



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

Application for Instream Lease Pooled Lease Form

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

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

Optional Identification by Lessor/Lessee: _____
Lease Application Number (assigned by WRD): IL-945

This Lease is between:

Lessor #2: Irrigation District or Other Water Purveyor

Name Arnold Irrigation District
Mailing address PO Box 9220
City, State, Zip Code Bend, OR 9708
Telephone number 541-382-7664
Email address aidist@bendbroadband.com

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 700 NW Hill St
City, State, Zip Code Bend, OR 97701
Telephone number 541-382-4077
Email address gen@deschutesriver.org

Trustee:

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

~I~ Water Right Holder and Water Right Information

1.2 Lessor #2 is the (Check one):

- Official representative of Arnold 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. 74197 and Supplemental 76714

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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.: 74197

Priority date: February 1, 1905 - April 25, 1905 Type of use: IRRIG

Legal Season of Use: April 1 - October 31

If an irrigation right, total number of acres to be leased: 112.54

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

Maximum rate associated with subject water rights (cfs) being leased: 0.548

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

Season 1 (cfs) February 1, 1905 - .642, April 25, 1905 - 2.207 Time period: _____

Season 2 (cfs) February 1, 1905 - .642, April 25, 1905 - 2.886 Time period: _____

Season 3 (cfs) February 1, 1905 - .642, April 25, 1905 - 3.851 Time period: _____

Maximum duty associated with subject water rights (ac-ft): 1735.37

Conditions or other limitations, if any: _____

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): canal diversion river mile 174.5 to Lake Billy Chinook river mile 120

Maximum volume in acre-feet: February 1, 1905 - 95.34, April 25, 1905 - 387.00; Total - 482.34 af

Rate in cfs: February 1, 1905 - .225, April 25, 1905 - 0.548

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

Rate in cfs: February 1, 1905 - .225, April 25, 1905 - 0.785

Rate in cfs: February 1, 1905 - .225, April 25, 1905 - 1.123

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

Conditions to prevent injury, if any:

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- None
- The instream flow will be allocated on a daily average basis up to the described rate from April 1 through October 31.
- 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.

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.

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

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

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

Lessor #2: Shawn Gerdes Date: 5/7/08
Shawn Gerdes, Manager, Arnold Irrigation District

Lessee: Genevieve Hubert Date: 5/8/2008
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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**This table will calculate flow rate factors and duty for Arnold Irrigation District
Instream Leases**

Enter Total Number of Acres to be Leased Instream Here	→	112.540
--	---	----------------

Information highlighted with pink font is to be entered on to the Instream Lease Application Form

For Primary Water Right - Certificate 74197

Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form			
The rate and duty identified in this section includes the 65% transmission loss.			
Enter Rates by Priority Date on Lease Form	Full Rate	February 1, 1905	April 25, 1905
Season 1	2.207	0.642	1.565
Season 2	2.886	0.642	2.244
Season 3*	3.851	0.642	3.209
* The rate identified for Season 3 has been proportioned such that the max rate allowed by the right (150.0 CFS) will not be exceeded if all acres were being irrigated.			
Duty (AF) associated with leased right for Section 1.5 of the Lease Application Form			
Duty (decree) AF/Acre =	15.42		
		1,735.37	

Rate (CFS) leased instream for Section 2.2 of the Lease Application Form			
The rate and duty identified in this section does not include the 65% transmission loss.			
Enter Rates by Priority Date on Lease Form	Full Rate	February 1, 1905	April 25, 1905
Season 1	0.772	0.225	0.548
Season 2	1.010	0.225	0.785
Season 3	1.348	0.225	1.123
Volume (AF) leased instream for Section 2.2 of the Lease Application Form			
	# days	AF/Season	Duty (decree) AF/Acre = 5.40
Season 1	61	93.45	Total = 607.38
Season 2	30	60.10	Feb. 1905 portion = 95.34
Season 3	123	328.79	April 1905 portion = 387.00
		482.34	
Additional Conditions to Prevent Injury for Section 2.2 of the Lease Application Form			
Water protected instream:	April 1 through October 31		

For Supplemental Water Right from Crane Prairie Reservoir - Certificate 76714

Duty Associated with Leased Right for Section 1.5 of the Additional Water Right Form	
1,735.37	

Volume (AF) leased instream for Section 2.2 of the Additional Water Right Form	
346.47	



State of Oregon
Water Resources Department
 725 Summer Street NE, Suite A
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Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

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

Optional Identification by Lessor/Lessee: _____
 Lease Application Number (assigned by WRD): IL-945

This Lease is with:

Lessor #1 (Water Right Holder):

Name JL Ward Company
 Mailing address 20505 Murphy Rd
 City, State, Zip Code Bend, OR 97702
 Telephone number 541-382-0491
 Email address jlw@jlwardco.com

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. 74197 & Supplemental 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.]

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T	R	Sect	¼ ¼	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	12	09	SW NW	01100	3.50	IRRIG	74197	10	2/5/1905- 4/25/1905 ✓
2.	18	12	09	SW NW	00900	0.50	IRRIG	74197	10	2/5/1905- 4/25/1905 ✓
3.	18	13	20	SW NE	00300	2.90	IRRIG	74197	22	2/5/1905- 4/25/1905 ✓
4.	18	13	20	SW NE	00600	0.35	IRRIG	74197	22	2/5/1905- 4/25/1905 ✓
5.	18	12	08	SW SE	01404	1.10	IRRIG	74197	9	2/5/1905- 4/25/1905 ✓

Total number of acres, if for irrigation, by certificate and priority date: 66.48 (Additional water shown on Attachment B - Section 1.5)

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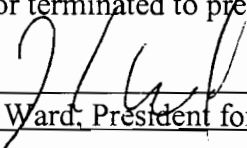
3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred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

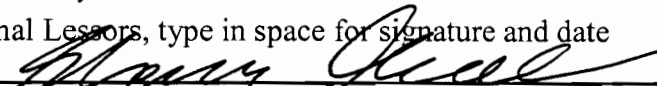
3.4 **Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

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: 5/5/08
Jan L. Ward, President for J.L. Ward Company

For additional Lessors, type in space for signature and date
Lessor #2:  Date: 5/5/08
Shawn Gerdes, Manager, Arnold Irrigation District

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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Attachment A – Section 1.1

Township 18S	Range 12E	Section 09	Tax Lot 01100
Township 18S	Range 12E	Section 09	Tax Lot 00900
Township 18S	Range 13E	Section 20	Tax Lot 00300
Township 18S	Range 13E	Section 20	Tax Lot 00600
Township 18S	Range 12E	Section 08	Tax Lot 01404
Township 18S	Range 12E	Section 08	Tax Lot 02500 (01802)
Township 18S	Range 13E	Section 19	Tax Lot 00200
Township 18S	Range 11E	Section 13	Tax Lot 01300 (02400)
Township 18S	Range 11E	Section 13	Tax Lot 02402 (02400)
Township 18S	Range 12E	Section 17	Tax Lot 02000
Township 18S	Range 12E	Section 17	Tax Lot 01800

Attachment B – Section 1.5 (cont'd)

	T	R	Sect	¼ ¼	Tax Lot	Acres	Type of Use	Cert#	Page(s)#	Priority
No. 6	18	12	08	SE NW	02500 (01802)	1.00	IRRIG	74197	8	2/5/1905- 4/25/1905
No. 7	18	13	19	NE NW	00200	1.32	IRRIG	74197	21	2/5/1905- 4/25/1905 ✓
No. 8	18	11	13	NE SW	01300 (02400)	0.23	IRRIG	74197	2	2/5/1905- 4/25/1905
No. 9	18	11	13	SW SE	02402 (02400)	2.61	IRRIG	74197	2	2/5/1905- 4/25/1905
No. 10	18	11	13	SE SE	02402 (02400)	21.27	IRRIG	74197	2	2/5/1905- 4/25/1905 ✓
No. 11	18	11	13	NW SE	02402 (02400)	15.34	IRRIG	74197	2	2/5/1905- 4/25/1905
No. 12	18	11	13	NE SE	02402 (02400)	7.96	IRRIG	74197	2	2/5/1905- 4/25/1905
No. 13	18	12	17	NW SW	01800	3.00	IRRIG	74197	14	2/5/1905- 4/25/1905
No. 14	18	12	17	SW SW	02000	4.55	IRRIG	74197	14	2/5/1905- 4/25/1905
No. 15	18	12	18	SE SE	02000	0.85	IRRIG	74197	14	2/5/1905- 4/25/1905

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SALEM, OREGON

AID JL Ward Company Water

Priority 2/5/1905-4/26/1905

T	R	Sect	QQ	Taxlot	Acres	Type of Use	Cert #	Page #	Priority	Quitclaim Deed	Warranty Deed	Name
18	12	9	SWNW	01100	3.50	IRR	74197	10	1905		1993-1138	Barrows
18	12	9	SWNW	00900	0.50	IRR	74197	10	1905		1984-20676	Stevens
18	13	20	SWNE	00300	2.90	IRR	74197	22	1905		1999-35225	Downing
18	13	20	SWNE	00600	0.35	IRR	74197	22	1905		1999-35225	Downing
18	12	8	SWSE	01404	1.10	IRR	74197	9	1905		2004-70599	Frazier / Badger View Dev.
18	12	8	SENW	2500	1.00	IRR	74197	8	1905		1964-12849 (vol 138-253) Feb 25	McCullough
18	13	19	NENW	00200	1.32	IRR	74197	21	1905		1999-13252	Hughes
18	11	13	NESW	01300	0.23	IRR	74197	2	1905		2001-54972	NNP
18	11	13	SWSE	2402	2.61	IRR	74197	2	1905		2001-54972	NNP
18	11	13	SESE	2402	21.27	IRR	74197	2	1905		2001-54972	NNP
18	11	13	NWSE	2402	15.34	IRR	74197	2	1905		2001-54972	NNP
18	11	13	NESE	2402	7.96	IRR	74197	2	1905		2001-54972	NNP
18	12	17	NWSW	01800	3.00	IRR	74197	14	1905	2008-14445	2000-23686	ODOT
18	12	17	SWSW	02000	4.55	IRR	74197	14	1905	2008-13171	2007-11056	Gold Beach
18	12	18	SESE	02000	0.85	IRR	74197	14	1905	2008-13171	2007-11056	Gold Beach

Total Acres Leased 66.48

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AID JL Ward Company Water

Priority 2/5/1905-4/26/1905

T	R	Sect	QQ	Taxlot	Acres	Type of Use	Cert #	Page #	Priority	Quitclaim Deed	Warranty Deed	Name
18	12	9	SWNW	01100	3.50	IRR	74197	10	1905		1993-1138	Barrows
18	12	9	SWNW	00900	0.50	IRR	74197	10	1905		1984-20676	Stevens
18	13	20	SWNE	00300	2.90	IRR	74197	22	1905		1999-35225	Downing
18	13	20	SWNE	00600	0.35	IRR	74197	22	1905		1999-35225	Downing
18	12	8	SWSE	01404	1.10	IRR	74197	9	1905		2004-70599	Frazier / Badger View Dev.
18	12	8	SENW	2500	1.00	IRR	74197	8	1905		1964-12849 (vol 138-253) Feb 25	McCullough
18	13	19	NENW	00200	1.32	IRR	74197	21	1905		1999-13252	Hughes
18	11	13	NESW	01300	0.23	IRR	74197	2	1905		2001-54972	NNP
18	11	13	SWSE	2402	2.61	IRR	74197	2	1905		2001-54972	NNP
18	11	13	SESE	2402	21.27	IRR	74197	2	1905		2001-54972	NNP
18	11	13	NWSE	2402	15.34	IRR	74197	2	1905		2001-54972	NNP
18	11	13	NESE	2402	7.96	IRR	74197	2	1905		2001-54972	NNP
18	12	17	NWSW	01800	3.00	IRR	74197	14	1905	2008-14445	2000-23686	ODOT
18	12	17	SWSW	02000	4.55	IRR	74197	14	1905	2008-13171	2007-11056	Gold Beach
18	12	18	SESE	02000	0.85	IRR	74197	14	1905	2008-13171	2007-11056	Gold Beach

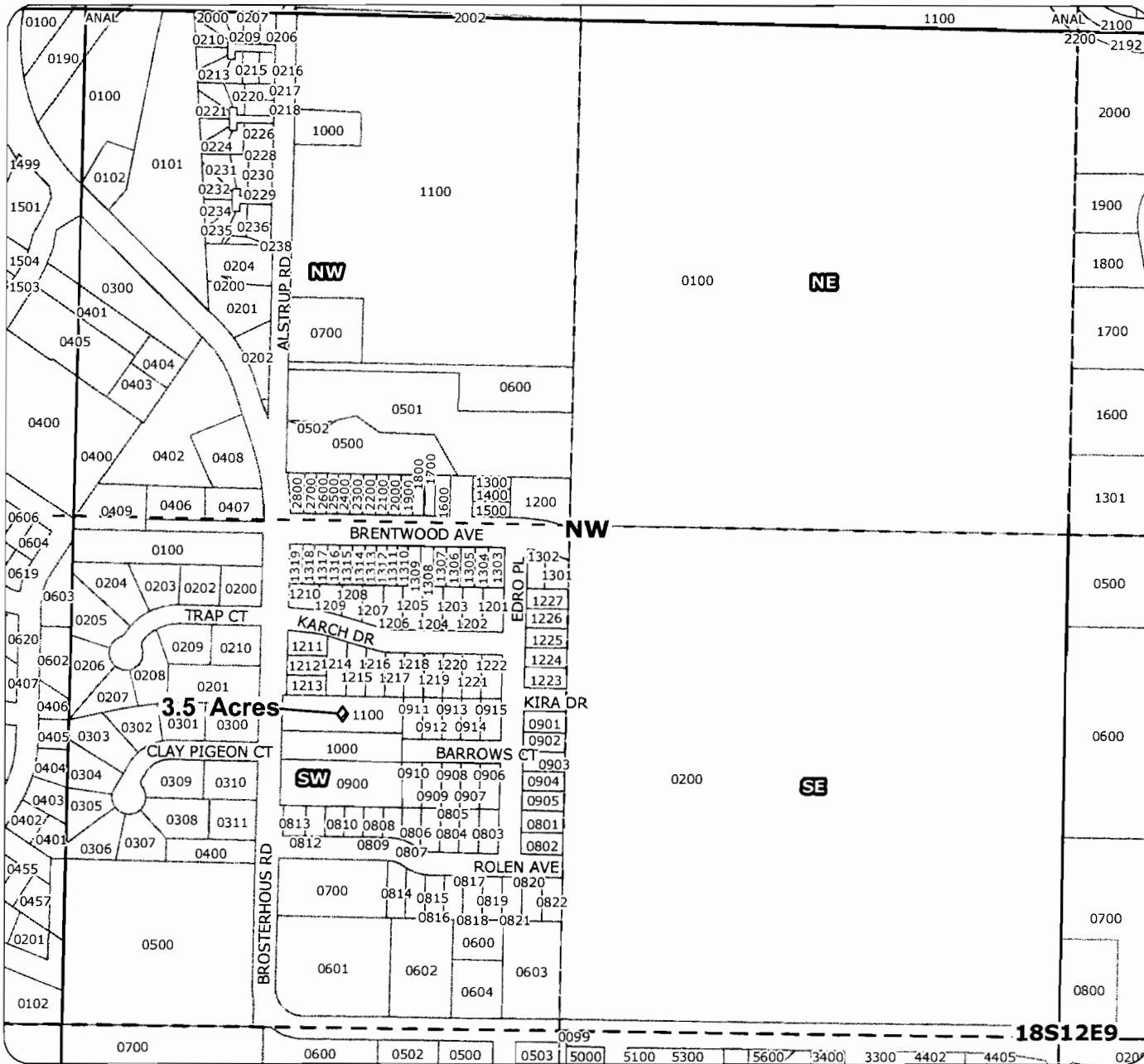
Total Acres Leased 66.48

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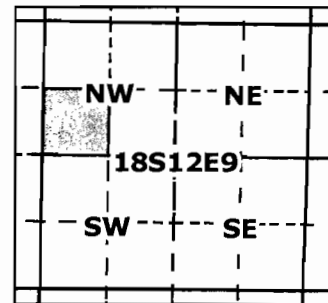
2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

 Proposed Lease of
Irrigation Rights
Water Rights

For:
Ward (Barrows)
Taxlot 1100 - 3.5 Acres
in 18S12E9SWNW
Total Lease of 3.5 Acres



Geo-Spatial Solutions, Inc.
www.geospatialsolutions.com

Date Created: May 2008

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WATER RESOURCES 1 inch equals 400 feet
SALEM, OREGON

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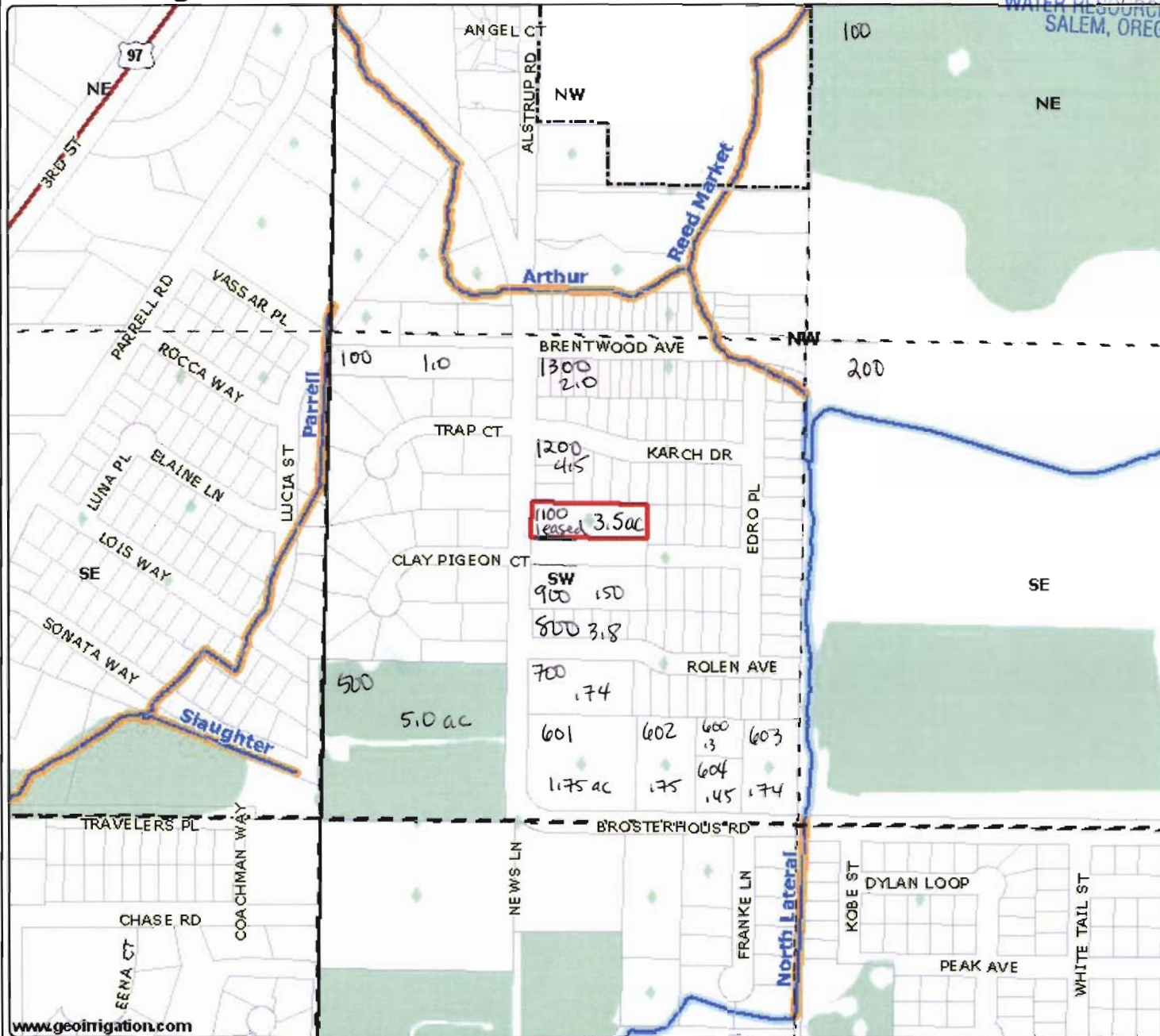
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Arnold Irrigation District

Barrows-181209-SWNW-01100-3.50

ac
181209BC01100



- District Boundary
- County Boundary
- State Roads
- Roads
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Canal All
- Canal Piped
- Canal Open
- Rivers
- Place of Use Fill

Tax lots
800, 1200, 1300
have been
canceled and
divided



Scale 1" = 400'
Created: 4/25/2008

www.geoimagination.com

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.



00618939200800255600040042

06/13/2008 03:34:53 PM

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

BARGAIN AND SALE DEED

Please Return to:
Juanita DeJarnett
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

Unless a change is requested,
All tax statements shall be sent to:
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

The true consideration for this transfer is forgiveness of future annual assessments.

Kenneth C. Barrows and Debra L. Barrows, Grantor, conveys to J.L. Ward Co., Grantee, on August 23, 2004 the following described real property:

3.50 acres of Arnold Irrigation District water rights located upon the following described real property, to-wit: 18-12-09-C0-0001100 (181209 SW ¼ NW ¼ Tax Lot 01100), located in Deschutes County, Oregon.

(See the attached Exhibit "A" for a more detailed description of the property.)

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 THE 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 FARM 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)).

Signed Nunc Pro Tunc this 23rd day of August, 2004.

RECEIVED

JUN 26 2008

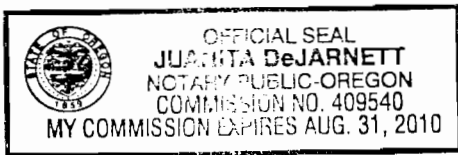
WATER RESOURCES DEPT
SALEM, OREGON

Kenneth C. Barrows, Grantor

Kenneth C. Barrows

STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 9TH day of MAY, 2008, by Kenneth C. Barrows, Grantor.



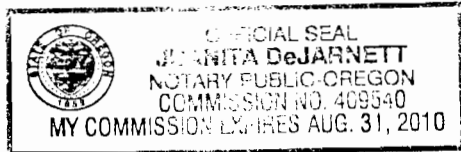
Juanita DeJarnett
NOTARY PUBLIC FOR OREGON
My commission expires: Aug. 31, 2010

Debra Barrows, Grantor

Debra Barrows

STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 9TH day of May, 2008, by Debra Barrows, Grantor.



