



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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

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

Optional Identification by Lessor/Lessee: IL-2008-11  
Lease Application Number (assigned by WRD): IL-923

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 541-504-7577  
Email address lauraw@coird.org

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

**Lessee (if different than Oregon Water Resources Department):**  
Name Deschutes River Conservancy  
Mailing address PO Box 1560  
City, State, Zip Code Bend, OR 97709  
Telephone number 541-382-5186  
Email address gen@deschutesriver.org

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

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### ~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. 83571 & 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.: 83571

Priority date: October 31, 1900 & December 2, 1907 Type of use: Irr/Ind

Legal Season of Use: April 1 to November 1

If an irrigation right, total number of acres to be leased: 154.85 ac Irrig/41.35 ac Indust

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

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

Irrigation POD #1: Priority 10/31/1900: Season 1: 0.551, Season 2: 0.735, Season 3: 0.971; Priority 12/02/1907: Season 3: 0.389

Irrigation POD #11: Priority 10/31/1900: Season 1: 1.379, Season 2: 1.839, Season 3: 2.431; Priority 12/02/1907: Season 3: 0.974

Industrial POD #1: Priority 10/31/1900: Season 1: 0.241, Season 2: 0.321, Season 3: 0.425; Priority 12/02/1907: Season 3: 0.170

Industrial POD #11: Priority 10/31/1900: Season 1: 0.274, Season 2: 0.366, Season 3: 0.483; Priority 12/02/1907: Season 3: 0.194

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): Irrigation POD #1: 436.60, Irrigation POD #11: 1093.33, Industrial POD #1: 190.92, Industrial POD #11: 217.48

Conditions or other limitations, if any: None

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 and past to the Mouth

Maximum volume in acre-feet: Irrigation POD #1: Priority 10/31/1900: 241.18

Irrigation POD #11: Priority 10/31/1900: 844.01

Industrial POD #1: Priority 10/31/1900: 105.47

*of the Deschutes at RM 0*

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Industrial POD #11: Priority 10/31/1900: 225.38  
Rate in cfs: Irrigation POD #1: Priority 10/31/1900: Season 1: 0.304, Season 2: 0.406,  
Season 3: 0.751  
Irrigation POD #11: Priority 10/31/1900: Season 1: 1.064, Season 2: 1.420, Season 3: 2.628  
Industrial POD #1: Priority 10/31/1900: Season 1: 0.133, Season 2: 0.177, Season 3: 0.328  
Industrial POD #11: Priority 10/31/1900: Season 1: 0.284, Season 2: 0.379, Season 3: 0.701

(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, 2008.

**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.

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**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.

**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: *James J. Williams* Date: 05-05-08  
Central Oregon Irrigation District

Lessee: *Genevieve Hubert* Date: 05-06-2008  
Deschutes River Conservancy

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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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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).*

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

Optional Identification by Lessor/Lessee: 3088  
 Lease Application Number (assigned by WRD): IL-923

This Lease is with:

**Lessor #1 (Water Right Holder):**

Name Bend Bible Fellowship % Webster Loy & Jim Miller  
 Mailing address 947 SE 6<sup>th</sup> St  
 City, State, Zip Code Bend, OR 97702  
 Telephone number 541-382-1153  
 Email address \_\_\_\_\_

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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. 83571 & 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.	16 S	12 E	28	NW SE	200	2.00	Irrigation	83571	38	10/31/190 0
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 2.00

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).

**~II~ Instream Water Right Information**

**2.3 Term of lease.** This lease shall terminate on October 31, 2008. (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**

**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

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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: Walter Loy Date: Feb 13, 2008  
Bend Bible Fellowship

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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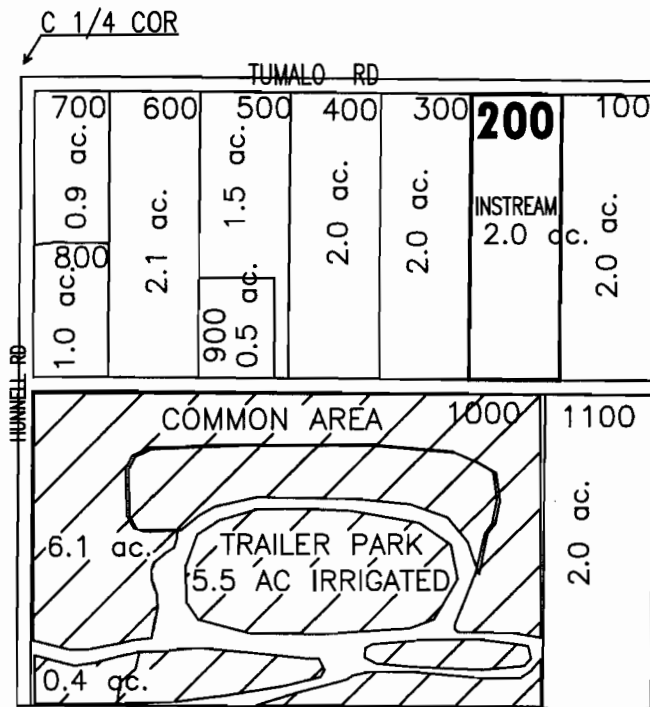
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# DESCHUTES COUNTY SEC. 28 T16S. R12E. W.M.

SCALE - 1" = 400'



NW 1/4 OF THE SE 1/4



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



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: BEND BIBLE FELLOWSHIP

TAXLOT #: 200

2.0 ACRES INSTREAM

DATE: 03-28-08

FILE NO: E:\TRANSFER\INSTREAM\INSTRM08\1YR\BB\_FELLOWSHIP





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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

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

Optional Identification by Lessor/Lessee: 3272

Lease Application Number (assigned by WRD): IL-923

This Lease is with:

#### Lessor #1 (Water Right Holder):

Name CE Phillips Family Limited Partnership & SDC Investments, LLC

Mailing address 1567 SW Chandler Ave Ste 101

City, State, Zip Code Bend, OR 97702

Telephone number 541-389-8466

Email address \_\_\_\_\_

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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. 83571 & 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.]

	I	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.	16 S	12 E	35	SW SW	700	5.00	Irrigation	83571	38	10/31/190 0
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 5.00 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.

**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).

**~II~ Instream Water Right Information**

**2.3 Term of lease.** This lease shall terminate on October 31, 2008. (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**

**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

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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.

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  - Written notice to the Department with original signatures;
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Lessor #1: Brian J Phillips Date: 4-1-08  
CE Phillips Family Limited Partnership

Brian J Phillips, Manager Date: 3-31-08  
SDC Investments, LLC

For additional Lessors, type in space for signature and date

\_\_\_\_\_

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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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# 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: 106880  
Lease Application Number (assigned by WRD): IL-923

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 541-504-7577  
Email address lauraw@coid.org

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

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**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. 83571 & 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.]

	I	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.	18 S	13 E	12	NW NE	200	5.00	Irrigation	83571	56	10/31/190 0
2.	15 S	13 E	09	SE NE	000	22.00	Industrial	83571	24	10/31/190 0
3.	18 S	12 E	11	NW NW	000	19.35	Industrial	83571	54	10/31/190 0
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 5.00 acres irrigation

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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**2.3 Term of lease.** This lease shall terminate on October 31, 2008. (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

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 333 N. OREGON

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: *Shirley Holman* Date: 23-24-08  
Central Oregon Irrigation District

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

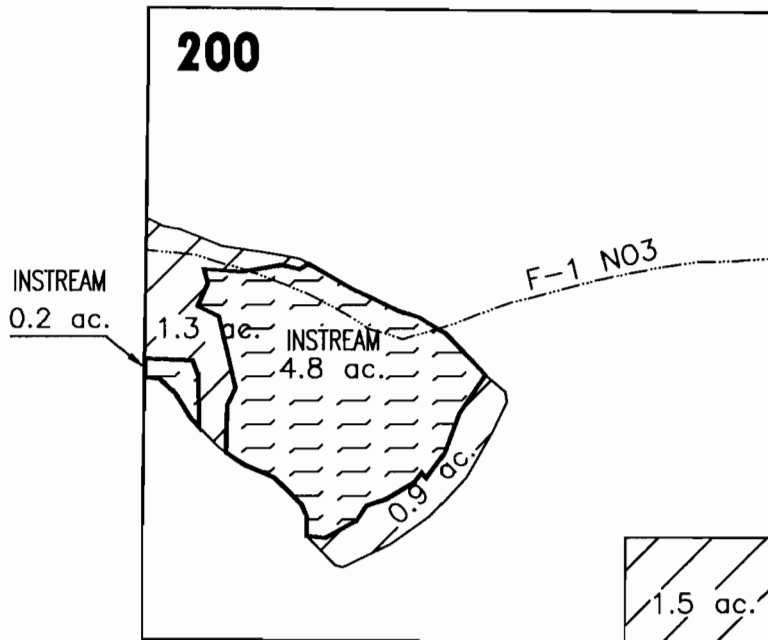
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WATER RESOURCES DEPT  
SALEM, OREGON

**DESCHUTES COUNTY  
SEC. 12 T18S. R13E. W.M.**

SCALE - 1" = 400'



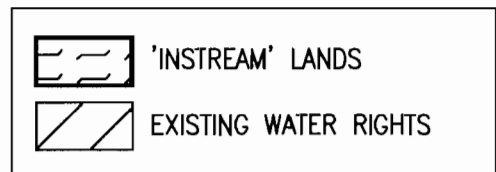
**NW 1/4 OF THE NE 1/4**



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SALEM, OREGON**



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 200

5.0 ACRES INSTREAM

DATE: 04-24-08

FILE NO: E:\TRANSFER\INSTREAM\INSTRM00\1YR\COID\181312\_200

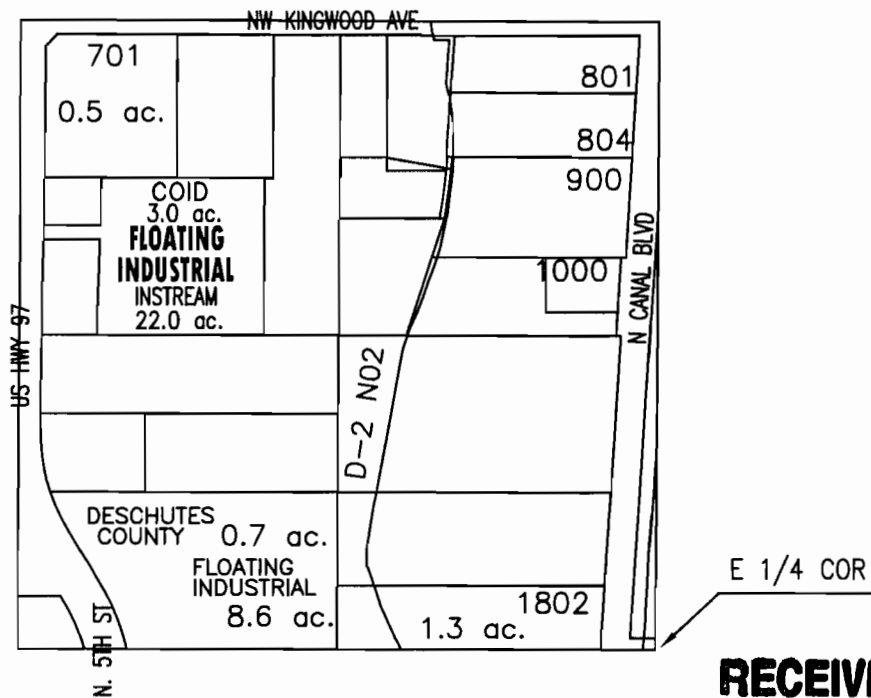


**DESCHUTES COUNTY  
SEC.09 T15S. R13E. W.M.**

SCALE - 1" = 400'



**SE 1/4 OF THE NE 1/4**



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SALEM, OREGON**

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



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: FLOATING INDUSTRIAL

22.0 ACRES INSTREAM

DATE: 04-15-08

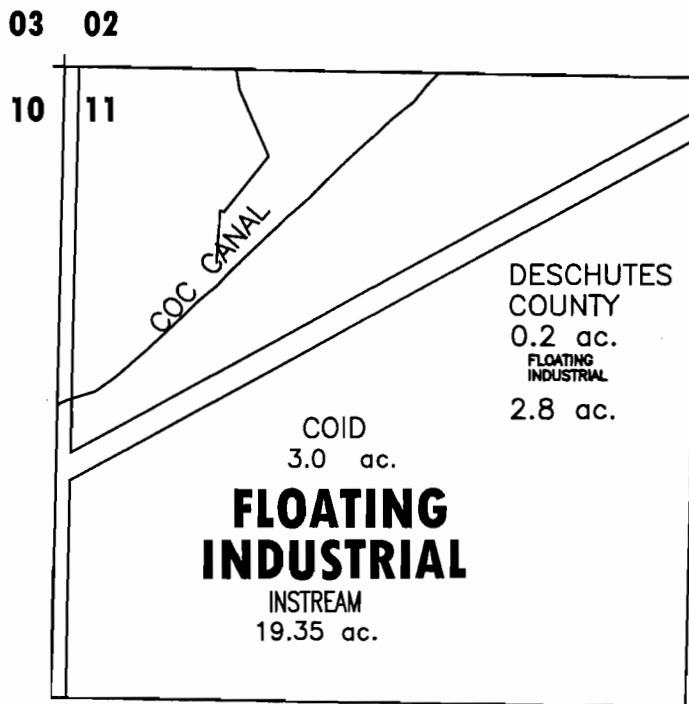
FILE NO: E:\TRANSFER\INSTREAM\INSTROOM\1YR\COID\151308\_INDUST

**DESCHUTES COUNTY  
SEC.11 T18S. R12E. W.M.**

SCALE - 1" = 400'



NW 1/4 OF THE NW 1/4



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WATER RESOURCES DEPT  
SALEM, OREGON

# ac. PARCELS W/ WATER RIGHTS

# ac. 'INSTREAM' LAND PARCELS



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: FLOATING

19.35 ACRES INSTREAM

DATE: 04-16-08

FILE NO: E:\TRANSFER\INSTREAM\INSTRM08\1YR\COID\181211\_INDU



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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

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

Optional Identification by Lessor/Lessee: 148160  
Lease Application Number (assigned by WRD): IL-923

This Lease is with:

**Lessor #1 (Water Right Holder):**

Name Jean Curl  
Mailing address 63135 Cole Rd  
City, State, Zip Code Bend, OR 97701  
Telephone number 541-382-1141  
Email address \_\_\_\_\_

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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. 83571 & 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.]

	I	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	23	NE NW	700	6.50	Irrigation	83571	43	10/31/1900
2.	17 S	12 E	23	NE NW	704	3.80	Irrigaiton	83571	43	10/31/1900
3.	17 S	12 E	23	NE NW	707	7.20	Irrigation	83571	43	10/31/1900
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 17.50 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).

**~II~ Instream Water Right Information**

2.3 **Term of lease.** This lease shall terminate on October 31, 2008. (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**

**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

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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: Jean T Curl Date: 3-14-08  
Jean Curl

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

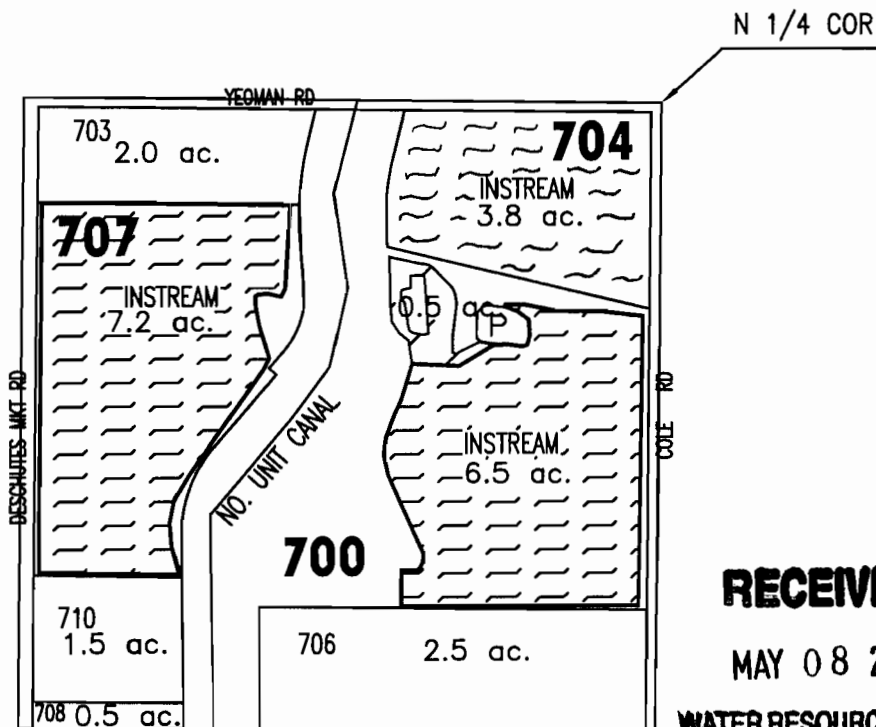
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SALEM, OREGON

**DESCHUTES COUNTY  
SEC.23 T17S. R12E. W.M.**

SCALE - 1" = 400'



NE 1/4 OF THE NW 1/4



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SALEM, OREGON**

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



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: JEAN CURL

TAXLOT #: 700, 704, 707

17.5 ACRES INSTREAM

DATE: 04-17-08

FILE NO: E:\TRANSFER\INSTREAM\INSTRM08\1YR\CURL



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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

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

Optional Identification by Lessor/Lessee: 1807

Lease Application Number (assigned by WRD): IL-923

This Lease is with:

#### Lessor #1 (Water Right Holder):

Name Scott & Cathy Denney

Mailing address 5000 SW 58<sup>th</sup> Pl

City, State, Zip Code Redmond, OR 97756

Telephone number 541-923-3858

Email address \_\_\_\_\_

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 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. 83571 & 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.]

	I	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	12 E	36	NE NE	300	0.10	Irrigation	83571	22	10/31/1900
2.	15 S	12 E	36	NW NE	300	3.85	Irrigaiton	83571	22	10/31/1900
3.	15 S	12 E	36	NE NW	300	1.60	Irrigation	83571	22	10/31/1900
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 5.55 acres (Since HB 3111, original tax lot 202 in the NE NE 1/4 1/4 is now part of tax lot 300.)

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).

**~II~ Instream Water Right Information**

2.3 **Term of lease.** This lease shall terminate on October 31, 2008. (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**

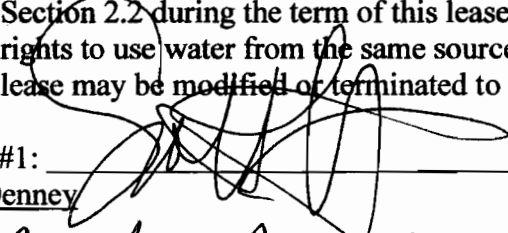
3.1 **Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified 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.

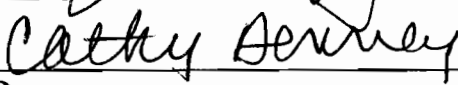
3.2 **Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

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- 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: 3-21-08  
 Scott Denney

 Date: 3-21-08  
 Cathy Denney

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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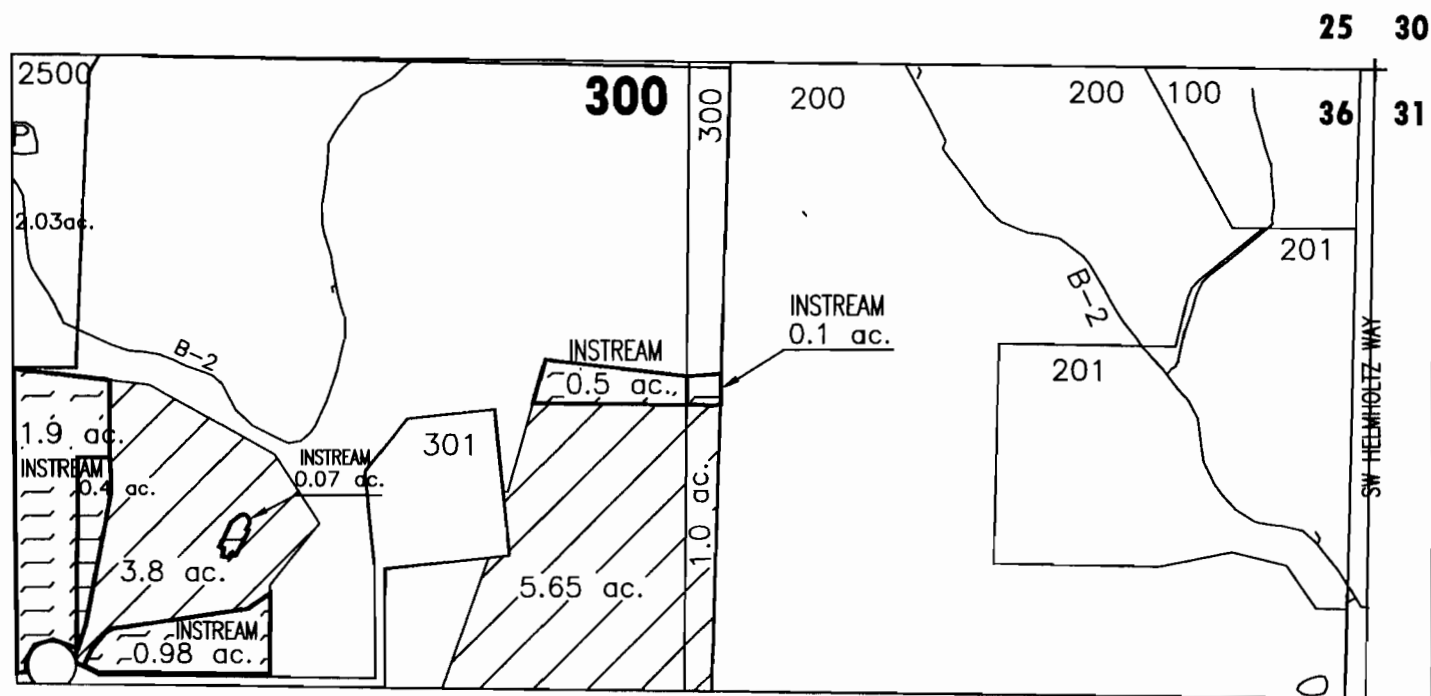
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# DESCHUTES COUNTY SEC. 36 T15S. R12E. W.M.

SCALE - 1" = 400'



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



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SALEM, OREGON

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

MAP 1 OF 2



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: SCOTT & CATHY DENNEY

TAXLOT #: 300

5.55 ACRES INSTREAM

DATE: 04-15-08

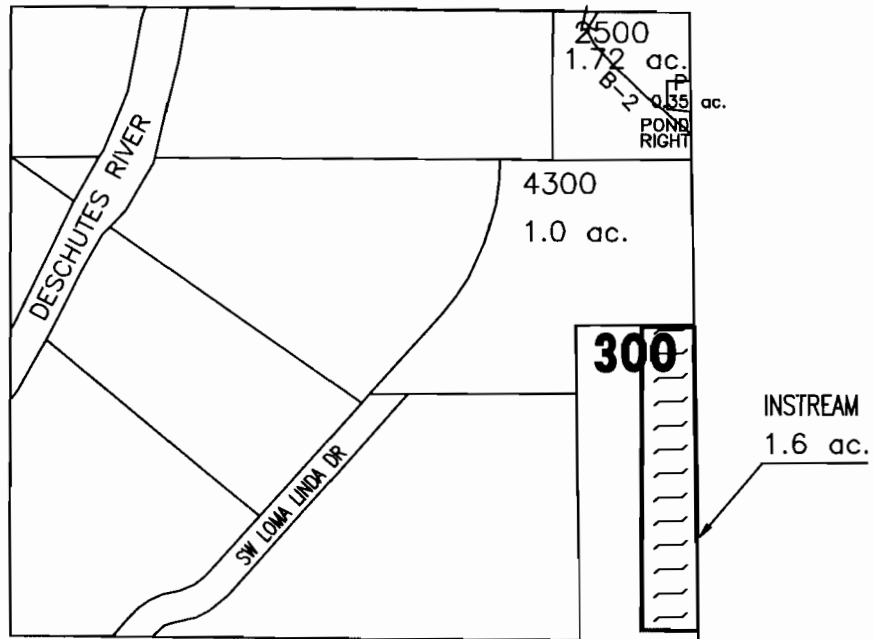
FILE NO: E:\TRANSFER\INSTREAM\INSTRM08\TYR\DENNEY

**DESCHUTES COUNTY  
SEC.36 T15S. R12E. W.M.**

SCALE - 1" = 400'



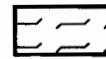
**NE 1/4 OF THE NW 1/4**



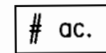
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**WATER RESOURCES DEPT  
SALEM, OREGON**



'INSTREAM' LANDS



PARCELS W/ WATER RIGHTS

MAP 2 OF 2



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: SCOTT & CATHY DENNEY

TAXLOT #: 300

5.55 ACRES INSTREAM

DATE: 04-15-08

FILE NO: E:\TRANSFER\INSTREAM\INSTR008\1YR\DENNEY



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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

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

Optional Identification by Lessor/Lessee: 1045  
 Lease Application Number (assigned by WRD): IL-923

This Lease is with:

**Lessor #1 (Water Right Holder):**

Name Robert DuPont & Timothy Puckett  
 Mailing address PO Box 70751  
 City, State, Zip Code Reno, NV 89570-0751  
 Telephone number 775-852-9779  
 Email address TEGKCOAT@AIES.NET

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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. 83571 & 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.]

I	R	Sec	Twp	Range	Fax 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.										
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 54.80 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).

