as described in a deed to Roy L. Clark et ux on August 29, 1977 in Book 257, Page 139 Deed records, being in a portion of the Northwest Quarter of the Southeast Quarter of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows: Commencing at a 1/2" pipe monumenting the East 1/4 corner of Section 30, Township 15 South, Range 13, East of the Willamette Meridian, the Initial Point; thence North 89° 48' 56" West along the North line of the Southeast Quarter of said Section 30 - 2641.06 feet to the West line of the Northwest Quarter of said Southeast Quarter; thence South 00° 00' 18" West along said West line - 1326.18 feet to the South line of said NW-1/4 SE-1/4; thence South 89° 49' 59" East along said South line - 694.89 feet to a 1/2" pipe and the true POINT OF BEGINNING; thence South 89° 49' 59" East along said South line - 629.71 feet to the Southeast corner of said NW-1/4 SE-1/4, a point witnessed by a 1/2" pipe which bears South 35° West - 7.44 feet; thence North 04° 14' 12" West - 649.22 feet along the East line of that certain tract as described in a Deed and a Northerly extension thereof to Herbert J. Hester et ux recorded April 15, 1980 in Book 320, Page 84 Deed records, Deschutes County, Oregon, to the South line of a parcel of land recorded in Deeds Book 257, Page 139; thence North 83° 43' 58" West along said South line - 5.73 feet to the centerline P.I. of SW Badger Avenue, a 60.00 feet wide road, 30.00 feet each side of centerline; thence North 68° 59' 26" West along said centerline and along said South line 249.25 feet to the beginning of a curve, a point 11.62 feet beyond the Southwest corner of said parcel recorded in Deeds Book 257, Page 139; thence 54.57 feet along the arc of a 150.00 foot radius curve left of said centerline forming a deflection angle of 20° 50' 44" and a long chord bearing North 79° 24' 48" West - 54.27 feet to the end of said curve; thence North 89° 50' 10" West along said centerline - 287.84 feet to a 1/2" pipe; thence South 00° 10' 01" West - 746.40 feet to the POINT OF BEGINNING. TOGETHER WITH a parcel of land situate in a portion of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows: Commencing at a 1/2" rod at the East Quarter corner of Section 30, Township 15 South, Range 13, E.W.M., D.C.O., the initial point; thence North 89°48'56" West along the North line of the Southeast Quarter (SE1/4) of said Section 30, 2641.06 feet to the West line of the NW1/4 of said SE1/4; thence South 00°00'18" West along said West line, 1326.18 feet to the South line of said NW1/4 of the SE1/4; thence South 89°49'59" East along said South line, 1312.64 feet to the Southwest corner of a parcel of land recorded in Deeds Volume 266, Page 231, and the true point of beginning; thence South 89°49'59" East, along said South line and along the South line of said Deed, 11.96 feet to the SE1/16 corner; thence North 04°14'12" West, 168.68 feet to the West line of said deed; thence South 00°10'15" East along said West line, 168.19 feet to the point of beginning.

SERIAL NO. 162702

TM 15 13 30 00 01413

SUBJECT TO: all those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any; and the grantor will warrant and forever defend the said 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.

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

After recording, return to
AmeriTitle

RECEIVED


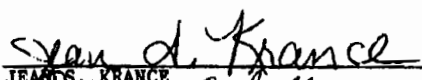

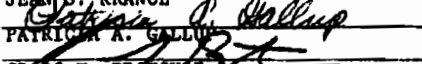

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

The true and actual consideration for this conveyance is pursuant to an IRC 1031 exchange on behalf of Grantor and/or Grantee.

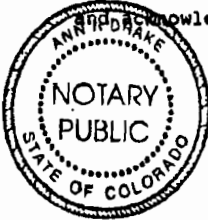
Until a change is requested, all tax statements shall be sent to Grantee at following address: 3569 W. Antler, Redmond, OR 97756

Dated this 18th day of July, 2001.

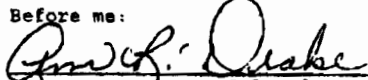
 ROBERT C. KRANCE	 JEAN S. KRANCE
 ROBERT L. GALLUP	 PATRICIA A. GALLUP
	 CRAIG F. BROTCHE

STATE OF COLORADO ss. July 19th 2001
COUNTY OF El Paso

Personally appeared the above named Robert C. Krance, Jean S. Krance, Robert L. Gallup and Patricia A. Gallup



acknowledged the foregoing instrument to be their voluntary act.