Juanita DeJarnett
NOTARY PUBLIC FOR OREGON
My commission expires: Aug. 31, 2010

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

ACCEPTANCE

Jan L. Ward, President, JL Ward Company, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

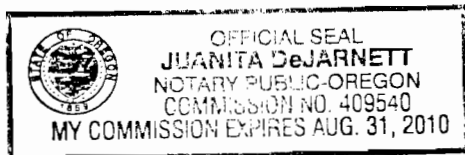
DATED this 2nd day of June, 2008.

JL Ward Company

By: JL Ward
Jan L. Ward, President

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Jan L. Ward, the above named president, and acknowledged the foregoing instrument on behalf of JL Ward Company. Before me this 2nd day of June, 2008.



Juanita DeJarnett
Notary Public for Oregon
My Commission Expires: Aug. 31, 2010

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT "A"

A parcel of land located in the Northwest ¼ of Section 9, T 18 S, R 12 E, W.M., City of Bend, Deschutes County, Oregon, which is described as follows:

Commencing at the Center-West 1/16 corner of said Section 9; thence N 00° 36' 20" E 576.82 feet; thence N 89° 17' 48" W 743.10 feet; thence N 00° 43' 46" E 195.08 feet to the true point of beginning; thence N 00° 43' 46" E 95.00 feet; thence S 89° 17' 48" E 315.99 feet; thence S 00° 42' 12" W 95.00 feet; thence N 89° 17' 48" E 315.89 feet to the true point of beginning, containing 0.69 acres more or less.

SUBJECT TO an easement for driveway purposes being 15.00 feet in width and being the South 15.00 feet of the above described parcel.

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

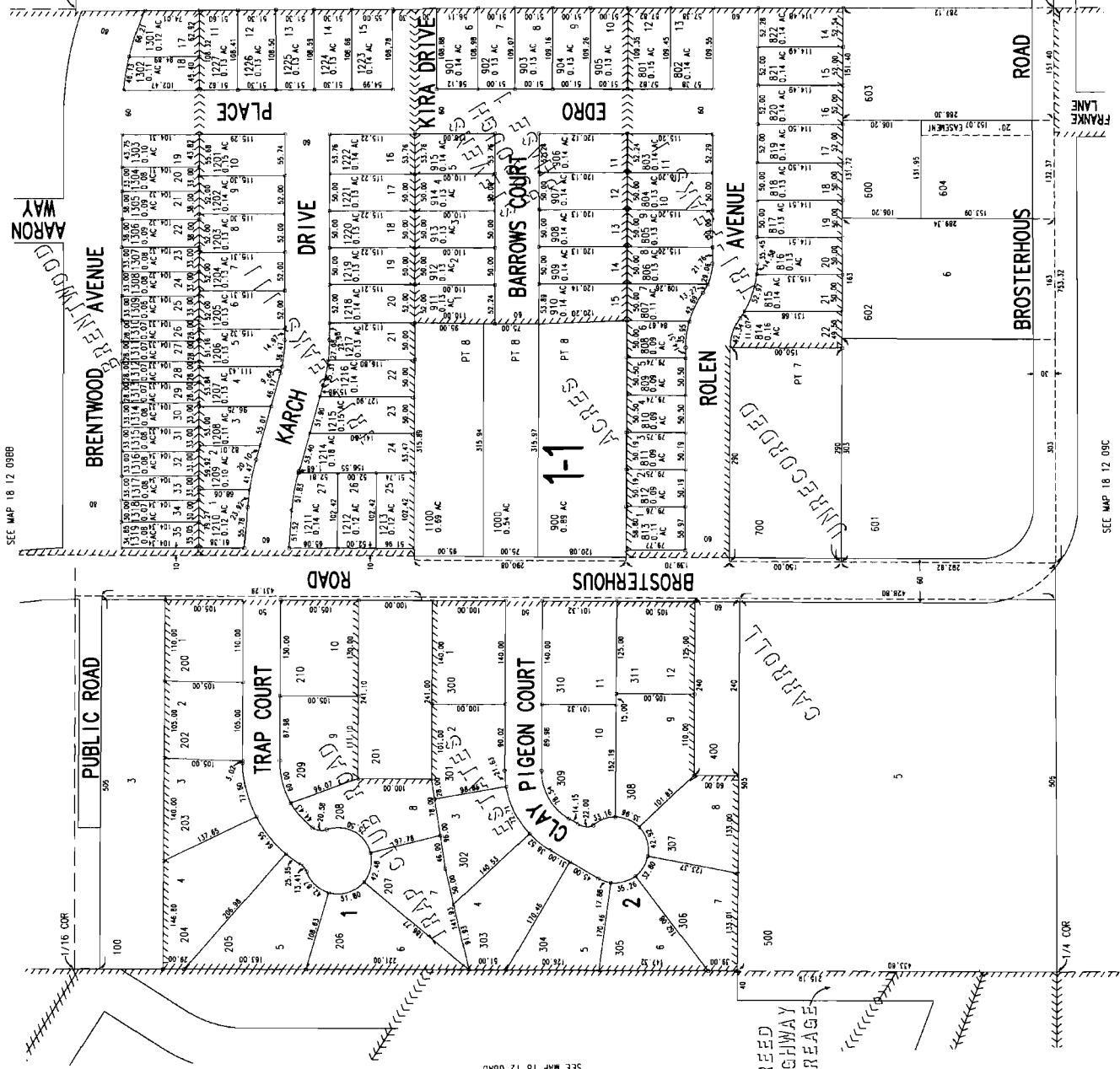
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY. REVISED: 12/29/2005

SW1/4 NW1/4 SEC. 09 T. 18S. R. 12E. W.M. DESCHUTES COUNTY

1" = 100'

18 12 09BC

SEE MAP 18 12 09BB
Cancelled Nos.
1700
1300



SEE MAP 18 12 09B

SEE MAP 18 12 09AD

SEE MAP 18 12 09C

18 12 09BC

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

18 12 09B
& INDEX

NW1/4 SEC. 09 T.18S. R.12E. W.M.
DESCHUTES COUNTY

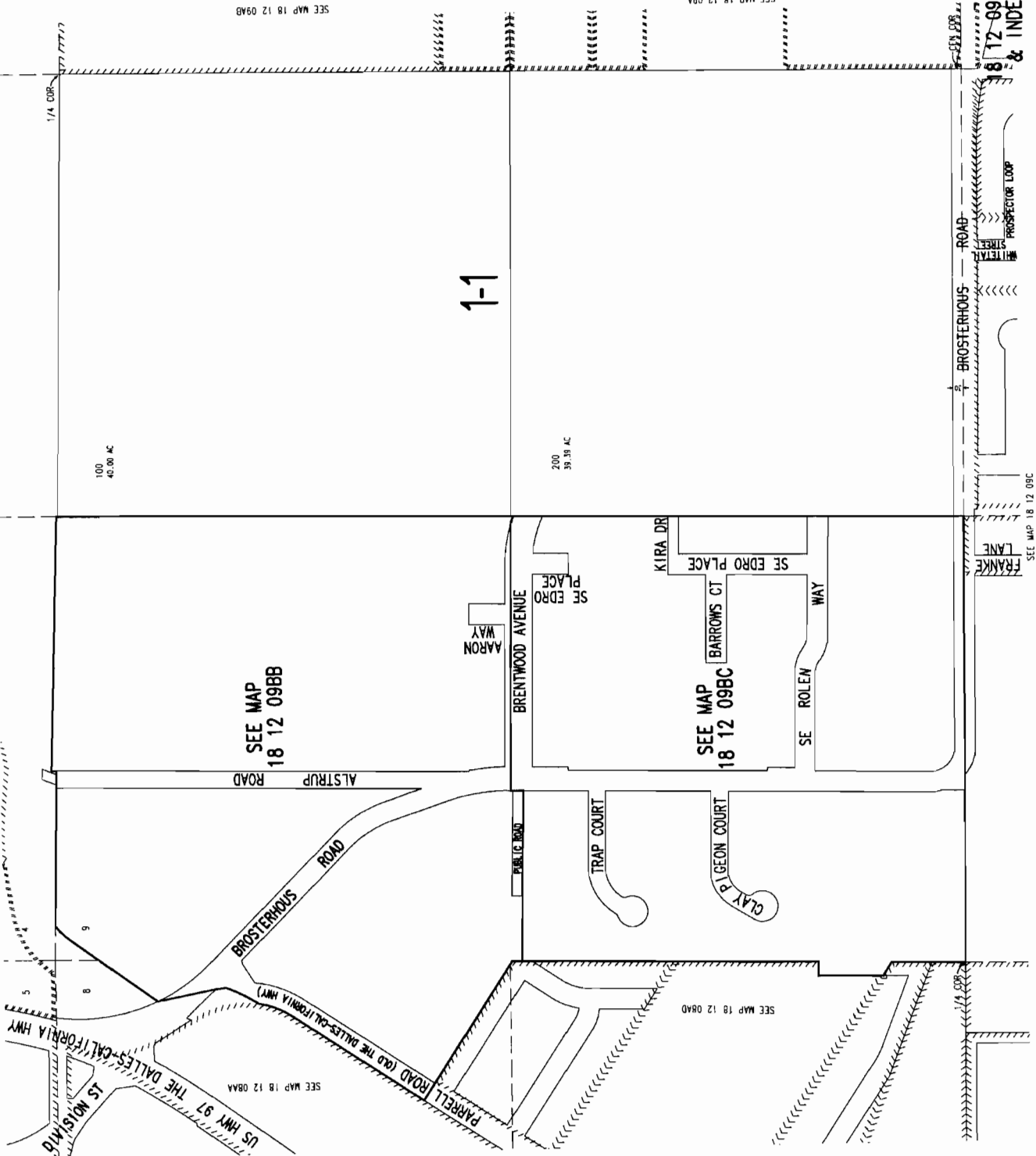
1" = 200'

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY
REVISED: 09/30/2005

SEE MAP 18 12 04CD

SEE MAP 18 12 04CC

1/4 COR



SEE MAP 18 12 09AB

SEE MAP 18 12 09A

18 12 09B
& INDEX

SEE MAP 18 12 09C

SEE MAP 18 12 09C

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

287 - 2789

After recording return to:
Kenneth D. Stevens
61450 Brosterhouse Rd
Bend OR 97702

93-01133

Send tax statements to:
Kenneth C. Barrows
51452 Brosterhouse Rd
Bend OR 97702

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that KENNETH D. STEVENS and PATRICIA A. STEVENS, Husband and Wife, hereinafter called the Grantor, for the consideration hereafter stated, to Grantor paid by KENNETH C. BARROWS and DEBRA L. BARROWS, Husband and Wife, with right of survivorship, hereinafter called the Grantee, does hereby grant, bargain, sell and convey unto the said Grantee and Grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining situated in the County of Deschutes and State of Oregon, described as follows, to-wit:

A parcel of land located in the Northwest 1/4 of Section 9, T 18 S, R 12 E, W.M., City of Bend, Deschutes County, Oregon, which is described as follows:

Commencing at the Center-West 1/16 corner of said Section 9; thence N 00°36'20" E 575.82 feet; thence N 89°17'48" W 743.10 feet; thence N 00°43'46" E 195.08 feet to the true point of beginning; thence N 00°43'46" E 95.00 feet; thence S 89°17'48" E 315.89 feet; thence S 00°42'12" W 95.00 feet; thence N 89°17'48" W 315.94 feet to the true point of beginning, containing 0.69 acres more or less.

SUBJECT TO an easement for driveway purposes being 15.00 feet in width and being the South 15.00 feet of the above described parcel.

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

And said Grantor hereby covenants to and with said Grantee and Grantee's heirs, successors and assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except: and that 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.

The true and actual consideration paid for this transfer, stated in terms of dollars is -0-.

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

IN WITNESS WHEREOF, the grantor has executed this instrument this 6th day of January, 1993.

Kenneth D. Stevens
KENNETH D. STEVENS

Patricia A. Stevens
PATRICIA A. STEVENS

STATE OF OREGON)
County of Deschutes) ss.

Personally appeared the above named KENNETH D. STEVENS and PATRICIA A. STEVENS and acknowledged the foregoing instrument to be their voluntary act. Before me this 6th day of January, 1993.

Don Weber
Notary Public for Oregon
My Commission Expires: 3-2-94



STATE OF OREGON)
COUNTY OF DESCHUTES) ss.

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

93 JUN 12 PM 2:48

MARY SUE PENNOLLO
COUNTY CLERK

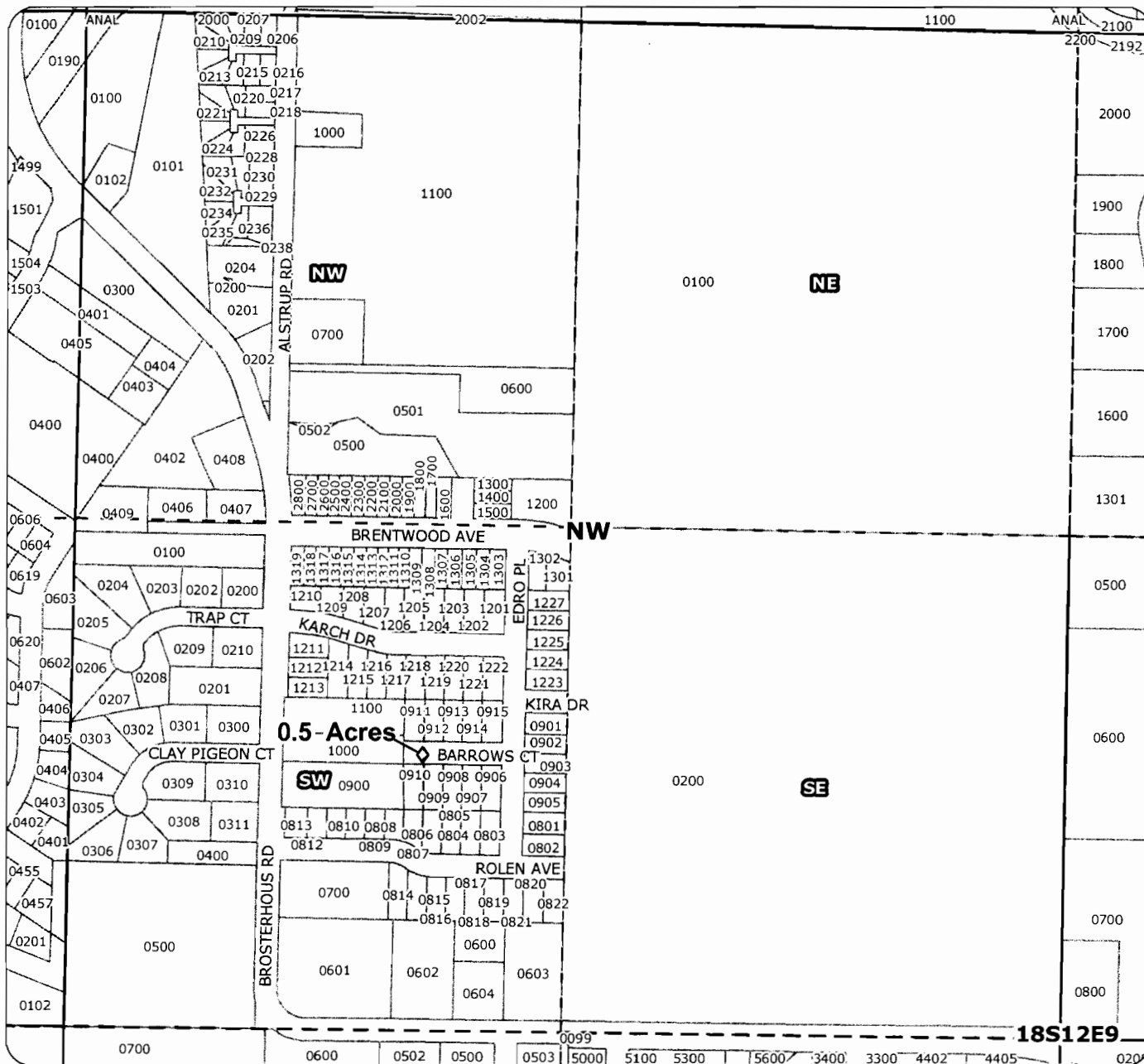
BY: mg Bartke DEPUTY
NO. 93-01178 REC. 3800
DESCHUTES COUNTY OFFICIAL RECORDS

RECEIVED


JUN 26 2008 -

WATER RESOURCES DEPT
SALEM, OREGON

2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

 Proposed Lease of Irrigation Rights

Water Rights



Geo-Spatial Solutions, Inc.
www.geospatialsolutions.com

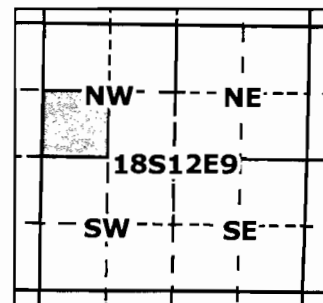
For:

Ward (Stevens)

Taxlot 900* - 0.5 Acres
in 18S12E9SWNW

Total Lease of 0.5 Acres

*Mapped from 3111 water rights
representation of taxlot 900



RECEIVED

JUN 26 2008

Date Created: May 2008

1 inch equals 400 feet

WATER RESOURCES DEPT.
SALEM, OREGON



00618938200800255590040045

06/13/2008 03:34:53 PM

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

BARGAIN AND SALE DEED

Please Return to:
Juanita DeJarnett
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

Unless a change is requested,
All tax statements shall be sent to:
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

The true consideration for this transfer is forgiveness of future annual assessments.

Kenneth D. Stevens and Patricia A. Stevens, Grantor. conveys to J.L. Ward Co., Grantee. on August 23, 2004 the following described real property:

.50 acres of Arnold Irrigation District water rights located upon the following described real property, to-wit: 18-12-09-BC-00900 (181208 SW ¼ NW ¼ Tax Lot 00900), located in Deschutes County, Oregon.

(See the attached Exhibit "A" for a more detailed description of the property.)

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 THE 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 FARM 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)).

Signed Nunc Pro Tunc this 23rd day of August, 2004.

RECEIVED

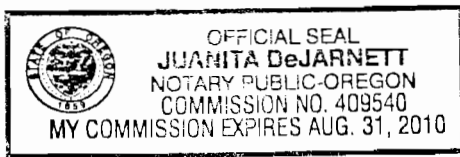
JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

Kenneth D. Stevens, Grantor

Kenneth D. Stevens Patricia A. Stevens
STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 16th day of May, 2008, by Kenneth Stevens, Grantor.

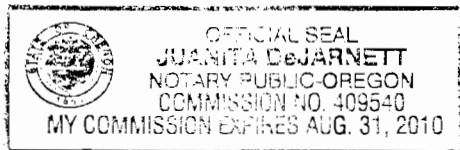


Juanita DeJarnett
NOTARY PUBLIC FOR OREGON
My commission expires: Aug. 31, 2010

Patricia Stevens, Grantor

Patricia A. Stevens
STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 16th day of May, 2008, by Patricia Stevens, Grantor.



Juanita DeJarnett
NOTARY PUBLIC FOR OREGON
My commission expires: Aug. 31, 2010

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

ACCEPTANCE

Jan L. Ward, President, J.L. Ward Company, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

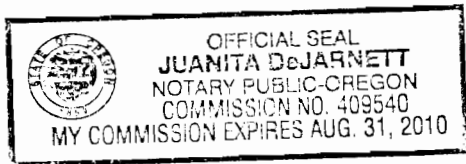
DATED this 2nd day of June, 2008.

J.L. Ward Company

By: JL Ward
Jan L. Ward, President

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Jan L. Ward, the above named president, and acknowledged the foregoing instrument on behalf of J.L. Ward Company. Before me this 2nd day of June, 2008.



Juanita DeJarnett
Notary Public for Oregon
My Commission Expires: Aug. 31, 2010

EXHIBIT "A"

That part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Nine (9) Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the Southeast corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence Northerly along the Easterly line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, 576.82 feet; thence West, 394.82 feet to the point of beginning of the tract hereby conveyed, thence North, 120.08 feet; thence West 356.5 feet; thence South, 120.08 feet, thence East, 356.5 feet to the point of beginning of the tract conveyed, being a part of Tract 8 of the unofficial plat of Carroll Acres, Deschutes County, Oregon, except any part lying within the right of way of Brosterhous Road. Trust Deed now of record in favor of The Benj. Franklin by assignment dated October 13, 1982, WHICH buyer herein agrees to assume and to pay.