**~II~ Instream Water Right Information**

2.3 **Term of lease.** This lease shall terminate on October 31, 2008. (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

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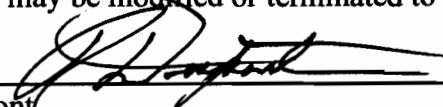
shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

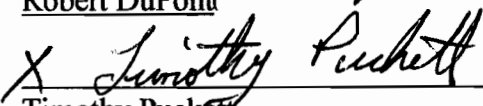
**3.4 Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

**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: 3-17-08  
Robert DuPont

X  Date: 3-21-08  
Timothy Puckett

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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EXHIBIT "A"

DUPONT, ROBERT & PUCKETT, TIMOTHY  
2008 INSTREAM LEASE

PRIMARY CERTIFICATE 83571  
SUPPLEMENTAL CERTIFICATE 76714

TRS	QQ	TL	# ACRES	TYPE	POD #	PAGE #
16-12-26	NE NW	200	4.40	IRRIG	11	38
16-12-26	NW NE	200	15.40	IRRIG	11	38
16-12-26	NW NE	201	8.80	IRRIG	11	38
16-12-26	SW NE	201	5.20	IRRIG	11	38
16-12-26	NE NW	201	2.20	IRRIG	11	38
16-12-26	SE NW	201	2.00	IRRIG	11	38
16-12-26	SW NE	202	4.20	IRRIG	11	38
16-12-26	SE NW	202	10.60	IRRIG	11	38
16-12-26	NE SW	202	2.00	IRRIG	11	38
			<b>54.80</b>	<b>TOTAL ACRES</b>		

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# DESCHUTES COUNTY SEC. 26 T16S. R12E. W.M.

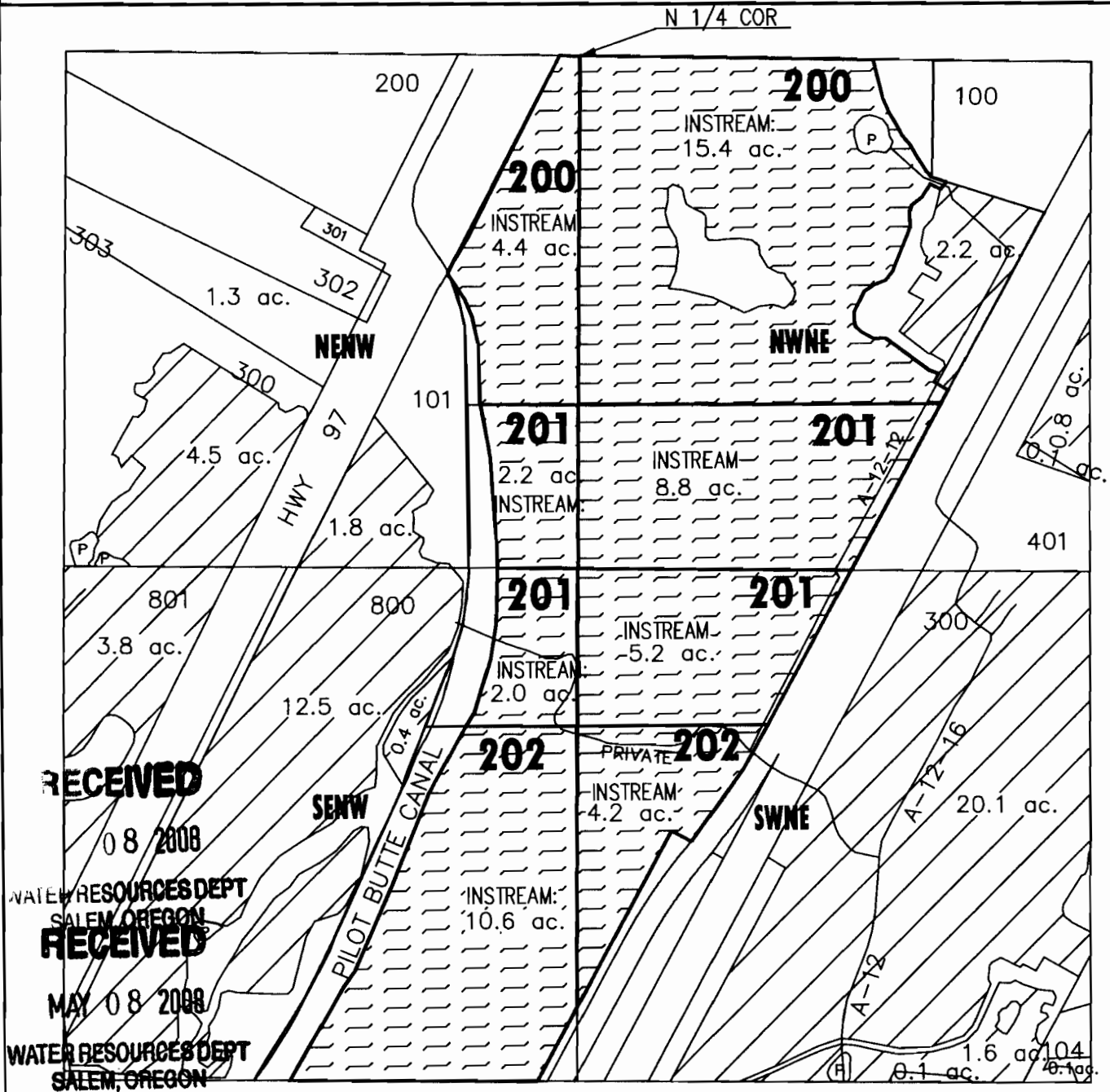
SCALE - 1" = 400'



E 1/2 OF THE NW 1/4; W 1/2 OF THE NE 1/4

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

MAP 1 OF 2



APPLICATION FOR 1 YR INSTREAM LEASE  
 NAME: ROBERT DUPONT & TIMOTHY PUCKETT  
 TAXLOT #: 200, 201, 202      54.8 ACRES INSTREAM  
 DATE: 04-16-08  
 FILE NO: E:\TRANSFER\INSTREAM\INSTRM08\1YR\DUPONT\_NO







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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

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

Optional Identification by Lessor/Lessee: 584  
Lease Application Number (assigned by WRD): IL-923

This Lease is with:

**Lessor #1 (Water Right Holder):**

Name ECMRRC, Inc  
Mailing address 21520 Modoc Ln  
City, State, Zip Code Bend, OR 97702  
Telephone number 541-389-2554  
Email address \_\_\_\_\_

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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. 83571 & 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.	18 S	12 E	02	SE NE	1312	3.30	Irrigation	83571	53	10/31/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 3.30 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).

**~II~ Instream Water Right Information**

**2.3 Term of lease.** This lease shall terminate on October 31, 2008. (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**

**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

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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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Lessor #1: Bruce Bloufard AGENT FOR ECMRRC, Inc Date: 3-17-8

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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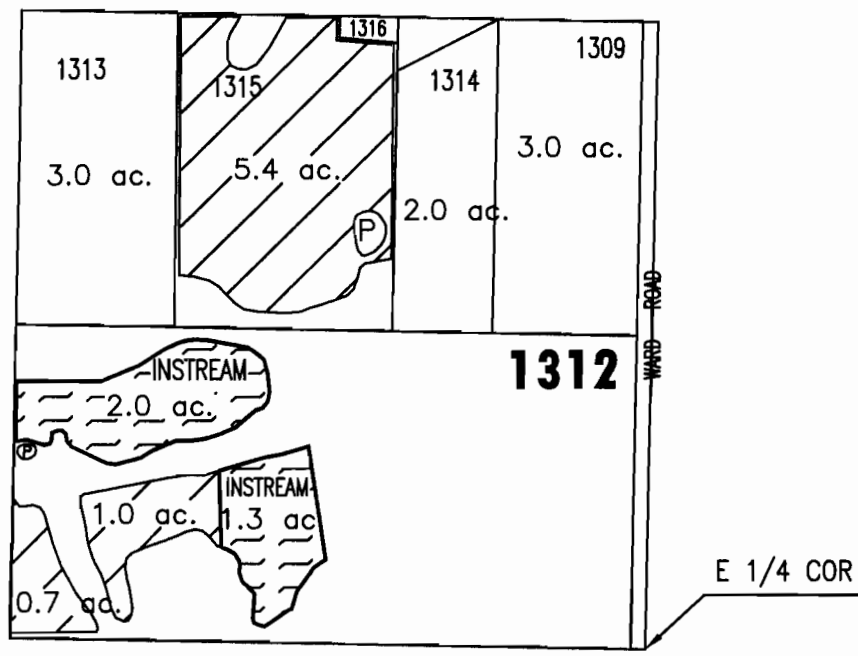
**WATER RESOURCES DEPT  
SALEM, OREGON**

**DESCHUTES COUNTY  
SEC.02 T18S. R12E. W.M.**

SCALE - 1" = 400'






SE 1/4 OF THE NE 1/4



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-  'INSTREAM' LANDS
-  EXISTING WATER RIGHTS
-  # ac. PARCELS W/ WATER RIGHTS



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: ECMRRC, INC

TAXLOT #: 1312

3.3 ACRES INSTREAM

DATE: 04-17-08

FILE NO: E:\TRANSFER\INSTREAM\INSTRM08\1YR\ECMRRC



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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

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

Optional Identification by Lessor/Lessee: 321  
Lease Application Number (assigned by WRD): IL-923

This Lease is with:

**Lessor #1 (Water Right Holder):**

Name Stephen & Janis Kundert  
Mailing address 61565 K Barr Rd  
City, State, Zip Code Bend, OR 97701  
Telephone number 541-389-6307  
Email address \_\_\_\_\_

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

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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. 83571 & 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.	18 S	13 E	10	NE NW	301	2.10	Irrigation	83571	56	10/31/1900
2.	18 S	13 E	10	NW NE	301	0.90	Irrigation	83571	56	10/31/1900
3.	18 S	13 E	10	NE NW	302	5.40	Irrigation	83571	56	10/31/1900
4.	18 S	13 E	10	NW NE	302	0.10	Irrigation	83571	56	10/31/1900
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 8.50 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).

**~II~ Instream Water Right Information**

**2.3 Term of lease.** This lease shall terminate on October 31, 2008. (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.

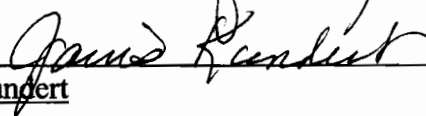
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- 3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior short term lease shall not set a precedent 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:
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    - Consent by all parties to the lease; and/or
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  - 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: 3/14/08  
 Stephen Kundert

 Date: 3/14/08  
 Janis Kundert

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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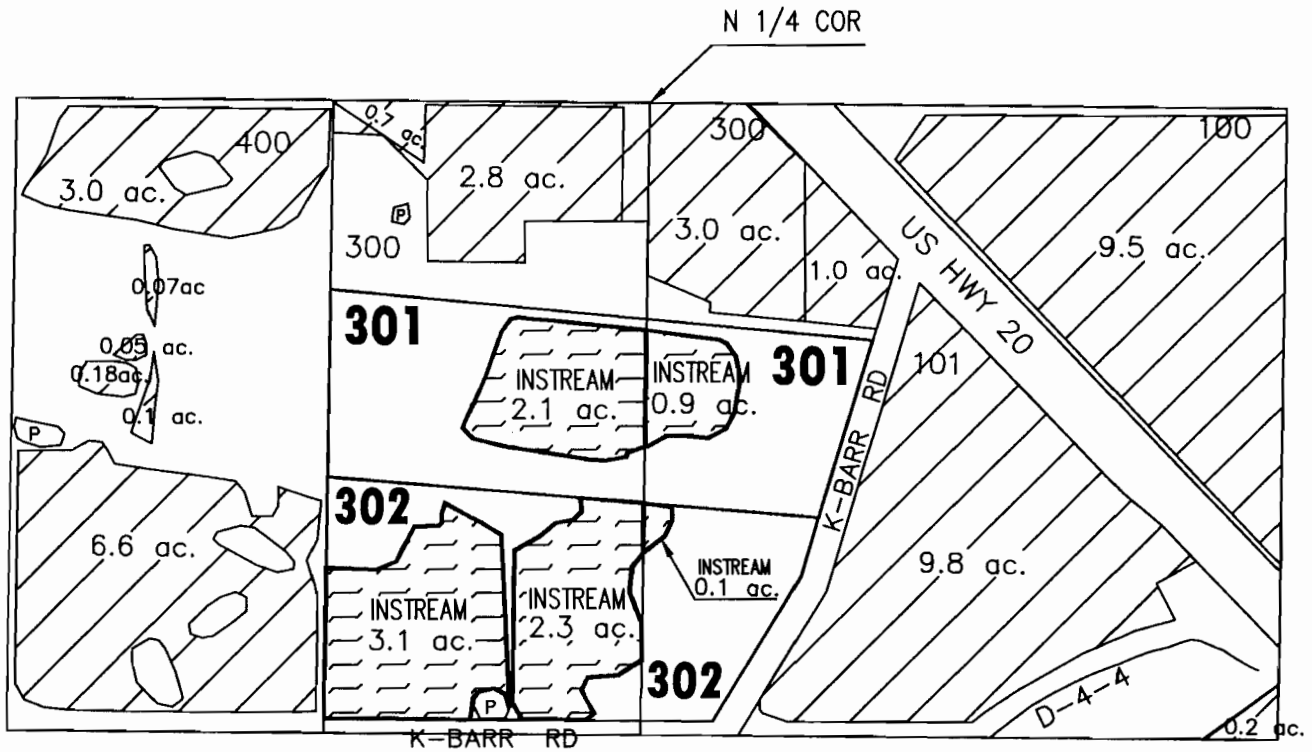


**DESCHUTES COUNTY  
SEC. 10 T18S. R13E. W.M.**

SCALE - 1" = 400'



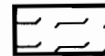
**NE 1/4 OF THE NW 1/4; NW 1/4 OF THE NE 1/4**



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'INSTREAM' LANDS



EXISTING WATER RIGHTS



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: STEPHEN & JANIS KUNDERT

TAXLOT #: 301, 302

8.5 ACRES INSTREAM

DATE: 04-17-08

FILE NO: E:\TRANSFER\INSTREAM\INSTMOD\1YR\KUNDERT



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: 805  
Lease Application Number (assigned by WRD): IL-923

This Lease is with:

**Lessor #1 (Water Right Holder):**

Name Stephen Palmer  
Mailing address 474 39<sup>th</sup> Ave N  
City, State, Zip Code St Petersburg, FL 33703  
Telephone number 727-527-5268  
Email address palmerfrond@yahoo.com

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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.

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**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. 83571 & 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	Sec	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	14 E	13	SE SE	800	5.45	Irrigation	83571	49	10/31/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 5.45 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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**~II~ Instream Water Right Information**

**2.3 Term of lease.** This lease shall terminate on October 31, 2008. (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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Lessor #1: Stephen Palmer Date: 2/15/08  
Stephen Palmer

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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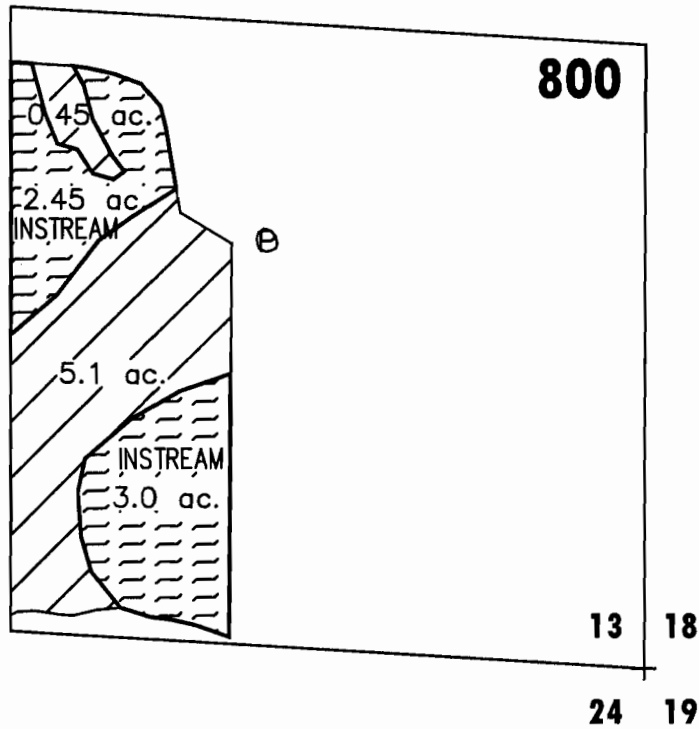
**WATER RESOURCES DEPT  
SALEM, OREGON**

**DESCHUTES COUNTY  
SEC. 13 T17S. R14E. W.M.**

SCALE - 1" = 400'



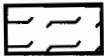

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SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS



APPLICATION FOR 1 YR INSTREAM LEASE  
NAME: STEPHEN PALMER

TAXLOT #: 800

5.45 ACRES INSTREAM

DATE: 04-17-08

FILE NO: E:\TRANSFER\INSTREAM\INSTRM08\1YR\PALMER



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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).*

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

Optional Identification by Lessor/Lessee: 901385  
 Lease Application Number (assigned by WRD): IL-925

This Lease is with:

**Lessor #1 (Water Right Holder):**

Name Gary Price, etal  
 Mailing address 20965 Sunset Pl  
 City, State, Zip Code Bend, OR 97701-8977  
 Telephone number 541-312-9785  
 Email address \_\_\_\_\_

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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. 83571 & 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.	16 S	12 E	27	NE SW	700	2.00	Irrigation	83571	38	10/31/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 2.00 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.

**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).

**~II~ Instream Water Right Information**

**2.3 Term of lease.** This lease shall terminate on October 31, 2008. (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

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 SALEM, OREGON



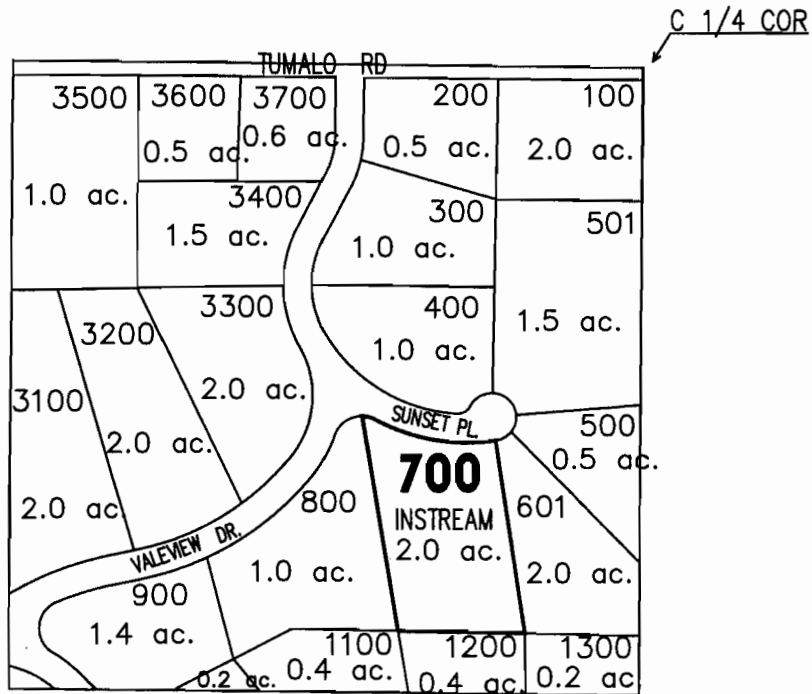


**DESCHUTES COUNTY  
SEC.27 T16S. R12E. W.M.**

SCALE - 1" = 400'



**NE 1/4 OF THE SW 1/4**



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SALEM, OREGON

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



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: GARY PRICE

TAXLOT #: 700

2.0 ACRES INSTREAM

DATE: 03-28-08

FILE NO: E:\TRANSFER\INSTREAM\INSTRM08\1YR\PRICE



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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

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

Optional Identification by Lessor/Lessee: 16370  
Lease Application Number (assigned by WRD): IL-923

This Lease is with:

**Lessor #1 (Water Right Holder):**

Name Alice P Teater Trust % Dennis C Karnopp, Trustee  
Mailing address 1201 NW Wall St Ste 300  
City, State, Zip Code Bend, OR 97701-1957  
Telephone number 541-548-3021  
Email address \_\_\_\_\_

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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. 83571 & 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, tax lot number, map orientation and scale.]

	1	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	17	SW SE	2901	11.00	Irrigation	83571	25	10/31/1900
2.	15 S	13 E	17	SW SE	3000	1.60	Irrigation	83571	25	10/31/1900
3.	15 S	13 E	17	SW SE	3001	2.40	Irrigation	83571	25	10/31/1900
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 15.00

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).

**~II~ Instream Water Right Information**

**2.3 Term of lease.** This lease shall terminate on October 31, 2008. (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

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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: Dennis C Karnopp, Trustee Date: 3/5/08  
Dennis C Karnopp, Trustee for Alice P Teater Trust

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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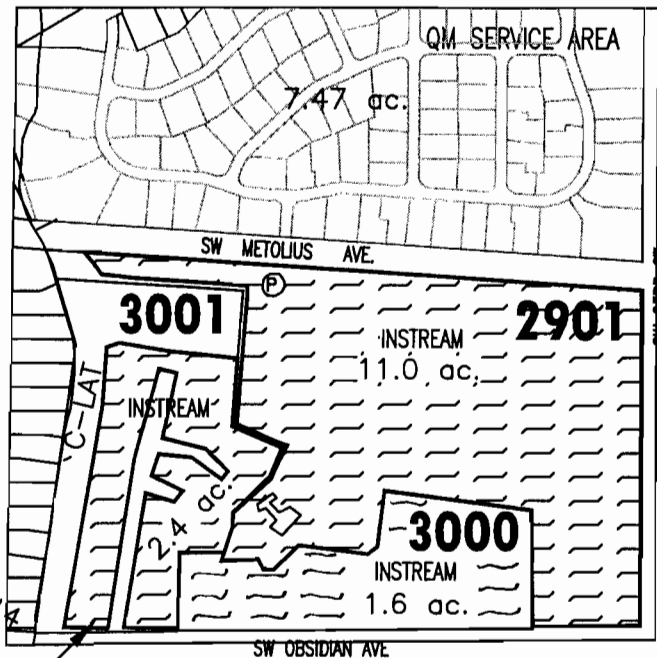
WATER RESOURCES DEPT  
SALEM, OREGON

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

SCALE - 1" = 400'



SW 1/4 OF THE SE 1/4



S 1/4 COR

MOBILE HOME PARK  
SHOWING 3.2 IRRIGATED GROUNDS  
LESS 30 HOMESITES  
LEAVING 2.4 AC. IRRIGATION

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SALEM, OREGON

	'INSTREAM' LANDS
	QM WATER RIGHTS



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: ALICE P. TEATER TRUST

TAXLOT #: 2901, 3000, 3001

15.0 ACRES INSTREAM

DATE: 03-30-08

FILE NO: E:\TRANSFER\INSTREAM\INSTRM08\1YR\TEATER



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: 2024  
Lease Application Number (assigned by WRD): IL-923

This Lease is with:

**Lessor #1 (Water Right Holder):**

Name Central Oregon Irrigation District - Quitclaim  
Mailing address 1055 SW Lake Court  
City, State, Zip Code Redmond, OR 97756  
Telephone number 541-504-7577  
Email address lauraw@coid.org

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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. 83571 & 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.]

	I	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.										
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: See Attached Exhibit A - 26.25 acres POD #11; 4.50 acres POD #1

Conditions or other limitations, if any: \_\_\_\_\_

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).

**~II~ Instream Water Right Information**

**2.3 Term of lease.** This lease shall terminate on October 26, 2008. (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

WATER RESOURCES DEPT  
 SALEM, OREGON  
 MAY 08 2008  
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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: 3 APRIL 2008

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**



EXHIBIT "A"

CENTRAL OREGON IRRIGATION DISTRICT - QUITCLAIMED RIGHTS  
2008 POOLED INSTREAM LEASE

PRIMARY CERTIFICATE 83576  
SUPPLEMENTAL CERTIFICATE 76714

TRS	QQ	TL	# ACRES	TYPE	POD #	PAGE #	QUITCLAIM #
14-13-16	NE SE		700	1 IRRIG	11	12	2008-06384
14-13-16	NE SE		300	0.2 IRRIG	11	12	2007-62853
14-13-16	NW SE		300	0.1 IRRIG	11	12	2007-62853
14-13-31	NW NE		400	0.4 IRRIG	11	16	2008-08502
14-13-33	SW NW		3100	0.2 IRRIG	11	17	2007-43749
15-12-24	SE SW		900	1.5 IRRIG	11	21	2007-44580
15-12-24	SW SE		900	0.4 IRRIG	11	21	2007-44580
15-12-25	SW NE		605	0.75 IRRIG	11	21	2005-78841
15-12-25	NE NE		100	0.3 IRRIG	11	21	2008-06385
15-13-04	SW SE		200	1 IRRIG	11	22	2007-47550
15-13-08	SE SW		700	**0.4 IRRIG	11	24	2007-39030
15-13-08	SE SW		800	0.53 IRRIG	11	24	2007-39030
15-13-08	NW SW		501	5.6 IRRIG	11	24	2007-65861
15-13-09	SW SW		1429	0.5 IRRIG	11	24	2006-01413
15-13-19	SW NE		600	1.75 IRRIG	11	26	2007-07709
15-13-29	NE NE		3400	0.37 IRRIG	11	26	2008-14091
15-13-29	NW NE		1100	0.55 IRRIG	11	26	2008-16365
15-13-30	NW NW		907	1.7 IRRIG	11	27	2008-03321
17-12-14	SW NE		*800	2.5 IRRIG	11	42	2005-87650
17-12-14	SE NW		*800	3.95 IRRIG	11	42	2005-87650
17-12-14	SE NW		*801	1.25 IRRIG	11	42	2005-87650
17-12-14	SE NW	*View Lane		1.3 IRRIG	11	42	2005-87649
TOTAL ACRES:			<del>25.06</del> 26.25		11		

TRS	QQ	TL	# ACRES	TYPE	POD #	PAGE #	QUITCLAIM #
17-12-22	NE SW		600	1.7 IRRIG	1	43	2007-61944
17-12-22	SE SW		600	2.3 IRRIG	1	43	2007-61944
17-12-28	NE SW		600	0.15 IRRIG	1	45	2006-51224
17-12-28	NE SW		601	0.35 IRRIG	1	45	2006-51224
TOTAL ACRES:			4.5		1		

\*HB 3111/Certificate 76358 Page 63 & 64 listed these as 1 tax lot; 17-12-14 SW NE 800 2.5 acres and 17-12-14 SE NW 800 7.50 acres. Land partitioned into 3 lots with a roadway (View Ln). New TL 17-12-14 SE NW 802 has 1.0 acres remaining.