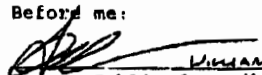
Before me:

Notary Public for Colorado
My commission expires 1-30-2002

MY COMMISSION EXPIRES 01/30/2002
STATE OF North Carolina ss. July 23 2001
COUNTY OF Cumberland

Personally appeared the above named _____
Craig F. Brotchie

and acknowledged the foregoing instrument to be his voluntary act.



Before me:

Notary Public for U.S. Army
My commission expires indefinite

NO. RD035603RR
Return to:
Richard A. Scorza
3569 W. Antler
Redmond, OR 97756

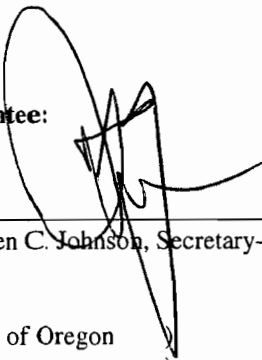
RECEIVED
JUN 20 2007
WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on May 3rd 2007 by Phyllis Jean Hinton as Director for Canyon Park, Inc.



Susan Kiser
Notary Public

Grantee: 

Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District
Date 4 May, 2007

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on May 4, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Leslie Clark
Notary Public

RECEIVED
JUN 20 2007
WATER RESOURCES DEPT
SALEM, OREGON

VOL: 2000 PAGE: 48252
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*2000-48252 * Vol-Page

Printed: 11/28/2000 15:42:59

DO NOT REMOVE THIS CERTIFICATE

(This certificate constitutes a part of the original instrument in accordance with ORS 205.180(2). Removal of this certificate may invalidate this certificate and affect the admissibility of the original instrument into evidence in any legal proceeding.)

I hereby certify that the attached instrument was received and duly recorded in Deschutes County records:

DATE AND TIME: Nov. 28, 2000; 3:41 p.m.

RECEIPT NO: 28978

DOCUMENT TYPE: Deed

FEE PAID: \$31.00

NUMBER OF PAGES: 1

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

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

WARRANTY DEED

30800-31

2000-48252-1

VALUABLE LANDS, INC.,

Grantor(s) hereby grant, bargain, sell, warrant and convey to:

CANYON PARK, INC.,

Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of DESCHUTES and State of Oregon, to wit:

Parcel Two (2) of Partition Plat No. 2000-52, Deschutes County Records

PORTION #130245

15 13 30 00 00905

SUBJECT TO: all those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any: and the grantor will warrant and forever defend the said 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.

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

The true and actual consideration for this conveyance is pursuant to an IRC 1031 exchange on behalf of Grantor and/or Grantee.

Until a change is requested, all tax statements shall be sent to Grantee at the following address: Canyon Park, Inc., C/O Jim Hinton, 2320 SW 37th, Redmond, OR 97756

Dated this 22nd day of November, 2000.

Valuable Lands, Inc.

By: [Signature] Tyler Fitzsimons, President/Secretary

STATE OF Oregon SS. November 22 2000 COUNTY OF Deschutes

Personally appeared the above named Tyler Fitzsimons as president/secretary of Valuable Lands, Inc.

and acknowledged the foregoing instrument to be his voluntary act.



(seal)

Before me: [Signature] Notary Public for My commission expires 7/7/2004

ESCROW NO. RD030800RR

Return to: Canyon Park, Inc. C/O Jim Hinton 2320 SW 37th St. Redmond, OR 97756

After recording, return to America 15 OREGON AVENUE, BEND

RECEIVED

JUN 20 2007

WATER RESOURCES DEPT SALEM, OREGON



\$41.00

00532613200700129810030034

03/05/2007 10:43:26 AM

D-D Cnt=1 Stn=3 PG
\$15.00 \$11.00 \$10.00 \$5.00

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

MAIL TAX STATEMENT
TO: NO CHANGE

**QUITCLAIM DEED
WATER CONVEYANCE AGREEMENT
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Dana E. Clough and Karen E. Clough, as tenants by the entirety, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands described as: The South Half (S 1/2) of Government Lot One (1), Section thirty (30), Township Seventeen (17), South Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon. EXCEPT the Westerly 30 feet dedicated to the public for roadway and utilities by instrument recorded August 23, 1982 in Book 361, Page 79, Deschutes County Deed Records ("Subject Lands") and commonly known as: 17-13-30 NW NW 206, release their claim and responsibility for 1.75 acres of COID water rights that are appurtenant to the Subject Lands, to COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Lands that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will have 15.85 acres of appurtenant water rights remaining.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 1.75 acre water rights incurred.