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY
REVISED: 12/29/2005

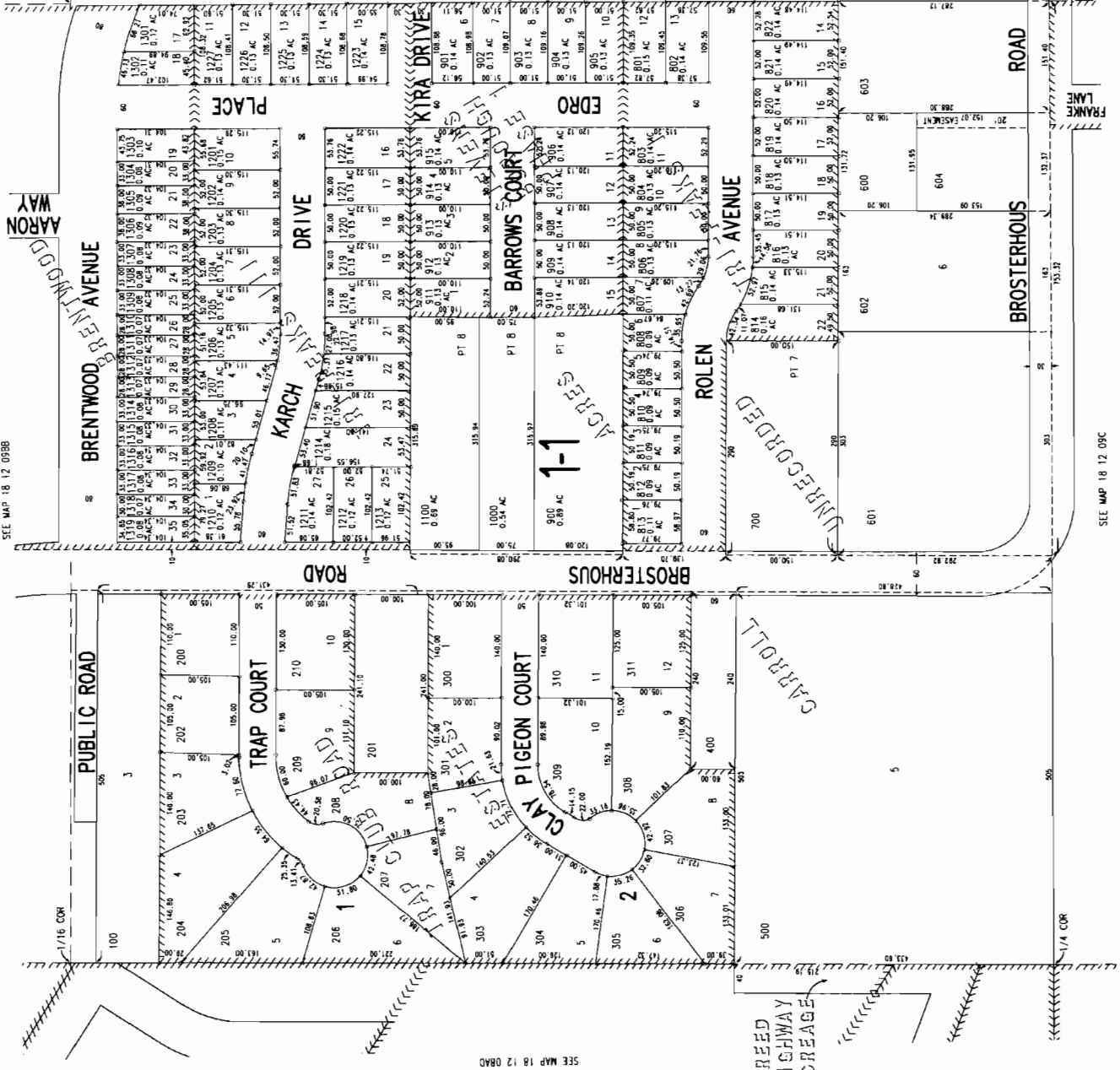
SW1/4 NW1/4 SEC. 09 T.18S. R.12E. W.M.
DESCHUTES COUNTY

1" = 100'

18 12 09BC

SEC MAP 18 12 098B

Cancelled Nos.
1500
1501
1502
1503



SEE MAP 18 12 098

SEE MAP 18 12 08AD

SEC MAP 18 12 09C

18 12 09BC

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

84-20876

WARRANTY DEED - STATUTORY FORM
INDIVIDUAL GRANTEE

ALTON L. BOTTS AND SUSAN L. BOTTS, H/W Grantor,
conveys and warrants to KENNETH D. STEVENS AND PATRICIA A. STEVENS, husband and wife,

Grantee, the following described real property free of encumbrances
except as specifically set forth herein situated in DESCHUTES County, Oregon, to-wit:

That part of the Southwest Quarter of the Northwest Quarter (SW1/4, NW1/4) of
Section Nine (9) Township Eighteen (18) South, Range Twelve (12) East of the
Willametta Meridian, Deschutes County, Oregon, described as follows:

Beginning at the Southeast corner of said SW1/4 NW1/4; thence Northerly along the
Easterly line of said SW1/4 NW1/4, 576.82 feet; thence West, 394.82 feet to the
point of beginning of the tract hereby conveyed; thence North, 120.08 feet; thence
West 356.5 feet; thence South, 120.08 feet; thence East, 356.5 feet to the point of
beginning of the tract conveyed, being a part of Tract B of the unofficial plat of
The said property is free from encumbrances except Trust Deed / Carroll Acres, Deschutes County,
now of record in favor of The Benj. Franklin / Oregon, except any part lying
by assignment dated October 13, 1982, WHICH / within the right of way of
buyer herein agrees to assume and to pay. / Brosterhouse Road. ***

The true consideration for this conveyance is \$ 27,200.00 (Here comply with the requirements of ORS 93.030)

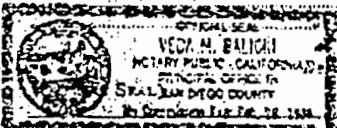
**TOGETHER WITH WATER AND IRRIGATION RIGHTS OF RECORD FOR SAID PROPERTY, (1/2 acre)

Dated this 1st day of DECEMBER, 1984

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.

X *Alton L. Botts*
ALTON L. BOTTS
X *Susan L. Botts*
SUSAN L. BOTTS

STATE OF OREGON, County of San Diego, December 1, 1984
Personally appeared the above named ALTON L. BOTTS AND SUSAN L. BOTTS,



I, Veda M. Balch, Notary Public for the State of Oregon, do hereby certify that the above named parties acknowledged the foregoing instrument to be their voluntary act and deed.
Notary Public for the State of Oregon, My commission expires 2-28-86
CALIFORNIA

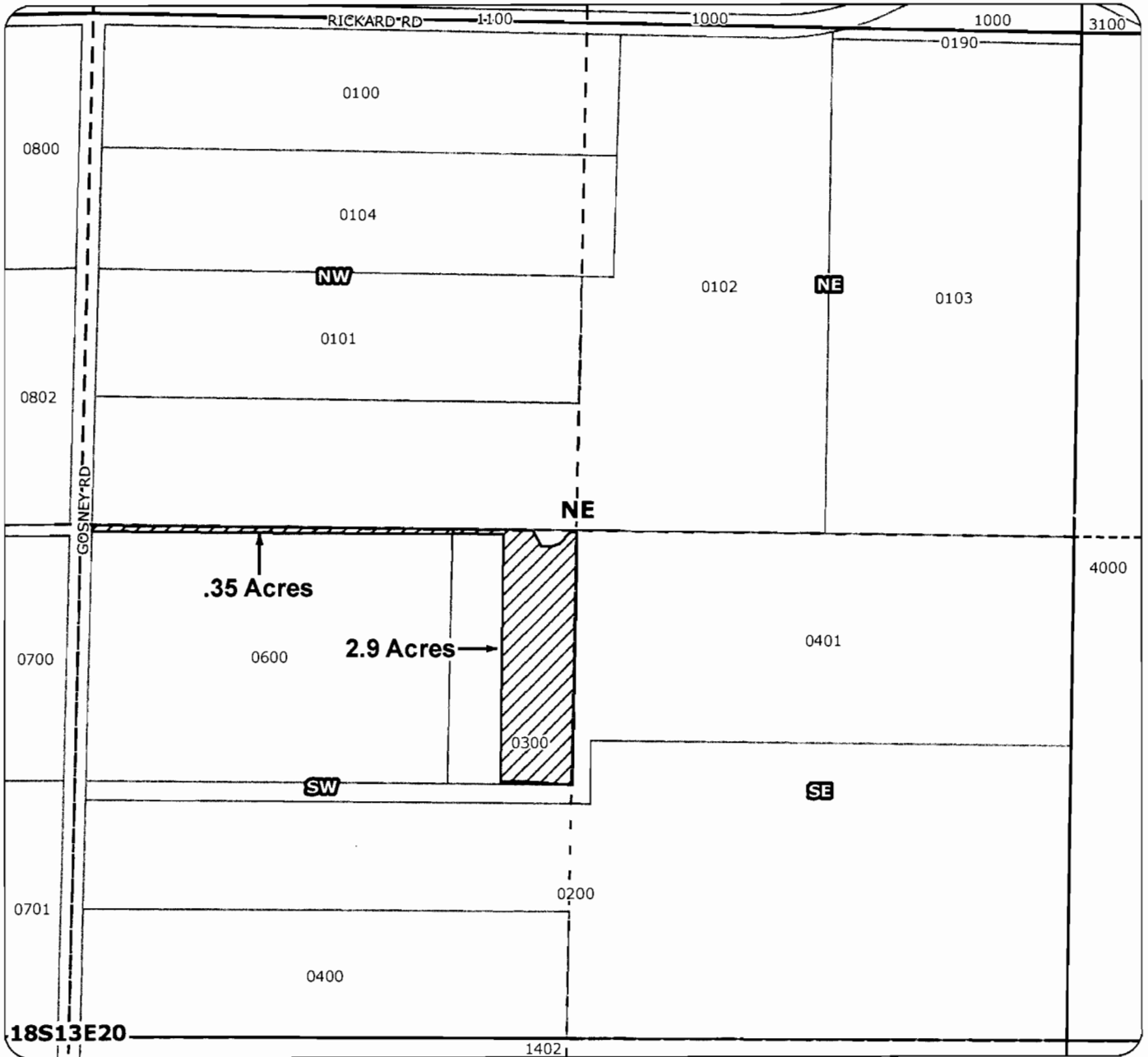
Form with fields for GRANTEE ADDRESS, NAME, ADDRESS, ZIP, and GRANTEE.

Form with fields for STATE OF OREGON, COUNTY OF DESCHUTES, and Deputy.


5135-E

RECEIVED
JUN 26 1986

2008 Arnold Irrigation District Instream Lease Map



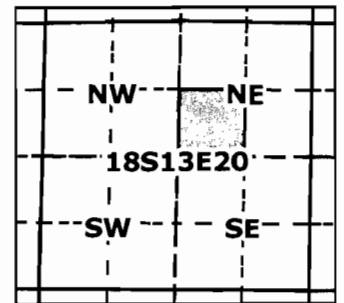
Application for 1-year Instream Lease Primary: Certificate 74197

 Proposed Lease of
Irrigation Rights
Water Rights



Geo-Spatial Solutions, Inc.
www.geospatialolutions.com

For:
Mike and Vickie Downing
Taxlot 300 - 2.9 acres
in 18S13E20SWNE
Taxlot 600 - .35 acres
in 18S13E20SWNE
Total Lease of 3.25 Acres



RECEIVED

JUN 26 2008





1 inch equals 400 feet

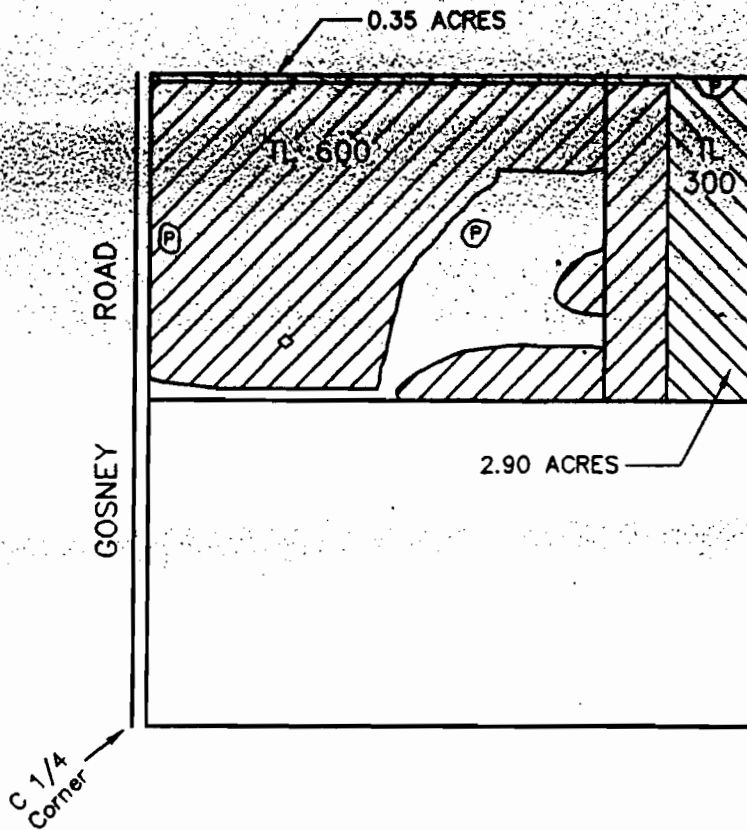
Date Created: May 2008

WATER RESOURCES DEPT
SALEM, OREGON

WATER RIGHTS SURVEY
ARNOLD IRRIGATION DISTRICT
 IN THE SW 1/4 OF THE NE 1/4 OF
 Section 20, Township 18 South, Range 13 East, W.M.,
 Deschutes County, Oregon

Mike and Vickie Downing Property
 Tax Lots 300 and 600

-  = Existing Water Rights
-  = Area Transferred Off



Tax Lot 300
 4.9 acres existing
 water rights
 2.9 acres
 transferred off

Tax Lot 600
 10.95 acres existing
 water rights
 -0.35 acres
 transferred off

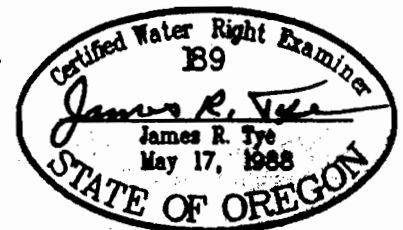
RECEIVED

JUN 26 2008

WATER RESOURCES DEPT.
 SALEM, OREGON

I, James R. Tye, Certified Water Rights Examiner in the State of Oregon, hereby certify that this water rights survey map was prepared under my direct supervision.

The preparation of this map is for the purpose of identifying the location of the water right only and has no intent to provide dimensions or locations of property ownership lines.



Scale: 1"=400' | Date: 5-25-04 | Survey by: R.T.&K.S. | Drawn by: K.B. | W.O. No.: 4134-22B

SUN COUNTRY ENGINEERING & SURVEYING, INC.
 920 S.E. ARMOUR RD. BEND, OREGON 97702 382-8882



00618937200800255580040048

06/13/2008 03:34:53 PM

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

BARGAIN AND SALE DEED

Please Return to:
Juanita DeJarnett
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

Unless a change is requested,
All tax statements shall be sent to:
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

The true consideration for this transfer is forgiveness of future annual assessments.

Michael Downing and Victoria G. Downing, Grantor, conveys to J.L. Ward Co., Grantee, on July 22, 2004 the following described real property:

2.90 acres of Arnold Irrigation District water rights located upon the following described real property, to-wit: 18-13-20-00-00300 (18132 SW ¼ NE ¼ Tax Lot 00300), located in Deschutes County, Oregon and

0.35 acres of Arnold Irrigation District water rights located upon the following described real property, to-wit: 18-13-20-00-00600 (181320 SW ¼ NE ¼ Tax Lot 00600), located in Deschutes County, Oregon.

(See the attached Exhibit "A" for a more detailed description of the property.)

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 THE 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 FARM 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)).

Signed Nunc Pro Tunc this 22rd day of July 2004.

RECEIVED

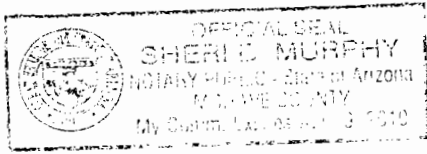
JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

Michael Downing, Grantor

Michael Downing
STATE OF ARIZONA, County of Mohave) ss:

SIGNED before me on the 17 day of May, 2008, by Michael Downing Grantor.



Sheri D. Murphy
NOTARY PUBLIC FOR ARIZONA
My commission expires: 04-09-2010

Victoria Downing, Grantor

Victoria Downing
STATE OF ARIZONA, County of Mohave) ss:

SIGNED before me on the 17 day of May, 2008, by Victoria Downing Grantor.



Sheri D. Murphy
NOTARY PUBLIC FOR ARIZONA
My commission expires: 04-09-2010

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

ACCEPTANCE

Jan L. Ward, President, JL Ward Company, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

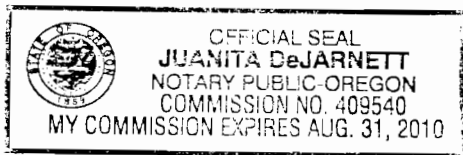
DATED this 2nd day of June, 2008.

JL Ward Company

By: [Signature]
Jan L. Ward, President

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Jan L. Ward, the above named president, and acknowledged the foregoing instrument on behalf of JL Ward Company. Before me this 2nd day of June, 2008.



[Signature]
Notary Public for Oregon
My Commission Expires: Aug. 31, 2010

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

Parcel E:

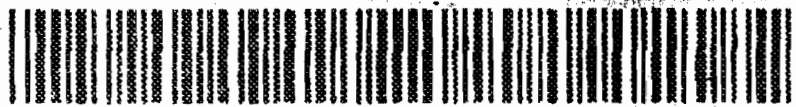
The Southeast Quarter of the Northeast Quarter of the Southwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty (20), Township Eighteen (18) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, and the Northeast Quarter of the Northeast Quarter of the Southwest Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of section Twenty (20) Township Eighteen (18) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

Parcel F:

The North half of the Southwest Quarter of the Northeast Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty (20), Township Eighteen (18) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, EXCEPTING THEREFROM the East one-fourth thereof.

VOL: 1999 PAGE: 35225
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*1999-35225 * Vol-Page

Printed: 07/19/1999 14:25:46

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: Jul. 19, 1999; 2:25 p.m.

RECEIPT NO: 8724

DOCUMENT TYPE: Deed

FEE PAID: \$45.00

NUMBER OF PAGES: 2

Mary Sue Penhollow

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

- 35225 -

Send tax statements to: ~~no change~~
See below

AFTER RECORDING MAIL TO

Name MICHAEL & VICTORIA DOWNING

Address 60656 GOSNEY ROAD

City, State, Zip BEND OR 97702

Filed for Record at Request of BANK OF AMERICA MORTGAGE
LN#1072610726 205 PARK CLUB LANE
BUFFALO NY 14231-9000

(Indulgent)
STATUTORY WARRANTY DEED

THE GRANTOR KeyBank National Association as Successor to KeyBank of Oregon
for and in consideration of \$27,000.00 (Twenty Seven Thousand 00/100)
in hand paid, conveys, and warrants to Michael Downing and Victoria G Downing
the following described real estate, situated in the County of Deschutes, State of Oregon

Address of Property Tax Parcel/Account Number:

This deed is given in fulfillment of that certain real estate contract between the parties hereto, dated March 22, 2007, and conditioned for the conveyance of the above described property, and the covenants of warranty herein contained shall not apply to any title interest or encumbrance arising by, through or under the purchase or sale of this estate, and shall not apply to any taxes, assessments or other charges levied, assessed or becoming due subsequent to the date of said contract.

New York Excise Tax was paid on this sale or stamped receipt on April 1, 2008. Ret. No. 21-0002
Dated this 20th day of April, 2008.

Mortgage Bank Corporation, as Successor by Merger to Mortgage Bank Corporation of New York As Attorney-in-Fact for KeyBank National Association as Successor to KeyBank of Oregon as Successor by Merger to First State Bank of Oregon. BNA recorded on 12/20/06 in Book 189 as Doc #23-0204

Karen S. Wahl
Karen S. Wahl, Vice President

STATE OF NEW YORK
COUNTY OF TRILL

I certify that I know or have satisfactory evidence that Karen S. Wahl, Vice President
the person who appeared before me, said said person acknowledged that she
signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in this instrument

Dated July 8, 1988

Robert W. ...
Notary Public for the State of New York
Residing at Qualified in Erie County
My appointment expires: 09/23/03



LPD-11(0) 11/96

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JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

145-911

161-0695

MEMORANDUM OF CONTRACT

88-06612

Until a change is requested,
send all tax statements to:

61602 Summershade Drive
Spind, OR 97702

SELLER:

KEY BANK OF OREGON, Successor by Merger to
Pacific Western Bank, formerly known as
First State Bank of Oregon

BUYER:

MICHAEL DOWNING and VICTORIA G. DOWNING,
Husband and Wife

Buyer is purchasing from Seller that certain real property
situated in the County of Deschutes, State of Oregon, described

as:

Parcel A: The Southeast Quarter of the
Northeast Quarter of the Southwest Quarter of
the Northeast Quarter (SE1/4 NE1/4 SW1/4
NE1/4) of Section Twenty (20), Township
Eighteen (18) South, Range Thirteen (13), East
of the Willamette Meridian, Deschutes County,
Oregon, and the Northeast Quarter of the
Northeast Quarter of the Southwest Quarter of
the Northeast Quarter (NE1/4 NE1/4 SW1/4
NE1/4) of Section Twenty (20) Township
Eighteen (18) South, Range Thirteen (13), East
of the Willamette Meridian, Deschutes County,
Oregon.

Parcel B: The North half of the Southwest
Quarter of the Northeast Quarter (N)1/2 SW1/4
NE1/4) of Section Twenty (20), Township
Eighteen (18) South, Range Thirteen (13) East
of the Willamette Meridian, Deschutes County,
Oregon, EXCEPTING THEREFROM the East
one-fourth thereof.

Together with ten acres of Arnold Irrigation
District Water.

Consideration: \$27,000.00.

The address of the Seller is PO Box 22352, Milwaukie, Oregon
97222; Tax Lot Nos. 300 and 600; Tax Map No. 18-13-20.