\*\* Quitclaim deed is for 1.10 acres. Of that, 0.70 acres has been cancelled.  
See Vol.73 Page 894

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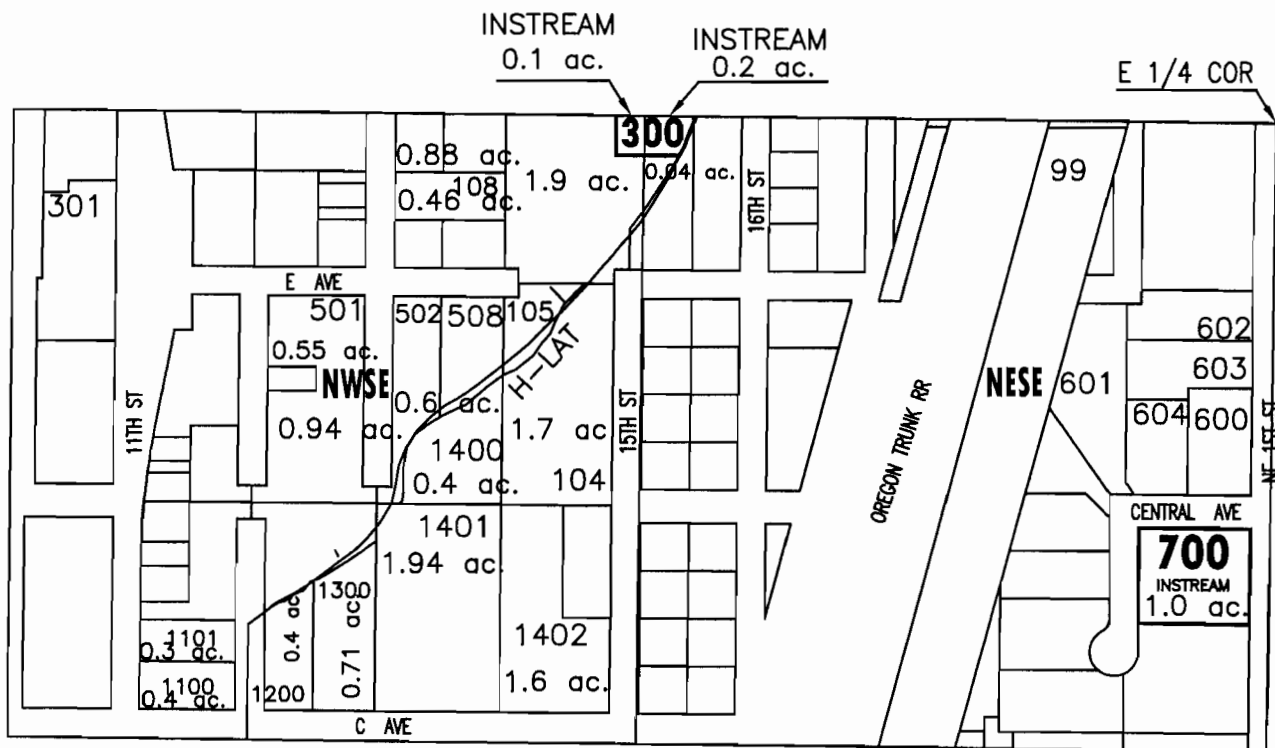
WATER RESOURCES DEPT  
SALEM, OREGON

**DESCHUTES COUNTY  
SEC. 16 T14S. 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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SALEM, OREGON

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



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 300, 700

1.3 ACRES INSTREAM

DATE: 04-09-08

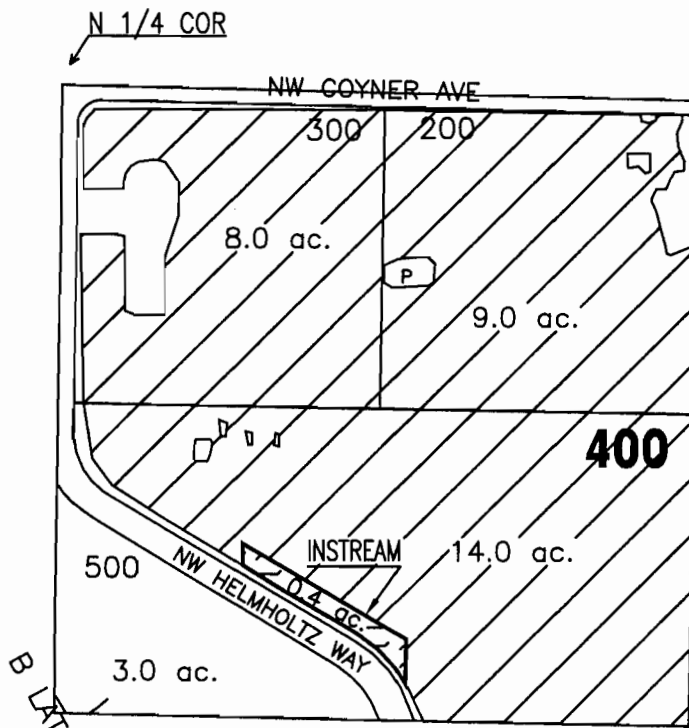
FILE NO: E:\TRANSFER\INSTREAM\INSTRA08\11YR\COID\141316.LL.SE

**DESCHUTES COUNTY  
SEC. 31 T14S. R13E. W.M.**

SCALE - 1" = 400'



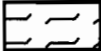
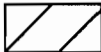
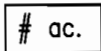
**NW 1/4 OF THE NE 1/4**



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WATER RESOURCES DEPT  
SALEM, OREGON

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



APPLICATION FOR 1 YR INSTREAM LEASE  
NAME: COID

TAXLOT #: 400

0.4 ACRES INSTREAM

DATE: 04-09-08

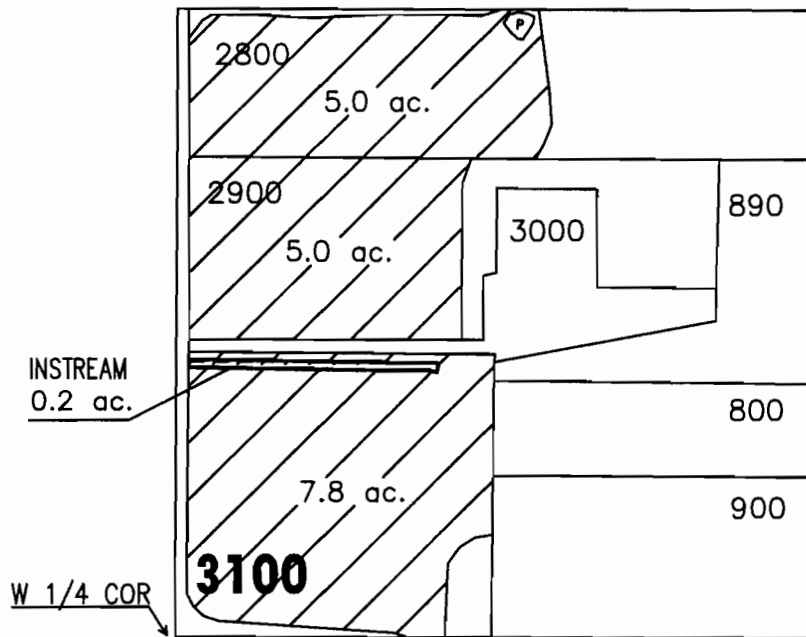
FILE NO: E:\TRANSFER\INSTREAM\INSTRA08\1YR\COID\141331\_400

**DESCHUTES COUNTY  
SEC.33 T14S. R13E. W.M.**

SCALE - 1" = 400'





SW 1/4 OF THE NW 1/4



**RECEIVED**

MAY 08 2008

WATER RESOURCES DEPT  
SALEM, OREGON

	EXISTING WATER RIGHTS
	'INSTREAM' LANDS



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 3100

0.2 ACRES INSTREAM

DATE: 04-09-08

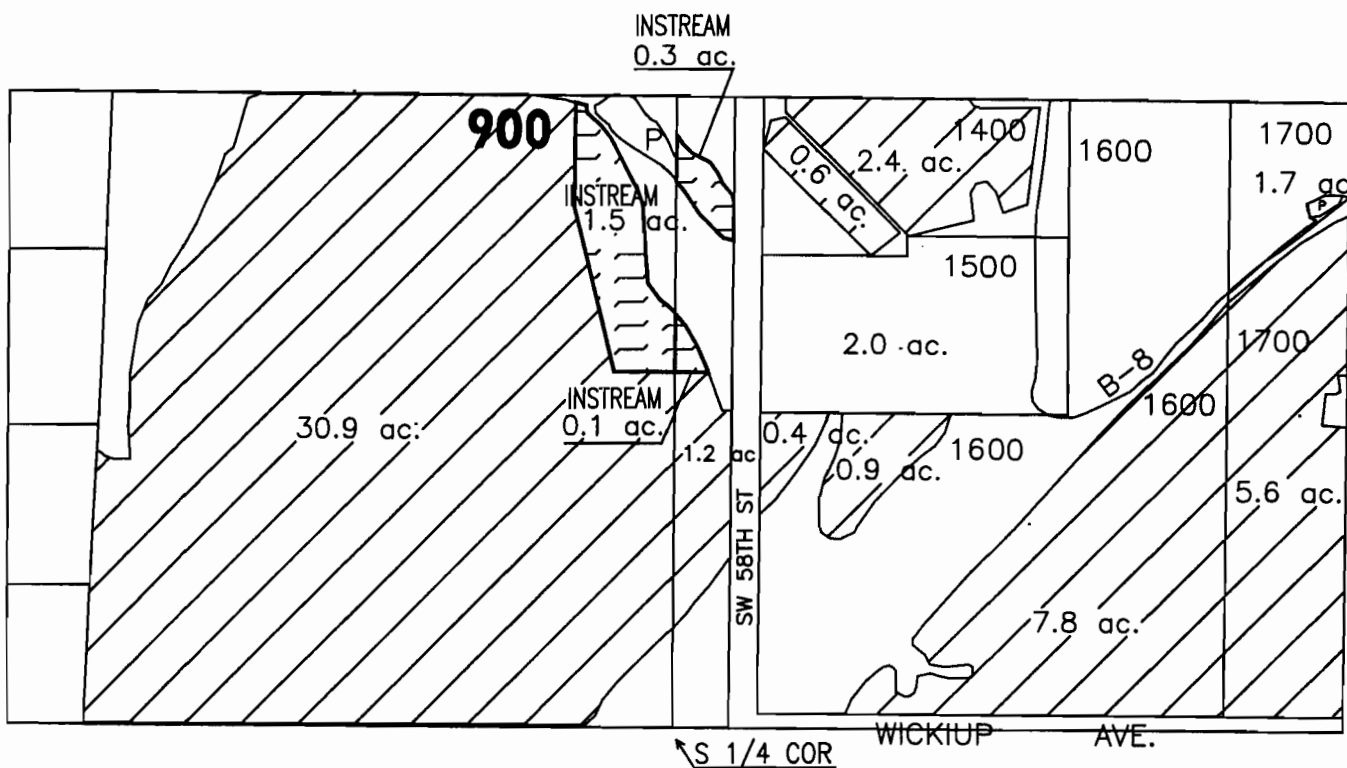
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**DESCHUTES COUNTY  
SEC.24 T15S. R12E. W.M.**

SCALE - 1" = 400'



**SE 1/4 OF THE SW 1/4; SW 1/4 OF THE SE 1/4**



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WATER RESOURCES DEPT  
SALEM, OREGON

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



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 900

1.9 ACRES INSTREAM

DATE: 04-09-08

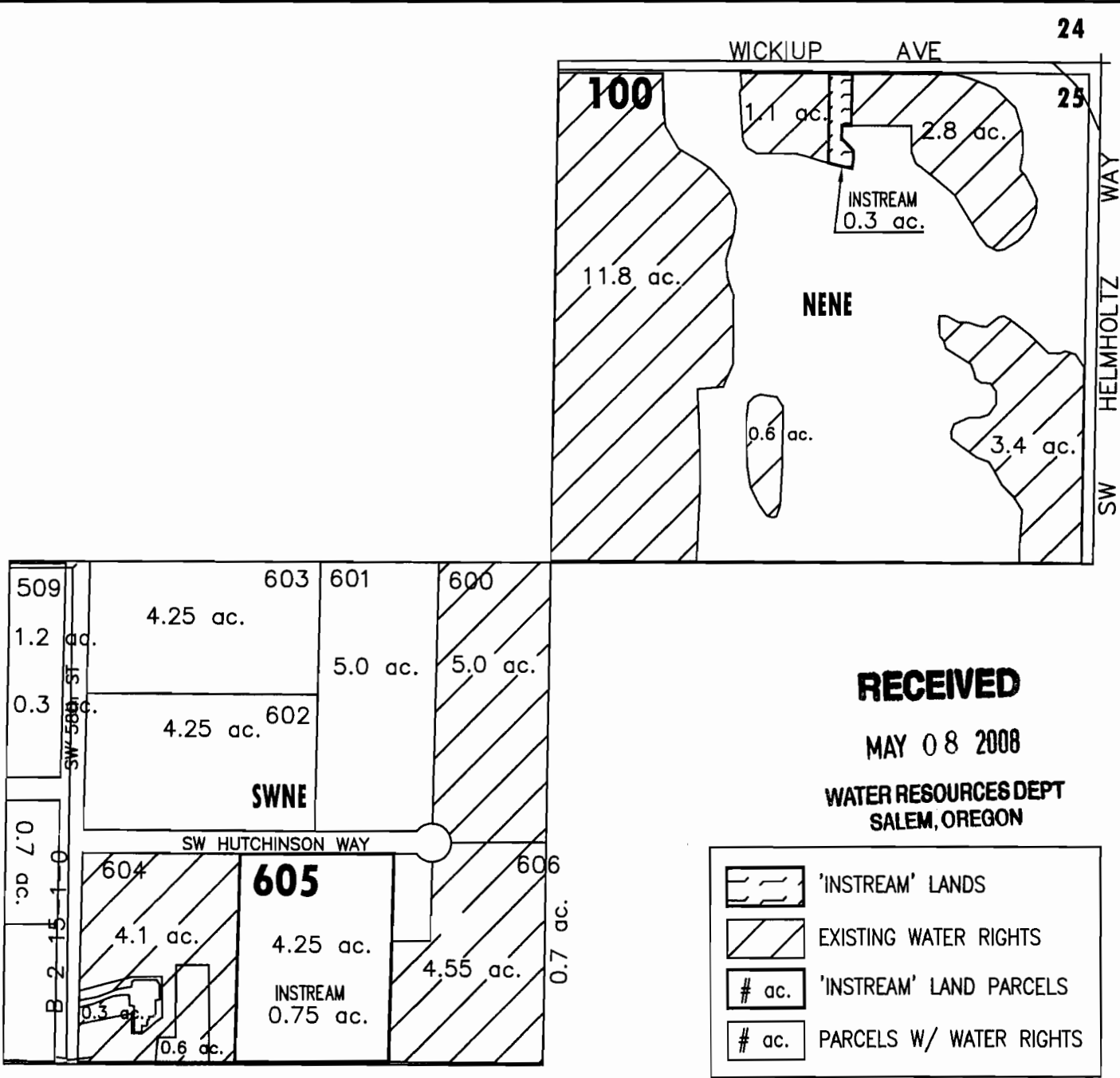
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# DESCHUTES COUNTY SEC. 25 T15S. R12E. W.M.

SCALE - 1" = 400'



NE 1/4 OF THE NE 1/4; SW 1/4 OF THE NE 1/4



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WATER RESOURCES DEPT  
SALEM, OREGON

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



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 100, 605

~~1.05~~  
.78 ACRES INSTREAM

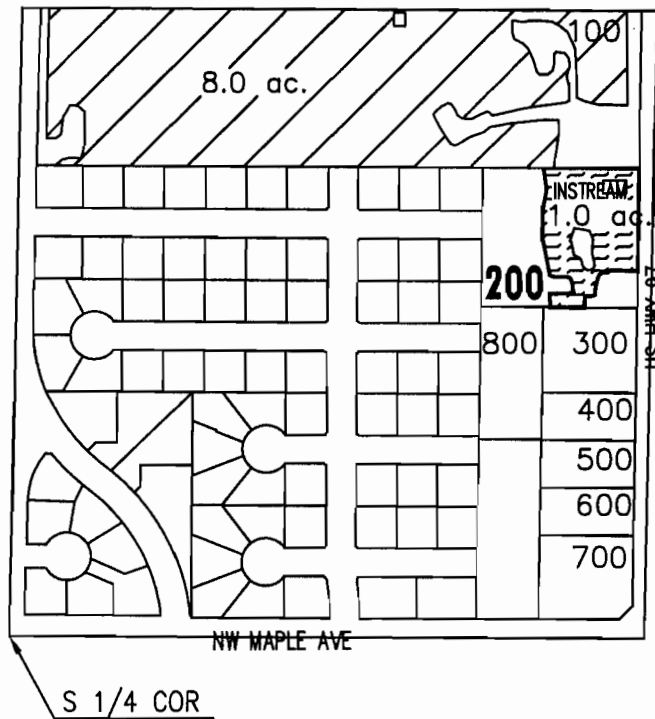
DATE: 04-09-08

**DESCHUTES COUNTY  
SEC.04 T15S. R13E. W.M.**

SCALE - 1" = 400'



SW 1/4 OF THE SE 1/4



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WATER RESOURCES DEPT  
SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 200

1.0 ACRES INSTREAM

DATE: 04-09-08

FILE NO: E:\TRANSFER\INSTREAM\INSTREAM\1YR\COID\151304\_200

**DESCHUTES COUNTY  
SEC.08 T15S. R13E. W.M.**

SCALE - 1" = 400'



**SE 1/4 OF THE SW 1/4**



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WATER RESOURCES DEPT  
SALEM, OREGON

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



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 700, 800

0.93 ACRES INSTREAM

DATE: 04-10-08

FILE NO: E:\TRANSFER\INSTREAM\INSTRM08\1YR\COID\151308\_SESW

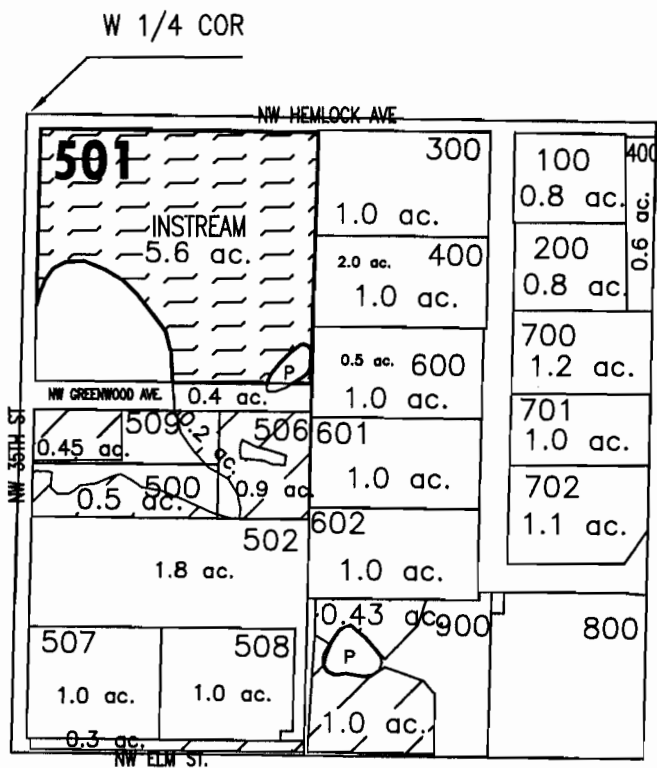


# DESCHUTES COUNTY SEC.08 T15S. R13E. W.M.

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
# ac.	PARCELS W/ WATER RIGHTS



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 501

5.6 ACRES INSTREAM

DATE: 04-09-08

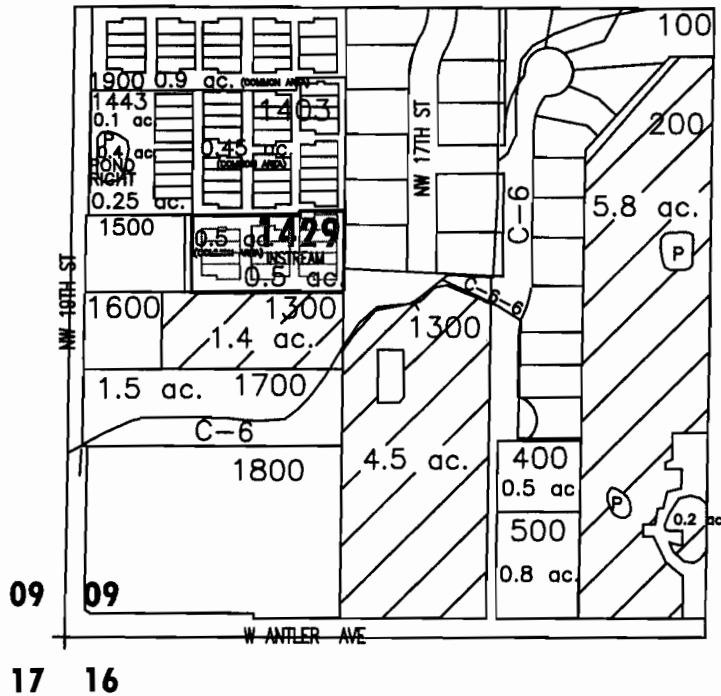
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# DESCHUTES COUNTY SEC.09 T15S. R13E. W.M.