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

Consideration for this Quitclaim: \$3,500.00

Grantor:

Dana E. Clough Date Feb 23, 07
Dana E. Clough

Karen E. Clough Date 2/23/07
Karen E. Clough

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on Feb 23, 2007 by Dana E. Clough and

~~KAREN E. CLOUGH~~ KW

Lori D. Welsh
Notary Public



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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on Feb 23, 2007 by Karen E. Clough



Lori D. Welsh
Notary Public

Grantee: [Signature]

Date 26 Feb. 2007

Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on February 26, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Leslie Clark
Notary Public

RECEIVED
JUN 20 2007

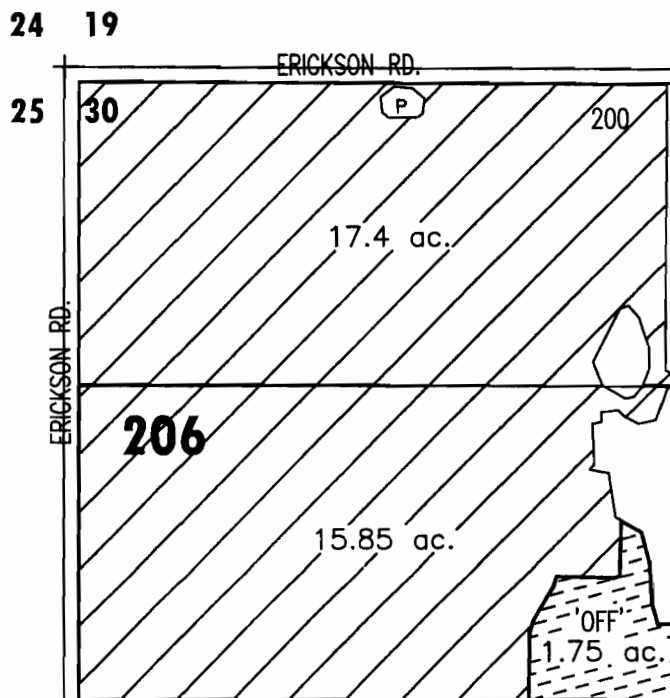
WATER RESOURCES DEPT
SALEM, OREGON

**DESCHUTES COUNTY
SEC. 30 T17S. R13E. W.M.**

SCALE - 1" = 400'



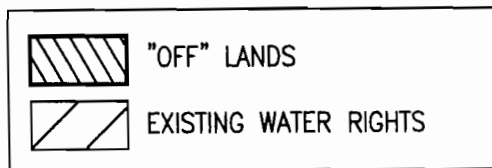
NW 1/4 OF THE NW 1/4



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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON



QUITCLAIM DEED FOR WATER RIGHTS TRANSFER

QUITCLAIM MAP

NAME: DANA & KAREN CLOUGH

TAXLOT #: 206

1.75 ACRES 'QC'

DATE: 02-21-07

FILE NO: E:\TRANSFER\WRTRAN07\CLOUGH_QC



After recording return to:
DANA E. CLOUGH & KAREN E. CLOUGH
Route 1, Box 5
Corral, ID 83322

Tax Statements shall be sent to:
(SAME AS ABOVE)

Title Order No. 54087DM
Escrow No. 54087DM

N/A

54087DM

WARRANTY DEED - STATUTORY FORM

THOMAS V. McCLAMMY, Grantor,

conveys and warrants to:

DANA E. CLOUGH and KAREN E. CLOUGH, husband and wife, Grantee,

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

(FOR LEGAL DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO)

Serial No: 166329 & 109384

Map No: 171330 OO 00206 & 171330 OO 00200

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

The true consideration for this conveyance is \$765,000.00 which is paid by an accommodator pursuant to an IRC 1031 exchange for the above described replacement property.