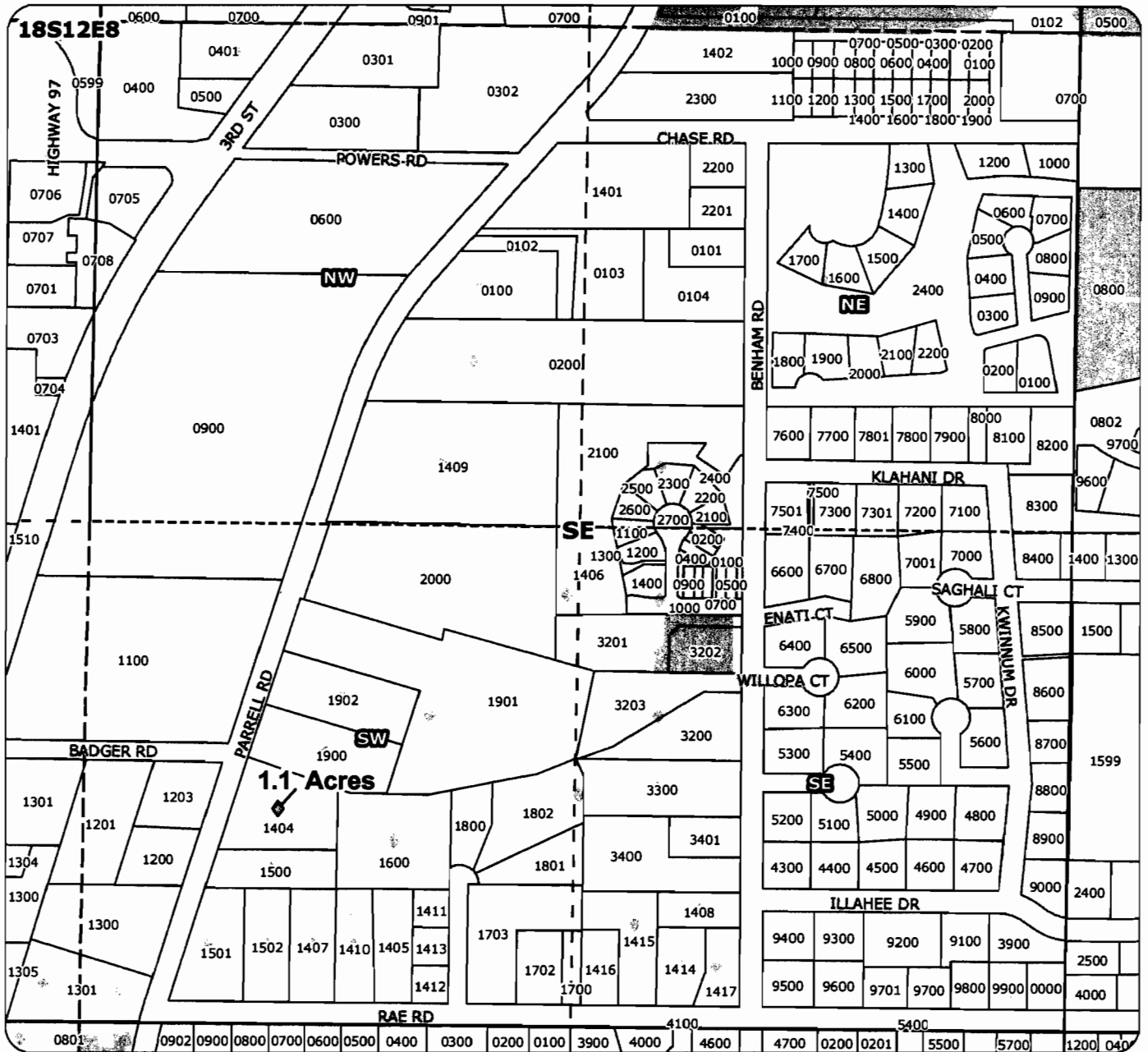
1 - MEMORANDUM OF CONTRACT

Bend Title Company



DOCUMENT ILLEGIBLE/POOR QUALITY AT TIME OF RECORDING.

Vertical text on the left margin: 100-200-5010

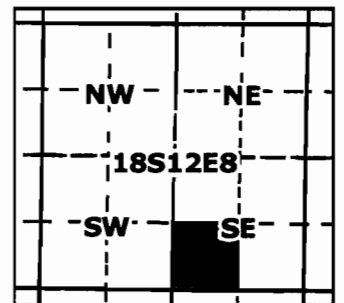
2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

-  Proposed Lease of Irrigation Rights
-  Water Rights

For:
Ward (Frazier)
Taxlot 1404 - 1.1 Acres
in 18S12E8SWSE
Total Lease of 1.1 Acres



Geo-Spatial Solutions, Inc.
www.geospatialolutions.com

Date Created: May 2008

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

JN

1 inch equals 400 feet

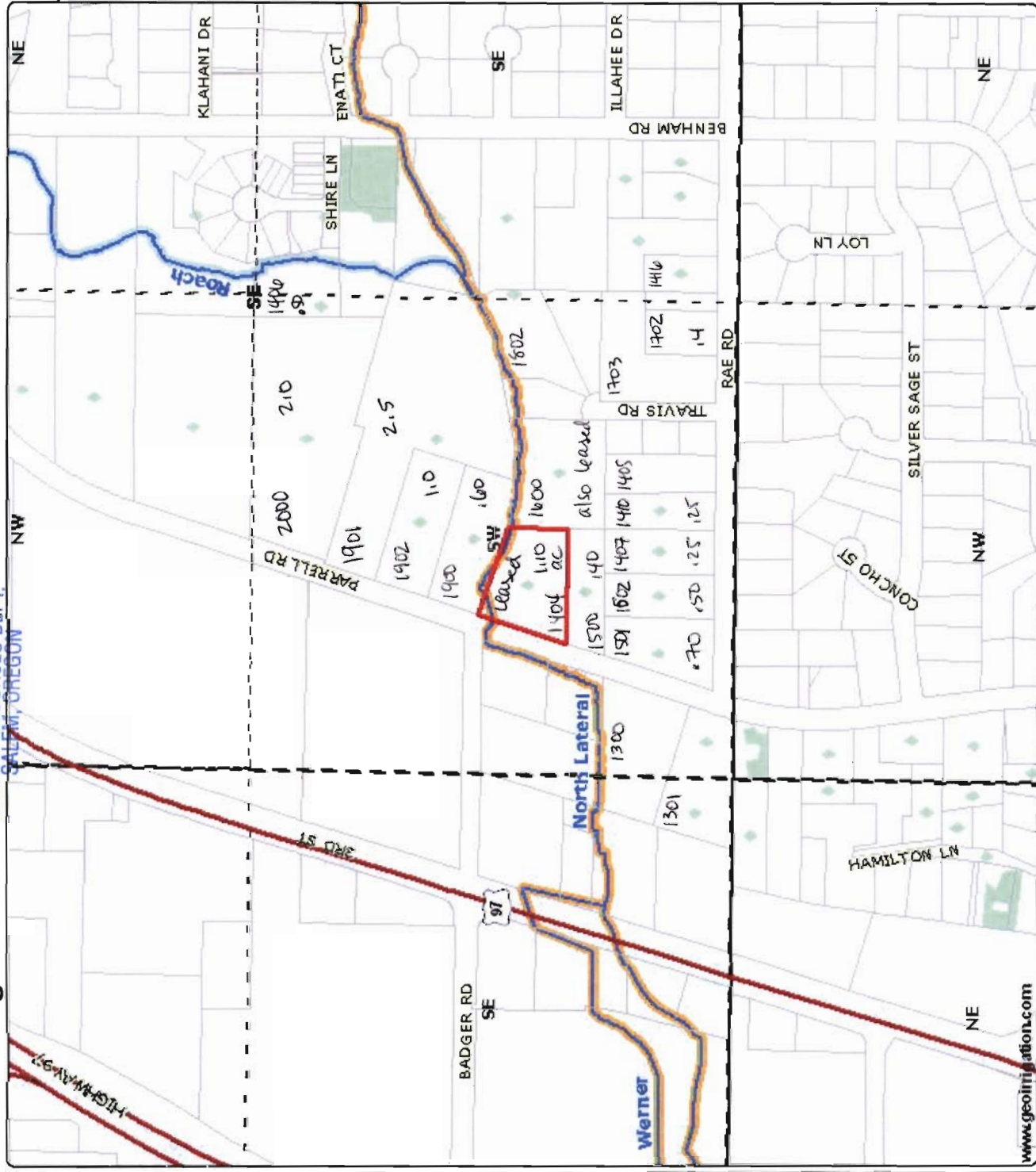
RECEIVED

JUN 26 2008

Arnold Irrigation District WATER RESOURCES DEPT. GALEMI, OREGON

Frazier-181208-SWSE-01404-1.10 ac
181208D001404 (Now owned by Badger Forest)

- District Boundary
- County Boundary
- State Roads
- Roads
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Canal All
- Canal Piped
- Canal Open
- Rivers
- Place of Use Fill



Scale 1" = 400'
Created: 4/25/2008

www.geoinformation.com

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.



00618936200800255570030034

06/13/2008 03:34:53 PM

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

BARGAIN AND SALE DEED

Please Return to:
Juanita DeJarnett
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

Unless a change is requested,
All tax statements shall be sent to:
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

The true consideration for this transfer is forgiveness of future annual assessments.

Linda Rose Frazier, Grantor, conveys to J.L. Ward Co., Grantee, on June 1, 2004 the following described real property:

1.10 acres of Arnold Irrigation District water rights located upon the following described real property, to-wit: 18-12-08-D0-01404 (181208 SW ¼ SE ¼ Tax Lot 01404), located in Deschutes County, Oregon.

(See the attached Exhibit "A" for a more detailed description of the property.)

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 THE 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 FARM 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)).

Signed Nunc Pro Tunc this 1st day of June, 2004

RECEIVED

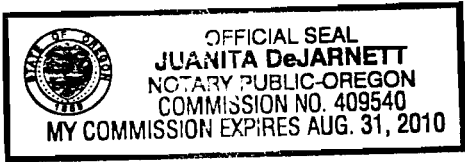
JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

Linda Frazier, Grantor

Linda Frazier
STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 29th day of May, 2008, by Linda Frazier, Grantor.



Juanita DeJarnett
NOTARY PUBLIC FOR OREGON
My commission expires Aug. 31, 2010

ACCEPTANCE

Jan L. Ward, President, JL Ward Company, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

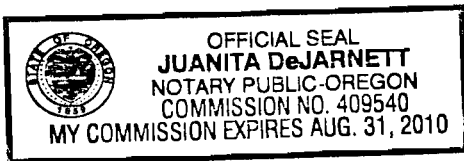
DATED this 2nd day of June, 2008.

JL Ward Company

By: [Signature]
Jan L. Ward, President

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Jan L. Ward, the above named president, and acknowledged the foregoing instrument on behalf of JL Ward Company. Before me this 2nd day of June, 2008.



Juanita DeJarnett
Notary Public for Oregon
My Commission Expires Aug. 31, 2010

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT "A"

**Tracts 20 and 21 of WARD'S TRACTS, Deschutes County, Oregon.
EXCEPT the South 99 fee of said Tract 21.**

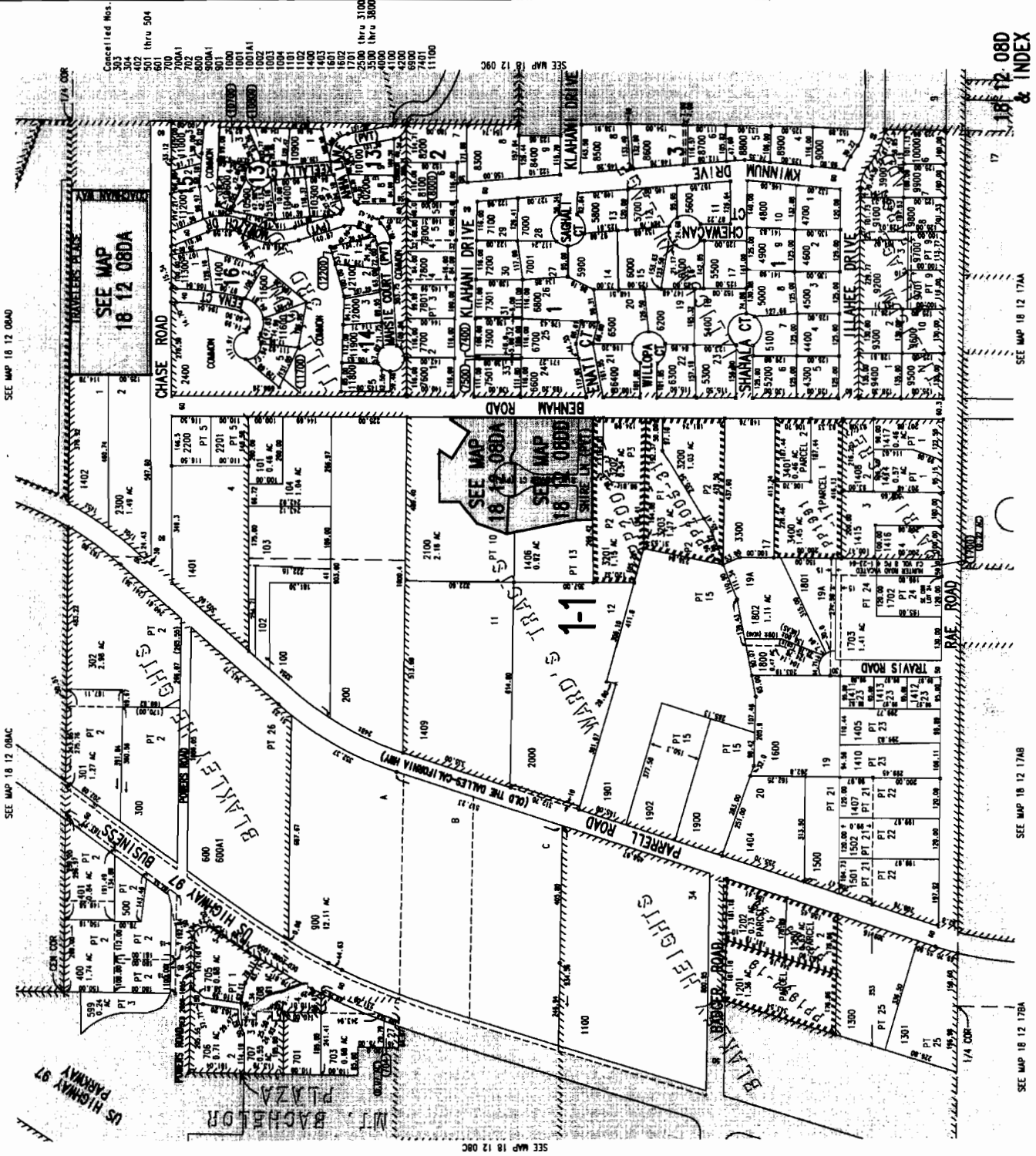
RECEIVED
JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY
REVISED: 02/06/2000

SE1/4 SEC. 08 T.18S. R.12E. W.M.
DESCHUTES COUNTY

1" = 200'

18 12 08D
& INDEX



SEE MAP 18 12 08AD

SEE MAP 18 12 08AC

SEE MAP 18 12 08C

SEE MAP
18 12 08DA

SEE MAP
18 12 08DA

SEE MAP
18 12 08DB

SEE MAP
18 12 08DB

SEE MAP
18 12 08DB

Cancelled Nos.
303
304
402
501 thru 504
700
700A1
700A2
800
900A1
901
1001
1001A1
1002
1003
1004
1101
1102
1402
1403
1601
1602
2501 thru 3100
3500 thru 3800
4100
4200
4300
7401
11100

18 12 08D
& INDEX

SEE MAP 18 12 174A

SEE MAP 18 12 174B

SEE MAP 18 12 174A

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

60164 31



THIS SPACE RESERVED FOR RECORDER'S USE

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2003-77514



\$31.00

00210018200300775140010011

11/07/2003 01:11:30 PM

D-D Centl Stree BECKEY
\$5.00 \$11.00 \$10.00 \$5.00

After recording return to:
LINDA ROSE FRAZIER

Until a change is requested all
tax statements shall be sent to
the following address:
LINDA ROSE FRAZIER
61244 PARRELL ROAD
BEND, OR 97702

Record No. 88000164M
Title No. _____

WARRANTY DEED

ROB MARKEN and TERRI BUSBY, who is also known as Terri Sue Busby
Grantor(s) hereby grant, bargain, sell, warrant and convey to:
LINDA ROSE FRAZIER
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:

Tracts Twenty (20) and Twenty-one (21) of WARD'S TRACTS, Deschutes County,
Oregon.
EXCEPT the South 99 feet of said Tract 21.

18 12 USD0 01404 SERIAL # 120100

Grantor is lawfully seized in fee simple of the above granted premises, SUBJECT
TO: all those items of record if any, as of the date of this deed and those
shown below, if any:

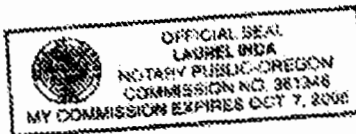
and the grantor will warrant and forever defend the said premises and every
part and parcel thereof against the lawful claims and demands of all persons
whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration for this conveyance is \$ 300,500.00

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

Dated this 23rd day of OCTOBER, 2003

[Signature]
TERRI BUSBY

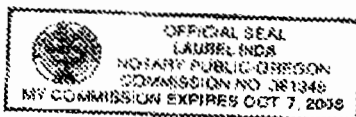


State of Oregon
County of DESCHUTES

This instrument was acknowledged before me on October 23, 2003, by ROB MARKEN and TERRI BUSBY, also known as Terri Sue BUSBY

[Signature]
Laurel Inda
My commission expires 10/07/06

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON NOVEMBER 4, 2003 BY ROB MARKEN



LAUREL INDA, NOTARY PUBLIC

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

After recording, return to:
AmériTitle
15 OREGON AVENUE, BEND

RECEIVED

JUN 26 2008

Arnold Irrigation District

WATER RESOURCES DEPT.
SALEM, OREGON

Cullough-181208-SENW-02500-1.0

181208BD02500
(used to be 1802)

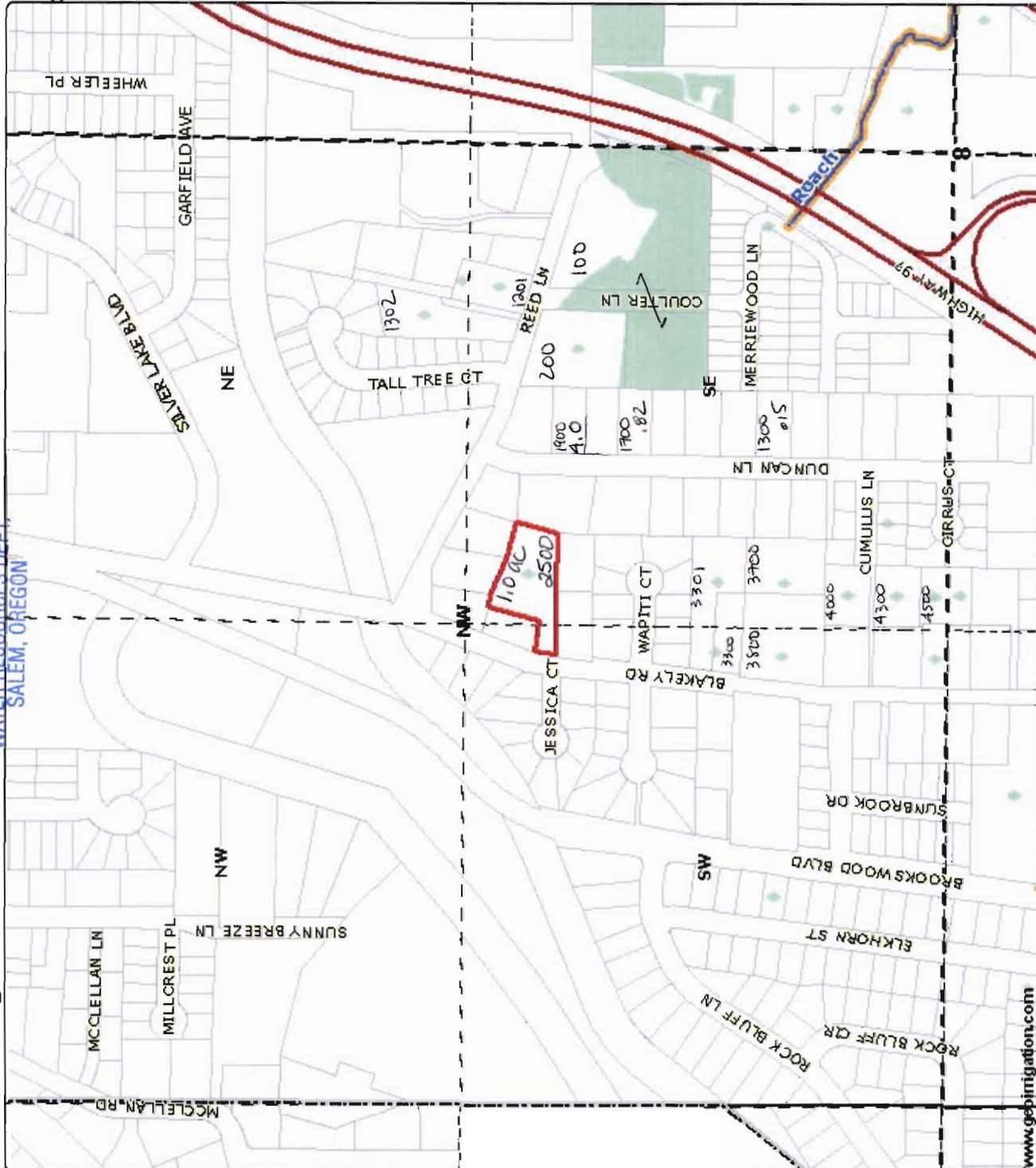
- District Boundary
- County Boundary
- State Roads
- Roads
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Canal All
- Canal Piped
- Canal Open
- Rivers
- Place of Use Fill

Taxlot numbers
in SENW have
all been changed.



Scale 1" = 400'

Created: 4/25/2008



www.gemirrigation.com

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.



00618935200800255560030037

06/13/2008 03:34:53 PM

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

BARGAIN AND SALE DEED

Please Return to:
Juanita DeJarnett
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

Unless a change is requested,
All tax statements shall be sent to:
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

The true consideration for this transfer is forgiveness of future annual assessments.

Alice McCullough, Grantor, conveys to J.L. Ward Co., Grantee, on November 26, 2004 the following described real property:

1.0 acres of Arnold Irrigation District water rights located upon the following described real property, to-wit: 18-12-08-BD-02500 (181208 SE ¼ NW ¼ Tax Lot 02500), located in Deschutes County, Oregon.

(See the attached Exhibit "A" for a more detailed description of the property.)

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 THE 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 FARM 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)).

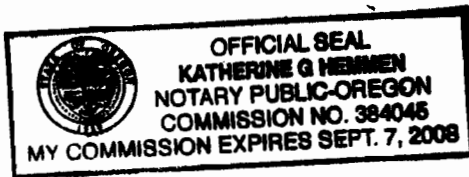
Signed Nunc Pro Tunc this 26th day of November, 2004.

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

Alice McCullough, Grantor

Alice M. McCullough
STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 13th day of May, 2008, by Alice M. McCullough Grantor.



Katherine G. Hemmen
NOTARY PUBLIC FOR OREGON
My commission expires: 9/7/2008

ACCEPTANCE

Jan L. Ward, President, J.L. Ward Company, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

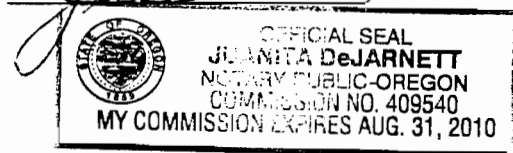
DATED this 2nd day of June, 2008.

J.L. Ward Company

By: JLW
Jan. L. Ward, President

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Jan L. Ward, the above named president, and acknowledged the foregoing instrument on behalf of J.L. Ward Company. Before me this 2nd day of June, 2008.