SCALE - 1" = 400'



SW 1/4 OF THE SW 1/4



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WATER RESOURCES DEPT  
SALEM, OREGON

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



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 1429

0.5 ACRES INSTREAM

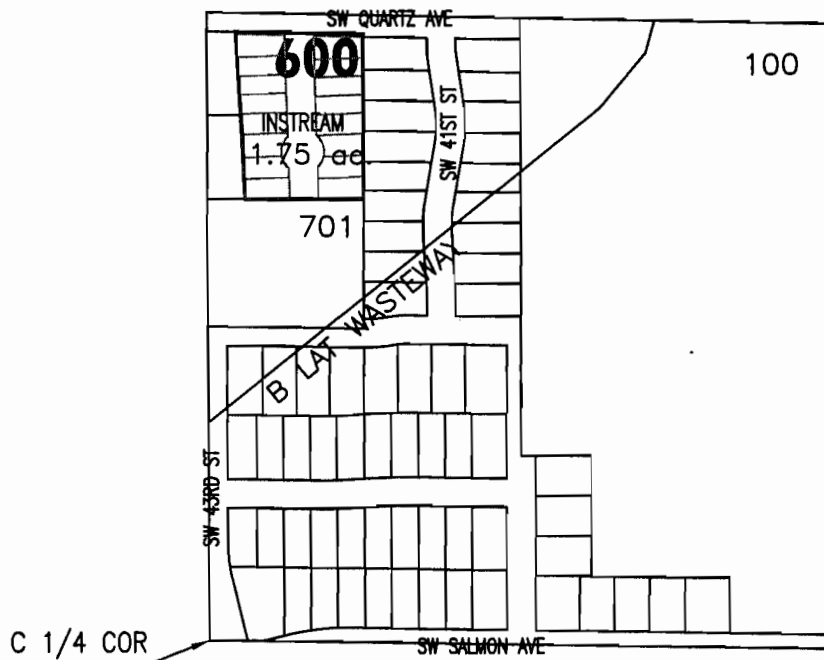
DATE: 04-10-08

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

SCALE - 1" = 400'



SW 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 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 600

1.75 ACRES INSTREAM

DATE: 04-10-08

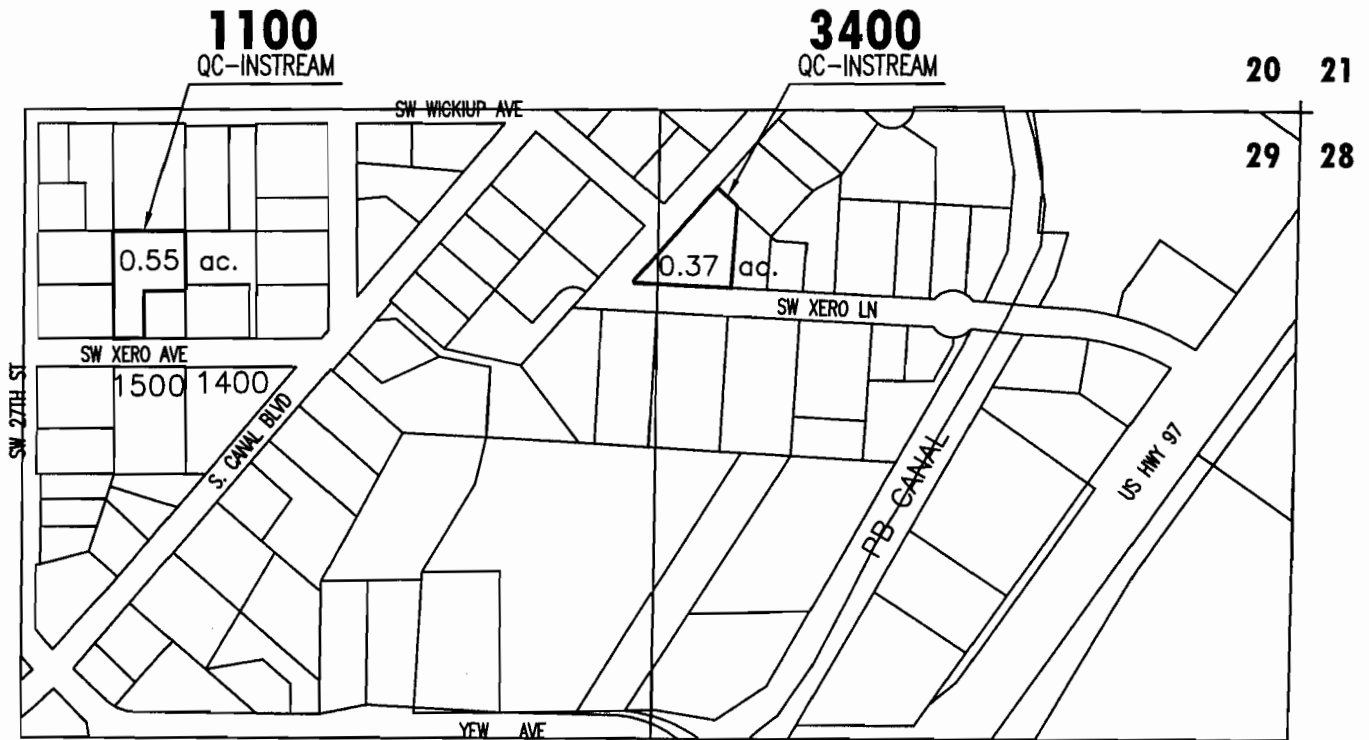
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**DESCHUTES COUNTY  
SEC. 29 T15S. R13E. W.M.**

SCALE - 1" = 400'



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



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MAY 08 2008

WATER RESOURCES DEPT  
SALEM, OREGON

# ac. PARCELS W/ WATER RIGHTS

# ac. 'INSTREAM' LAND PARCELS



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 1100, 3400

0.92 ACRES INSTREAM

DATE: 04-15-08

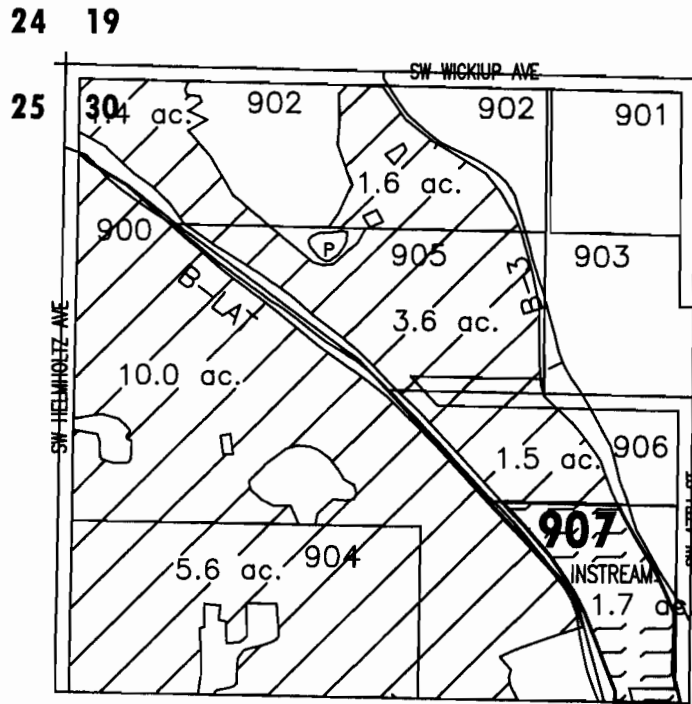
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**DESCHUTES COUNTY  
SEC. 30 T15S. R13E. W.M.**

SCALE - 1" = 400'



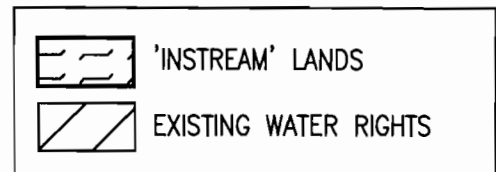
NW 1/4 OF THE NW 1/4



**RECEIVED**

MAY 08 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 907

1.7 ACRES INSTREAM

DATE: 04-10-08

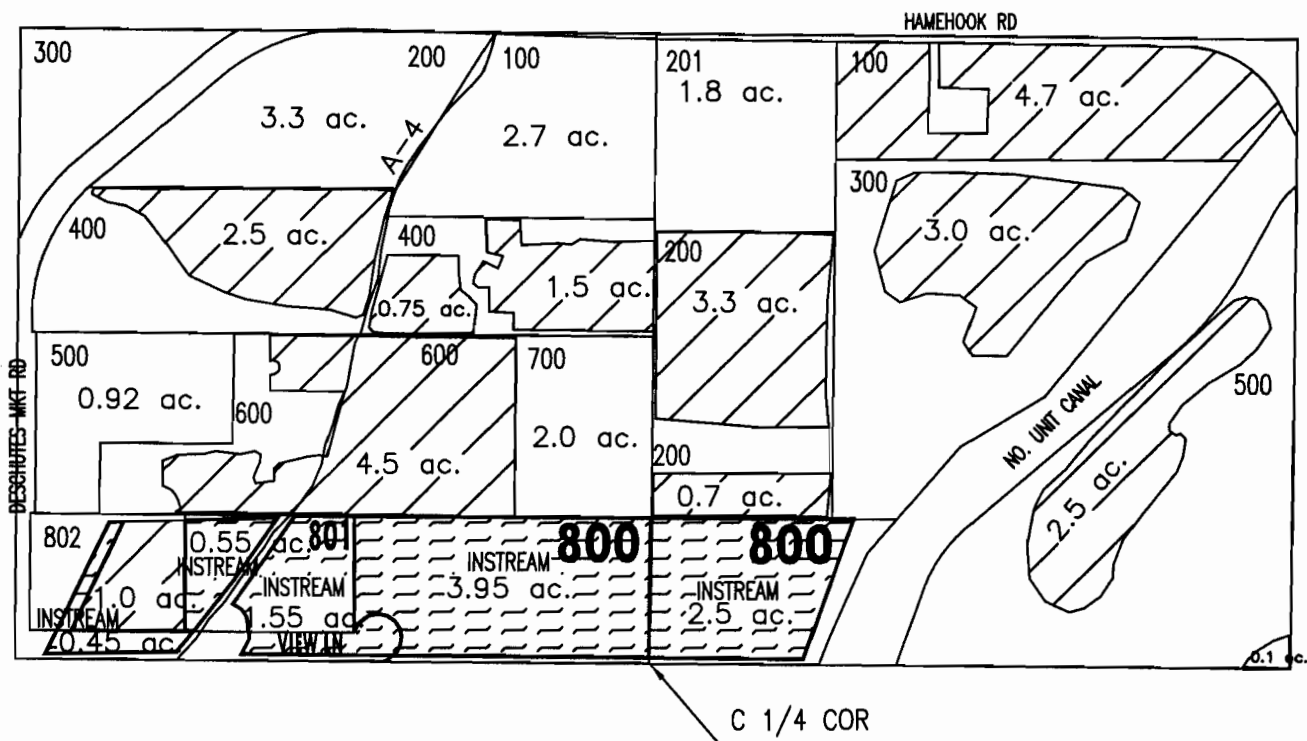
FILE NO: E:\TRANSFER\INSTREAM\INSTRM00\1YR\COID\151330\_007

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

SCALE - 1" = 400'



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



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WATER RESOURCES DEPT  
SALEM, OREGON

- 'INSTREAM' LANDS
- EXISTING WATER RIGHTS
- # ac. PARCELS W/ WATER RIGHTS



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 800, 801, VIEW LN (RD)

9.0 ACRES INSTREAM

DATE: 04-10-08

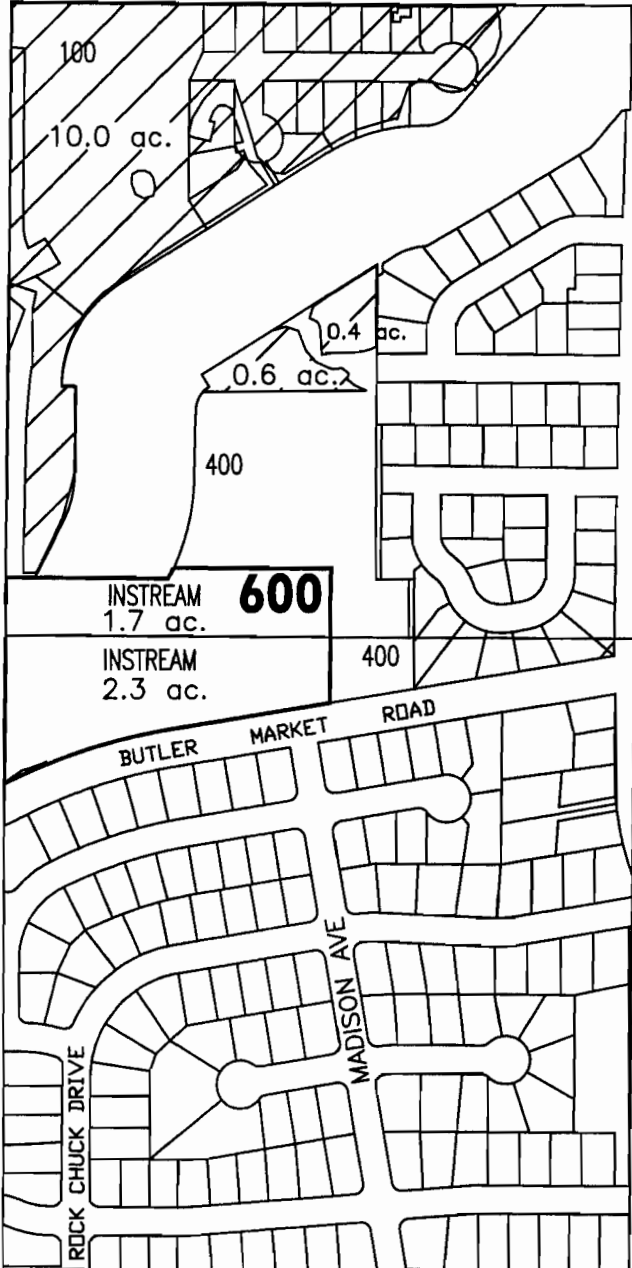
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

**DESCHUTES COUNTY  
SEC.22 T17S. R12E. W.M.**

SCALE - 1" = 400'



**NE 1/4 OF THE SW 1/4; SE 1/4 OF THE SW 1/4**



	EXISTING WATER RIGHTS
	'INSTREAM' LAND PARCELS

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WATER RESOURCES DEPT  
SALEM, OREGON

S 1/4 COR



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 600

4.0 ACRES INSTREAM

DATE: 04-10-08

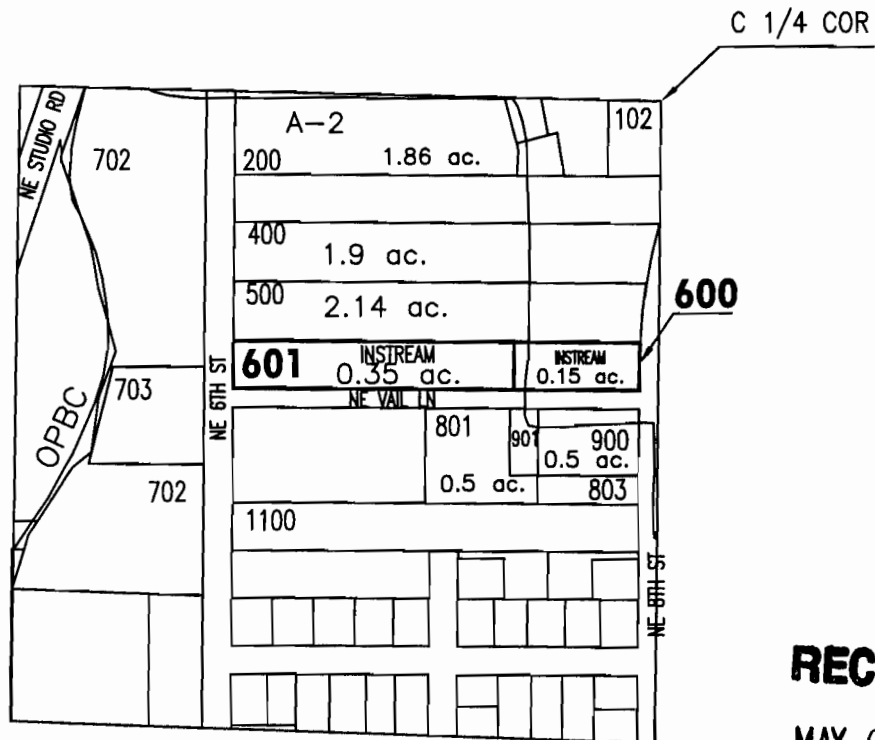
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**DESCHUTES COUNTY  
SEC. 28 T17S. R12E. W.M.**

SCALE - 1" = 400'



**NE 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 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 600, 601

0.5 ACRES INSTREAM

DATE: 04-10-08

FILE NO: E:\TRANSFER\INSTREAM\INSTRM08\1YR\COID\171228\_SW





DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2008-05384



\$36.00

005000052000000063840020022

02/12/2008 03:06:31 PM

D-D Cnt=1 Str=6 CE  
\$10.00 \$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, Ike R. L. Abbas, the rightful owner of real property referenced herein, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in water rights appurtenant the land described as: Lots Nine (9) through Twenty-four (24) of Block One Hundred Seventy-five (175) of HILLMAN, recorded August 1, 1918, in Cabinet A, Page 77, Deschutes County, Oregon ("Subject Land") attached and incorporated by this reference and commonly known as: 14-13-16 NE SE 00700. Grantor further releases claim and responsibility for all of the primary and supplemental irrigation water rights appurtenant to the Subject Land, being 1.0 acres, more or less, of water rights issued on Certificates in the name of Central Oregon Irrigation District and to any other water rights that are specifically appurtenant to the Subject Land.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Land 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 referenced herein that are appurtenant to the Subject Land; that the interest in the water rights appurtenant to the Subject Land may not be conveyed in subsequent real estate transactions of the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will no longer have an appurtenant water right.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 1.0 acres of water rights.

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 ✓

DATED this 29 day of January, 2008

Grantor: Ike R. L. Abbas  
Ike R. L. Abbas

Date 1-29-08

**RECEIVED**

MAY 08 2008

State of Oregon )  
                                  ) ss.  
County of Deschutes )

WATER RESOURCES DEPT  
SALEM, OREGON

This instrument was acknowledged before me on January 29, 2008 by Ike R. L. Abbas.



Leslie M. Povey  
Notary Public for Oregon

Grantee:

*[Handwritten signature]*

Date 30 January, 2008

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

State of Oregon

) ss.

County of Deschutes )

This instrument was acknowledged before me on January 30, 2008 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.

*[Handwritten signature: Leslie Clark]*  
Notary Public for Oregon



**RECEIVED**

MAY 08 2008

WATER RESOURCES DEPT  
SALEM, OREGON





3  
41

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2007-62853



\$41.00

00587026200700628530030030

12/06/2007 11:50:34 AM

D-D Cnt=1 Stn=26 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

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

MAIL TAX STATEMENT  
TO: NO CHANGE

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

Grantor, Jose A. Mendoza and Sherrene J. Mendoza 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 herewith and commonly known as: 14-13-16 NE SE 300 (0.20 acres irrigation); 14-13-16 NW SE 300 (0.10 acres irrigation), release their claim and responsibility for 0.30 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 no longer have an appurtenant water right.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 0.30 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: \$300.00

Grantor:

Jose A. Mendoza  
Jose A. Mendoza

Date 11-15-07

Sherrene J. Mendoza  
Sherrene J. Mendoza

Date 11/15/07

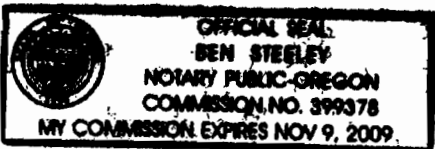
State of Oregon )  
                          ) ss.  
County of Deschutes )

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WATER RESOURCES DEPT  
SALEM, OREGON

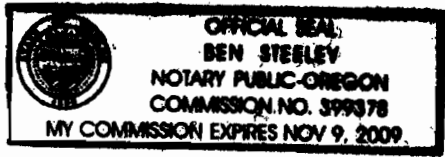
This instrument was acknowledged before me on November 15<sup>th</sup>, 2007 by Jose A. Mendoza.



Ben Steeley  
Notary Public

State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on November 15<sup>th</sup> 2007 by Sherrene J. Mendoza.



B Steeley  
Notary Public

Grantee: [Signature]

Date 3 Dec 2007

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

State of Oregon )  
 ) ss.  
County of Deschutes)

This instrument was acknowledged before me on December 3, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



[Signature]  
Notary Public

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MAY 08 2008

WATER RESOURCES DEPT  
SALEM OREGON

EXHIBIT "A"

Description of a parcel of land situated in a portion of Blocks One Hundred Thirty-two (132) and One Hundred Thirty-nine (139) and vacated 15<sup>th</sup> Street, all in HILLMAN, a subdivision located in Section Sixteen (16), Township Fourteen (14) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 2" aluminum cap by Deschutes County Road Department monumenting the centerline intersection of 16<sup>th</sup> Street and F Avenue, in HILLMAN, the initial point; thence North 89°50'57" West along the centerline of said F Avenue, 289.94 feet to the West right-of-way of 15<sup>th</sup> Street from which a 1/2" rebar monumenting the centerline of 13<sup>th</sup> Street bears North 89°50'57" West, 489.74 feet; thence South 00°09'03" West, 30.00 feet to a 1/2" pipe with yellow plastic cap marked Povey & Assoc (hereafter called "cap") on the South right-of-way of F Avenue and to the true point of beginning; thence South 00°09'03" West, 160.00 feet to a 1/2" pipe with cap; thence South 89°50'57" East parallel with said right-of-way, 115.30 feet to a 1/2" pipe with cap; thence South 89°50'57" East parallel with said right-of-way, 15.00 feet to the centerline of Central Oregon Irrigation District's (COID) Lateral H; thence Northerly along said centerline, approximately 76.70 feet to the East line of Lots 1-16 of said Block 139; thence Northerly along the East line, 89.30 feet to the South right-of-way of said F Avenue; thence North 89°50'57" West along said South right-of-way approximately 160.00 feet to the point of beginning.

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MAY 08 2008

WATER RESOURCES DEPT  
SALEM, OREGON

36



00434286280888863388828828

01/27/2006 02:10:46 PM

D-D Crim1 Str=3 PAM  
\$10.00 \$11.00 \$10.00 \$5.00

After recording return to:  
JOSE A. MENDOZA AND SHERRENE J. MENDOZA  
PO BOX 2177  
REDMOND, OR 97756

Until a change is requested all tax statements shall be sent to the following address:  
JOSE A. MENDOZA AND SHERRENE J. MENDOZA  
PO BOX 2177  
REDMOND, OR 97756

2

**WARRANTY DEED -- STATUTORY FORM**

ALAN D. FERRARI and KATHLEEN A. FERRARI, husband and wife, Grantor,  
conveys and warrants to

JOSE A. MENDOZA and SHERRENE J. MENDOZA, husband and wife, Grantee,

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

Description of a parcel of land situate in a portion of Blocks 132, 139 and vacated 15th Street, all in HILLMAN, a subdivision located in Section 16, Township 14 South, Range 13 East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows: Commencing at a 2" aluminum cap by Deschutes County Road Department monumenting the centerline intersection of 16th Street and F Avenue, in HILLMAN, the initial point; thence North 89°50'57" West along the centerline of said F Avenue, 289.94 feet to the West right-of-way of 15th Street from which a 1/2" rebar monumenting the centerline of 13th Street bears North 89°50'57" West, 489.74 feet; thence South 00°09'03" West, 30.00 feet to a 1/2" pipe with yellow plastic cap marked Povey & Assoc (hereafter called "cap") on the South right-of-way of F Avenue and to the true point of beginning; thence South 00°09'03" West, 160.00 feet to a 1/2" pipe with cap; thence South 89°50'57" East parallel with said right-of-way, 115.30 feet to a 1/2" pipe with cap; thence South 89°50'57" East parallel with said right-of-way, 15.00 feet to the centerline of Central Oregon Irrigation District's (COID) Lateral H; thence Northerly along said centerline, approximately 76.7 feet to the East line of Lots 1-16 of said Block 139; thence Northerly along the East line, 89.3 feet to the South right-of-way of said F Avenue; thence North 89°50'57" West along said South right-of-way approximately 160.00 feet to the point of beginning.

Tax Account No(s): 134379  
Map/Tax Lot No(s): 14-13-16D-DA-00300

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 \$128,500.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 26th day of January, 2006.

*Alan D. Ferrari*  
ALAN D. FERRARI

*Kathleen A. Ferrari*  
KATHLEEN A. FERRARI

RECORDED BY:  
WESTERN TITLE & ESCROW CO.  
12-0225605

**RECEIVED**

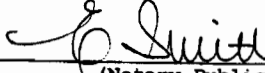
MAY 08 2008

WATER RESOURCES DEPT  
SALEM, OREGON

STATUTORY WARRANTY DEED  
PAGE 2

STATE OF OREGON, COUNTY OF DESCHUTES ) SS.

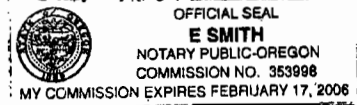
This instrument was acknowledged before me on 1/26/06, 2006 by ALAN D. FERRARI and KATHLEEN A. FERRARI.



(Notary Public for Oregon)

My commission expires 2-17-06

TITLE NO. 12-0225605  
ESCROW NO. 12-0225605



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**MAY 08 2008**

**WATER RESOURCES DEPT  
SALEM, OREGON**





Grantee:



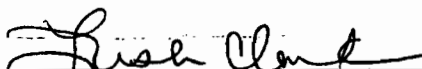
Date February 22, 2008

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

State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on February 22, 2008 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



  
Notary Public for Oregon

**RECEIVED**

MAY 08 2008

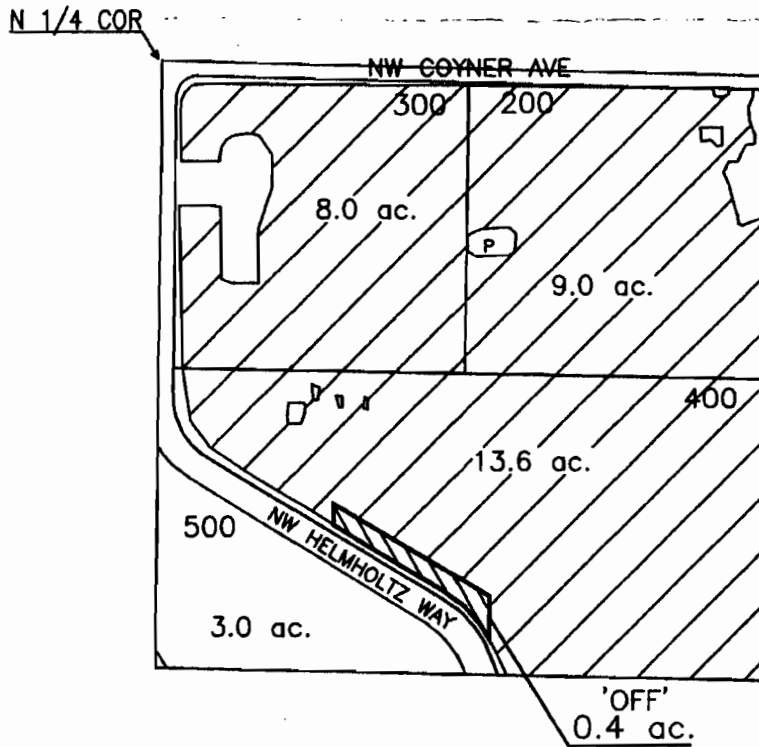
WATER RESOURCES DEPT  
SALEM, OREGON

**DESCHUTES COUNTY  
SEC. 31 T14S. R13E. W.M.**

SCALE - 1" = 400'






**NW 1/4 OF THE NE 1/4**



**RECEIVED**

MAY 08 2008

WATER RESOURCES DEPT  
SALEM, OREGON

	"OFF" LANDS
	EXISTING WATER RIGHTS
	PARCELS W/ WATER RIGHTS



QUITCLAIM DEED FOR WATER RIGHTS TRANSFER

QUITCLAIM MAP

NAME: JUANITA RUMLEY

TAXLOT #: 400

0.4 ACRES 'QC'

DATE: 02-18-08

FILE NO: E:\TRANSFER\WRTRANS\JUANITA\_RUMLEY\_QC

**VOL: 2001 PAGE: 11421**  
**RECORDED DOCUMENT**

STATE OF OREGON  
COUNTY OF DESCHUTES



\*2001-11421 \* Vol-Page

Printed: 03/14/2001 11:41:35

**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: Mar. 14, 2001; 11:35 a.m.

RECEIPT NO: 33095

DOCUMENT TYPE: Deed

FEE PAID: \$36.00

NUMBER OF PAGES: 2

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

MARY SUE PENHOLLOW  
DESCHUTES COUNTY CLERK

**RECEIVED**

MAY 08 2009

WATER RESOURCES DEPT  
SALEM OREGON

RECORDED BY  
WESTERN TITLE & ESCROW CO.