If grantor is a corporation, this has been signed by authority of the Board of Directors.

Dated this 18th day of June, 2004.

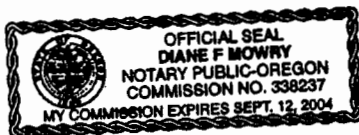
THOMAS V. McCLAMMY

STATE OF OREGON, County of Deschutes)ss.

This instrument was acknowledged before me on June 18th, 2004, by Thomas V. McClammy.

Notary Public for Oregon

My commission expires: 9/12/04



DESCHUTES COUNTY TITLE COMPANY
1245 SE 3RD ST. STE A-1
BEND, OREGON 97702

3e

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

Exhibit A

PARCEL I:

THE NORTH HALF (N1/2) OF GOVERNMENT LOT 1, SECTION 30, TOWNSHIP 17 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

EXCEPT THE NORTHERLY AND WESTERLY 30 FEET DEDICATED TO THE PUBLIC FOR ROADWAY AND UTILITIES BY INSTRUMENT RECORDED AUGUST 23, 1982 IN BOOK 361, PAGE 79, DESCHUTES COUNTY DEED RECORDS.

PARCEL II:

THE SOUTH HALF (S1/2) OF GOVERNMENT LOT 1, SECTION 30, TOWNSHIP 17 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

EXCEPT THE WESTERLY 30 FEET DEDICATED TO THE PUBLIC FOR ROADWAY AND UTILITIES BY INSTRUMENT RECORDED AUGUST 23, 1982 IN BOOK 361, PAGE 79, DESCHUTES COUNTY DEED RECORDS.

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2007-11100



\$41.00

00530588200700111000030037

02/23/2007 02:25:31 PM

D-D Cnt=1 Str=28 SRB
\$15.00 \$11.00 \$10.00 \$5.00

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

MAIL TAX STATEMENT
TO: NO CHANGE

**QUITCLAIM DEED
WATER CONVEYANCE AGREEMENT
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

3

Grantor, Leroy C. Bennett an undivided one-half interest and Kathleen M. Bennett an undivided one-half interest, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands described in Exhibit "A ("Subject Lands") attached, and incorporated by this reference and located on land commonly known as: 18-12-03 SE NE 1400, release their claim and responsibility for 0.50 acres of COID water rights that are appurtenant to the Subject Lands, to COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Lands that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land no longer will have appurtenant water rights.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 0.50 acres of water rights incurred.

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

Consideration for this Quitclaim: \$1,000.00

Grantor:

Leroy C. Bennett
Leroy C. Bennett

Date 1/31/07

Kathleen M. Bennett
Kathleen M. Bennett

Date 01-31-07

RECEIVED

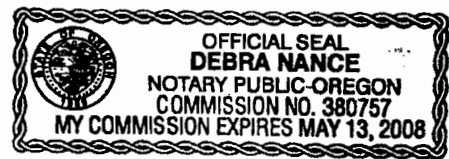
JUN 20 2007

State of Oregon)
County of Wallowa) ss.

WATER RESOURCES DEPT
SALEM, OREGON

This instrument was acknowledged before me on January 31, 2007 by Leroy C. Bennett.

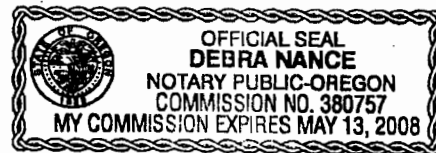
Debra Nance
Notary Public



State of Oregon)
County of Wallowa) ss.

This instrument was acknowledged before me on January 31, 2007 by Kathleen M. Bennett.

Debra Nance
Notary Public



Grantee: 

Date 5 Feb. 2007

Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

State of Oregon)
County of Deschutes) ss.

This instrument was acknowledged before me on February 5, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.

Leslie Clark
Notary Public



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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

A tract of land lying within the Southeast Quarter of the Southeast Quarter of the Northeast Quarter (SE1/4SE1/4NE1/4) of Section Three (3), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Beginning at the East 1/4 corner of said Section 3; thence South 89°37'34" West, a distance of 276.23 feet to the true point of beginning; thence North 3°55'00" East, a distance of 260.38 feet; thence South 89°38'00" West, a distance of 206 feet, more or less, to the Northeasterly corner of a parcel of land described in that certain deed recorded August 26, 1970, in Book 171, Page 792, Deed Records; thence due South to the intersection of the center of the A-2 C.O.I.D. Lateral; thence Southeasterly along the centerline of the A-2 C.O.I.D. Lateral to the intersection of the South line of the SE1/4 NE1/4 of said Section 3; thence North 89°37'34" East along the South line of the SE1/4 NE1/4 of said Section 3 to the point of beginning.