Juanita DeJarnett
Notary Public for Oregon
My Commission Expires: Aug 31, 2010

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT "A"

A portion of Tracts Six (6) and Seven (7) BLAKELY HEIGHTS, Deschutes County, Oregon, more particularly described as follows: Beginning at the N.E. corner of Tract 6, thence South 63° 00' East a distance of 73.14 feet; thence South 14° 47' 47" West a distance of 267.05 feet; thence North 89° 24' 20" West a distance of 336.34 feet; thence North 5° 35' 40" East for 69.59 feet; thence North 20° 49' East for 287.06 feet; thence due East for 133.36 feet; thence South 63° 00' East for 110.09 feet to the point of beginning.

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

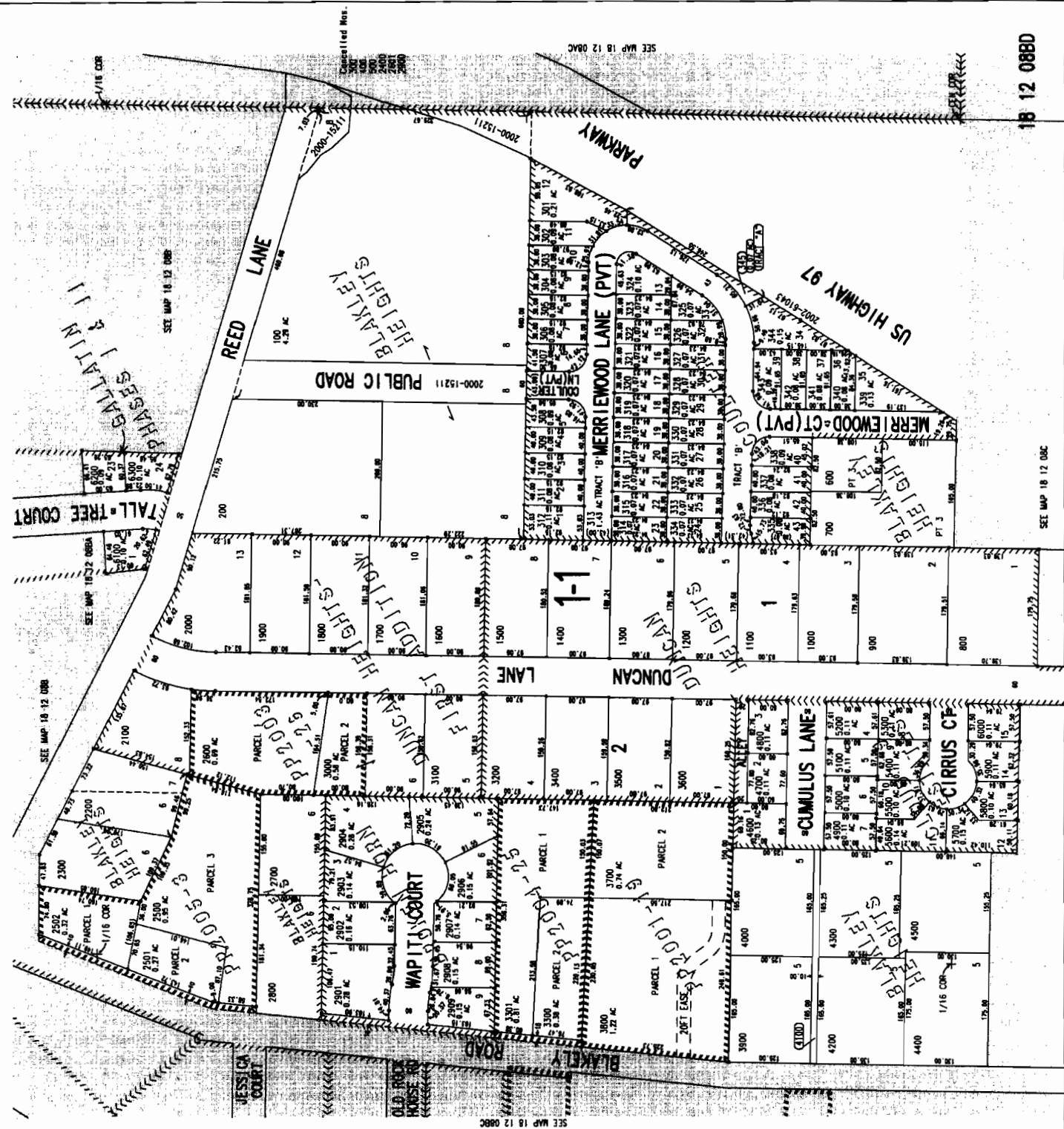
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.
REVISED: 11/30/2005

SE 1/4 NW 1/4 SEC. 08 T. 18S. R. 12E. W. M.
DESCHUTES COUNTY

1" = 100'

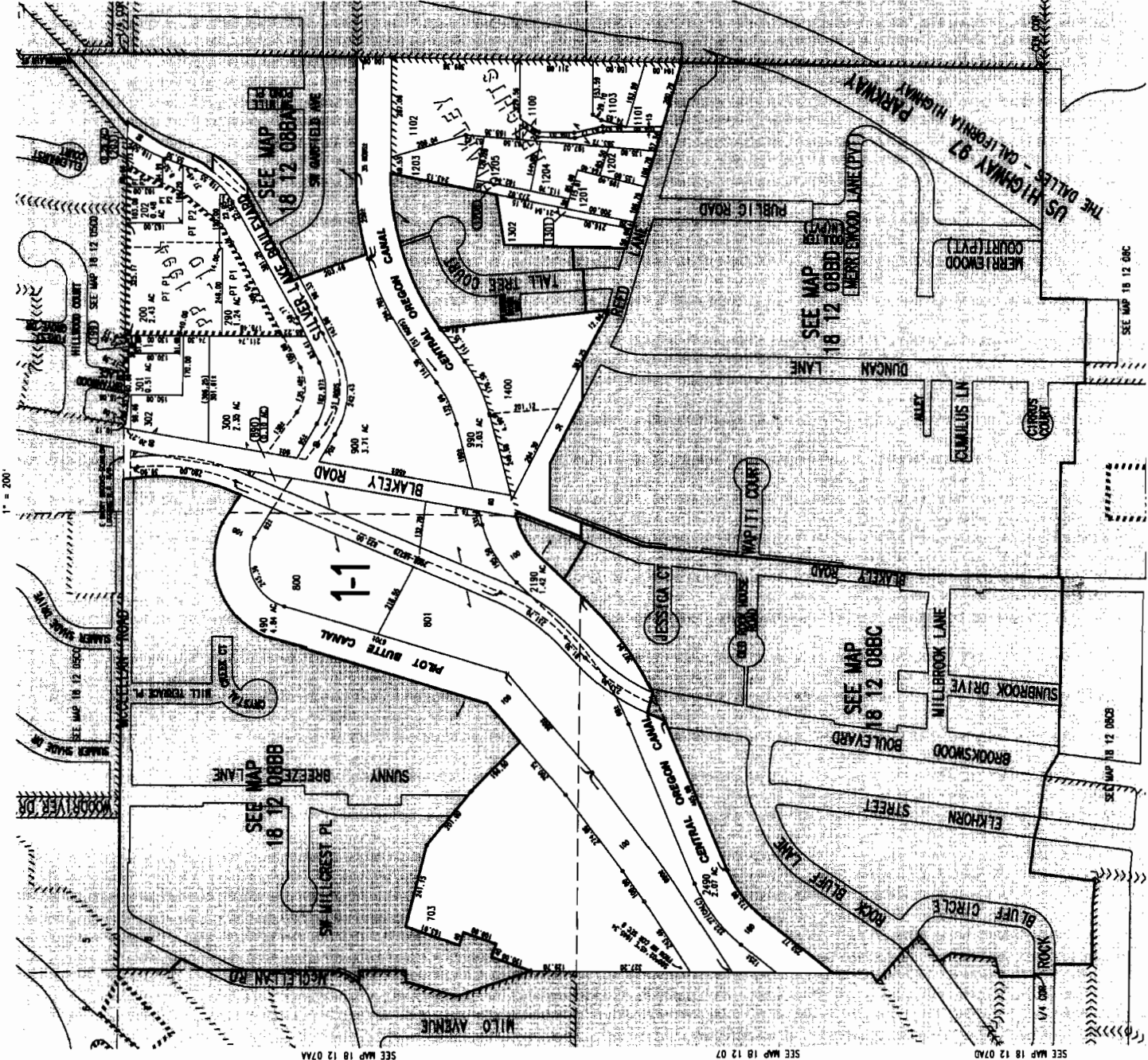
18 12 08BD

18 12 08BD



Cancelled Nos.

99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400
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THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.
REVISED: 07/26/2007

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

KNOW ALL MEN BY THESE PRESENTS, That WOODROW W. WILCOX and ANNIE LAURIE WILCOX, husband and wife

in consideration of \$100.00 and other valuable consideration to them said by Orval P. McCullough and Alice M. McCullough, husband and wife

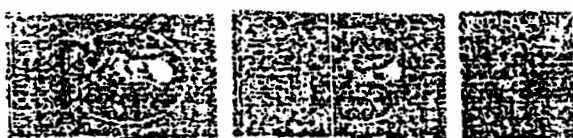
do hereby grant, bargain, sell and convey unto the said grantees, their heirs and assigns, all the following real property, with its tenements, appurtenances and appurtenances, situated in the County of Deschutes, State of Oregon, bounded and described as follows, to-wit:

A portion of Tracts Six (6) and Seven (7) BLAKLEY HEIGHTS, Deschutes County, Oregon, more particularly described as follows: Beginning at the N. E. corner of Tract 6, thence South 63° 00' East a distance of 79.14 feet; thence South 14° 47' 40" West a distance of 267.05 feet; thence North 37° 24' 20" West a distance of 336.34 feet; thence North 35° 40' East for 69.59 feet; thence North 20° 45' East for 287.06 feet; thence due East for 137.36 feet; thence South 63° 00' East for 119.03 feet to the point of beginning.

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

And We the grantor do covenant that we are lawfully seized in fee simple of the above granted premises free from all encumbrances, excepting restrictions, easements and encroachments of record or visible on the premises, and that we are not indebted to any person, and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whatsoever.

Witness my hand and seal this 23rd day of February, 1954.



Woodrow W. Wilcox (Sign)
Annie Laurie Wilcox (Sign)
Notary Public for Oregon (Seal)

STATE OF OREGON, County of Deschutes. On this 23rd day of February, 1954, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Woodrow W. Wilcox and Annie Laurie Wilcox, husband and wife



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

Virginia Ramsey
Notary Public for Oregon
My commission expires May 15, 1956.

RECEIVED JUN 26 2008 WATER RESOURCES DEPT. SALEM, OREGON

WARRANTY DEED

Form area for recording the deed, including fields for date, parties, and recording office information.

PLACE HERE THE SPACE RESERVED FOR RECORDING LABEL IN COUNTY WHERE ISSUED

STATE OF OREGON

County of Deschutes. I certify that the within instrument was received for record on the 23rd day of February, 1954 at 3 o'clock P.M. and recorded in book 122 on page 352 Record of Deeds of said County.

Witness my hand and seal of County aforesaid.
County Clerk - Recorder

Enhancing the lives of citizens by delivering quality services in a cost-effective manner

Deschutes County

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DISCLAIMER AND LIMITATION OF LIABILITY

Information on the Deschutes County Computer is not guaranteed to be accurate and may contain errors and omissions. Deschutes County provides NO WARRANTY AS TO THE MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE FOR ANY INFORMATION. Original records may differ from computer entries. If reliance upon computer record is intended, verification of information on source documents is required. User expressly acknowledges and agrees that the use of any information appearing on the Deschutes County Computer is at User's sole risk. Deschutes County shall not be liable for any direct, indirect, incidental, or consequential damages caused by mistakes, omissions, deletions, errors, defects, in any information, or any failure or delays in receiving information. The following property tax assessment data is updated nightly.

Account: 120036 Map/TL: R 1-001 181208 BD 02500

* * * Ownership Information ONLY

MCCULLOUGH, ALICE M
 61494 BLAKELY RD
 BEND OR 97702

Site Address: 61494 BLAKELY RD BEND 97702

Assessor Property Description
 PP2005-3 Lot: Block: 3

Prop Cls:191 MA:5 VA:08 NH 000
 Asmt Zone:RS CDD Zone:BEND (CITY OF BEND)

*** Land Values ***

Asmt type	Acres
URBAN LOT	1.20
SD	
LA	
*Total	1.20

*** Improvement Values ***

FB	BLT	%GD
138	1944	68
300		25
300		50

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 SALEM, OREGON

Total 0

Room Grid for 138 Total SqFt: 2204

- - - - R O O M S - - - -

	LR	K	DR	FAM	BD	BATH	OTH	FP	UTL
Sq Ft: 1728	1	1	1	1	2	2		1	1
476	Attic							1	

**** Values shown below are as of the Assessment Date, January 1 of each year ****

	-----2004-----		-----2003-----		-----2002-----	
	Total RMV	Taxable A.V.	Total RMV	Taxable A.V.	Total RMV	Taxabl A.V.
LND:	95,450		86,550		75,995	
IMP:	88,870		87,990		85,425	
TOT:	184,320	104,230	174,540	101,196	161,420	98,24

R 1001 181208-BD-02500 120036 Prop Class 191 Value Area 08
 Maint Area 5 Neighborhood 000
 Asmt Zone RS

MCCULLOUGH, ALICE M
 61494 BLAKELY RD 61494 BLAKELY RD
 BEND, OR 97702

* * * I N S P E C T I O N S * * *

Insp By: Phillips, T 05/14/97 Intr Insp

Card 1 of 3

- - - - R O O M S - - - -

	LR	K	DR	FAM	BD	BATH	OTH	FP	UTL
Sq Ft: 1728	1	1	1	1	2	2		1	1
476	Attic							1	

Factor Book: 138 Year Built: 1944 Percent Good: 68

* * * I N T E R I O R C O M P O N E N T S * * *

Description-----	Qty/ Area	Description-----	Qty/ Area
FOUNDATION - CONCRETE		SIDING - LAP	
WINDOWS - DOUBLE/THERMAL PANE		ROOF - GABLE	

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DRYWALL		KITCHEN SINK	1
WOOD STOVE	1	FORCED AIR HEATING	1728
SHOWER W/DOOR, FIBERGLASS	1	LAVATORY	2
LAUNDRY TUB	1	WATER HEATER	1
D. I. RANGE	1	VINYL FLOOR	
BATHTUB W/FIBRGL SHWR	1	ROOF CVR = COMP	
TOILET	2	WINDOWS = WOOD	
HOOD-FAN	1	CARPET	

*** OTHER IMPROVEMENT COMPONENTS ***

Factor Book: 138 Year Built: 1944 Percent Good: 68

Description-----	Qty/ Area	Description-----	Qty/ Area
DECK-AVERAGE	276	DECKS-FAIR	135
DECK COVER - AVERAGE	276	DECKS-GOOD	80
		CONCRETE-PAVING	234

Card 2 of 3

*** OTHER IMPROVEMENT COMPONENTS ***

Factor Book: 300 Percent Good: 25

Description-----	Qty/ Area	Description-----	Qty/ Area
GP SHED	60		

Card 3 of 3

*** OTHER IMPROVEMENT COMPONENTS ***

Factor Book: 300 Percent Good: 50

Description-----	Qty/ Area	Description-----	Qty/ Area
GP BUILDING	1152		

*** LAND ***

Description
ACCESS PUBLIC
WATER COMMERCIAL
VIEW - AVERAGE

Description
ELECTRICITY
SEPTIC SYSTEM

Description
GAS
GRAVEL DRIVE

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AT/Class	Desc	Adj Factor#1	Adj Factor#2	Adj Factor#3
URBAN LOT	A	.1.20		

SD
LA

* * * T A X P A Y M E N T S * * *

For current balance due information on this account select the following button (Please note that this link will provide current balance information, including interest & fees, EXCEPT FOR ACCOUNTS IN FORECLOSURE, please call the tax office @ 388-6540 for payoff information on foreclosure accounts)

[Get real-time tax summary for this property](#)

This web site uses the FREE Adobe® Acrobat® Reader™ plug-in. If you do not have this plug-in, click the icon to get it.



This Account is in:
EST COLL

2004 Balance Due	Adval Tax				
0.00	1,575.01				
Trn Date Btch	Received	Int/Disc Jrnl	Rcpt#	Description	
10-12-04 1704	-1,659.56	-47.25	135886	04-05 PLAT PREPAY	
10-26-04 0404	131.80	0.00	137744		
2003 Balance Due	Adval Tax				
0.00	1,534.53				
Trn Date Btch	Received	Int/Disc Jrnl	Rcpt#	Description	
11-04-03 0403	-1,488.49	-46.04	16275		
2002 Balance Due	Adval Tax				
0.00	1,489.74				
Trn Date Btch	Received	Int/Disc Jrnl	Rcpt#	Description	
11-12-02 7453	-1,445.05	-44.69 C 90	1278937		
2001 Balance Due	Adval Tax				
0.00	1,399.58				
Trn Date Btch	Received	Int/Disc Jrnl	Rcpt#	Description	
11-06-01 6756	-1,357.59	-41.99 C 90	1161506		
2000 Balance Due	Adval Tax				
0.00	1,361.26				
Trn Date Btch	Received	Int/Disc Jrnl	Rcpt#	Description	
11-14-00 6147	-1,320.42	-40.84 C 90	1084641		
1999 Balance Due	Adval Tax				
0.00	1,340.44				
Trn Date Btch	Received	Int/Disc Jrnl	Rcpt#	Description	
11-09-99 5578	-1,300.23	-40.21 C 90	964144		

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SALEM, OREGON

07/19/77 OLD FRAMING AND PLUMBING OK TO COVER.
 06/21/77 OLD FOOTING OK TO POUR WHEN ROOTS AND LOOSE DIRT ARE
 REMOVED.

Site Evaluation: 785 on Account number: 120036

OLD FEASIBILITY#.....: 7797
 Map/TL.....: 181208 B0 01802
 ACCOUNT.....: 120036
 SUBDIVISION/TRAILER PARK: BLAKLEY HGTS
 STATUS.....: FINAL
 BUILDING CLASS.....: UNKNOWN
 LAST REVIEW DATE.....:
 NEXT REVIEW DATE.....:
 BUILDING USE.....:
 APPROVED FOR SYSTEM.....: C
 BODIES OF WATER ON PROP?: UNKNOWN
 WELLS ON PROPERTY?.....: UNKNOWN
 SEWAGE ENCUMBRANCES?....: UNKNOWN
 LENGTH OF SYSTEM.....:
 TRENCH DEPTH INCHES.....:
 FIELD WORK DONE?.....:
 PERMIT NAME.....: MCCULLOUGH, ORVAL
 SITE ADDRESS.....: REED LN,
 APPLICATION DATE.....: 04/05/77

Septic Permit: 407 on Account number: 120036

OLD SEPTIC#.....: 77879
 Map/TL.....: 181208 B0 01802
 ACCOUNT.....: 120036
 STATUS.....: C
 BUILDING CLASS.....: UNKNOWN
 PERMIT ZONING.....:
 BUILDING USE.....:
 WATER SOURCE.....:
 SEPTIC PERMIT TYPE.....:
 FEASIBILITY NUMBER.....:
 LINKED BUILDING PERMIT..: 1641
 MIN SEPTIC GAL CAPACITY..:
 SEPTIC TRENCH LENGTH....:
 TRENCH DEPTH INCHES.....:
 FIELD WORK DONE?.....:
 PERMIT NAME.....: ECKSTEIN, JIM
 CONTRACTOR NAME.....: UNKNOWN
 SITE ADDRESS.....: 20119 REED LN, BEND
 APPLICATION DATE.....: 06/09/77

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 ***** Real Property Tax Lot Record *****

1998 Balance Due		Adval Tax				
	0.00		1,302.68			
Trn Date	Btch	Received		Int/Disc Jrnl	Rcpt#	Description
11-15-98	5133	-1,263.60		-39.08 C 90	906637	
1997 Balance Due		Adval Tax				
	0.00		1,241.61			
Trn Date	Btch	Received		Int/Disc Jrnl	Rcpt#	Description
12-15-97	4595	-811.19		-16.55 C 90	812807	
05-08-98	4837	-413.87		0.00 C 90	838821	
1996 Balance Due		Adval Tax				
	0.00		1,296.78			
Trn Date	Btch	Received		Int/Disc Jrnl	Rcpt#	Description
11-06-96	4072	-1,257.88		-38.90 C 90	672056	
08-08-97	4420	0.00		0.00	0	113 X207382 MVD HERE

Pre-Payments Received But Not Posted:

Trn Date	Reason	Amount	Rcpt#	Description/Payor
10-07-04	ADVA	1,659.56		MCCULLOUGH, ALICE M

This Account is in:
EST COLL

Building Permit: 1643 on Account number: 120036

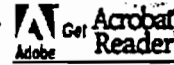
OLD BUILDING#: B77954
 Map/TL: 181208 B0 01802
 ACCOUNT: 120036
 STATUS: FINAL
 BUILDING CLASS: RESIDENTIAL
 PERMIT CLASS: NEW
 STRUCTURE TYPE:
 PERMIT ZONING:
 BUILDING USE:
 STRUCTURE TYPE: WOOD FRAME
 ON SEWER?: NOT LISTED
 SEPTIC PERMIT NUMBER: 408
 SOLAR APPROVED?: UNKNOWN
 PERMIT NAME: ECKSTEIN, JIM
 CONTRACTOR NAME: UNKNOWN
 SITE ADDRESS: 20119 REED LN, BEND
 STORIES:
 SQ FEET:
 BEDROOMS: 3
 PERMIT VALUATION: 30,000
 APPLICATION DATE: 01/01/77
 PERMIT ISSUE DATE: 06/09/77
 FINAL DATE: 10/27/77

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Inspection	Initial	Comments
10/10/77	OLD	RE-INSPECT FINAL OK.
08/23/77	OLD	FINAL OK WITH SOLID CORE DOOR ON WOOD BOX.
07/20/77	OLD	NAILING OK TO TAPE.

Get Latest Tax Lot Record for this property

This web site uses the FREE Adobe® Acrobat® Reader™ plug-in.
If you do not have this plug-in, click the icon to get it.



Tax Lot Record prior to July 2003

For Tax Lot Records prior to 1995 please call our office at (541)388-6508

Prior Tax Lot Card is 181208B001802

18 12 08 B D 02500 Code 1-001 Current Acres 1.20

This description is for tax purposes ONLY and can not be
attached to any legal document.