2001-11421-1

Title Order No. 138351-SK  
Escrow No. 138351-SK

This space reserved for recorder's use

After recording return to:  
Juanita Rumley  
4606 NW Helmholtz Way  
Redmond, OR 97756

Name, Address, Zip  
Until a change is requested all tax statements shall be sent to the following address.  
Juanita Rumley  
4606 NW Helmholtz Way  
Redmond, OR 97756  
Name, Address, Zip

**STATUTORY WARRANTY DEED**

Richard D. Bohanon and Teresa M. Bohanon, as tenants by the entirety, Grantor, conveys and warrants to Juanita Rumley, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in Deschutes county, OREGON, to wit:  
That portion of the South Half of the Northwest Quarter of the Northeast Quarter (S1/2 NW1/4 NE1/4) of Section Thirty-one (31), Township Fourteen (14) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, lying East and Northeast of Helmholtz Road.

Tax Acct. No.: 14-13-31-A-400  
Serial No.: 143611

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.

36.

**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 \$180,000.00. (Here comply with the requirements of ORS 93.030)

Dated this 12 day of March 2001.

Richard D. Bohanon

Teresa M. Bohanon  
Teresa M. Bohanon

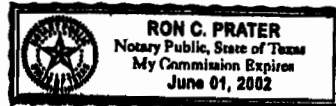
STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
This instrument was acknowledged before me on March 12, 01  
by Richard D. Bohanon and Teresa M. Bohanon

R.C. Prater  
Notary Public for Oregon  
My commission expires 6-1-2002

**RECEIVED**

MAY 08 2008

WATER RESOURCES DEPT  
SALEM, OREGON



2001-11421-2

Title Order No. 138351-SK  
Escrow No. 138351-SK

This space reserved for recorder's use

After recording return to:  
Juanita Rumley  
4606 NW Helmholtz Way  
Redmond, OR 97756

Until a change is requested all tax statements shall be sent to the following address.  
Juanita Rumley  
4606 NW Helmholtz Way  
Redmond, OR 97756

STATUTORY WARRANTY DEED

Richard D. Bohanon and Teresa M. Bohanon, as tenants by the entirety, Grantor, conveys and warrants to Juanita Rumley, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in Deschutes county, OREGON, to wit:  
That portion of the South Half of the Northwest Quarter of the Northeast Quarter (S1/2 NW1/4 NE1/4) of Section Thirty-one (31), Township Fourteen (14) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, lying East and Northeast of Helmholtz Road.

Tax Acct. No.: 14-13-31-A-400  
Serial No.: 143611

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.

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 \$180,000.00. (Here comply with the requirements of ORS 93.030)

Dated this 12th day of March 2001.

Richard D. Bohanon  
Richard D. Bohanon

Teresa M. Bohanon

Washington  
STATE OF OREGON, County of Mason ) ss.  
This instrument was acknowledged before me on March 12, 2001  
by Richard D. Bohanon and Teresa M. Bohanon



Linda M. Turner  
Notary Public for Oregon via Washington  
My commission expires 4-22-03

RECEIVED

MAY 08 2008

WATER RESOURCES DEPT  
SALEM, OREGON



DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2007-43749



\$41.00

00566147200700437490030032

08/09/2007 10:39:09 AM

D-D Cnt=1 Stm=4 TM  
\$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

3  
**QUITCLAIM DEED  
WATER CONVEYANCE AGREEMENT  
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Daniel J. & Tammie L. Kluser, 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: Real property in the County of Deschutes, State of Oregon, described as follows: The South 594 feet of the Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) of Section 33, Township 14 South, Range 13 East of the Willamette Meridian, Deschutes County, Oregon, EXCEPTING THEREFROM the East 660 feet thereof; ALSO EXCEPTING THEREFROM that portion lying within the County Road; ("Subject Lands") and commonly known as: 14-13-33 SW NW 3100, release their claim and responsibility for 0.20 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 7.80 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 0.20 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: \$200.00

Grantors:

Daniel J. Kluser  
Daniel J. Kluser

Date 7/26/07

Tammie L. Kluser  
Tammie L. Kluser

Date 7/27/07

**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

State of Oregon )  
) ss.  
County of Deschutes )

This instrument was acknowledged before me on July 24, 2007 by Daniel J. Kluser.

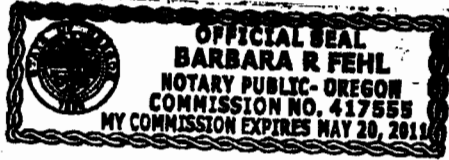
Leslie Clark  
Notary Public



State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on July 27, 2007 by Tammie L. Kluser.

Barbara R. Fehl  
Notary Public



Grantee:  
[Signature]

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

Date 28 July, 2007

State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on July 28, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.

Leslie Clark  
Notary Public



**RECEIVED**

MAY 09 2008  
WATER RESOURCES DEPT  
SALEM, OREGON

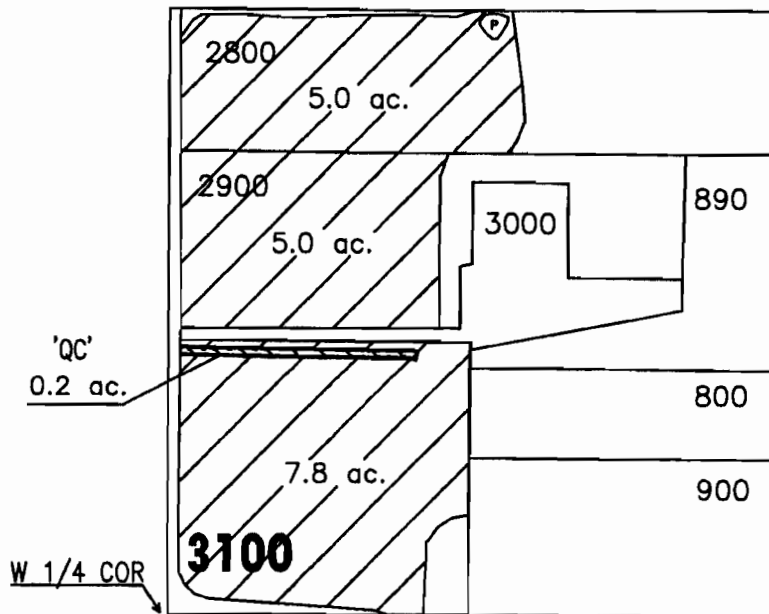


**DESCHUTES COUNTY  
SEC. 33 T14S. R13E. W.M.**

SCALE - 1" = 400'



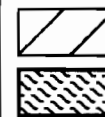
SW 1/4 OF THE NW 1/4



**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON



EXISTING WATER RIGHTS

"QUIT CLAIM" LAND PARCELS

CENTRAL OREGON



IRRIGATION DISTRICT

QUITCLAIM DEED FOR WATER RIGHTS TRANSFER

QUITCLAIM MAP

NAME: DANIEL & TAMMIE KLUSER

TAXLOT #: 3100

0.2 ACRES 'QC'

DATE: 07-18-07

FILE NO: E:\TRANSFER\WRTRAND7\KLUSER\_QC

7069-671432-



00400832200500717170020022

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

— Space below for R.

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

WARRANTY DEED

3/8  
2

KNOW ALL MEN BY THESE PRESENTS THAT, Donald J Williams, who acquired title as Donald L Williams and Judith L Williams, as tenants by the entirety and Donald J Williams, Trustee of the Donald J Williams Revocable Trust, UTD June 15, 2000, Grantor(s), for and in consideration of the sum of One Hundred Sixty Five Thousand and 00/100 Dollars to it paid by the grantees herein, do hereby grant, bargain, sell and convey unto Daniel J Kluser and Tammie L Kluser, as tenants by the entirety, Grantee(s), the following tract of land more particularly described as follows:

See Exhibit A Legal Description

TO HAVE AND TO HOLD the granted premises unto the said Grantee(s), their heirs and assigns forever.

And the Grantor does covenant that it is lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT,

- 1. Agreements, covenants, conditions, easements, reservations & restrictions of record, if any.

And that it will, its heirs, executors and administrators shall Warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as above stated.

WITNESS my Hand and Seal this 19 day of October, 2005.

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.

*Donald J Williams*  
Donald J Williams

*Donald J Williams Trustee*  
Donald J Williams, Trustee

*Judith L Williams*  
Judith L Williams

STATE OF OREGON  
COUNTY OF DESCHUTES

Before me: on this 19 day of October, 2005, personally appeared the above named Donald J Williams and Judy L Williams, and Donald J Williams, Trustee of the Donald J Williams Revocable Trust UTD June 15, 2000 and acknowledged the foregoing instrument to be his/her/their voluntary act and deed. *JUDITH L. WILLIAMS*

*Susan G Mroczko*

Notary Public for the state of Oregon  
My Commission Expires: 10-10-09  
Escrow # 402091

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

Daniel J Kluser and Tammie L Kluser  
PO Box 452  
Terrebonne, OR 97760

After Recording Please Return to:  
Daniel J Kluser and Tammie L Kluser  
PO Box 452  
Terrebonne, OR 97760



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MAY 09 2008

WATER RESOURCES DEPT  
SALEM OREGON

**Exhibit "A"**

Real property in the County of Deschutes, State of Oregon, described as follows:

The South 594 feet of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 33, Township 14 South, Range 13 East of the Willamette Meridian, Deschutes County, Oregon. EXCEPTING THEREFROM the East 660 feet thereof; ALSO EXCEPTING THEREFROM that portion lying within the County Road.

Tax Parcel Number: 128655

**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**



EXHIBIT "A"  
LEGAL DESCRIPTION

The Southeast Quarter of the Southwest Quarter (SE1/4SW1/4), Section Twenty-four (24), Township Fifteen (15) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM:

Commencing at a 1" rod monumenting the South 1/4 corner of Section 24, Township 15 South, Range 12, E.W.M., the initial point; thence South 89°54'40" West along the South line of the SW1/4 of said Section 24, 1391.19 feet to a 1/2" rod on the West line of the SE1/4 of said SW1/4 and the true point of beginning; thence North 0°11'27" West along said West line, 1325.24 feet to the North line of said SE1/4SW1/4; thence North 89°57'57" East along said North line, 214.00 feet to an existing fence; thence South 02°08'35" West along said fence approximately 1326 feet to the South line of said SW1/4; thence South 89°54'40" West along said South line, 160.00 feet to the point of beginning.

TOGETHER WITH:

A parcel of land situated in a portion of the North One Half of the North One Half of the West One Half of the Southwest One Quarter of the Southeast One Quarter (N1/2N1/2W1/2SW1/4SE1/4), Section Twenty-four (24), Township Fifteen (15) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, lying Westerly of the centerline of S.W. 58<sup>th</sup> Street as constructed, and more particularly described as follows:

Commencing at a 1" pin at the 1/4 corner common to said Sections 24 and 25, Township 15 South, Range 12, E.W.M., the initial point; thence North 00°09'17" West along the Westerly line of said SE1/4, 992.93 feet to the SW corner of said N1/2N1/2SW1/4SE1/4, and the true point of beginning; thence North 00°09'17" West along said Westerly line of the SE1/4, 330.98 feet to a 1/2" pipe at the C-S 1/16th corner; thence North 89°57'58" East along the Northerly line of said SW1/4SE1/4, 150.33 feet to the centerline of a County Road (SW 58th Street); thence South 00°02'12" West along the said road centerline, 330.94 feet; thence South 89°57'08" West along the Southerly line of said N1/2N1/2SW1/4SE1/4, 149.22 feet to the true point of beginning.

TOGETHER WITH:

A parcel of land situated in a portion of the South One Half of the North One Half of the West One Half of the Southwest One Quarter of the Southeast One Quarter (S1/2N1/2W1/2SW1/4SE1/4), Section Twenty-four (24), Township Fifteen (15) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, lying Westerly of the centerline of S.W. 58<sup>th</sup> Street as constructed, and more particularly described as follows:

Commencing at a 1" pin at the 1/4 corner common to said Sections 24 and 25, Township 15 South, Range 12, E.W.M., the initial point; thence North 00°09'17" West along the Westerly line of said SE1/4, 661.95 feet to the SW corner of said NW1/4 SW1/4SE1/4, and the true point of beginning; thence North 00°09'17" West along said Westerly line of the SE1/4, 330.98 feet; thence North 89°57'08" East along the Northerly line of said (S1/2N1/2W1/2SW1/4SE1/4) 149.22 feet to the centerline of a County Road (SW 58th Street) as constructed; thence South 00°02'15" West along said road centerline, 330.94 feet; thence South 89°56'19" West along the Southerly line of said (NW1/4SW1/4SE1/4) 148.12 feet to the point of beginning.

TOGETHER WITH:

A parcel of land situated in a portion of the South One Half of the Southwest One Quarter of the Southeast One Quarter (S1/2SW1/4SE1/4), of Section Twenty-four (24), Township Fifteen (15) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, lying Westerly of the centerline of a County Road (S.W. 58th Street), and more particularly described as follows:

Commencing at a 1" pin at the 1/4 corner common to said Sections 24 and 25, Township 15 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, the initial point as well as the true point of beginning; thence North 00°09'17" West along the Westerly line of said SE1/4, 661.95 feet; thence North 89°56'19" East along the Northerly line of said S1/2SW1/4SE1/4, 148.12 feet to the centerline of a County Road (SW 58<sup>th</sup> Street) as constructed; thence South 00°02'12" West along said road centerline, 661.88 feet; thence South 89°54'40" West along the Southerly line of said Section 24, 145.91 feet to the point of beginning.

**RECEIVED**

MAY 09 2008

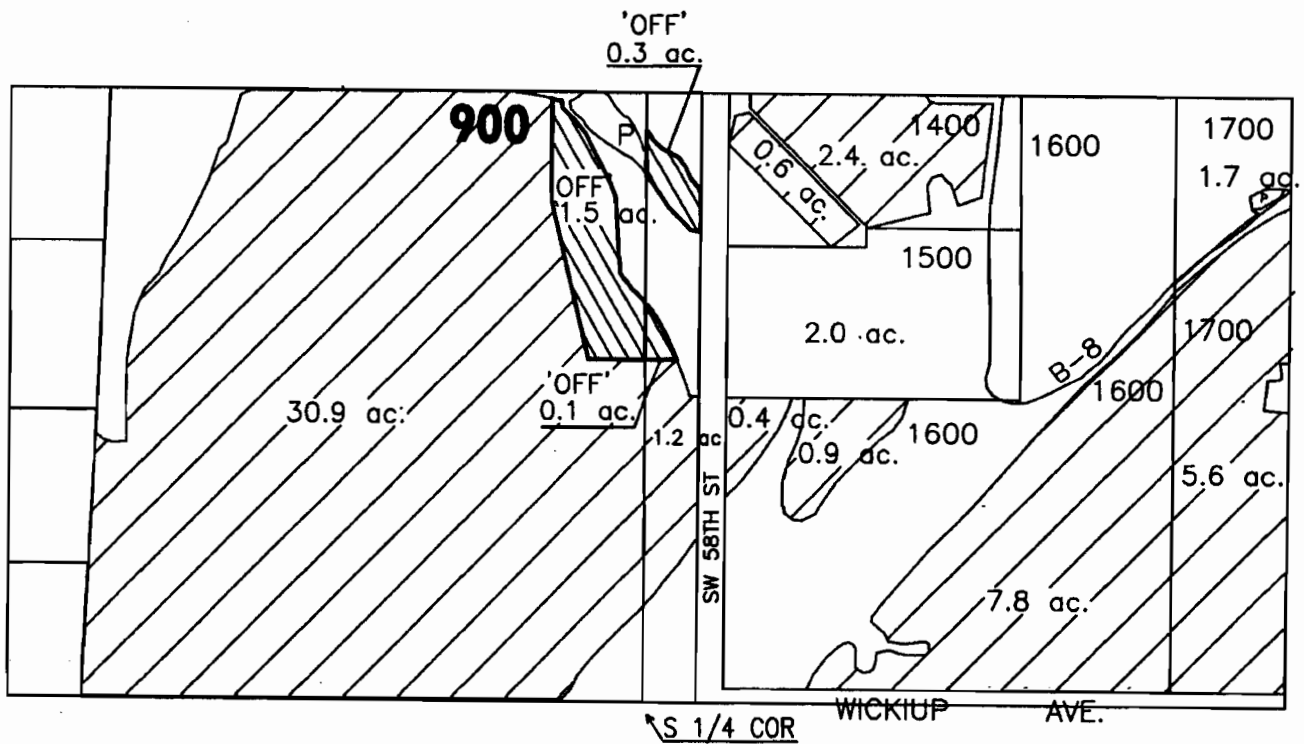
**WATER RESOURCES DEPT  
SALEM OREGON**

**DESCHUTES COUNTY  
SEC. 24 T15S. R12E. W.M.**

SCALE - 1" = 400'



**SE 1/4 OF THE SW 1/4; SW 1/4 OF THE SE 1/4**



**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

	"OFF" LANDS
	EXISTING WATER RIGHTS
	PARCELS W/ WATER RIGHTS



QUITCLAIM DEED FOR WATER RIGHTS TRANSFER  
QUITCLAIM MAP

NAME: JAMES M. BROCK

TAXLOT #: 900

1.9 ACRES 'QC'

DATE: 08-08-07

FILE NO: E:\TRANSFER\WRTRAN07\BROCK\_QC

41-  
3



00355635200500228800030036

04/15/2005 02:04:02 PM

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

After recording return to:  
WESTERN TITLE & ESCROW COMPANY  
PO BOX 1963  
SISTERS, OR 97759

Until a change is requested all tax statements shall be sent to the following address:  
JAMES M. BROCK  
16600 HIGHWAY 126  
SISTERS, OR 97759

**WARRANTY DEED -- STATUTORY FORM**

BROCK DEVELOPMENT COMPANY, INC., AN OREGON CORPORATION, Grantor, conveys and warrants to JAMES M. BROCK, Grantee, the following described real property, free of encumbrances except as specifically set forth herein, to wit:

The Property described in Exhibit "A" attached hereto and made a part hereof.

Tax Account No(s): 129122  
Map/Tax Lot No(s): 15-12-24-00-00900

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 \$to change vesting.

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 12 day of <sup>April</sup>~~January~~, 2005.

BROCK DEVELOPMENT COMPANY, INC.

BY: James Brock Pres.  
JAMES BROCK,  
PRESIDENT & C.E.O.

STATE OF OREGON, COUNTY OF DESCHUTES ) SS.

This instrument was acknowledged before me on <sup>April</sup>~~January~~ 12, 2005 by JAMES BROCK AS PRESIDENT AND C.E.O. OF BROCK DEVELOPMENT COMPANY, INC., AN OREGON CORPORATION.

David Van Landuyt  
(Notary Public for Oregon)  
My commission expires 5-21-06



TITLE NO. 11-0000105  
ESCROW NO. 11-0000105

accom  
RECORDED BY  
WESTERN TITLE & ESCROW CO.

**RECEIVED**

MAY 09 2006

WATER RESOURCES DEPT  
SALEM, OREGON

## EXHIBIT "A"

The Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4), Section 24, Township 15 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM: Commencing at a 1" rod monumenting the South Quarter corner of Section 24, Township 15 South, Range 12, East of the Willamette Meridian, the initial point; thence South 89°54' 40" West along the South line of the Southwest Quarter (SW1/4) of said Section 24, 1391.19 feet to a ½" rod on the West line of the Southeast Quarter (SE1/4) of said Southwest Quarter (SW1/4) and the true point of beginning; thence North 00°11' 27" West along said West line, 1325.24 feet to the North line of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4); thence North 89°57' 57" East along said North line, 214 feet to an existing fence; thence South 02°08' 35" West along said fence approximately 1326 feet to the South line of said Southwest Quarter (SW1/4); thence South 89°54' 40" West along said South line, 160.00 feet to the point of beginning.

TOGETHER WITH a parcel of land situate in a portion of the North Half of the North Half of the West Half of the Southwest Quarter of the Southeast Quarter (N1/2 N1/2 W1/2 SW1/4 SE1/4), Section 24, Township 15 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, lying Westerly of the centerline of S.W. 58<sup>th</sup> Street as constructed, and more particularly described as follows:

Commencing at a 1" pin at the Quarter corner common to said Sections 24 and 25, Township 15 South, Range 12, East of the Willamette Meridian, the initial point; thence North 00°09' 17" West along the Westerly line of said Southeast Quarter (SE1/4), 992.93 feet to the Southwest corner of said North Half of the North Half of the Southwest Quarter of the Southeast Quarter (N1/2 N1/2 SW1/4 SE1/4), and the true point of beginning; thence North 00°09' 17" West along said Westerly line of the Southeast Quarter (SW1/4), 330.98 feet to a ½" pipe at the C-S 1/16<sup>th</sup> corner; thence North 89°57' 58" East along the Northerly line of said Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4), 150.33 feet to the centerline of a County Road (S.W. 58<sup>th</sup> Street); thence South 00°02' 12" West along the said road centerline, 330.94 feet; thence South 89°57' 08" West along the Southerly line of said North Half of the North Half of the Southwest Quarter of the Southeast Quarter (N1/2 N1/2 SW1/4 SE1/4), 149.22 feet to the true point of beginning.

TOGETHER WITH a parcel of land situate in a portion of the South Half of the North Half of the West Half of the Southwest Quarter of the Southeast Quarter (S1/2 N1/2 W1/2 SW1/4 SE1/4), Section 24, Township 15 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, lying Westerly of the centerline of S.W. 58<sup>th</sup> Street as constructed, and more particularly described as follows:

**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**



Commencing at a 1" pin at the Quarter corner common to said Sections 24 and 25, Township 15 South, Range 12, East of the Willamette Meridian, the initial point; thence North 00°09' 17" West along the Westerly line of said Southeast Quarter (SE1/4), 661.95 feet to the Southwest corner of said Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW1/4 SW1/4 SE1/4), and the true point of beginning; thence North 00°09' 17" West along said Westerly line of the Southeast Quarter (SE1/4), 330.98 feet; thence North 89°57' 08" East along the Northerly line of said South Half of the North Half of the West Half of the Southwest Quarter of the Southeast Quarter (S1/2 N1/2 W1/2 SW1/4 SE1/4), 149.22 feet to the centerline of a county road (S.W. 58<sup>th</sup> Street) as constructed; thence South 00°02' 15" West along said road centerline, 330.94 feet; thence South 89°56' 19" West along the Southerly line of said Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW1/4 SW1/4 SE1/4), 148.12 feet to the point of beginning.

TOGETHER WITH a parcel of land situate in a portion of the South Half of the Southwest Quarter of the Southeast Quarter (S1/2 SW1/4 SE1/4), of Section 24, Township 15 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, lying Westerly of the centerline of a county road (S.W. 58<sup>th</sup> Street), and more particularly described as follows:

Commencing at a 1" pin at the Quarter corner common to said Sections 24 and 25, Township 15 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, the initial point as well as the true point of beginning; thence North 00°09' 17" West along the Westerly line of said Southeast Quarter (SE1/4), 661.95 feet; thence North 89°56' 19" East along the Northerly line of said South Half of the Southwest Quarter of the Southeast Quarter (S1/2 SW1/4 SE1/4), 148.12 feet to the centerline of a county road (S.W. 58<sup>th</sup> Street) as constructed; thence South 00°02' 12" West along said road centerline, 661.88 feet; thence South 89°54' 40" West along the Southerly line of said Section 24, 145.91 feet to the point of beginning.

**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

After Recording return to:  
Central Oregon Irrigation District  
2598 North Highway  
Redmond, OR 97756



MAIL TAX STATEMENT  
TO: NO CHANGE

### QUITCLAIM DEED

#### FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Harold M. Flaherty, 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 Lot 2 Block 2 of RANCHETTE VIEW ESTATES, Deschutes County, Oregon, release their claim and responsibility for 0.75 acres of COID water rights that are appurtenant to the lands described above, 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, located on land commonly known as: 15-12-25 SW NE 605.

COID may elect to complete a 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. COID 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 described above 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 4.25 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 0.75 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: COID to pay Ernest "Bud" Hutchinson \$750.00 (per sale agreement between Harold Flaherty and Ernest J. "Bud" Hutchinson).

Grantor:

Harold M. Flaherty (signature) Date 11/2/5  
Harold M. Flaherty

RECEIVED

MAY 09 2008

WATER RESOURCES DEPT  
SALEM OREGON

State of Oregon )  
) ss.  
County of Deschutes )

This instrument was acknowledged before me on NOVEMBER 2, 2005 by Harold M. Flaherty



Lisa Carlson (signature)  
Notary Public

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2005-78841



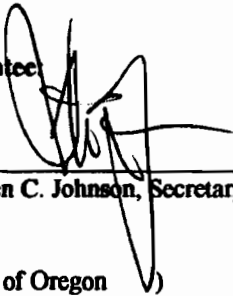
\$36.00

00415525200500788410020022

11/15/2005 10:40:50 AM

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

Grantee



Date 8 Nov. 2005

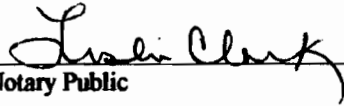
Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

State of Oregon )

) ss.

County of Deschutes)

This instrument was acknowledged before me on November 8, 2005 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Notary Public



**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**



07/11/2005 04:11:36 PM

D-D Cnt=1 Str=26 SHIRLEY  
\$10.00 \$11.00 \$10.00 \$5.00



36

After recording return to:  
Harold M. Flaherty

5650 SW Hutchinson Way  
Redmond OR 97756

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

2  
2

5650 SW Hutchinson Way  
Redmond, OR 97756

File No.: 7061-605717 (CS)  
Date: July 11, 2005

### STATUTORY WARRANTY DEED

**Ernest "Bud" J. Hutchinson, who acquired title as Ernest "Bud" Hutchinson, Grantor, conveys and warrants to Harold M. Flaherty, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

✓ Lot 2 in Block 2 of RANCHETTE VIEW ESTATES, Deschutes County, Oregon ✓

**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

**This property is free from liens and encumbrances, EXCEPT:**

1. The **2005-2006** 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.

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 **\$300,000.00**. (Here comply with requirements of ORS 93.030)

Dated this 11 day of July, 2005.