RECEIVED

JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

AFTER RECORDING RETURN TO:
✓ Leroy C. Bennett
502 1st Street
Wallowa, OR 97885

TENANCY BY THE ENTIRETY DEED

211
LEROY C. BENNETT, Grantor, conveys to KATHLEEN M. BENNETT, his wife, Grantee,
an undivided one-half interest in the following described real property, it being the grantor's intention
to create hereby an estate in entirety:

A tract of land lying within the SE 1/4 of the SE 1/4 of the NE 1/4 of
Section 3, TOWNSHIP 18 SOUTH, RANGE 12 EAST OF THE
WILLAMETTE MERIDIAN, Deschutes County, Oregon, more
particularly described as follows:

Beginning at the East 1/4 corner of said Section 3; thence S 89° 37' 34"
W, a distance of 276.23 feet to the TRUE POINT OF BEGINNING;
thence N 3° 55' 00" E, a distance of 260.38 feet; thence S 89° 38' 00"
W, a distance of 206 feet; more or less to the Northeasterly corner of a
parcel of land described in that certain Deed recorded August 26, 1970,
in Book 171 at Page 792 of Deschutes County Deed Records; thence due
South to the intersection of the center of the A-2 C.O.I.D. Lateral;
thence Southeasterly along the centerline of the A-2 C.O.I.D. Lateral to
the intersection of the South line of the SE 1/4 of the NE 1/4 of said
Section 3; thence N 89° 37' 34": E along the South line of the SE 1/4 of
the NE 1/4 of said Section 3 to the POINT OF BEGINNING.

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

✓ The consideration for this conveyance is to create an Entirety Estate.

✓ Until a change is requested all tax statements are to be sent to Leroy C. Bennett, 502 Whiskey Creek Rd., Wallowa OR, 97885.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR

COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, AND TO DETERMINE

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2004-15863



\$36.00

03/25/2004 10:15:39 AM

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

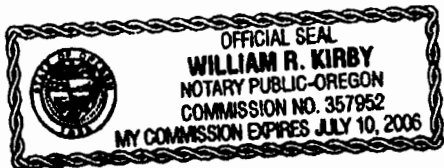
ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES IN ORS 30.930.

DATED this 9TH day of March, 2004.


Leroy C. Bennett

STATE OF OREGON,)
) ss.
County of Wallowa.)

The foregoing instrument was acknowledged before me this 9TH day of March, 2004, by Leroy C. Bennett, to be his voluntary act and deed.




Notary Public for Oregon

AFTER RECORDING RETURN TO:

Leroy C. Bennett
502 Whiskey Creek Rd.
Wallowa, OR 97885

RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON



09/28/2006 11:00:20 AM

D-D Cnt=1 Str=4 TM
\$15.00 \$11.00 \$10.00 \$5.00

Do not remove this page from original document.

Deschutes County Clerk

Certificate Page



RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

If this instrument is being re-recorded, please complete the following statement, in accordance with ORS 205.244:

Re-recorded to correct [give reason] _____
previously recorded in Book _____ and Page _____,
or as Fee Number _____.



MAIL TAX STATEMENT
TO: NO CHANGE

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

Recorded by Western Title as an
accommodation only. No liability
accepted for condition of title or
validity, sufficiency or affect of
document. B

QUITCLAIM DEED
WATER CONVEYANCE DOCUMENT
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Glenco Investments, Inc., owner of the lands listed described on attached Exhibit "A" ("the Lands"); releases and quitclaims to Central Oregon Irrigation District, Grantee, all rights, title and interest in 6.60 acres of Central Oregon Irrigation District water rights that are appurtenant to the Lands and pursuant to the terms and conditions of an Irrigation Contract entered into between Grantor and Central Oregon Irrigation District on this date. No such transfer or sale of said water and water rights shall be allowed without the written consent of COID. Such consent shall be at the sole discretion of COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913, located on land commonly known as: 18 S.12 E. 03 NE SE 200 and 201.