BLAKLEY HEIGHTS Lot: PT 6, PT 7

RC20030376 05/11/03

Posted on 05/11/03 by PATF

** Text:

Account Change From 181208B001802 To 181208BD0250

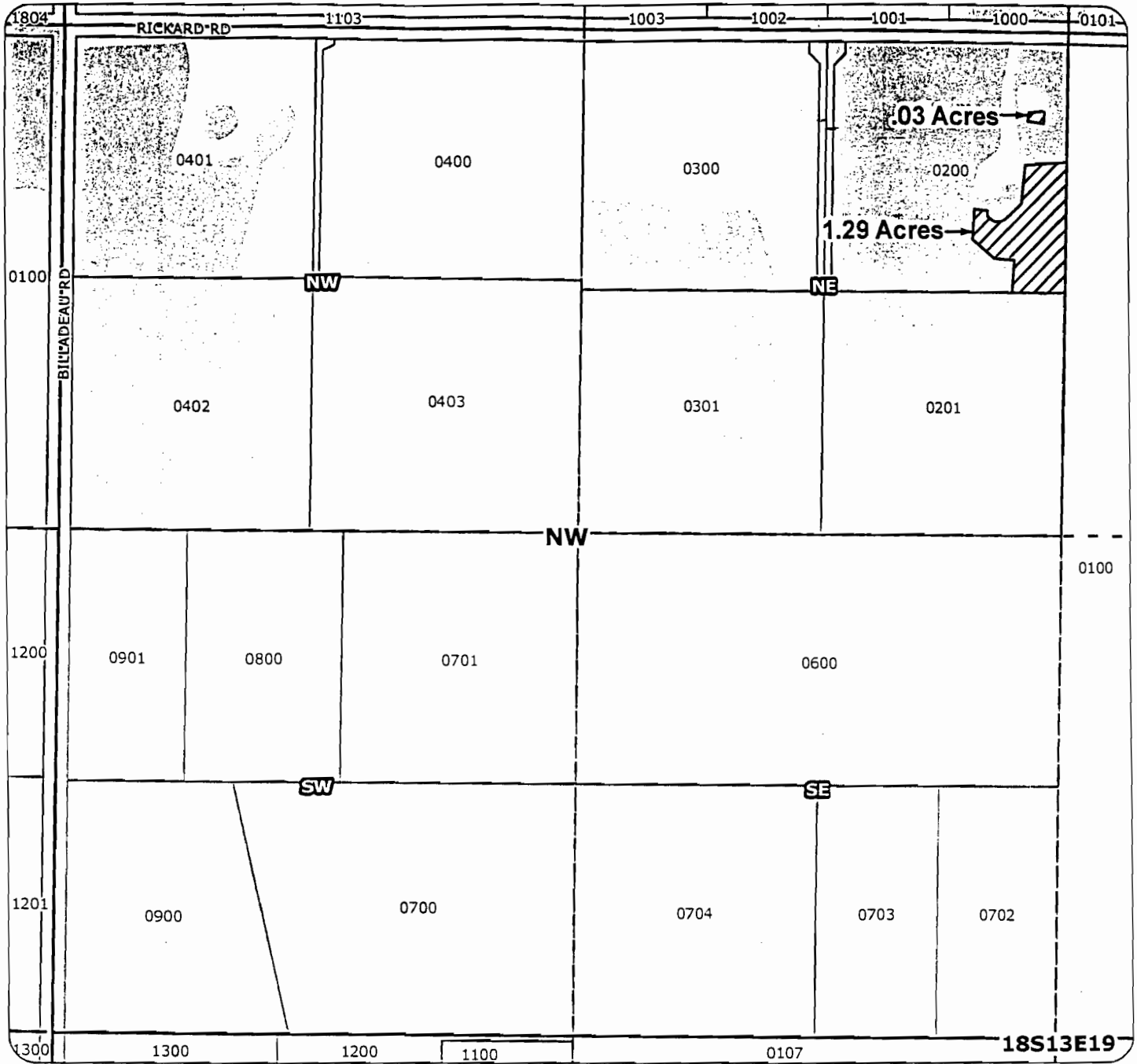
Source: REMAPPING PURPOSES;JV12974

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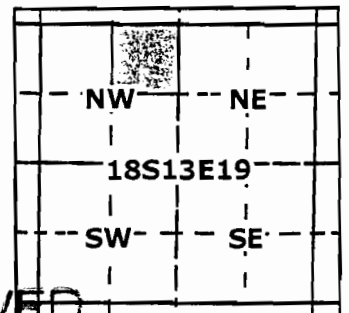
2008 Arnold Migration District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

 Proposed Lease of Irrigation Rights
Water Rights

For:
Vicky and Alan Hughes
Taxlot 200 - 1.32 acres
in 18S13E19NENW
Total Lease of 1.32 Acres



Geo-Spatial Solutions, Inc.
www.geospatialsolutions.com

Date Created: May 2008

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JUN 26 2008

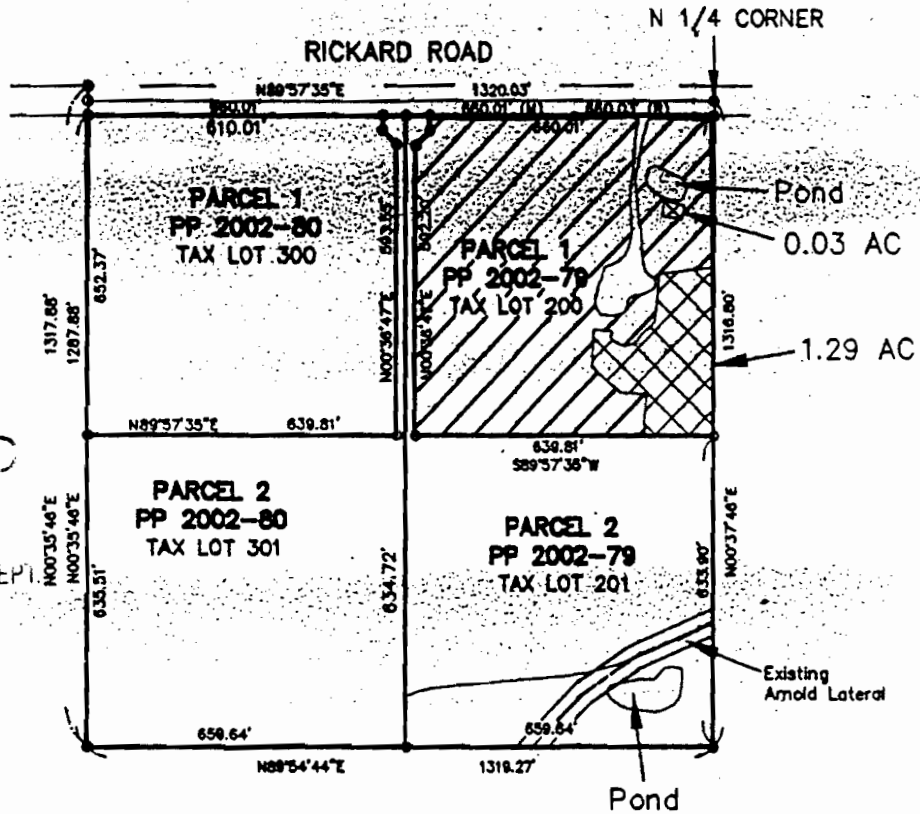
WATER RESOURCES DEPT.
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1 inch equals 400 feet

WATER RIGHTS TRANSFER APPLICATION MAP

Vicky & Alan Hughes Property
Parcel 2 OF Partition Plat NO. 2002-80,
NE 1/4 NW 1/4 Section 19,
Township 18 South, Range 13 East,
Willamette Meridian, Deschutes County, Oregon
Tax Lot 18-13-19-200



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= WATER TO REMAIN UNMOVED = 7.65 AC.

= WATER TO BE TRANSFERRED OFF = 1.32 AC.

I, Michael W. Tye, Certified Water Right Examiner in the State of Oregon, hereby certify that this water rights survey map was prepared under my direct supervision.

The preparation of this map is for the purpose of identifying the location of the water right only and has no intent to provide dimensions or locations of property ownership lines.



SCALE 1"=400' DATE 5-13-05 SURVEY BY AERIAL DRAWN BY K.B. ORDER NO. 4057-22A

SUN COUNTRY ENGINEERING & SURVEYING, INC.
920 SE ARMOUR ROAD BEND, OREGON 97702 PHONE 382-8882



BARGAIN AND SALE DEED

Please Return to:
Juanita DeJarnett
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

3

Unless a change is requested,
All tax statements shall be sent to:
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

The true consideration for this transfer is forgiveness of future annual assessments.

Alan and Vicky Hughes, Grantor, conveys to J.L. Ward Co., Grantee, on June 16, 2005, the following described real property: See Exhibit "A"

1.32 acres of Arnold Irrigation District water rights located upon the following described real property, to-wit: 18-13-19-00-00200 (181319 NE ¼ NW ¼ Tax Lot 00200), located in Deschutes County, Oregon.

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 THE 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 FARM 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)).

Signed Nunc Pro Tunc this 16th day of June, 2005.

RECEIVED

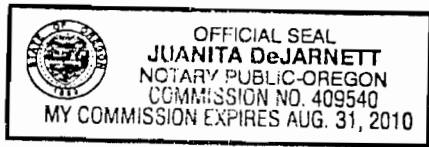
JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

Alan Hughes, Grantor

Alan J. Hughes
STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 25th day of April, 2008, by Alan Hughes, Grantor.



Juanita DeJarnett
NOTARY PUBLIC FOR OREGON
My commission expires: Aug. 31, 2010

ACCEPTANCE

Jan L. Ward, President, JL Ward Company, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

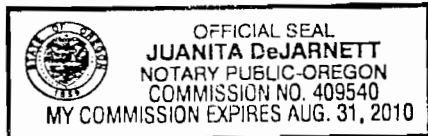
DATED this 5th day of May, 2008.

JL Ward Company

By: [Signature]
Jan L. Ward, President

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Jan L. Ward, the above named president, and acknowledged the foregoing instrument on behalf of JL Ward Company. Before me this 5th day of May, 2008.



Juanita DeJarnett
Notary Public for Oregon
My Commission Expires: Aug. 31, 2010

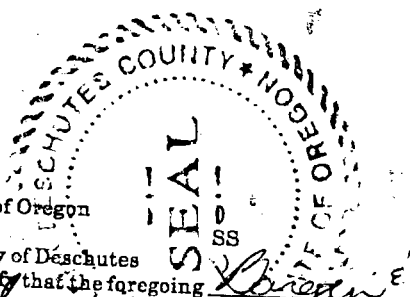
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SALEM, OREGON

EXHIBIT "A"

PARCEL 1:

The east one-half of the northeast one-quarter of the Northwest one-quarter (E ½ NE ¼ NW ¼) of Secion Nineteen (19), Township Eighteen (18), South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

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State of Oregon

County of Deschutes

SEAL
SS

Able Neal certifies that the foregoing *Deception* has been compared with the original, and that it is a correct transcript therefrom and of the whole of such original, as the same appears of record at the County Clerk's office in Deschutes County, Oregon.

June 17
NANCY BLANKENSHIP Clerk

2008

By *Paul K. Bass* Deputy

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JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

VOL: 1999 PAGE: 13252
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES

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

DATE AND TIME: Mar. 17, 1999; 3:12 p.m.

RECEIPT NO: 3477

DOCUMENT TYPE: Deed

FEE PAID: \$45.00

NUMBER OF PAGES: 2

Mary Sue Penhollow

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK



* 1999-13252 * Vol Page

03/17/99 15:20:00

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WATER RESOURCES DEPT.
SALEM, OREGON

18197-45

99-13252-1

WARRANTY DEED

ROBERT V. ARCHER and SUSAN ARCHER, as tenants by the entirety, Grantor(s) hereby grant, bargain, sell, warrant and convey to: ALAN J. HUGHES and VICTY J. HUGHES, 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 1:

THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (E1/2NE1/4NW1/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE THIRTEEN (13), EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

PARCEL 2:

THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (W1/2NE1/4NW1/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE THIRTEEN (13), EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

TAX ACCOUNT NO.: F018119003005004300

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 whatsoever 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 OF HERETOFORE THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPLICABLE USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST VIOLATING OR FORESEEING AS DESCRIBED IN USE OF LAND.

THE TOTAL AND ACTUAL CONSIDERATION FOR THIS INSTRUMENT IS \$10,000.00

ALL DEEDS MUST BE SUBMITTED AND THE DISTRICTS SHALL BE SENT TO CLERK OF COURSE AT THE FOLLOWING ADDRESS: 2004 WOODBROOK CASADE DRIVE, SEAS, OR 97131

WITNESSED AND SIGNED BY US on March 15, 1999

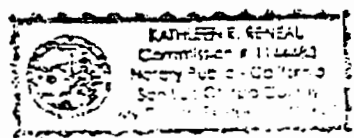
[Signature]
ROBERT V. ARCHER

[Signature]
SUSAN ARCHER

STATE OF California ss: March 15 1999
COUNTY OF San Luis Obispo

Personally appeared the above named SUSAN ARCHER

and acknowledged the foregoing instrument to be voluntarily so.



Before me:
[Signature]
Notary Public for California
My commission expires 3-29-2001

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WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

County of Deschutes

FORM No. 71—ACKNOWLEDGMENT
Spartan-Lewis Law Publishing Co. Portland, OR 97204 ©1997

99-13252-2

BE IT REMEMBERED, That on this 9th day of March, 19 99

Before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named Robert V. Archer

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

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



Linda Sinclair

Notary Public for Oregon

My commission expires 12/21/2000

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JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

*By permission to Arnold Irrigation District
level line to Ward*

AFFIDAVIT OF PERMISSION TO TRANSFER WATER RIGHTS

NNP-RiverRim LLC hereby gives permission to the Arnold Irrigation District to transfer the 47.41 acres of water as shown on the "Water Rights Transfer Map Off - Arnold Irrigation District", attached as Exhibit A and hereby made a part of this affidavit, located in Section Thirteen (13), Township Eighteen (18) South, Range Eleven (11) East, Willamette Meridian, City of Bend, Deschutes County, Oregon.

DATED: January 24, 2003

NNP-RIVERRIM, LLC,
a Delaware limited liability company

By: *[Signature]*
Davis Wood, Jr., Vice President

By: *[Signature]*

Name: LaDonna K. Monsees
Sr. Vice President

Title: _____

For future reference see
6.75 Brookwood prop (Road 700.51 + 200.00)
15.00 Thompson Street 'Hollow' Property Thompson &
47.41 J. Ward *Ref: [unclear]*
23.64 NNP RiverRim
93.00 Total original *Sharon T. Monsees Thompson Street*
water right

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JUN 26 2008

RECEIVED
JUN 26 2008

STATE OF WASHINGTON)
)ss:
COUNTY OF CLARK)

On this 24th day of January, 2003, the undersigned, a Notary Public in and for the State of Washington duly sworn, personally appeared Davis Wood, Jr., to me known to be the Vice President of NNP-RIVERRIM, LLC, a Delaware limited liability company, the company that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said company for the uses and purposes therein mentioned, and on oath that he is authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.



Adrianna Poff
Notary Public in and for the State of Washington
My commission expires 5/14/04

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

On 30 January, 2003 before me, Joana L. Peskin,
Notary Public, personally appeared ~~David K. Wood~~, claiming to be the St. Vice
President of NNP-RIVERRIM, LLC, a Delaware limited liability company,
personally known to me to be the person whose name is subscribed to the within
instrument and acknowledged to me that he executed the same in his authorized capacity,
and that by his signature on the instrument the person or entity on behalf of which the
person acted, executed the instrument.

Witness my hand and official seal.



Signature Joana L. Peskin
Notary Public for the State of California
My commission expires _____

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JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

J L WARD COMPANY
20505 MURPHY ROAD
BEND, OR 97702

WESTERN BANK
BEND, OREGON 97709
96-455/1232 - 45

7454

1.28.2008

PAY TO THE
ORDER OF

Steve Thompson

\$ 35,557.50

Thirty Five Thousand Five Hundred Fifty Seven and 50/100

MEMO

50% of redemption price for 500-317589-4
42 ± Arnold water

[Signature]
AUTHORIZED SIGNATURE

⑈007454⑈ ⑆123204550⑆ 0450530080⑈

⑈0003555750⑈

⑆123204550⑆ 009350175894⑈ 7454 ⑈0003555750⑈

J L WARD COMPANY
20505 MURPHY ROAD
BEND, OR 97702

WESTERN BANK
BEND, OREGON 97709
96-455/1232 - 45

7367

Nov 9/08

PAY TO THE
ORDER OF

Helen Thompson

\$ 35,557.50

Thirty five thousand five hundred fifty seven and 50/100

MEMO

50% of 71,116 for
42.41 Ac of Arnold water

[Signature]
AUTHORIZED SIGNATURE

⑈007367⑈ ⑆123204550⑆ 0450530080⑈

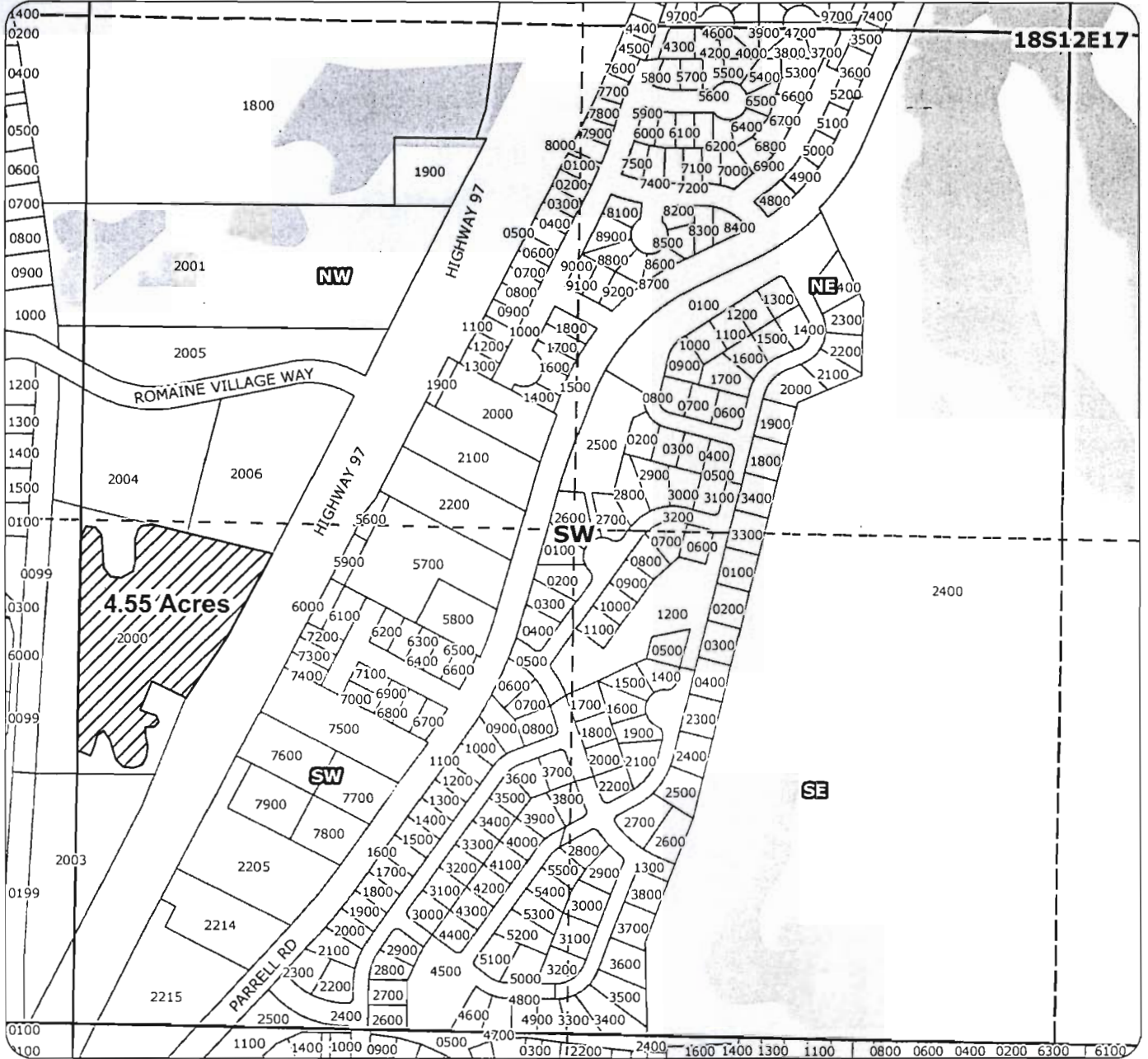
⑈0003555750⑈

5/29/08


Post-it® Fax Note	7671	Date	10/5/06	# of pages	1
To	JUANITA	From	JAN WARD		
Co./Dept.	ARNOLD	Co.			
Phone #		Phone #	382-0491		
Fax #	382-0833	Fax #	382-5082		

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JUN 26 2008
RESOURCES DEPT.
BEND, OREGON

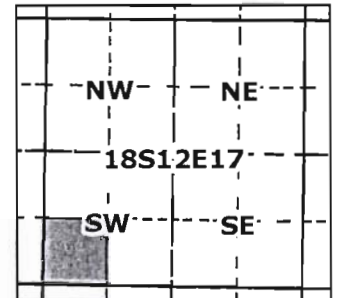
2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

 Proposed Lease of
Irrigation Rights
Water Rights

For:
Ward (Gold Beach Investment Group)
Taxlot 2000 - 4.55 Acres
in 18S12E17SWSW
Total Lease of 4.55 Acres