FIRST AMERICAN TITLE  
INSURANCE COMPANY OF OREGON  
P.O. BOX 323  
BEND, OR 97702





00598087200800003850030034

02/12/2008 03:07:55 PM

D-D Cnt=1 Stn=6 CE  
\$15.00 \$11.00 \$10.00 \$5.00

AFTER RECORDING, RETURN TO:  
Central Oregon Irrigation District  
1055 SW Lake Court  
Redmond, OR 97756

MAIL TAX STATEMENT TO:  
No Change

3

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

Grantor, DEBORAH ROE, Trustee of the Harry Family Revocable Living Trust dated July 31, 2003, the rightful owner of real property referenced herein, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in water rights appurtenant the land described in Exhibit "A" ("Subject Land") attached and incorporated by this reference and commonly known as: 15-12-25 NE NE 00100 & 15-12-25 NW NE 00100. Grantor further releases claim and responsibility for all of the primary and supplemental irrigation water rights appurtenant to the Subject Land, being 0.30 acres, more or less, of water rights issued on Certificates in the name of Central Oregon Irrigation District and to any other water rights that are specifically appurtenant to the Subject Land.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Land 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 referenced herein that are appurtenant to the Subject Land; that the interest in the water rights appurtenant to the Subject Land may not be conveyed in subsequent real estate transactions of the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will have 54.70 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 0.30 acres of water rights.

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

✓ Consideration for this Quitclaim is \$300.00.

DATED this 4 day of February, 2008.

GRANTOR:

By: Deborah Roe  
Deborah Roe, Trustee of the Harry Family  
Revocable Living Trust dated July 31, 2003


RECEIVED

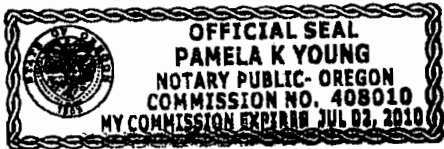
MAY 09 2008

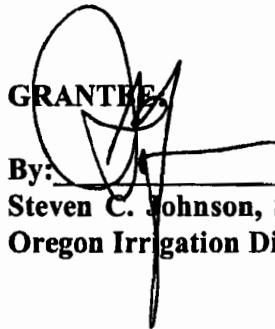
WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON        )  
                                  ) ss:  
County of Deschutes    )

This instrument was acknowledged before me this 4 day of February, 2008, by Deborah Roe, trustee of the Harry Family Revocable Living Trust dated July 31, 2003, who acknowledged said instrument of her voluntary act and deed.

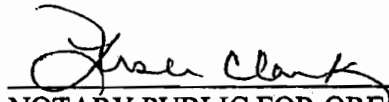
  
\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON



GRANTOR  
By:   
\_\_\_\_\_  
Steven C. Johnson, Secretary-Manager, Central Oregon Irrigation District

STATE OF OREGON        )  
                                  ) ss:  
County of Deschutes    )

This instrument was acknowledged before me this 6<sup>th</sup> day of February, 2008, by Steven C. Johnson, on behalf of Central Oregon Irrigation District who is Secretary-Manager of said entity and has signed on behalf of said entity and acknowledged the foregoing instrument to be his voluntary act and deed.

  
\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON



**RECEIVED**

MAY 09 2008

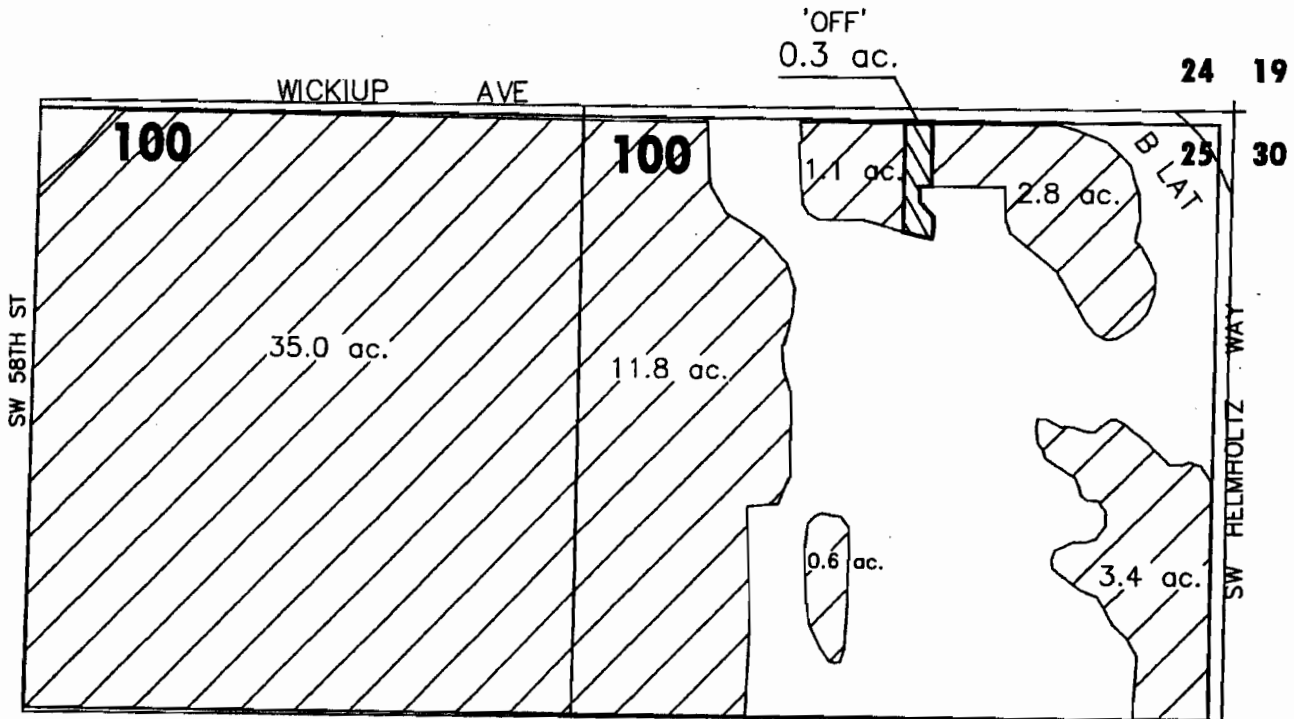
**WATER RESOURCES DEPT  
SALEM, OREGON**

**DESCHUTES COUNTY  
SEC. 25 T15S. R12E. W.M.**

SCALE - 1" = 400'





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



**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

-  "OFF" LANDS
-  EXISTING WATER RIGHTS

**CENTRAL OREGON**



**IRRIGATION DISTRICT**

QUITCLAIM DEED FOR WATER RIGHTS TRANSFER

QUITCLAIM MAP

NAME: JULIUS HARRY, TRUSTEE OF THE  
HARRY FAMILY REVOCABLE LIVING TRUST

TAXLOT #: 100

0.3 ACRES 'QC'

DATE: 01-23-08

FILE NO: E:\TRANSFER\WRTRAN08\HARRY\_QC



DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2003-53488



\$36.00

00100000200300034880030032

08/07/2003 01:16:24 PM

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

# DESCHUTES COUNTY CLERK

## CERTIFICATE PAGE



**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

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

Unless Otherwise Requested, All  
Tax Statements Shall Be Sent To:  
5170 SW Wickiup  
Redmond, OR 97756

AFTER RECORDING RETURN TO:  
BRYANT, EMERSON & FITCH  
PO BOX 457  
REDMOND, OR 97756

### BARGAIN AND SALE DEED

ALICE HARRY, MARIE HARRY and LAURA HARRY, Grantors, grant, bargain, sell and convey unto JULIUS HARRY, Trustee of the Harry Family Revocable Living Trust, dated July 31, 2003, the following described real properties:

**Parcel I:**

The Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4), Section Twenty-Four (24), Township Fifteen (15) South, Range Twelve (12), East of the Willamette Meridian.

**Parcel II:**

The North Half of the Northeast Quarter (N1/2 NE1/4), Section Twenty-five (25), Township Fifteen (15) South, Range Twelve (12), East of the Willamette Meridian

The Tax Account Numbers for the above described properties are: 15-12-25-00-00100 and 15-12-24-00-00900

**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 zero dollars (\$-0-), but reconveyance from the terminated Trust and for estate planning purposes.

DATED this 31 day of July, 2003.

Laura Harry  
LAURA HARRY

Marie Harry  
MARIE HARRY

Alice Harry  
ALICE HARRY

**RECEIVED**

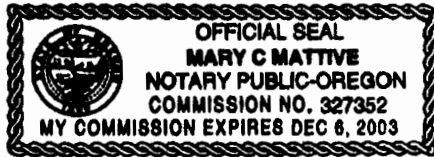
MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

STATE OF OREGON            )  
  : ss.  
County of Deschutes        )

Personally appeared before me this 31 day of July, 2003, the above-named ALICE HARRY, MARIE HARRY and LAURA HARRY and acknowledged the foregoing instrument to be his voluntary act and deed.

Mary C. Mattve  
Notary Public of Oregon



**RECEIVED**

MAY 09 2008

**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, HAVNIP INVESTMENT, 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 as: Parcel 3 of Partition Plat 1995-39, a parcel of land located in the Southwest Quarter of the Southeast Quarter (SW ¼ SE ¼) of Section Four (4), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon ("Subject Lands") and commonly known as: 15-13-04-SW-SE-290, release their claim and responsibility for 1.0 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 no 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 1.0 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: \$1,000<sup>00</sup>

Grantor: [Signature]  
Larry Havinear for HAVNIP INVESTMENTS, LLC

Date 8/9/07

**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

State of Oregon )  
                          ) ss.  
County of Deschutes )

This instrument was acknowledged before me on August 9, 2007 by Larry Havinear as member for HAVNIP INVESTMENTS, LLC.



[Signature]  
Notary Public

Grantee: [Signature]  
Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

Date 13 August 2007

State of Oregon )  
                          ) ss.  
County of Deschutes )

This instrument was acknowledged before me on August 13, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



[Signature]  
Notary Public

21

RECORDED BY  
WESTERN TITLE & ESCROW CO.

12-0091906

After recording return to:  
HAVNIP INVESTMENT, LLC  
3533 SW 63RD STREET  
REDMOND, OR 97756

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2006-75872



\$31.00

00508578206800758720010010

11/15/2006 04:00:19 PM

D-D Cnt=1 Str=26 SRB  
\$5.00 \$11.00 \$10.00 \$5.00

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

HAVNIP INVESTMENT, LLC  
3533 SW 63RD STREET  
REDMOND, OR 97756

WARRANTY DEED -- STATUTORY FORM

MARGARET LEHNERTZ, Surviving Trustee of the Trust of Waldimer Lehnertz and Margaret Lehnertz., Grantor,

conveys and warrants to

HAVNIP INVESTMENT, LLC, an Oregon Limited Liability Company, Grantee,

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

Parcel 3 of Partition Plat 1995-39, a parcel of land located in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 4, Township 15 South, Range 13 East of the Willamette Meridian, Deschutes County, Oregon.

Tax Account No(s): 129434  
Map/Tax Lot No(s): 15-13-04-DC-00200

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 \$1,500,000.00.

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, 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 14 day of November, 2006.

TRUST OF WALDIMER LEHNERTZ AND MARGARET LEHNERTZ

BY: Margaret Lehnertz, Trustee  
MARGARET LEHNERTZ, SURVIVING TRUSTEE

RECEIVED

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON, COUNTY OF DESCHUTES ) SS.

This instrument was acknowledged before me on November 14, 2006 by MARGARET LEHNERTZ, SURVIVING TRUSTEE OF THE TRUST OF WALDIMER LEHNERTZ AND MARGARET LEHNERTZ.

[Signature]  
(Notary Public for Oregon)  
My commission expires 12/9/2009



TITLE NO. 12-0091906  
ESCROW NO. 12-0091906



DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2007-39030



\$36.00

00560944200700390300020024

07/16/2007 11:20:47 AM

D-D Cnt=1 Str=26 SRB  
\$10.00 \$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, Monticello Homes, Inc., 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 Parcels 1 and 2 of Partition Plat No. 2000-6, Deschutes County, Oregon ("Subject Lands") and commonly known as: 15-13-08 CD-00700 (with 1.10 acres irrigation) & 15-13-08 CD-00800 (with 0.53 acres irrigation), release their claim and responsibility for 1.63 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.

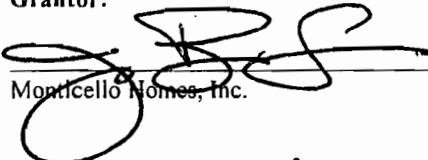
By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Lands that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the Subject Land; and that 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 1.63 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: \$930.00 (\$1,126.55 in fees is payable by Grantor to Grantee)

Grantor:

  
Monticello Homes, Inc.

Date 7-10-07

**RECEIVED**

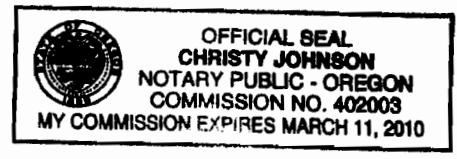
MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

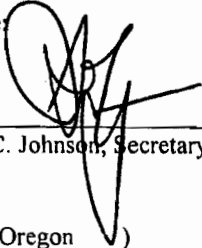
State of Oregon )  
County of Washington ) ss.

This instrument was acknowledged before me on July 10, 2007 by Jamie Leema as President for Monticello Homes, Inc.

  
Notary Public



Grantee:

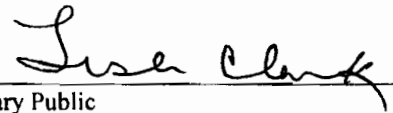


Date 11 July, 2007

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

State of Oregon )  
                          ) ss.  
County of Deschutes)

This instrument was acknowledged before me on July 11, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Notary Public



**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

31

WARRANTY DEED -- STATUTORY FORM

JON K. HUGHLEY AND MARSHA L. HUGHLEY, AS-TENANTS BY THE ENTIRETY, Grantor, conveys and warrants to MONTICELLO HOMES, INC., Grantee, the following described real property, free of encumbrances except as specifically set forth herein, to wit:

Parcels 1 and 2 of Partition Plat No. 2000-6, Deschutes County, Oregon.

Tax Account No(s): 129728 199992
Map/Tax Lot No(s): 151308CD-00700 151308CD-00800

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 \$ 950,000.00.

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, 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 12th day of March, 2007.

Jon K. Hughley
JON K. HUGHLEY
Marsha L. Hughley
MARSHA L. HUGHLEY

STATE OF OREGON, COUNTY OF DESCHUTES ) SS.

This instrument was acknowledged before me on March 12th, 2007 by JON K. HUGHLEY and MARSHA L. HUGHLEY.

[Signature]
(Notary Public for Oregon)
My commission expires



After recording return to:
MONTICELLO HOMES, INC.
JAMIE B. LERMA, PRESIDENT
9115 SW OLESON RD., STE 203
PORTLAND, OR 97223

Until a change is requested all tax statements shall be sent to the following address:
MONTICELLO HOMES, INC.
JAMIE B. LERMA, PRESIDENT
9115 SW OLESON RD., STE 203
PORTLAND, OR 97223

TITLE NO. 12-0080406
ESCROW NO. 16-0005107

RECEIVED
MAY 09 2008
WATER RESOURCES DEPT
SALEM, OREGON

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK 2007-15590
Barcode
\$31.00
03/15/2007 02:03:58 PM
D-D Cnt=1 Str=3 PG
\$5.00 \$11.00 \$10.00 \$5.00





DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2007-65861



\$41.00

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

12/27/2007 09:38:41 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, Redmond Free Methodist Church, a nonprofit corporation in trust for the use and benefit of the Free Methodist Church of North America and High Desert Praise Center, an active Oregon nonprofit corporation in trust for the use and benefit of the Free Methodist Church of North America, subject to the Book of Discipline, paragraph A/856 as their interest appear of record, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in water rights appurtenant to the land described in Exhibit "A" ("Subject Land") attached and incorporated by this reference and commonly known as: 15-13-08 NW SW 501. Grantor further releases claim and responsibility for all of the primary and supplemental irrigation water rights appurtenant to the Subject Land, being 5.60 acres, more or less, of water rights issued on Certificates in the name of Central Oregon Irrigation District and to any other water rights that are specifically appurtenant to the Subject Land.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Land that Grantor, as holder of the water right by Warranty Deed, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights referenced herein that are appurtenant to the Subject Land; that the interest in the water rights appurtenant to the Subject Land may not be conveyed in subsequent real estate transactions of the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will no longer have an appurtenant water right.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 5.60 acres of water rights.

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

Consideration for this Quitclaim is \$5,600.00 ✓

Dated this 12 day of 12, 2007

**RECEIVED**

MAY 09 2008

Grantor:

Free Methodist Church, a nonprofit corporation in trust for the use and benefit of the Free Methodist Church of North America.

By: Donald E. Fisher  
Donald Fisher, Trustee

Grantor:

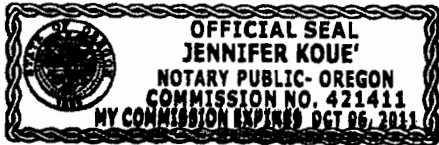
**WATER RESOURCES DEPT  
SALEM, OREGON**

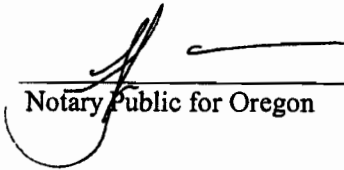
High Desert Praise Center, an Oregon nonprofit corporation in trust for the use and benefit of the Free Methodist Church of North America, subject to the Book of Discipline, paragraph A/856.

By: Donald E. Fisher  
Donald Fisher, Trustee

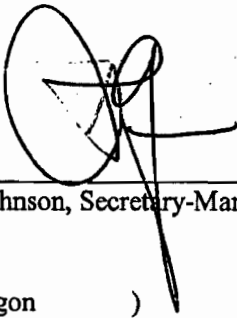
State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on December 12, 2007 by Donald Fisher, Trustee and acknowledged the foregoing instrument to be his voluntary act and deed.



  
Notary Public for Oregon

Grantee:



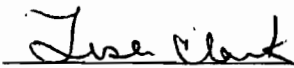
Date 14 Dec. 2007

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

State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on December 14, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



  
Notary Public for Oregon

**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

EXHIBIT "A"  
LEGAL DESCRIPTION

PARCEL 1:

Parcel One (1) of Partition Plat No. 2000-72, Deschutes County, Oregon, a portion of the West Half of the Northwest Quarter of the Southwest Quarter (W1/2NW1/4SW1/4) of Section Eight (8), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM: A portion of the West Half of the Northwest Quarter of the Southwest Quarter (W1/2NW1/4SW1/4) of Section Eight (8), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 2 1/2 inch brass cap monumenting the Southwest corner of Section 8; thence North 00°40'36" East along the West line of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of said Section 8, 1339.55 feet to a 3/4 inch pipe on the South line of the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of said Section 8 and the initial point of Redmond Minor Partition No. RMP-00-12; thence South 89°56'10" East along said South line, 30.00 feet to a 5/8 inch rebar on the East right of way of NW 35<sup>th</sup> Street and the East line of the West 30.00 feet of said NW1/4SW1/4; thence North 00°39'43" East along said East line, 780.88 feet to the true point of beginning; thence North 00°39'43" East along said East lines, 528.60 feet to the South line of the North 30.00 feet of said NW1/4SW1/4; thence South 89°49'59" East along said South line, 579.59 feet to East line of a parcel of land described in a deed recorded in Book 249, Page 514, Deschutes County Official Records; thence South 00°41'20" West along said East line, 245.92 feet; thence West, 158.17 feet; thence South 00°41'20" West parallel with said East line, 281.00 feet; thence West, 421.18 feet to the true point of beginning.

PARCEL 2:

A portion of the West Half of the Northwest Quarter of the Southwest Quarter (W1/2NW1/4SW1/4) of Section Eight (8), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 2 1/2 inch brass cap monumenting the Southwest corner of Section 8; thence North 00°40'36" East along the West line of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of said Section 8, 1339.55 feet to a 3/4 inch pipe on the South line of the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of said Section 8 and the initial point of Redmond Minor Partition No. RMP-00-12; thence South 89°56'10" East along said South line, 30.00 feet to a 5/8 inch rebar on the East right of way of NW 35<sup>th</sup> Street and the East line of the West 30.00 feet of said NW1/4SW1/4; thence North 00°39'43" East along said East line, 780.88 feet to the true point of beginning; thence North 00°39'43" East along said East lines, 528.60 feet to the South line of the North 30.00 feet of said NW1/4SW1/4; thence South 89°49'59" East along said South line, 579.59 feet to East line of a parcel of land described in a deed recorded in Book 249, Page 514, Deschutes County Official Records; thence South 00°41'20" West along said East line, 245.92 feet; thence West, 158.17 feet; thence South 00°41'20" West parallel with said East line, 281.00 feet; thence West, 421.18 feet to the true point of beginning.

RECEIVED

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

EXHIBIT A  
PAGE 1

RD 090677 CZ 46

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK 2007-19558



\$46.00

04/04/2007 02:57:04 PM

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

AFTER RECORDING, RETURN TO:  
Ronald L. Bryant  
Bryant, Emerson & Fitch, LLP  
PO Box 457  
Redmond OR 97756

MAIL TAX STATEMENTS TO:  
Ash Creek Equity, LLC  
2660 NE Hwy 20, Ste 610, PMB 36  
Bend, OR 97701

**WARRANTY DEED**

4

KNOW ALL MEN BY THESE PRESENTS, that REDMOND FREE METHODIST CHURCH, a nonprofit corporation in trust for the use and benefit of the Free Methodist Church of North America and HIGH DESERT PRAISE CENTER, an active Oregon nonprofit corporation in trust for the use and benefit of the Free Methodist Church of North America, subject to the Book of Discipline, paragraph A/856 as their interest appear of record, hereinafter called the Grantors, for the consideration hereinafter stated, to Grantor paid by ASH CREEK EQUITY, LLC an Oregon Limited Liability Company and BABCOCK BROS., INC., an Oregon corporation, as tenants in common, hereinafter called the Grantee, does hereby convey and warrant free and clear of encumbrances except as specifically set forth herein unto the said Grantees and Grantees' heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Deschutes and State of Oregon, described on attached Exhibit A and made apart hereof, as if wholly incorporated herein.

Subject to exceptions as shown on attached Exhibit B made or part hereof, as if wholly incorporated herein.

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.

The true and actual consideration for this conveyance is \$1,250,000.00.

**RECEIVED**  
MAY 09 2008  
WATER RESOURCES DEPT  
SALEM, OREGON

Page 1 - WARRANTY DEED  
G:\WP51\RLB\01REAL\ESTATE\Redmond Free Methodist Church\WARRANTY.DED.wpd.2(jd).wpd.2(jd)

After recording, return to  
Amerititle  
15 OREGON AVENUE, BEND

BRYANT, EMERSON & FITCH, LLP  
ATTORNEYS AT LAW  
888 S.W. EVERGREEN AVENUE  
P.O. BOX 457  
REDMOND, OREGON 97756-0103  
TELEPHONE (541) 548-2151  
FAX (541) 548-1895

DATED this 4th day of ~~March~~<sup>April</sup>, 2007.

GRANTOR:

Free Methodist Church, a nonprofit corporation in trust for the use and benefit of the Free Methodist Church of North America.

By: Donald Fisher Trustee  
Donald Fisher, Trustee

GRANTOR:

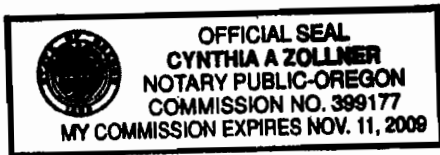
High Desert Praise Center, an Oregon nonprofit corporation in trust for the use and benefit of the Free Methodist Church of North America, subject to the Book of Discipline, paragraph A/856.

By: Donald Fisher Trustee  
Donald Fisher, Trustee

STATE OF OREGON            )  
  : ss.  
County of Deschutes        )

Personally appeared before me the above-named Donald Fisher, Trustee and acknowledged the foregoing instrument to be his voluntary act and deed. April 4, 2007

Cynthia A. Zollner  
Notary Public for Oregon



**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM OREGON**

EXHIBIT "A"  
LEGAL DESCRIPTION

PARCEL 1:

Parcel One (1) of Partition Plat No. 2000-72, Deschutes County, Oregon, a portion of the West Half of the Northwest Quarter of the Southwest Quarter (W1/2NW1/4SW1/4) of Section Eight (8), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM: A portion of the West Half of the Northwest Quarter of the Southwest Quarter (W1/2NW1/4SW1/4) of Section Eight (8), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 2 1/2 inch brass cap monumenting the Southwest corner of Section 8; thence North 00°40'36" East along the West line of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of said Section 8, 1339.55 feet to a 3/4 inch pipe on the South line of the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of said Section 8 and the initial point of Redmond Minor Partition No. RMP-00-12; thence South 89°56'10" East along said South line, 30.00 feet to a 5/8 inch rebar on the East right of way of NW 35<sup>th</sup> Street and the East line of the West 30.00 feet of said NW1/4SW1/4; thence North 00°39'43" East along said East line, 780.88 feet to the true point of beginning; thence North 00°39'43" East along said East lines, 528.60 feet to the South line of the North 30.00 feet of said NW1/4SW1/4; thence South 89°49'59" East along said South line, 579.59 feet to East line of a parcel of land described in a deed recorded in Book 249, Page 514, Deschutes County Official Records; thence South 00°41'20" West along said East line, 245.92 feet; thence West, 158.17 feet; thence South 00°41'20" West parallel with said East line, 281.00 feet; thence West, 421.18 feet to the true point of beginning.