Central Oregon Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water rights at a new location and/or use. Central Oregon Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Lands that Grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of COID, the subject land no longer will have appurtenant water rights.

Grantor shall remain liable for any district assessment or charges pertaining to the described 6.60 acres of water rights incurred until the date of signing and subsequent completion of the transfer of water.

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

Consideration for this Quitclaim: COID to process transfer, consideration to be paid to Grantor by water right buyer.

Grantor:

Glennis L. Wolfe

Date 9/18/06

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Glennis L. Wolfe for Glenco Investments, Inc.

JUN 20 2007

State of Oregon)
) ss.
County of Deschutes)

WATER RESOURCES DEPT
SALEM, OREGON

This instrument was acknowledged before me on September 18, 2006 by Glennis L. Wolfe
as President for Glenco Investments, Inc.



[Signature]
Notary Public

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL I:

A parcel of land located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW1/4NE1/4SE1/4) of Section Three (3), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, being further described as follows:

Beginning at the Northeast corner of said NW1/4NE1/4SE1/4, a ¼" iron pipe; thence along the North line of said NW1/4NE1/4SE1/4, South 89°41'48" West, 206.26 feet to a 5/8" iron rod, the true point of beginning; thence continuing along said line, South 89°41'48" West, 428.00 feet to a 5/8" iron rod on the Easterly right of way line of Pettigrew Road; thence along said right of way, South 00°22'22" West, 50.00 feet to a 5/8" iron rod; thence leaving said right of way, South 76°17'13" East, 441.26 feet to a 5/8" iron rod; thence North 00°08'01" West, 156.87 feet to the point of beginning and terminus thereof.

PARCEL II:

A parcel of land located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW1/4NE1/4SE1/4) of Section Three (3), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, being further described as follows:

Beginning at the Northeast corner of said NW1/4NE1/4SE1/4, a ¼" iron pipe; thence along the East line of said NW1/4NE1/4SE1/4 South 00°25'28" West, 494.02 feet to the Southeast corner of the North Half of the South Half of the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (N1/2S1/2NW1/4NE1/4SE1/4) of said Section 3; thence along the South line of said N1/2S1/2NW1/4NE1/4SE1/4, North 89°50'24" West, 634.87 feet to a 5/8" iron rod on the Easterly right of way of Pettigrew Road; thence along said right of way, North 00°56'06" East, 111.80 feet to a ¼" iron rod; thence continuing along said right of way, North 00°22'22" East, 327.10 feet to a 5/8" iron rod; thence leaving said right of way, South 76°17'13" East, 441.26 feet to a 5/8" iron rod; thence North 00°08'01" East, 156.87 feet to a 5/8" iron rod on the North line of said NW1/4NE1/4SE1/4 of said Section 3; thence along said line North 89°41'48" East, 206.26 feet to the point of beginning and terminus thereof.

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JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**



After recording return to:
WESTERN TITLE & ESCROW COMPANY
572 SW BLUFF DRIVE, SUITE B
BEND, OR 97702

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

Glenco Inv. Inc.
1293 N.W. Wall St. #75

Bend, OR 97701 **WARRANTY DEED -- STATUTORY FORM**

WESTERN OREGON CONFERENCE ASSOC. OF SEVENTH DAY ADVENTISTS, Grantor,

conveys and warrants to

GLENCO INVESTMENTS, INC., Grantee,

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

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

Tax Account No(s): 171983

Map/Tax Lot No(s):

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

The true consideration for this conveyance is \$775,000.00 .

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

Dated this 11th day of November, 2003.

WESTERN OREGON CONFERENCE ASSOC. OF SEVENTH DAY ADVENTISTS

BY: C. Randolph Robinson
C. RANDOLPH ROBINSON
Vice President

BY: Ronald M. Smith
RONALD M. SMITH,
SECRETARY

STATE OF OREGON, COUNTY OF) SS.

This instrument was acknowledged before me on November ____, 2003 by RONALD M. SMITH, SECRETARY FOR THE WESTERN CONFERENCE ASSOCIATION OF THE SEVENTH DAY ADVENTISTS.