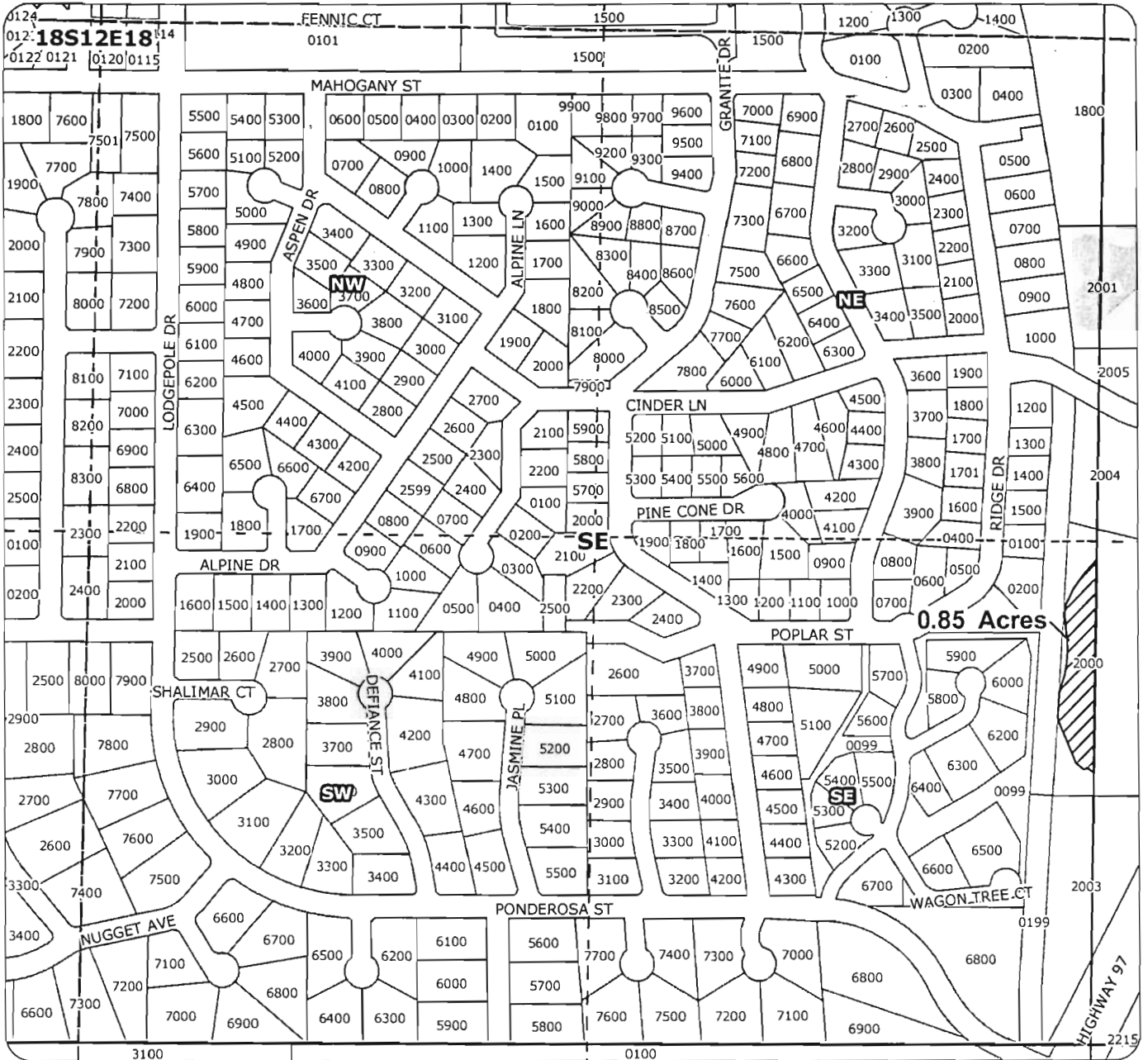
Geo-Spatial Solutions, Inc.
www.geospatialsolutions.com

Date Created: May 2008

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WATER RESOURCES DEPT.
SALEM, OREGON

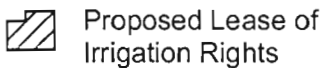
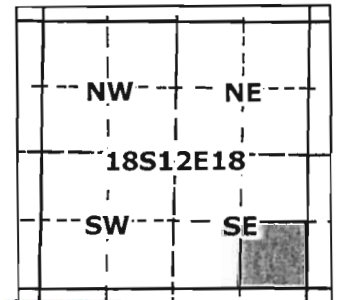
JN
1 inch equals 400 feet

2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

For:
Ward (Gold Beach Investment Group)
Taxlot 2000 - 0.85 Acres
in 18S12E18SESE
Total Lease of 0.85 Acres



Water Rights



Geo-Spatial Solutions, Inc.

www.geospatialolutions.com

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JUN 26 2008

Date Created: May 2008

WATER RESOURCES DEPT. 1 inch equals 400 feet
SALEM, OREGON

j^N

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JUN 26 2008

Arnold Irrigation District

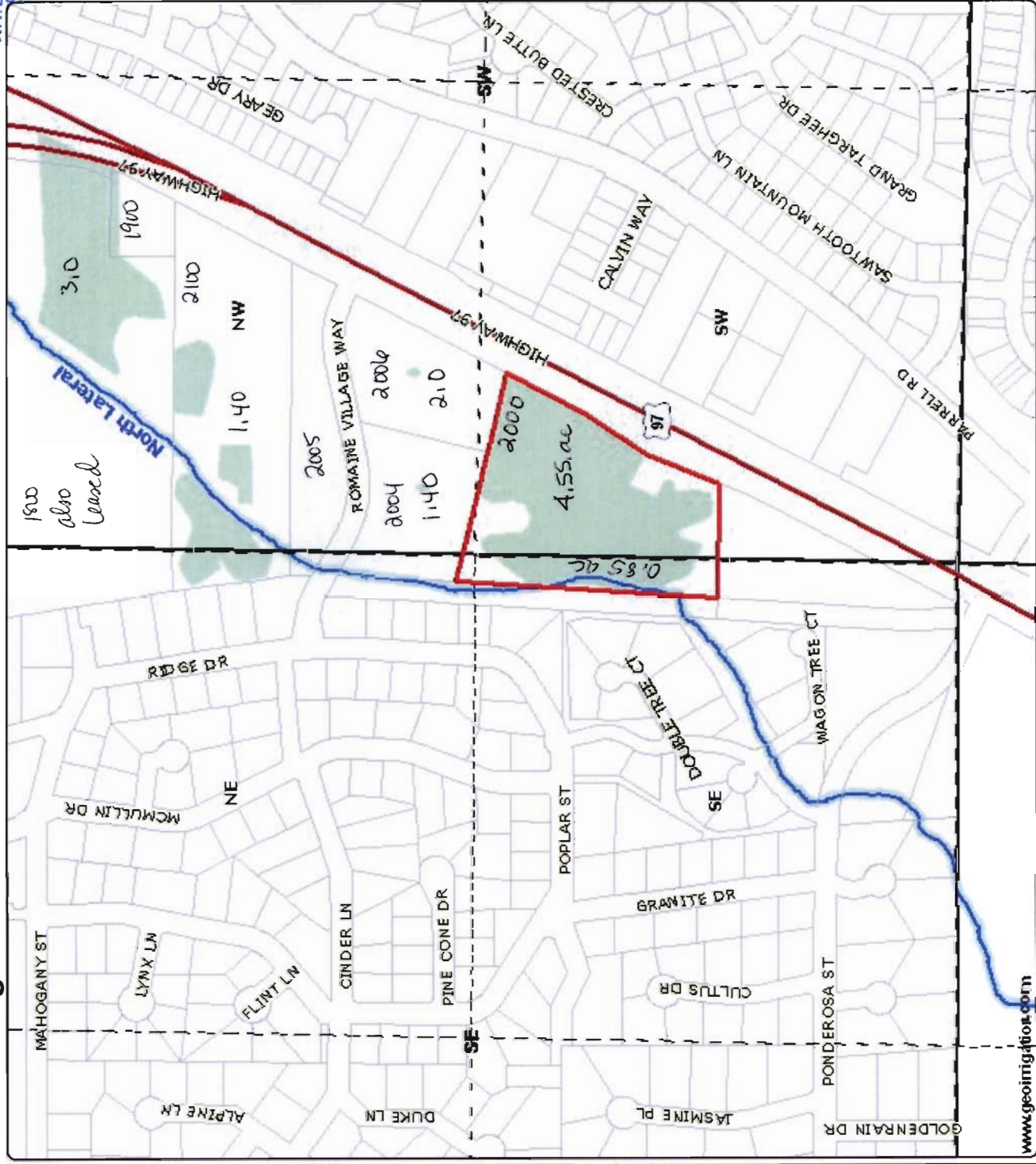
Gold Beach Investment Group, LLC

181217-00-02000 - 5.40 ac /
181217-SWSW-02000 - 4.55 ac /
181217-SESE-2000 - 0.85 ac.

- District Boundary
- County Boundary
- State Roads
- Roads
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Canal All
- Canal Piped
- Canal Open
- Rivers
- Place of Use Fill



Scale 1" = 400'
Created: 3/29/2008



DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.



00605402200800131710030030

03/24/2008 03:51:33 PM

D-D Cnt=1 Stn=25 CLERK

\$15.00 \$11.00 \$10.00 \$5.00

BARGAIN AND SALE DEED

After Recording Return to:
Juanita DeJarnett
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

Unless a change is requested,
All tax statements shall be sent to:
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

The true consideration for this transfer is \$2,500.00 per acre plus other valuable consideration received.

Gold Beach Investment Group, LLC, Grantor, conveys to J.L. Ward Company, Grantee, at the following described real property: See Exhibit "A"

5.40 acres of Arnold Irrigation District water rights located upon the following described real property, to-wit: Map 181217-SW ¼ SW ¼ and 181218 NE ¼ SE ¼ Tax Lot 02000, located in Deschutes County, Oregon

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 THE 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 FARM 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 28th day of February, 2008.

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WATER RESOURCES DEPT.
SALEM, OREGON

Richard A. Boro

Rick Boro, Owner, Gold Beach Investment Group, LLC, Grantor

STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 03 day of March, 2008, by Richard A Boro, Grantor.



[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires: Oct 24, 2010

ACCEPTANCE

Jan L. Ward, owner, JL Ward Company, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

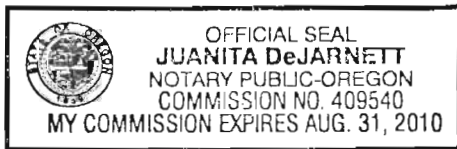
DATED this 5th day of may, 2008.

JL Ward Company

By: [Signature]
Jan L. Ward, Owner

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Jan L. Ward the above-named owner, and acknowledged the foregoing instrument on behalf of JL Ward Company. Before me this 5th day of March, 2008.



[Signature]
Notary Public for Oregon
My Commission Expires: Aug. 31, 2010



Exhibit "A"

A parcel of land located in Sections 17 and 18, TOWNSHIP 18 SOUTH RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, more particularly described as follows:

A tract of land in the East Half of the Southeast Quarter (E ½ SE ¼) of Section 18 and the West Half of the Southwest Quarter (W ½ SW ¼) of Section 17, Beginning at a point on the Section line between said Sections 17 and 18, 3131.9 feet Southerly from the Northwest corner of said Section 17, thence Southerly along the Section line 322.5 feet to a point; thence South 89° 33' East, 846 feet to the West right of way line of the Dalles-California Highway, 1931 location; thence Southwesterly along said West right of way line of said highway, 2040 feet more or less to a point on the South line of said Section 18; thence West 25 feet more or less to a point on the East right of way line of the Brooks-Scanlon Inc. railroad as presently located; thence Northerly along the said East right of way line of said Railroad, 2160 feet more or less to a point which is due West of the Point of Beginning; thence east 140 feet to the Point of Beginning.

EXCEPT, commencing at the Northwest corner of said Section 17; thence south 00° 27' West, 3,454.40 feet along the West line of said section 17, to the True Point of Beginning; thence South 89° 33' 00" East, 811.47 feet to the Westerly right of way line of the Dalles-California Highway 97; thence South 26° 56' 07" West, 121.83 feet, along said westerly right of way line; thence around a 25.00 foot radius curve right 39.27 feet, long chord bears South 71° 56' 07" East, 35.36 feet; thence North 63° 03' 53" west, 15.67 feet; thence around a 280.00 foot radius curve left, 188.49 feet, long chord bears North 82° 20' 58" West, 184.95 feet; thence South 78° 21' 57" West, 294.34 feet; thence around a 270.00 foot radius curve right, 189.73 feet, long chord bears North 81° 30' 13" West, 185.85 feet; thence North 61° 22' 23" West, 138.56 feet; thence North 02° 26' 29" East, 59.80 feet; thence East, 65.80 feet to the True Point of the Beginning;

ALSO EXCEPTING, commencing at the Northwest corner of said Section 17, thence South 00° 27' West, 3,619.10 feet along the West line of said Section 17 to the True Point of Beginning; thence south 61° 22' 23" East, 29.42 feet; thence around a 330 foot radius curve to the left, 231.89 feet, long chord bears South 81° 30' 13" East, 227.15 feet; thence North 78° 21' 57" East, 107.85 feet; thence South 13° 39' 18" West, 361.10 feet; thence North 76° 20' 42" West, 365.00 feet; thence North 2° 26' 29" East 329.08 feet; thence South 61° 22' 23" East, 79.64 feet to the True Point of Beginning.

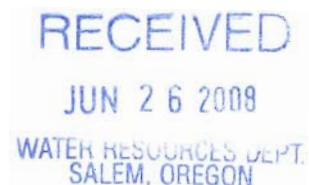
ALSO EXCEPTING, commencing at the Northwest corner of said section 17; thence South 17; thence South 00° 27' West, 3929.52 feet along the West line of said Section 17; thence South 76° 20' 42" East, 281.25 feet to the True Point of Beginning; thence North 13° 39' 18" East, 361.10 feet; thence North 78° 21' 57" East, 186.49 feet; thence around a 220.00 foot radius curve to the right, 148.10 feet, long chord bears South 82° 20' 58" East, 145.32 feet; thence South 63° 03' 53" East, 15.67 feet; thence around a 25.00 foot radius curve to the right, 39.27 feet, long chord bears South 18° 03' 53" East, 35.36 feet; to a point on the Westerly right of way of the Dalles-California Highway 97; thence South 26° 56' 07" West, 433.90 feet along said Westerly right of way line; thence North 76° 20' 42" West, 247.30 feet to the True Point of beginning, EXCEPTING that portion lying within the Dalles-California Highway.

ALSO EXCEPTING, beginning at a point whence the Southeast corner of said Section 18 bears North 89° 26' 33' East, 92.34 feet; thence South 89° 26' 33" West, 20.21 feet to a point, said pint being True Point of Beginning, said point also being the intersection of the East right of way of Brooks Scanlon Logging Road and South boundary line of said Section 18; thence North 07° 15' 27" West along said East right of way 144.12 feet; thence continuing along said right of way North 03° 11' 51" East, 512.50 feet; thence leaving said right of way South 89° 33' 00" East 341.04 feet to a point on the West right of way of the Dalles-California Highway; thence South along said Dalles-California right of way South 26° 56' 07" West, 730.92 feet to a point on the South line of Section 18; thence West along said line to the Point of Beginning.

ALSO EXCEPTING, beginning at a point on the Section line between Section 17 and 18, 3131.9 feet from the Northeast corner of said Section 17 and running thence South 89° 33' East, 1003.7 feet to the West right of way line of the Dalles-California Highway; thence Southwesterly 350 feet along the said West right of way line of the said Dalles-California Highway; thence North 89° 33' West, 846 feet, more or less, to the West line of section 17; thence North 0° 27' East, 322.5 feet along the West Section line of Section 17 to the Point of Beginning.

ALSO EXCEPTING, beginning at a point on the Station line between Sections 17 and 18, a distance of 3131.9 feet South from the Northeast corner of said Section 18; thence South 0° 27' West, 322.5 feet; thence due West to a point located on the Easterly right of way line of Brooks Scanlon, Inc., railroad; thence Northerly along the Easterly boundary of said Brooks-Scanlon, Inc. railroad to a point located due West of the Point of Beginning; thence East, a distance of 140 feet to the Point of Beginning.

ALSO EXCEPTING that portion lying within the Dalles-California Highway and Romaine Village Way.



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2007-11056



\$51.00

00530542200700110580050050

02/23/2007 12:07:29 PM

D-D Cnt=1 Stn=26 SRB
\$25.00 \$11.00 \$10.00 \$5.00



After recording return to:
Gold Beach Investment Group LLC
PO Box 2121
Sisters, Oregon 97759

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

Same as above

File No.: 7062-969921
D-te: February 22, 2007

STATUTORY BARGAIN AND SALE DEED

**High Mountain Properties, LLC as to Parcel 1; and Mountain Brook Development, LLC, as to
Parcels 2 and 3, Grantor, conveys to Gold Beach Investment Group, LLC, Grantee, the following
described real property:**

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

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 **\$vesting correction**. (Here comply with requirements of ORS 93.030)

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

SIGNATURE AND NOTARY ACKNOWLEDGMENT
ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

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JUN 26 2008

WALTON COUNTY CLERK DEPT.
SALEM, OREGON

Exhibit "A"

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

PARCEL 1:

A parcel of land located in Sections 17 and 18, TOWNSHIP 18 SOUTH RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, more particularly described as follows:

A tract of land in the East Half of the Southeast Quarter (E 1/2 SE 1/4) of Section 18 and the West Half of the Southwest Quarter (W 1/2 SW 1/4) of Section 17, beginning at a point on the Section line between said Sections 17 and 18, 3131.9 feet Southerly from the Northwest corner of said Section 17; thence Southerly along the Section line 322.5 feet to a point; thence South 89° 33' East, 846 feet to the West right of way line of the Dalles-California Highway, 1931 location; thence Southwesterly along said West right of way line of said highway, 2040 feet more or less to a point on the South line of said Section 18; thence West 25 feet more or less to a point on the East right of way line of the Brooks-Scanlon Inc. Railroad as presently located; thence Northerly along the said East right of way line of said Railroad, 2160 feet more or less to a point which is due West of the Point of Beginning; thence East 140 feet to the Point of Beginning.

EXCEPT, commencing at the Northwest corner of said Section 17; thence South 00° 27' West, 3,454.40 feet along the West line of said Section 17, to the True Point of Beginning; thence South 89° 33' 00" East, 811.47 feet to the Westerly right of way line of the Dalles-California Highway 97; thence South 26° 56' 07" West, 121.83 feet, along said Westerly right of way line; thence around a 25.00 foot radius curve right, 39.27 feet, long chord bears South 71° 56' 07" East, 35.36 feet; thence North 63° 03' 53" West, 15.67 feet; thence around a 280.00 foot radius curve left, 188.49 feet, long chord bears North 82° 20' 58" West, 184.95 feet; thence South 78° 21' 57" West, 294.34 feet; thence around a 270.00 foot radius curve right, 189.73 feet, long chord bears North 81° 30' 13" West, 185.85 feet; thence North 61° 22' 23" West, 136.56 feet; thence North 02° 26' 29" East, 59.80 feet; thence East, 65.80 feet to the True Point of Beginning;

ALSO EXCEPTING, commencing at the Northwest corner of said Section 17; thence South 00° 27' West, 3,619.10 feet along the West line of said Section 17 to the True Point of Beginning; thence South 61° 22' 23" East, 29.42 feet; thence around a 330.00 foot radius curve to the left, 231.89 feet, long chord bears South 81° 30' 13" East, 227.15 feet; thence North 78° 21' 57" East, 107.85 feet; thence South 13° 39' 18" West, 361.10 feet; thence North 76° 20' 42" West, 365.00 feet; thence North 2° 26' 29" East, 329.08 feet; thence South 61° 22' 23" East, 79.64 feet to the True Point of Beginning.

ALSO EXCEPTING, commencing at the Northwest corner of said Section 17; thence South 00° 27' West, 3,929.52 feet along the West line of said Section 17; thence South 76° 20' 42" East, 281.25 feet to the True Point of Beginning; thence North 13° 39' 18" East, 361.10 feet; thence North 78° 21' 57" East, 186.49 feet; thence around a 220.00 foot radius curve to the right, 148.10 feet, long chord bears South 82° 20' 58" East, 145.32 feet; thence South 63° 03' 53" East, 15.67 feet; thence around a 25.00 foot radius curve to the right, 39.27 feet, long chord bears South 18° 03' 53" East, 35.36 feet, to a point on the Westerly right of way of the Dalles-California Highway 97; thence South 26° 56' 07" West, 433.90 feet along said Westerly right of way line; thence North 76° 20' 42" West, 247.30 feet to the True Point of beginning. EXCEPTING that portion lying within the Dalles-California Highway.

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JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

ALSO EXCEPTING, beginning at a point whence the Southeast corner of said Section 18 bears North 89° 26' 33" East, 92.34 feet; thence South 89° 26' 33" West, 20.21 feet to a point, said point being True Point of Beginning, said point also being the intersection of the East right of way of Brooks Scanlon Logging Road and South boundary line of said Section 18; thence North 07° 15' 27" West along said East right of way 144.12 feet; thence continuing along said right of way North 03° 11' 51" East, 512.50 feet; thence leaving said right of way South 89° 33' 00" East 341.04 feet to a point on the West right of way of the Dalles-California Highway; thence South along said Dalles-California right of way South 26° 56' 07" West, 730.92 feet to a point on the South line of Section 18; thence West along said line to the Point of Beginning.

ALSO EXCEPTING, beginning at a point on the Section line between Section 17 and 18, 3131.9 feet from the Northeast corner of said Section 17 and running thence South 89° 33' East, 1003.7 feet to the West right of way line of the Dalles-California Highway; thence Southwesterly 350 feet along the said West right of way line of the said Dalles-California Highway; thence North 89° 33' West, 846 feet, more or less, to the West line of section 17; thence North 0° 27' East, 322.5 feet along the West Section line of Section 17 to the Point of Beginning.

ALSO EXCEPTING, beginning at a point on the Section line between Sections 17 and 18, a distance of 3131.9 feet South from the Northeast corner of said Section 18; thence South 0° 27' West, 322.5 feet; thence due West to a point located on the Easterly right of way line of Brooks Scanlon, Inc., railroad; thence Northerly along the Easterly boundary of said Brooks-Scanlon, Inc. railroad to a point located due West of the Point of Beginning; thence East, a distance of 140 feet to the Point of Beginning.

ALSO EXCEPTING that portion lying within the Dalles-California Highway and Romaine Village Way. AND EXCEPTING that portion deeded to the State of Oregon, by and through its Department of Transportation, recorded February 24, 1988 in Book 159, Page 72 of Deed Records.

PARCEL 2:

A tract of land located in the Southwest Quarter of the Southwest Quarter (SW ¼ SW ¼) of Section Seventeen (17), and the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section Eighteen (18), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Beginning at a point whence the Southeast corner of said Section 18 bears North 89° 26' 33" East, 92.34 feet; thence South 89° 26' 13" West 20.21 feet to a point, said point being the true point of beginning; said point also being the intersection of the East right-of-way of Brooks Scanlon Logging Road and South boundary line of said Section 18; thence North 07° 15' 27" West along said East right-of-way 144.12 feet; thence continuing along said right-of-way North 03° 11' 51" East, 512.50 feet; thence leaving said right-of-way South 89° 33' 00" East, 341.04 feet to a point on the West right-of-way of the Dalles-California Highway; thence South along said Dalles-California Highway right-of-way South 26° 56' 07" West, 730.92 feet to a point on the South line of Section 18; thence West along said line to the point of beginning.