PARCEL 2:

A portion of the West Half of the Northwest Quarter of the Southwest Quarter (W1/2NW1/4SW1/4) of Section Eight (8), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at a 2 1/2 inch brass cap monumenting the Southwest corner of Section 8; thence North 00°40'36" East along the West line of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of said Section 8, 1339.55 feet to a 3/4 inch pipe on the South line of the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of said Section 8 and the initial point of Redmond Minor Partition No. RMP-00-12; thence South 89°56'10" East along said South line, 30.00 feet to a 5/8 inch rebar on the East right of way of NW 35<sup>th</sup> Street and the East line of the West 30.00 feet of said NW1/4SW1/4; thence North 00°39'43" East along said East line, 780.88 feet to the true point of beginning; thence North 00°39'43" East along said East lines, 528.60 feet to the South line of the North 30.00 feet of said NW1/4SW1/4; thence South 89°49'59" East along said South line, 579.59 feet to East line of a parcel of land described in a deed recorded in Book 249, Page 514, Deschutes County Official Records; thence South 00°41'20" West along said East line, 245.92 feet; thence West, 158.17 feet; thence South 00°41'20" West parallel with said East line, 281.00 feet; thence West, 421.18 feet to the true point of beginning.

RECEIVED

MAY 09 2008

WATER RESOURCES DEPT  
SALEM OREGON

BRYANT, EMERSON & FITCH, LLP  
ATTORNEYS AT LAW  
888 S.W. EVERGREEN AVENUE  
P.O. BOX 457  
REDMOND, OREGON 97756-0103  
TELEPHONE (541) 548-2151  
FAX (541) 548-1895

EXHIBIT A  
PAGE 1

**EXHIBIT B  
EXCEPTIONS**

1. Easements, or claims of easement, not shown by the public records; reservation or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or other facts which a correct survey would disclose.
3. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Central Oregon Irrigation District.
4. The rights of the public in and to that portion of the herein described property lying with the limits of public roads, streets or highways.
5. Agreement to Participate in the Formation of a Local Improvement District, including the terms and provisions thereof, between the City of Redmond, Oregon and Duane Balcom recorded December 15, 2000, in volume 2000, Page 50510, Deschutes County Records.

**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

**BRYANT, EMERSON & FITCH, LLP**

ATTORNEYS AT LAW

888 S.W. EVERGREEN AVENUE  
P.O. BOX 457  
REDMOND, OREGON 97756-0103  
TELEPHONE (541) 548-2151  
FAX (541) 548-1895

EXHIBIT   B  

PAGE   1

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2006-01413



\$36.00

00420002200000014130030038

01/09/2006 01:01:30 PM

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

# DESCHUTES COUNTY CLERK

## CERTIFICATE PAGE



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

**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON



After Recording return to:  
Central Oregon Irrigation District  
2598 North Highway  
Redmond, OR 97756



MAIL TAX STATEMENT  
TO: NO CHANGE

### QUITCLAIM DEED

#### FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Boulder Brook Owner's Association, 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 "All of the common areas located within Phase 4 of the Plat of BOULDER BROOK Subdivision, plat recorded as follows: Phase 4: recorded September 8, 2003, as Document No. 2003-62008"; release their claim and responsibility for 0.50 acres of COID water rights that are appurtenant to the lands described above 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, located on land commonly known as: 15-13-19 SW SW 1429.

COID may elect to complete a 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. COID 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 described above, 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 0.50 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 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:

Christine Turner Date 12-13-05  
Christine Turner, President

Jaci Minikis Date 12-13-05  
Jaci Minikis, Secretary

State of Oregon )  
) ss.  
County of Deschutes )

This instrument was acknowledged before me on December 13, 2005 by Christine Turner as President of Boulder Brook Owner's Association.



Jennifer Koue  
Notary Public

**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on December 13, 2005 by Jaci Minikis as Secretary of Boulder Brook Owner's Association.



Jaci Minikis  
Notary Public

Grantee:  
[Signature]

Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District Date 27 Dec. 2005

State of Oregon )  
 ) ss.  
County of Deschutes)

This instrument was acknowledged before me on December 27, 2005 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Jaci Clark  
Notary Public



**RECEIVED**  
MAY 09 2008  
WATER RESOURCES DEPT  
SALEM, OREGON



Unless Otherwise Requested, All  
Tax Statements Shall be Sent to:

*Boulder Brook Homeowners Association*  
*P.O. Box 2449, Redmond, OR, 97756*

AFTER RECORDING RETURN TO:  
BRYANT EMERSON & FITCH  
PO BOX 457  
REDMOND, OR 97756

**BARGAIN AND SALE DEED**

CASCADE DEVELOPMENT & INVESTMENTS, LLC, Grantor, grants, bargains, sells and conveys unto **BOULDER BROOK OWNERS ASSOCIATION** the following described real property, situated in the County of Deschutes State of Oregon, to-wit:

All of the common areas located within Phases 2, 3 and 4 of the Plate of Boulder Brook Subdivision, plat recorded as follows:

- Phase 2: recorded May 27, 2003, as Document No. 2003-34992
- Phase 3: recorded May 27, 2003, as Document No. 2003-34992
- Phase 4: recorded September 8, 2003, as Document No. 2003-62008

**RECEIVED**

MAY 09 2004

**WATER RESOURCES DEPT  
SALEM, OREGON**

**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 \$0.

**DATED** this 8<sup>th</sup> day of November, 2004.

Cascade Development & Investments, LLC

*Lee Dorsey*  
Lee Dorsey, Member

STATE OF OREGON )

: ss.

County of Deschutes )

Personally appeared before me this 8 day of November, 2004, the above-named Lee Dorsey and acknowledged the foregoing instrument to be her voluntary act and deed.



*J. K.*  
Notary Public of Oregon  
My Commission Expires: 10.6.07



DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2007-07709



\$36.00

005269262007000770900020024

02/06/2007 12:37:45 PM

D-D Cnt=1 Str=4 TH  
\$10.00 \$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, Kimberly Mountain Development, LLC as to an undivided 62% interest and George M. Grabenhorst as to an undivided 38% interest, as tenants in common, 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: Parcel Three (3) of Partition Plat 2001-47, a parcel of land located in the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) and the Southwest Quarter of the Northeast Quarter (SW ¼ NE ¼) of Section Nineteen (19), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon ("Subject Lands"), 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, located on land commonly known as: 15-13-19 SW NE 600.

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 1.75 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: \$1,750.00

Grantor:

Robert Duncan  
Kimberly Mountain Development, LLC

Date 12/26/06

George M. Grabenhorst  
George M. Grabenhorst

Date 1/25/07

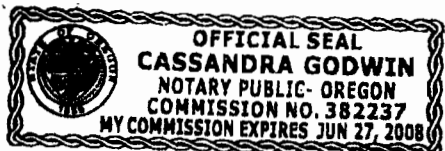
**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

State of Oregon )  
                          ) ss.  
County of Deschutes )

This instrument was acknowledged before me on December 26, 2006 by Robert Duncan as  
for Kimberly Mountain Development, LLC.



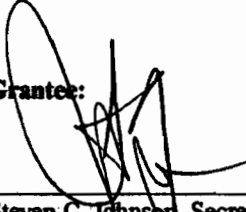
Cassandra Godwin  
Notary Public

State of Oregon )  
                                  ) ss.  
County of Marion Deschutes )

This instrument was acknowledged before me on Jan. 25, 2007 by George M. Grabenhorst.



K.T.M.  
Notary Public

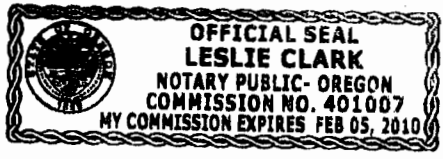
Grantee:  


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

Date 26 Jan. 2007

State of Oregon )  
                                  ) ss.  
County of Deschutes)

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



Leslie Clark  
Notary Public

**RECEIVED**  
MAY 09 2008  
WATER RESOURCES DEPT  
SALEM, OREGON



After recording return to:  
 KIMBERLY MOUNTAIN DEVELOPMENT,  
 LLC  
 336 SW BLACK BUTTE BLVD #B  
 REDMOND, OR 97756

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

KIMBERLY MOUNTAIN DEVELOPMENT,  
 LLC  
 336 SW BLACK BUTTE BLVD #B  
 REDMOND, OR 97756

Escrow No. BA083630LR  
 Title No. 083630

SWD

THIS SPACE

DESCHUTES COUNTY OFFICIAL RECORDS  
 NANCY BLANKENSHIP, COUNTY CLERK

2006-03596



\$31.00

00431305200000035000010018

01/18/2006 03:53:30 PM

D-D Cnt=1 Str=1 BECKEY  
 \$5.00 \$11.00 \$10.00 \$5.00

**STATUTORY WARRANTY DEED**

**PAMELA K. PALMER**, Grantor(s) hereby convey and warrant to **KIMBERLY MOUNTAIN DEVELOPMENT, LLC AS TO AN UNDIVIDED 62 % INTEREST** and **GEORGE M GRABENHORST AS TO AN UNDIVIDED 38% INTEREST**, as tenants in common, Grantee(s) the following described real property in the County of **DESCHUTES** and State of Oregon free of encumbrances except as specifically set forth herein:

Parcel Three (3) of Partition Plat 2001-47, a parcel of land located in the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) and the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) of Section Nineteen (19), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 16 day of Jan, 2006  
  
 PAMELA K. PALMER



State of Oregon  
 County of DESCHUTES

This instrument was acknowledged before me on 1/16, 2006 by PAMELA K. PALMER.

(Notary Public for Oregon)  
 My commission expires \_\_\_\_\_

**RECEIVED**

NOV 09 2008

**WATER RESOURCES DEPT  
 SALEM, OREGON**

After recording, return to  
 AmeriTitle  
 15 OREGON AVENUE, BEND



DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2008-14091



\$41.00

00600431200800140010030032

03/31/2008 12:01:24 PM

D-D Cnt=1 Str=1 BN  
\$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, Nanaline J. McLaren, the rightful owner of real property referenced herein, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in water rights appurtenant the land described in Exhibit "A" ("Subject Land") attached and incorporated by this reference and commonly known as: 15-13-29 NE NE 3400. Grantor further releases claim and responsibility for all of the primary and supplemental irrigation water rights appurtenant to the Subject Land, being 0.37 acres, more or less, of water rights issued on Certificates in the name of Central Oregon Irrigation District and to any other water rights that are specifically appurtenant to the Subject Land.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Land 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 referenced herein that are appurtenant to the Subject Land; that the interest in the water rights appurtenant to the Subject Land may not be conveyed in subsequent real estate transactions of the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will no longer have an appurtenant water right.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 0.37 acres of water rights.

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

Consideration for this Quitclaim: \$370.00

DATED this 28<sup>th</sup> day of March, 2008.

Grantor:

Nanaline J. McLaren  
Nanaline J. McLaren

Date March 28, 2008

**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

State of Oregon )  
) ss.  
County of Deschutes )

This instrument was acknowledged before me on March 28, 2008 by Nanaline J. McLaren.



Leslie Clark  
Notary Public for Oregon

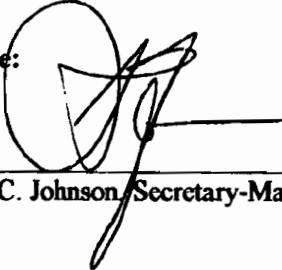
Recorded by Western Title as an accommodation only. No liability accepted for condition of title or validity, sufficiency or affect of document. *B*

State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_

\_\_\_\_\_  
Notary Public for Oregon

Grantee:



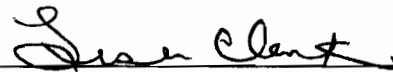
Date 28 March 2008

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

State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on March 28, 2008 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



  
\_\_\_\_\_  
Notary Public for Oregon

**RECEIVED**  
MAY 09 2008  
WATER RESOURCES DEPT  
SALEM, OREGON



EXHIBIT "A"  
LEGAL DESCRIPTION

Lot Eight (8) in Block Two (2), of WINDROW ACRES, recorded June 24, 1965, in Cabinet A, Page 126, Deschutes County, Oregon.

EXCEPT:

Beginning at the Southeasterly corner Lot Eight (8), Block Two (2), WINDROW ACRES Subdivision, said point being the True Point of Beginning; thence North 87°09'00" West, a distance of 64.50 feet; thence North 87°09'00" West, a distance of 64.50 feet; thence North 02°51'00" East, a distance of 50.14 feet; thence South 49°17'30" East, a distance of 81.69 feet to the True Point of Beginning, all in Deschutes County, Oregon.

ALSO EXCEPTING THEREFROM:

A parcel of land situate in a portion of Lots Seven (7) and Eight (8), Block Two (2) of WINDROW ACRES, a subdivision located in Section Twenty-nine (29), 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 the Southeast corner of Lot 8, Block 2 of WINDROW ACRES, the initial point; thence North 87°09'00" West along the South line of said Lot 8, 64.50 feet to the True Point of Beginning; thence North 87°09'00" West along said South line, 75.00 feet; thence North 02°51'00" East normal to said South line, 108.44 feet to the Northeast line of said Lot 8; thence South 49°17'30" East along said Northeast line, 13.30 feet to a 5/8" iron rod set by Clell Goodwin on January 22, 1979; thence South 87°09'00" East parallel with said South line, 64.50 feet to a 5/8" iron rod set by Clell Goodwin on January 22, 1979; thence South 02°51'00" West normal to said South line, 100.28 feet to the point of beginning.

ALSO EXCEPTING THEREFROM:

A parcel of land situate in a portion of Lot Eight (8), Block Two (2) of WINDROW ACRES, a subdivision located in Section Twenty-nine (29), 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 the Southeast corner of Lot 8, Block 2 of WINDROW ACRES, the initial point; thence North 87°09'00" West along the South line of said Lot 8, 139.50 feet to the True Point of Beginning; thence North 02°51'00" East normal to said South line, 108.44 feet to the Northeast line of said Lot; thence North 49°17'30" West along said North line, 94.99 feet; thence South 02°51'00" West normal to said South line, 166.73 feet to the South line of said Lot; thence South 87°09'00" East along said South line, 75.00 feet to the point of beginning.

**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that EBERHARD KLAUS BOEGELSACK and NOELA K. BOEGELSACK, husband and wife, hereinafter called the GRANTORS for the consideration hereinafter stated, to GRANTORS paid by NANALINE J. McLAREN, a single woman, hereinafter called the GRANTEE, do hereby grant, bargain, sell and convey unto the said GRANTEE and GRANTEE's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Deschutes and State of Oregon, described as follows, to-wit:

Lot 8, Block 2, Windrow Acres, Deschutes County, Oregon.  
 TOGETHER WITH .66 acre of water rights through the Central Oregon Irrigation System.

SUBJECT TO easements and rights of way of record and conditions and restrictions of record.

TO HAVE AND TO HOLD the same unto the said GRANTEE and GRANTEE's heirs, successors and assigns forever.

And said GRANTORS hereby covenant to and with said GRANTEE and GRANTEE's heirs, successors and assigns, that GRANTORS are lawfully seized in fee simple of the above granted premises, free from all encumbrances, except as above set forth, and that GRANTORS will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$17,964.37.

WITNESS GRANTORS hands this 27 day of September, 1972.

Eberhard Klaus Boegelsack  
 Eberhard Klaus Boegelsack  
Noela K. Boegelsack  
 Noela K. Boegelsack

STATE OF OREGON }  
 County of Deschutes } ss. September 27, 1972

Personally appeared the above named EBERHARD KLAUS BOEGELSACK and NOELA K. BOEGELSACK, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Dorothy M. Robinson  
 Notary Public for Oregon  
 My Comm. expires: 5-1-74



**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
 SALEM, OREGON

STATE OF OREGON  
 County of Deschutes  
 I hereby certify that the within instrument of writing was recorded for Record the 2 day of Sept. A.D. 1972 at 2:42 of clock P. M. and recorded in Book 189, on Page 924 Records of Deschutes  
 ROSEMARY PATTERSON  
 County Clerk  
 By Janice K. Ball Deputy



DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2008-16365



\$41.00

00608866200800103650030032

04/14/2008 03:41:17 PM

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

4  
After Recording return to:  
Central Oregon Irrigation District  
1055 S.W. Lake Court  
Redmond, OR 97756

MAIL TAX STATEMENT  
TO: NO CHANGE

3  
**QUITCLAIM DEED  
WATER CONVEYANCE AGREEMENT  
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Darrell Brill and Gloria Brill, husband and wife, the rightful owner of real property referenced herein, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in water rights appurtenant the land described in Exhibit "A" ("Subject Land") attached and incorporated by this reference and commonly known as: 15-13-29 NW NE 1100. Grantor further releases claim and responsibility for all of the primary and supplemental irrigation water rights appurtenant to the Subject Land, being 0.55 acres, more or less, of water rights issued on Certificates in the name of Central Oregon Irrigation District and to any other water rights that are specifically appurtenant to the Subject Land.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Land 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 referenced herein that are appurtenant to the Subject Land; that the interest in the water rights appurtenant to the Subject Land may not be conveyed in subsequent real estate transactions of the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will no longer have an appurtenant water right.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 0.55 acres of water rights.

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

Consideration for this Quitclaim: \$550.00

DATED this 28 day of March, 2008.

Grantor:

Darrell Brill  
Darrell Brill

Gloria Brill  
Gloria Brill

State of Oregon )  
) ss.  
County of Deschutes )

**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

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

B

This instrument was acknowledged before me on March 28, 2008 by Darrell Brill.



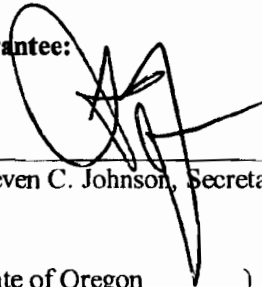
Leslie Clark  
Notary Public for Oregon

State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on March 28, 2008 by Gloria Brill.



Leslie Clark  
Gloria Brill

Grantee:  


Date 28 March, 2008

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

State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on March 28, 2008 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Leslie Clark  
Notary Public for Oregon

**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

**EXHIBIT "A"**

**Lot Six (6), Block Five (5), BROWN'S SECOND ADDITION, Deschutes County,  
Oregon. EXCEPTING the South 100 feet of the East 85 feet.**

**RECEIVED**

**MAY 09 2008**

**WATER RESOURCES DEPT  
SALEM, OREGON**

After recorded, return to: Key Escrow Company/Redmond

83-20965

VOL 35 PAGE 808

83-18329

VOL 31 PAGE 413

MEMORANDUM OF CONTRACT

KNOW ALL MEN BY THESE PRESENTS, that notice is hereby given to whom it may concern that under and by virtue of a certain agreement of sale dated October 28, 1983, for and in consideration of the sum of SIX THOUSAND AND NO/100 (\$6,000.00) DOLLARS, RUSSELL E. BRYANT, has agreed to sell to DARRELL BRILL and GLORIA BRILL, husband and wife, the following described real property located in Deschutes County, State of Oregon:

Lot Six (6), Block Five (5), BROWN'S SECOND ADDITION, Deschutes County, Oregon, EXCEPTING THEREFROM the South 100 feet of the East 85 feet.

"THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES."

SUBJECT TO AND EXCEPTING:

- A. Taxes for the fiscal year 1983-84, a lien in the amount to be determined, but not yet payable;
- B. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Central Oregon Irrigation District.

That said agreement in part provides that the taxes shall be prorated as of October 31, 1983, and thereafter shall be the obligation of the Purchaser.

WITNESS my hand this 28 day of October, 1983.

*Russell E. Bryant*  
RUSSELL E. BRYANT

**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

STATE OF OREGON )  
                          ) ss.  
County of Deschutes)

The foregoing instrument was acknowledged before me this 28 day of October, 1983, by RUSSELL E. BRYANT.

Notary Public for Oregon  
My Commission Expires \_\_\_\_\_

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

PO Box 54  
Redmond, Oregon 97756

*Diiane Gulley*  
DIANE GULLEY  
NOTARY PUBLIC - OREGON  
MY COMMISSION EXPIRES 10/31/06

Re-recorded to correct legal description 27-5630

After recording please return to:  
Key Beckow Company  
Redmond Office

0101-1-118

VOL 35 PAGE 809

RECEIVED

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON ) SS.  
COUNTY OF DESCHUTES )

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

1983 OCT 31 AM 10:06  
MARY SUE PENHOLLOW  
COUNTY CLERK

BY: Mary Sue Penhollow DEPUTY  
NO. 83-18329  
FEE 5-  
DESCHUTES COUNTY OFFICIAL RECORDS

STATE OF OREGON ) SS.  
COUNTY OF DESCHUTES )

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

1983 DEC -6 PM 3:10  
MARY SUE PENHOLLOW  
COUNTY CLERK

BY: Mary Sue Penhollow DEPUTY  
NO. 83-20855  
FEE 5-  
DESCHUTES COUNTY OFFICIAL RECORDS



DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2008-03321



\$36.00

00504699200800033210020024

01/23/2008 11:55:20 AM

D-D Cnt=1 Str=7 BN  
\$10.00 \$11.00 \$10.00 \$5.00

36  
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, Gregory R. Madesh and Laurie Madesh, as tenants by the entirety, the rightful owner of real property referenced herein, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in water rights appurtenant the land described as: Parcel Three (3) of Partition Plat No. 2000-52, recorded October 9, 2000, in Cabinet 2, Page 107, Deschutes County, Oregon ("Subject Land") attached and incorporated by this reference and commonly known as: 15-13-30 NW NW 00907. Grantor further releases claim and responsibility for all of the primary and supplemental irrigation water rights appurtenant to the Subject Land, being 1.70 acres, more or less, of water rights issued on Certificates in the name of Central Oregon Irrigation District and to any other water rights that are specifically appurtenant to the Subject Land.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Land 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 referenced herein that are appurtenant to the Subject Land; that the interest in the water rights appurtenant to the Subject Land may not be conveyed in subsequent real estate transactions of the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will no longer have an appurtenant water right.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 1.70 acres of water rights.

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

Consideration for this Quitclaim is: \$1,700.00

DATED this 22<sup>nd</sup> day of January, 2008.

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

Grantor:

Gregory R. Madesh  
Gregory R. Madesh

Date 1/22/08

Laurie Madesh  
Laurie Madesh

Date 1/21/08

**RECEIVED**

State of Oregon )  
) ss.  
County of Deschutes )

MAY 09 2008  
WATER RESOURCES DEPT  
SALEM, OREGON

This instrument was acknowledged before me on January 22, 2008 by Gregory R. Madesh.



Leslie Clark  
Notary Public for Oregon



State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on January 21, 2008 by Laurie Madesh.



Leslie Clark  
Notary Public for Oregon

Grantee:

Priscilla K. Ross Date 1/22/2008

~~Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District~~  
Priscilla K. Ross, Business Manager

State of Oregon )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on January 22, 2008 by Priscilla K. Ross  
~~Steven C. Johnson as~~  
Secretary-Manager for Central Oregon Irrigation District.  
Business Manager



Leslie Clark  
Notary Public for Oregon

**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

**VOL: 2000 PAGE: 47969**  
**RECORDED DOCUMENT**

STATE OF OREGON  
COUNTY OF DESCHUTES



\*2000-47969 \* Vol-Page

Printed: 11/27/2000 12:26:26

**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. 27, 2000; 11:51 a.m.

RECEIPT NO: 28927

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**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

WARRANTY DEED

30778-31  
2000-47969-1

VALUABLE LANDS, INC., A WASHINGTON CORPORATION,  
Grantor(s) hereby grant, bargain, sell, warrant and convey to:  
GREGORY R. MADESH and LAURIE MADESH, husband and wife,  
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 Three (3) of Partition Plat No. 2000-52, Deschutes County, Oregon.

PORTION OF 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                      80,000.00.

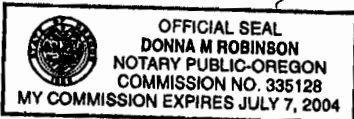
Until a change is requested, all tax statements shall be sent to Grantee at the  
following address: 625 S.W. 13TH, REDMOND, OR 97756

Dated this 22<sup>nd</sup> day of Nov., 2000.

VALUABLE LANDS, INC., A WASHINGTON  
CORPORATION  
BY: Tyler Fitzsimons  
TYLER FITZSIMONS,  
PRESIDENT/SECRETARY

State of Oregon  
County of DESCHUTES

This instrument was acknowledged before me on Nov. 22, 2000 by TYLER  
FITZSIMONS AS PRESIDENT/SECRETARY OF VALUABLE LANDS, INC..



Donna M. Robinson  
(Notary Public for Oregon)  
My commission expires 7/7/04

ESCROW NO. RD030798RR

Return to:  
GREGORY R. MADESH  
625 S.W. 13TH  
REDMOND, OR 97756

After recording, return to  
Amerititle  
15 OREGON AVENUE, BEND

**RECEIVED**  
MAY 09 2008  
WATER RESOURCES DEPT  
SALEM, OREGON

After Recording return to:  
Central Oregon Irrigation District  
2598 North Highway  
Redmond, OR 97756



MAIL TAX STATEMENT  
TO: NO CHANGE

### QUITCLAIM DEED

### FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, View Lane 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 as Parcels Two (2) and Three (3) of Partition Plat 2005-4, a parcel of land located in the South Half of the North Half (S 1/2 N 1/2) of Section Fourteen (14), Township Seventeen (17) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, release their claim and responsibility for 7.70 acres of COID water rights that are appurtenant to the lands described above, 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, located on land commonly known as: 17-12-14 SW NE 800 (2.50 acres irrigation); 17-12-14 SE NW 800 (3.95 acres irrigation); 17-12-14 SE NW 801 (1.25 acres irrigation).