(Notary Public for Oregon)
My commission expires _____

TITLE NO. 15-0112403
ESCROW NO. 15-0112403

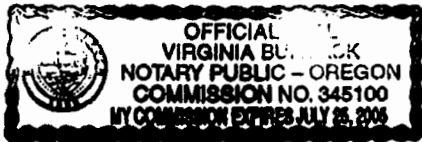
RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON)
) SS
COUNTY OF CLACKAMAS)

This instrument was acknowledged before me on November 11, 2003 by C. RANDOLPH ROBINSON and RONALD M. SMITH as Vice President and Secretary of the WESTERN OREGON CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS, an Oregon non-profit corporation.



Virginia Burkack

Notary Public for Oregon
My commission expires: 07-25-05

Burkack

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JUN 20 2007
WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

A parcel of land located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 3, Township 18 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, being further described as follows:

Beginning at the Northeast corner of said Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$), a $\frac{3}{4}$ " iron pipe; thence along the East line of said Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) South $00^{\circ}25'28''$ West, 494.02 feet to the Southeast corner of the North Half of the South Half of the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 3; thence along the South line of said North Half of the South Half of the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$), North $89^{\circ}50'24''$ West, 634.87 feet to a $\frac{5}{8}$ " iron rod on the Easterly right-of-way of Pettigrew Road; thence along said right-of-way, North $00^{\circ}56'06''$ East, 111.80 feet to a $\frac{1}{2}$ " iron rod; thence continuing along said right-of-way, North $00^{\circ}22'22''$ East, 327.10 feet to a $\frac{5}{8}$ " iron rod; thence leaving said right-of-way, South $76^{\circ}17'13''$ East, 441.26 feet to a $\frac{5}{8}$ " iron rod; thence North $00^{\circ}08'01''$ East, 156.87 feet to a $\frac{5}{8}$ " iron rod on the North line of said Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 3; thence along said line North $89^{\circ}41'48''$ East, 206.26 feet to the point of beginning and terminus thereof.

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON



11/19/2003 11:19:14 AM

After recording return to:
GLENCO INVESTMENTS, INC.
1293 NW WALL STREET # 75
BEND, OR 97701

D-D Cnt#1 Str#4 TRACY
\$15.00 \$11.00 \$10.00 \$5.00

3

Until a change is requested all tax statements
shall be sent to the following address:
GLENCO INVESTMENTS, INC.
1293 NW WALL STREET # 75
BEND, OR 97701

STATUTORY BARGAIN AND SALE DEED

GLENNIS L. WOLFE, Grantor, conveys to GLENCO INVESTMENTS, INC., GRANTEE, the
following described real property:

41

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

Tax Account No(s):
Map/Tax Lot No(s):

The true consideration for this conveyance is \$VESTING CORRECTION.

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

Dated this 17th day of November, 2003.

GLENNIS L. WOLFE

TITLE NO. 15-0131703
ESCROW NO. 15-0131703

Recorded By:
Western Title & Escrow Co.

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

Exhibit A

PARCEL I:

A parcel of land located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 3, Township 18 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, being further described as follows:

Beginning at the Northeast corner of said Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$), a $\frac{3}{4}$ " iron pipe; thence along the North line of said Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$), South $89^{\circ}41'48''$ West, 206.26 feet to a $\frac{5}{8}$ " iron rod, the true point of beginning; thence continuing along said line, South $89^{\circ}41'48''$ West, 428.00 feet to a $\frac{5}{8}$ " iron rod on the Easterly right-of-way line of Pettigrew Road; thence along said right-of-way, South $00^{\circ}22'22''$ West, 50.00 feet to a $\frac{5}{8}$ " iron rod; thence leaving said right-of-way, South $76^{\circ}17'13''$ East, 441.26 feet to a $\frac{5}{8}$ " iron rod; thence North $00^{\circ}08'01''$ West, 156.87 feet to the point of beginning and terminus thereof.

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JUN 20 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

STATE OF OREGON,

County of Washington

} ss.

BE IT REMEMBERED, That on this 17th day of December, 03
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within
named Glennis L. Wolfe

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.

Kari Anderson
Notary Public for Oregon
My commission expires 7-11-04



FORM No. 23 - ACKNOWLEDGMENT.
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Portland, OR 97204 © 1992

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WATER RESOURCES DEPT
SALEM, OREGON