COID may elect to complete a 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. COID 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 described above 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 7.70 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: \$7,700.00

Grantor:

Date 12/5/05

Gary Gasper, View Lane LLC

RECEIVED

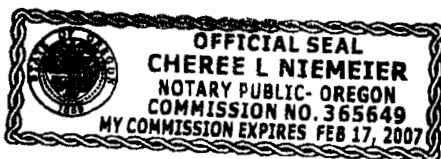
MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

State of Oregon )  
  ) ss.  
County of Deschutes )

This instrument was acknowledged before me on December 7, 2005  
View Lane LLC.

by Gary Gasper as Member for



Notary Public

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2005-87650



\$36.00

00424769200500876500020023

12/21/2005 11:42:43 AM

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

Grantee:

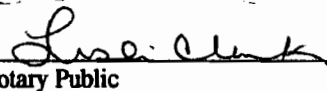


Date 12-12-2005

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

State of Oregon )  
                          ) ss.  
County of Deschutes)

This instrument was acknowledged before me on December 12, 2005 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.

  
\_\_\_\_\_  
Notary Public



**RECEIVED**  
MAY 09 2008  
WATER RESOURCES DEPT  
SALEM, OREGON



00343837200500115590030034

02/28/2005 01:15:03 PM

D-D Cnt=1 Stn=4  
\$10.00 \$11.00 \$10.00 \$5.00



After recording return to:  
View Lane LLC  
1460 NW Baltimore  
Bend, OR 97701

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

View Lane LLC  
1460 NW Baltimore  
Bend, OR 97701

File No.: 7061-501893 (MSR)  
Date: February 26, 2005

**STATUTORY BARGAIN AND SALE DEED**

**Gaspar Construction, Inc., an Oregon corporation, and C.O. Golf, LLC an Oregon Limited Liability Company**, Grantor, conveys to **View Lane, LLC, an Oregon Limited Liability Company**, Grantee, the following described real property:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

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 **\$Consolidation of entities**. (Here comply with requirements of ORS 93.030)

Dated this 28 day of February, 2005.

Gaspar Construction, Inc.  
By: [Signature]  
Gary Gaspar, President

**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM OREGON**

RECORDED BY FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON AS AN ACCOMMODATION ONLY. NO LIABILITY IS ACCEPTED FOR THE CONDITION OF TITLE OR FOR THE VALIDITY, SUFFICIENCY, OR EFFECT OF THIS DOCUMENT.

C.O. Golf, LLC

By: Mark D. Brumley  
Mark D. Brumley

STATE OF Oregon )  
)ss.  
County of Deschutes )

This instrument was acknowledged before me on this 28 day of February, 2005  
by Gary Gasper as President of Gasper Construction, Inc., on behalf of the corporation.



Cheryl J. Scott  
Notary Public for Oregon  
My commission expires: 8-7-2006

STATE OF Oregon )  
)ss.  
County of Deschutes )

This instrument was acknowledged before me on this 28 day of February, 2005  
by Mark D. Brumley as Manager of C.O. Golf, LLC, on behalf of the limited liability company.



Cheryl J. Scott  
Notary Public for Oregon  
My commission expires: 8-7-2006

**RECEIVED**  
MAY 09 2008  
WATER RESOURCES DEPT  
SALEM, OREGON

APN: 108812

Bargain and Sale Deed  
- continued

File No.: 7061-501893 (MSR)  
Date: 02/26/2005

**EXHIBIT A**

**LEGAL DESCRIPTION:**

Lots 2 and 3 of PARTITION PLAT NO. 2005-4, located in the South Half of the North Half (S1/2 N1/2) of Section 14, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon

**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**



After Recording return to:  
Central Oregon Irrigation District  
2598 North Highway  
Redmond, OR 97756



MAIL TAX STATEMENT  
TO: NO CHANGE

### QUITCLAIM DEED

### FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Gary Gasper Construction, Inc., 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 P-2005-4, View Lane in the South Half of the North Half (S 1/2 N 1/2) of Section Fourteen (14), Township Seventeen (17) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, release their claim and responsibility for 1.30 acres of COID water rights that are appurtenant to the lands described, 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, located on land commonly known as: 17-12-14 View Lane.

COID may elect to complete a 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. COID 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 described above, 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 1.30 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: \$1,300.00

Grantor:

Gary Gasper, Gasper Construction, Inc.

Date 12/7/05

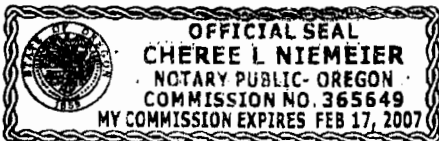
RECEIVED

MAY 09 2008

WATER RESOURCES DEPT  
SALEM OREGON

State of Oregon )  
County of Deschutes ) ss.

This instrument was acknowledged before me on December 7, 2005 by Gary Gasper as Member of Gasper Construction, Inc.



*Cheree L. Niemeier*  
Notary Public

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2005-87649



00424788200500876490020026

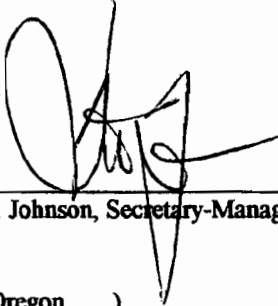
\$36.00

12/21/2005 11:42:43 AM

D-D Cnt=1 Str=4 TRACY

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

Grantee:

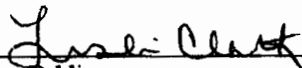


Date 12-12-2005

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

State of Oregon )  
                          ) ss.  
County of Deschutes)

This instrument was acknowledged before me on December 12, 2005 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.

  
\_\_\_\_\_  
Notary Public



**RECEIVED**  
MAY 09 2008  
WATER RESOURCES DEPT  
SALEM OREGON



After recording return to:  
GASPER CONSTRUCTION, INC.  
1460 NW Baltimore  
Bend, OR 97701

2/1/2

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

Title Order No. 06-53473  
Escrow No. DB-53473

534730M WARRANTY DEED - STATUTORY FORM

NO-KA-OI CONSTRUCTIONS, INC., an Oregon corporation, Grantor,

conveys and warrants to:

GASPER CONSTRUCTIONS, INC., an Oregon corporation, 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: 108812

Map No: 171214 BD 00800

**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 \$525,000.00 which is paid to an accommodator pursuant to an IRC 1031 exchange.

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

Dated this 7 day of April, 2004.

NO-KA-OI CONSTRUCTION, INC.

By: Ray R. Rosecrans  
RAY R. ROSECRANS, President

STATE OF OREGON, County of Deschutes )ss.

This instrument was acknowledged before me on April 7<sup>th</sup>, 2004, by RAY R. ROSECRANS who is the President on behalf of NO-KA-OI CONSTRUCTION, INC., an Oregon corporation.

**RECEIVED**  
MAY 09 2008  
WATER RESOURCES DEPT  
SALEM, OREGON

Diane F. Mowry  
Notary Public for Oregon

My commission expires: 9/12/04



## EXHIBIT "A"

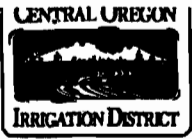
The following described tract of land located in Section 14, Township 17 South, Range 12 East, of the Willamette Meridian described as follows:

Beginning at Southwest corner of a parcel which is a 1/2 inch iron pipe located on the Easterly right of way of the Deschutes Market Road at a point that bears North 27° 05' East, 3,260.79 feet from the Southwest corner of Section 14, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon; thence North 01° 08' West, 306.05 feet along said road right of way; thence North 89° 56' 00" East 1,811.22 feet to the lower edge of the North Unit Canal embankment; thence following said embankment South 40° 11' 00" West, 94.51 feet; thence South 23° 15' 00" West, 186.65 feet and South 19° 47' West, 66.95 feet; thence South 89° 56' 00" West, 1,647.27 feet to the point of beginning.

**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON



DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2007-61944



\$46.00

00586048200700610440040041

11/30/2007 09:50:59 AM

D-D Cntw1 Stw4 TM  
\$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, Neal Cole Properties, LLC, 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: 17-12-22-NE SW 600 & 17-12-22-SE SW 600, release their claim and responsibility for all of the primary and supplemental irrigation water rights appurtenant to the Subject Lands, being 4.0 acres, more or less, of water rights issued on Certificates in the name of Central Oregon Irrigation District.

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; that the interest in the water rights appurtenant to the Subject Lands are not conveyed in subsequent real estate transactions; and that upon completion of a transfer, by election of COID, the Subject Land will no longer have an appurtenant water right.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 4.0 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: \$8,000.00

Grantor:

Neal Cole

Neal Cole Properties, LLC

Date 11/11/07

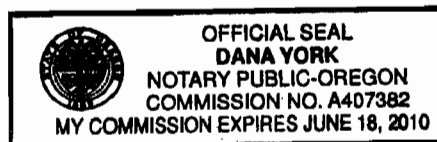
**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

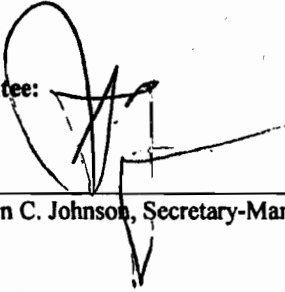
State of Oregon )  
) ss.  
County of Deschutes )

This instrument was acknowledged before me on Nov 11, 2007 by Neal Cole as owner for Neal Cole Properties, LLC.



Dana York  
Notary Public

Grantee:

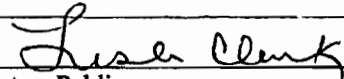


Date 16 Nov. 2007

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

State of Oregon )  
                          ) ss.  
County of Deschutes)

This instrument was acknowledged before me on November 16, 2007 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.

  
\_\_\_\_\_  
Notary Public



**RECEIVED**  
MAY 09 2008  
WATER RESOURCES DEPT  
SALEM OREGON

EXHIBIT "A"  
LEGAL DESCRIPTION

That part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section Twenty-two (22), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, lying on the Northerly side of Butler Market Road and more particularly bounded by a line beginning at the Northeast corner of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4); thence South on the Quarter Section line 31 feet; thence Southwesterly along the Northerly boundary of said road to intersection of the West boundary line of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4); thence North along said boundary line to the Northwest corner of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4); thence East along the North boundary line of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) to the point of beginning.

EXCEPT the following described parcel:

Commencing at the Northeast corner of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) thence South, a distance of 31 feet to the intersection of the right of way line of Butler Market Road with the Easterly line of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4), which is the point of beginning; thence North along the Easterly line of said tract, a distance of 31 feet to the Northeast corner of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4); thence West along the Northerly line of said tract, a distance of 575 feet to a point; thence South to the Northerly right of way line of Butler Market Road; thence Northeasterly along the Northerly right of way line of said Butler Market Road to the point of beginning.

ALSO that portion of the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section Twenty-two (22), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the Southeasterly corner of said Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4); thence West along the Southerly boundary thereof, a distance of 641 feet to the point of beginning; thence North at right angles to the Southerly boundary of said tract, a distance of 122 feet; thence West on a line parallel to the Southerly boundary of said tract, a distance of 679 feet to the Westerly boundary of said tract; thence South along the Westerly boundary of said tract, a distance of 122 feet; thence East along the Southerly boundary of said tract, a distance of 679 feet to the point of beginning, being a rectangular area 122 feet North and South and 679 feet East and West in the Southwest corner of said Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4), EXCEPT that portion lying within the right of way of the North Unit Main Canal as the same is now located over and across the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) and the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section 22, ALSO EXCEPT those portions conveyed to Deschutes County by instruments recorded March 15, 1971, in Book 174, Page 709, Deed Records, recorded February 12, 1971 in Book 174, Page 265, Deed Records, and recorded June 23, 1993 in Book 303, Page 573, official records.

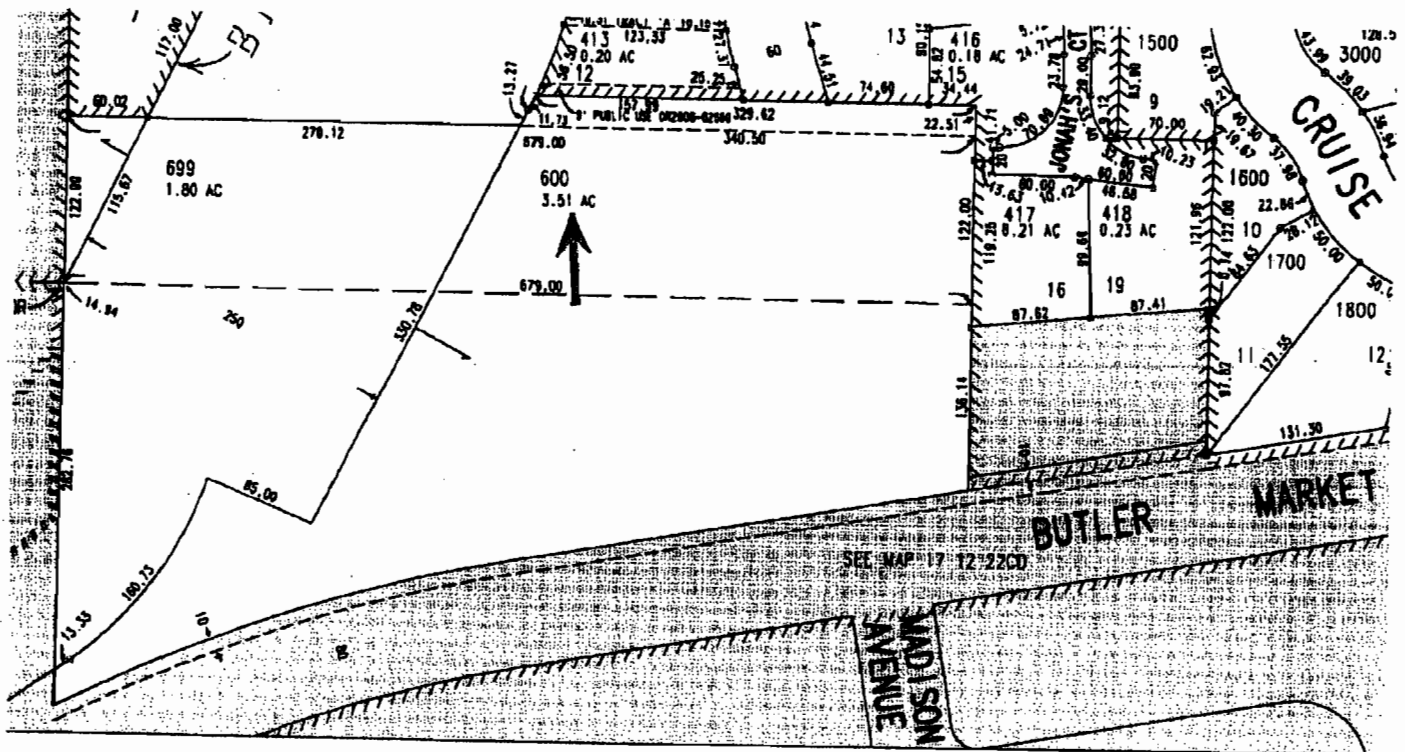
ALSO a parcel of land located in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section Twenty-two (22), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at a point located East 679.00 feet, and North 122.00 feet from the Southwest one-sixteenth corner of said Section 22; thence West 340.50 feet to the Easterly right-of-way of the North Unit Main Canal; thence along said right-of-way North 26°09'00" East 13.27 feet; and 11.73 feet along the arc of a 456.48 foot radius curve left, of which the chord bears North 25°24'52" East 11.73; thence East 329.62 feet; thence South 22.51 feet to the point of beginning.

**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON



COMPLIMENTS OF  
AmeriTitle

This sketch is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the Company assumes no liability for any loss occurring by reason of reliance thereon.

**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON





DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2006-61793



\$36.00

00483761286888617938828823

09/11/2006 03:11:40 PM

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

After recording return to:  
NEAL COLE PROPERTIES

63227 Service Road  
Bend, OR. 97701

Until a change is requested all  
tax statements shall be sent to  
The following address:  
NEAL COLE PROPERTIES  
63227 Service Road  
Bend, OR. 97701

### STATUTORY WARRANTY DEED

NEAL COLE PROPERTIES, L.L.C., Grantor(s) hereby convey and warrant to NEAL COLE PROPERTIES, L.L.C., Grantee(s) the following described real property in the County of DESCHUTES and State of Oregon, free of encumbrances except as specifically set forth herein:

#### SEE ATTACHED EXHIBIT 'A' FOR LEGAL DESCRIPTION

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is **to verify vesting and legal description.**

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 11 day of Sept, 2006.

*Traci L. Cole* member

TRACI L. COLE, MANAGING MEMBER OF NEAL COLE PROPERTIES, L.L.C.

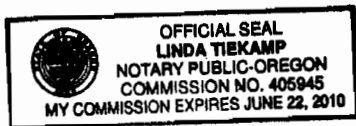
State of Oregon

County of Deschutes

This instrument was acknowledged before me on Sept 11, 2006 by TRACI L. COLE, MANAGING MEMBER OF NEAL COLE PROPERTIES, L.L.C., and confirmed to me to be her voluntary act and deed.

*Linda Tiekamp*  
(Notary Public)

My commission expires 6/22/10



**RECEIVED**

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

EXHIBIT "A"  
LEGAL DESCRIPTION

That part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section Twenty-two (22), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, lying on the Northerly side of Butler Market Road and more particularly bounded by a line beginning at the Northeast corner of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4); thence South on the Quarter Section line 31 feet; thence Southwesterly along the Northerly boundary of said road to intersection of the West boundary line of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4); thence North along said boundary line to the Northwest corner of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4); thence East along the North boundary line of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) to the point of beginning.

EXCEPT the following described parcel:

Commencing at the Northeast corner of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) thence South, a distance of 31 feet to the intersection of the right of way line of Butler Market Road with the Easterly line of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4), which is the point of beginning; thence North along the Easterly line of said tract, a distance of 31 feet to the Northeast corner of said Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4); thence West along the Northerly line of said tract, a distance of 575 feet to a point; thence South to the Northerly right of way line of Butler Market Road; thence Northeasterly along the Northerly right of way line of said Butler Market Road to the point of beginning.

ALSO that portion of the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section Twenty-two (22), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the Southeasterly corner of said Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4); thence West along the Southerly boundary thereof, a distance of 641 feet to the point of beginning; thence North at right angles to the Southerly boundary of said tract, a distance of 122 feet; thence West on a line parallel to the Southerly boundary of said tract, a distance of 679 feet to the Westerly boundary of said tract; thence South along the Westerly boundary of said tract, a distance of 122 feet; thence East along the Southerly boundary of said tract, a distance of 679 feet to the point of beginning, being a rectangular area 122 feet North and South and 679 feet East and West in the Southwest corner of said Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4), EXCEPT that portion lying within the right of way of the North Unit Main Canal as the same is now located over and across the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) and the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section 22, ALSO EXCEPT those portions conveyed to Deschutes County by instruments recorded March 15, 1971, in Book 174, Page 709, Deed Records, recorded February 12, 1971 in Book 174, Page 265, Deed Records, and recorded June 23, 1993 in Book 303, Page 573, official records.

ALSO a parcel of land located in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section Twenty-two (22), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at a point located East 679.00 feet, and North 122.00 feet from the Southwest one-sixteenth corner of said Section 22; thence West 340.50 feet to the Easterly right-of-way of the North Unit Main Canal; thence along said right-of-way North 26°09'00" East 13.27 feet; and 11.73 feet along the arc of a 456.48 foot radius curve left, of which the chord bears North 25°24'52" East 11.73; thence East 329.62 feet; thence South 22.51 feet to the point of beginning.

**RECEIVED**

MAY 09 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**



DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2006-51224



\$41.00

00462101260600512240030031

07/26/2006 03:51:20 PM

D-D Cnt=1 Str=26 SHIRLEY  
\$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

#### FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, 8<sup>th</sup> Street Cottages, 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 listed in Exhibit A, release their claim and responsibility for 0.50 acres of COID water rights that are appurtenant to the lands listed in Exhibit A, 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, located on land commonly known as: 17-12-28 NE SW 600 (0.15 acres irrigation); 17-12-28 NE SW 601 (0.35 acres irrigation), and more particularly described as in Exhibit A, attached, and incorporated by this reference.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A 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 per terms and conditions of Irrigation Contract to be recorded with the Deschutes County Clerk in conjunction with this Quitclaim Deed.

Grantor:

Timothy D. Nelson Date 7-24-06  
8<sup>th</sup> Street Cottages, LLC Timothy D. Nelson, Managing Member

State of Oregon )  
County of Deschutes ) ss.

RECEIVED

MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON

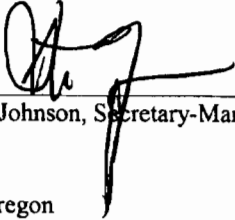
This instrument was acknowledged before me on July 24<sup>th</sup>, 2006 by Timothy D. Nelson as Managing Member for 8<sup>th</sup> Street Cottages, LLC.

Melissa Bailey  
Notary Public



Recorded by Western Title as an accommodation only. No liability accepted for condition of title or validity, sufficiency or affect of document. 7

Grantee:



Date 26 July 2006

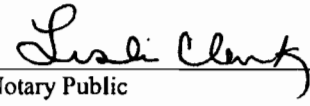
Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

State of Oregon

) ss.

County of Deschutes)

This instrument was acknowledged before me on July 24, 2006 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Notary Public



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SALEM, OREGON

EXHIBIT "A"  
LEGAL DESCRIPTION

PARCEL 1:

The Easterly portion of Lot One (1) in Block Four (4) of ELLIS SUBDIVISION, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the Southeast corner of said Lot 1; thence along the Southerly lot line of said Lot 1 West, 261.70 feet; thence leaving said Southerly line North 100.00 feet to a point on the Northerly lot line of said Lot 1; thence along the Northerly lot line East, 262.51 feet to a point of the Westerly right of way line of Butler Market Road (East 8<sup>th</sup> Street); thence along said right of way line along on an arc of a 1175.92 foot radius curve left, 43.72 feet; the chord of which bears South 01°03'42" West, 43.72 feet; thence South 56.29 feet to the Point of Beginning and terminus of this description.

PARCEL 2:

Lot One (1) in Block Six (6) and Lot One (1) in Block Four (4) of ELLIS SUBDIVISION, Deschutes County, Oregon.

TOGETHER WITH that portion of Seventh Street which inured to said Lots upon the vacation thereof by Ordinance No. NS-1234 dated April 16, 1947.

EXCEPTING THEREFROM the Easterly portion of Lot 1 in Block 4, of ELLIS SUBDIVISION, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the Southeast corner of said Lot 1; thence along the Southerly lot line of said Lot 1 West, 261.70 feet; thence leaving said Southerly line North 100.00 feet to a point on the Northerly lot line of said Lot 1; thence along the Northerly lot line East, 262.51 feet to a point of the Westerly right of way line of Butler Market Road (East 8<sup>th</sup> Street); thence along said right of way line along on an arc of 1175.92 foot radius curve left 43.72 feet, the chord of which bears South 01°03'42" West, 43.72 feet; thence South 56.29 feet to the Point of Beginning and terminus of this description.

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DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2006-25747



\$56.00

04/14/2006 04:00:06 PM

D-D Cnt=1 Str=2 JEFF  
\$10.00 \$11.00 \$10.00 \$5.00 \$20.00



After recording return to:  
8th Street Cottages, LLC  
497 SW Century Dr., Ste 105  
Bend, OR 97702

Until a change is requested all tax statements  
shall be sent to the following address:  
8th Street Cottages, LLC  
497 SW Century Dr., Ste 105  
Bend, OR 97702

File No.: 7061-775371 (CS)  
Date: March 02, 2006

### STATUTORY WARRANTY DEED

**Paul A. Selman and Gael A. Selman, as tenants by the entirety, Grantor, conveys and warrants to 8th Street Cottages, LLC, an Oregon Limited Liability Company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

**PARCEL I:**

**THE EASTERLY PORTION OF LOT ONE (1) IN BLOCK FOUR (4) OF ELLIS SUBDIVISION, CITY OF BEND, DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE SOUTHERLY LOT LINE OF SAID LOT 1 WEST, 261.70 FEET; THENCE LEAVING SAID SOUTHERLY LINE NORTH 100.00 FEET TO A POINT ON THE NORTHERLY LOT LINE OF SAID LOT 1; THENCE ALONG THE NORTHERLY LOT LINE EAST, 262.51 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF BUTLER MARKET ROAD (EAST 8TH STREET); THENCE ALONG SAID RIGHT OF WAY LINE ALONG ON AN ARC OF A 1175.92 FOOT RADIUS CURVE LEFT, 43.72 FEET; THE CHORD OF WHICH BEARS SOUTH 01°03'42" WEST, 43.72 FEET; THENCE SOUTH 56.29 FEET TO THE POINT OF BEGINNING AND TERMINUS OF THIS DESCRIPTION.**

**(TAX PARCEL 118741)**

**This property is free from liens and encumbrances, EXCEPT:**

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.

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SALEM OREGON**

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

APN: 118741

Statutory Warranty Deed  
- continued

File No.: 7061-775371 (CS)  
Date: 03/02/2006

The true consideration for this conveyance is **\$958,000.00**. (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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 13 day of April, 2006.

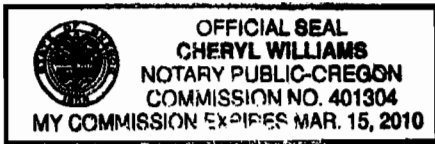
Paul A. Selman  
Paul A. Selman

Gael A. Selman  
Gael A. Selman

STATE OF Oregon )  
)ss.  
County of Deschutes )

This instrument was acknowledged before me on this 13<sup>th</sup> day of April, 2006  
by Paul A. Selman and Gael A. Selman.

Cheryl Williams



Notary Public for Oregon  
My commission expires: 3-15-2010

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MAY 09 2008

WATER RESOURCES DEPT  
SALEM, OREGON