EXCEPTING THEREFROM a parcel acquired by the Oregon State Highway Commission by deed recorded September 27, 1967 in Book 155, Page 223, Deed Records, Deschutes County, Oregon. AND EXCEPTING THEREFROM that portion deeded to the State of Oregon, by and through its Department of Transportation, recorded January 14, 1988 in Book 157, Page 1133 of Official Records.

PARCEL 3:

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JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

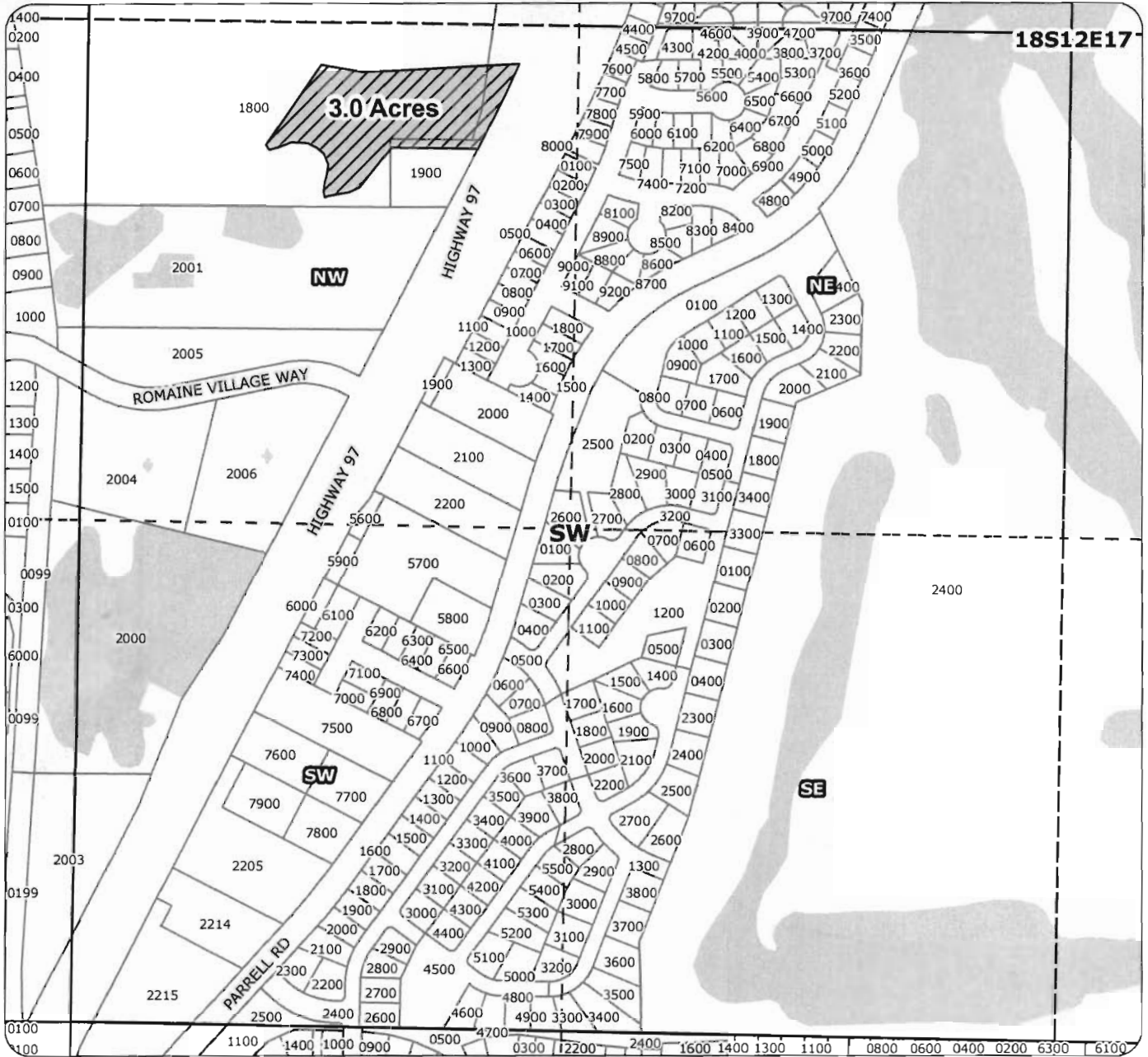
That portion of the logging road right-of-way as retained by Brooks-Scanlon Lumber Company in deeds of conveyance to Charles F. Williamson and Lola May Williamson, recorded May 9, 1941 in Book 60, Page 50, Deed Records; to Clarence E. McGuire and Esther McGuire, recorded June 14, 1940 in Book 58, Page 622, Deed Records; and to O.H. Rowland and Nancy G. Rowland, recorded July 31, 1941 in Book 60, Page 278, Deed Records, said logging road right of way being situate in and a part of the East Half of the East Half (E ½ E ½) of Section Eighteen (18), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, said portion described as follows:

Beginning at the intersection of the East line of said road right-of-way with the South boundary of said Section 18; thence North 07° 15' 27" West along said right-of-way 144.12 feet; thence North 03° 11' 15" East 512.50 feet; thence North 89° 33' 00" West 60 feet more or less to the Easterly line of the Plat of Waywest Properties as recorded with the Deschutes County Clerk; thence Southerly along said Easterly plat line to the intersection with the South line of said Section 18; thence Easterly along the South line of said Section 18 to the point of beginning.



Tax Parcel Number: 121087, 121085 and 156876

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JUN 26 2008
WATER RESOURCES DEPT.
SALEM, OREGON

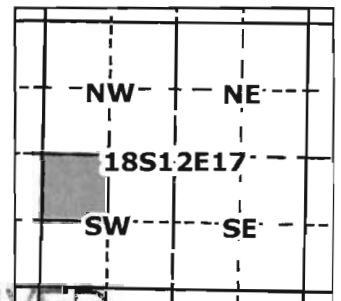
2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

-  Proposed Lease of Irrigation Rights
-  Water Rights

For:
Ward (State of Oregon)
Taxlot 1800 - 3.0 Acres
in 18S12E17NWSW
Total Lease of 3.0 Acres



Geo-Spatial Solutions, Inc.
www.geospatialolutions.com

Date Created: May 2008

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JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON 1 inch equals 400 feet

j n

RECEIVED

JUN 26 2008

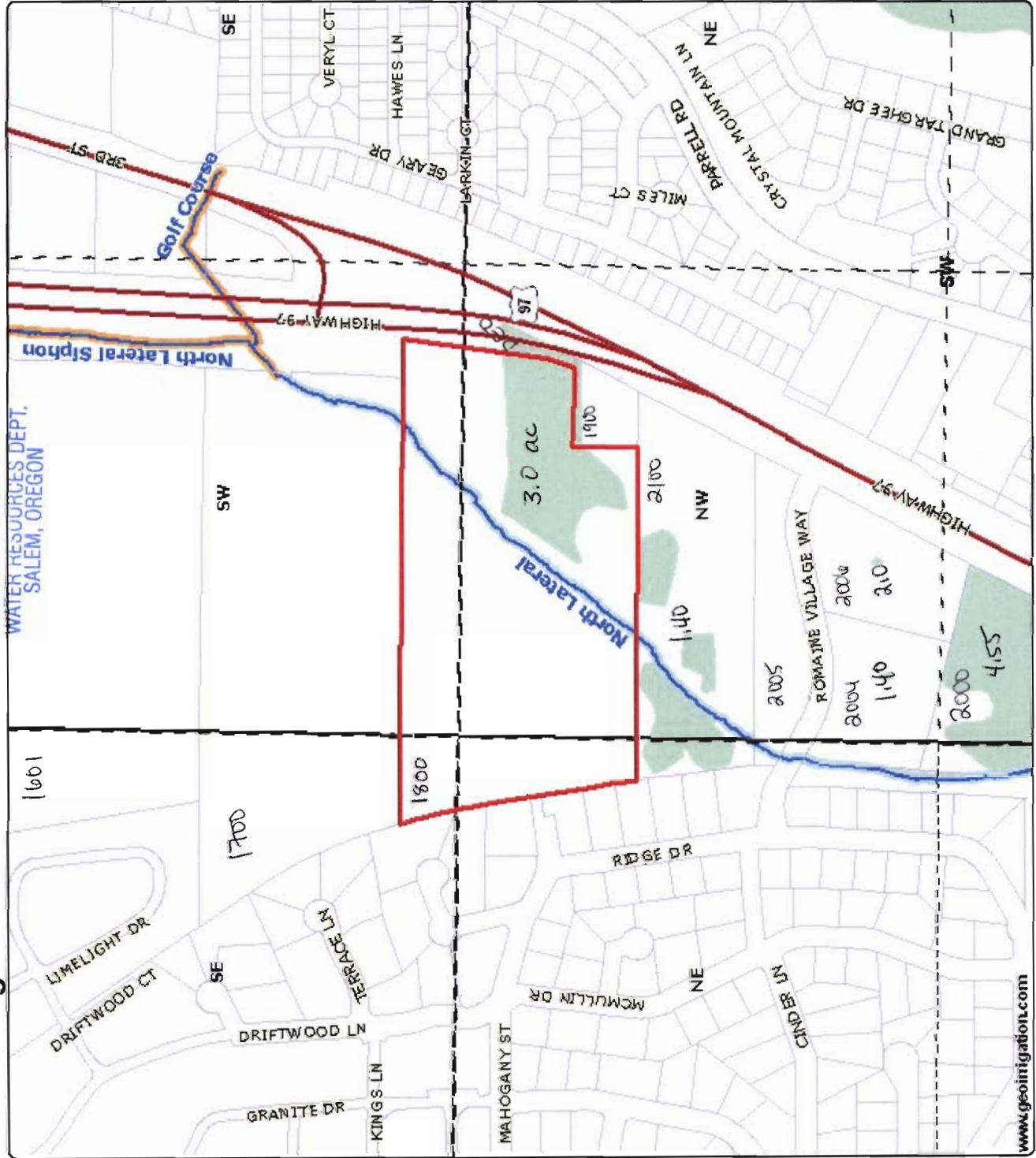
Arnold Irrigation District

WATER RESOURCES DEPT.
SALEM, OREGON

State of Oregon
Department of
Transportation
181217-00-02000 /
181217-NWSW-01800 - 3.00 ac.

- District Boundary
- County Boundary
- State Roads
- Roads
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Canal All
- Canal Piped
- Canal Open
- Rivers
- Place of Use Fill

Scale 1" = 400'
Created: 3/29/2008



www.gsoirrigation.com

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.

BARGAIN AND SALE DEED

STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION Grantor, the true and actual consideration for this transfer is forgiveness of future annual assessments, does convey unto the **J. L. WARD CO., an Oregon corporation, Grantee**, the following described real property: See Exhibit "A"

All irrigation water rights located upon the following described real property, to wit: Map 181217-NW ¼ SW ¼ Tax Lot 01800, located in Deschutes County, Oregon, being 3.00 acres of primary irrigation water rights, more or less, held in the name of Arnold Irrigation District, and any supplemental water rights appurtenant to the same lands.

Grantor acquired these rights in that Stipulated Final Judgment filed in the Circuit Court on June 1, 2000 as Case No. 99CV0318ST, Document No. 2000-23686, Deschutes County, Oregon.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

AFTER RECORDING RETURN TO:
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM OR 97301-3871

Map and Tax Lot #: 18 12 17 NW¼ SW¼ Tax Lot 01800
Property Address: Bare Land

TAX STATEMENT TO: ARNOLD IRRIGATION DISTRICT
PO BOX 9220
BEND, OR 97708-9220

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WATER RESOURCES DEPT.
SALEM, OREGON

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2008-14445



\$51.00

00606803200800144450050053

04/01/2008 04:02:03 PM

D-D Cnt=1 Stn=1 BN
\$25.00 \$11.00 \$10.00 \$5.00

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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this 18th day of March, 2008

STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION

By Richard R. Dunlap
Richard R. Dunlap, Acting State Right of Way Manager

STATE OF OREGON, County of Marion

Dated March 18, 2008. Personally appeared Richard R. Dunlap, who being sworn, stated that he is the Acting State Right of Way Manager for the State of Oregon, Department of Transportation, and that this document was voluntarily signed on behalf of the State of Oregon by authority delegated to him. Before me:



Dale R. Shafer
Notary Public for Oregon
My Commission expires 11/01/2011

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EXHIBIT A

Bend Parkway, Phase 3
The Dalles-California Highway
Deschutes County
Drg. No. 1A-22-22
Non-Throughway
AFD 5-18-00

Parcel 1 - Fee

A parcel of land lying in the W½ of Section 17, Township 18 South, Range 12 East, W.M., Deschutes County, Oregon and being a portion of that property described in that deed to HW 97 CPT Limited Partnership, recorded in Volume 219, Page 1308, Deschutes County Records; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of the relocated The Dalles-California Highway which center line is described as follows:

Beginning at Engineer's center line Station 380+00, said station being 2667.54 feet South and 1739.36 feet West of the Southeast corner of the SW¼SE¼ of Section 5, Township 18 South, Range 12 East, W.M.; thence South 32° 55' 46" West 741.05 feet; thence on a spiral curve left (the long chord of which bears South 28° 25' 54" West 897.78 feet) 900 feet; thence on a 1909.86 foot radius curve left (the long chord of which bears South 18° 08' 51.5" West 85.45 feet) 85.45 feet; thence on a spiral curve left (the long chord of which bears South 7° 51' 49" West 897.78 feet) 900 feet; thence South 3° 21' 57" West 2603.31 feet; thence on a spiral curve right (the long chord of which bears South 6° 44' 24" West 499.31 feet) 500 feet; thence on a 1414.71 foot radius curve right (the long chord of which bears South 15° 29' 23" West 98.69 feet) 98.71 feet; thence on a spiral curve right (the long chord of which bears South 24° 14' 22" West 499.31 feet) 500 feet; thence South 27° 36' 49" West 372.73 feet to Engineer's center line Station 447+01.25.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on the Westerly Side of Center Line
432+80		433+50	55 in a straight line to 65
433+50		435+30	65 in a straight line to 65
435+30		437+29.81	65 in a straight line to 65
437+29.81		438+28.52	65 in a straight line to 70
438+28.52		441+00	70 in a straight line to 60

(Continued)

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EXHIBIT A Continued

ALSO that portion of said property lying Easterly of said strip of land.

Bearings are based upon the Oregon Co-ordinate System of 1983, south zone.

The parcel of land to which this description applies contains 40,960 square feet, more or less, outside of the existing right of way.

Parcel 2 - Fee

A parcel of land lying in the W $\frac{1}{2}$ of Section 17 and the E $\frac{1}{2}$ of Section 18, Township 18 South, Range 12 East, W.M., Deschutes County, Oregon and being that property described in that deed to HW 97 CPT Limited Partnership, recorded in Volume 219, Page 1308, Deschutes County Records.

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 17.41 acres, more or less.

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SALEM, OREGON

VOL: 2000 PAGE: 23686
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*2000-23686 * Vol-Page

Printed: 06/15/2000 11:44:14

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: Jun. 15, 2000; 11:37 a.m.

RECEIPT NO: 22073

DOCUMENT TYPE: Court Records

FEE PAID: \$56.00

NUMBER OF PAGES: 6

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

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

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41 145201 JM

200 - 23686-1 931

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

FILED
CIRCUIT COURT
CO JUN -1 PM 2:53
DESCHUTES COUNTY
OREGON

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DESCHUTES

STATE OF OREGON, by and through its
Department of Transportation

Case No. 99CV0318ST

STIPULATED FINAL JUDGMENT

Plaintiff;

v.

HIGHWAY 97 CPT LIMITED
PARTNERSHIP, an Oregon Limited
Partnership; MAGNUM-WESTERN, INC., a
Washington corporation; CARLSON SIGN
CO.,

Defendants.



CERTIFIED TRUE COPY, OF THE ORIGINAL
DATED THIS 1 DAY OF June, 2000
CIRCUIT COURT
DESCHUTES COUNTY,
STATE OF OREGON

BY: [Signature]

The above-entitled matter having come on regularly upon stipulation of the parties,
plaintiff appearing by and through Albert C. Depenbrock, Assistant Attorney General, and
defendant appearing by and through Charles Corrigan, its attorney; and

The parties by their stipulation below agreeing and advising the Court, and the Court
finding:

That the parties have reached an agreement settling the case;

That this judgment reflects a settlement of all issues raised or raiseable in this action;

That pursuant to ORS 35.385(1)(b) defendant Highway 97 CPT Limited Partnership
waives all right of repurchase of the real property acquired by plaintiff by this judgment;

That an Order for Default has been entered herein against Carlson Sign Co., and that a
Notice of Dismissal has been entered herein against Magnum-Western, Inc. defendants herein;

That the acquisition described herein is necessary for public use;

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SALEM, OREGON

200.236862

1 That the plaintiff, prior to the commencement of this action and pursuant to its resolution,
2 attempted to acquire said real property by agreement and purchase;

3 That the sum to be awarded to the defendant for the appropriation of the property
4 hereinafter described is the sum of \$1,600,000;

5 That plaintiff, on July 29, 1999, deposited with the clerk of this court the sum of
6 \$145,000 for the use and benefit of the defendant;

7 That plaintiff has paid directly to defendant and its attorney the balance of the amount for
8 the appropriation which is over and above the \$145,000 heretofore deposited, to wit: the sum of
9 \$1,455,000, and that plaintiff is now entitled to judgment, appropriating the acquisition
10 hereinafter described, to the State of Oregon, by and through its Department of Transportation,
11 free and clear of all liens and encumbrances except as hereinafter provided; now, therefore,

12 **IT IS ADJUDGED:**

13 1.

14 Defendant Magnum-Western, Inc. is dismissed from this case.

15 2.

16 Defendant Carlson Sign Co. is in default and shall take nothing of compensation
17 awarded.

18 3.

19 That the acquisition hereinafter described be, and the same hereby is, appropriated for
20 public purposes; and title to said acquisition, together with all rights and easements therein, be,
21 and the same hereby is vested in the State of Oregon, by and through its Department of
22 Transportation, free and clear of all liens and encumbrances, except as herein provided. Said
23 acquisition so appropriated is described on the attached Exhibit A.

24 4.

25 The acquisition is encumbered and the plaintiff shall take the acquisition subject to the
26 interests of other than the within named defendant in the following encumbrance(s):

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2000.23686.3

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Irrigation rights and easements within Arnold Irrigation District.
Slope easement set out in Deed to the State of Oregon, recorded November 16, 1978, Book 289, Page 238.
Agreement for easement dates April 17, 1989, recorded November 28, 1989, Book 197, Page 1504.
Declaration of City of Policy recorded June 27, 1990, Book 212, Page 609.

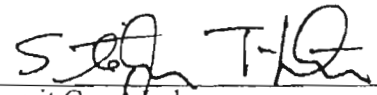
5.

Defendant Highway 97 CPT Limited Partnership shall be entitled to withdraw all sums due to it which have not been withdrawn previously.

6.

That none of the parties shall recover costs or attorney fees.

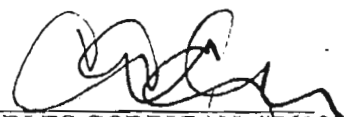
DATED this 31 day of May, 2000.


Circuit Court Judge

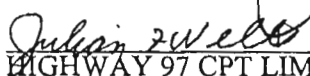
Submitted by: Albert C. Depenbrock
Assistant Attorney General

IT IS SO STIPULATED:

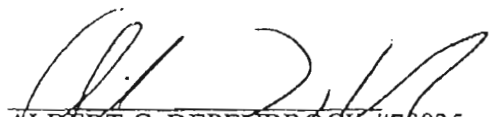
Dated: 5/19/00


CHARLES CORRIGAN #76108
Of Attorneys for Defendant

Dated: 5/24/00


HIGHWAY 97 CPT LIMITED
PARTNERSHIP BY MOUNTAIN STATES
DEVELOPMENT CO., GENERAL PARTNER
BY JULIAN WELTSCH, PRESIDENT

Dated: 5/25/00


ALBERT C. DEPENBROCK #78035
Assistant Attorney General

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200.23686-4

EXHIBIT A

File 6436306

Bend Parkway, Phase 3
The Dalles-California Highway
Deschutes County
Drg. No. 1A-22-22
Non-Throughway
AFD 5-18-00

HW 97 CPT Limited Partnership
Parcels 1 and 2

Parcel 1 - Fee

A parcel of land lying in the W½ of Section 17, Township 18 South, Range 12 East, W.M., Deschutes County, Oregon and being a portion of that property described in that deed to HW 97 CPT Limited Partnership, recorded in Volume 219, Page 1308, Deschutes County Records; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of the relocated The Dalles-California Highway which center line is described as follows:

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433+50		435+30	65 in a straight line to 65
435+30		437+29.81	65 in a straight line to 65
437+29.81		438+28.52	65 in a straight line to 70
438+28.52		441+00	70 in a straight line to 60

(Continued on Page 2)

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200.23686-5

EXHIBIT A CONTINUED - Page 2

File 6436306

ALSO that portion of said property lying Easterly of said strip of land.

Bearings are based upon the Oregon Co-ordinate System of 1983, south zone.

The parcel of land to which this description applies contains 40,960 square feet, more or less, outside of the existing right of way.

Parcel 2 - Fee

A parcel of land lying in the W $\frac{1}{2}$ of Section 17 and the E $\frac{1}{2}$ of Section 18, Township 18 South, Range 12 East, W.M., Deschutes County, Oregon and being that property described in that deed to HW 97 CPT Limited Partnership, recorded in Volume 219, Page 1308, Deschutes County Records.

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 17.41 acres, more or less.

NOTE: Access Completely Restricted to Parcel 1 except to Frontage Road Side.
Parcel 2 (Excess) makes an entire taking.
These parcels lie within the W $\frac{1}{2}$ of Sec 17 and the E $\frac{1}{2}$ of Section 18,
T 18 S, R 12 E, WM.

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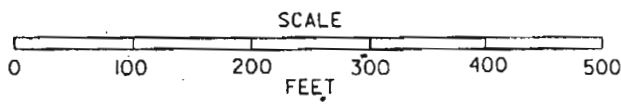
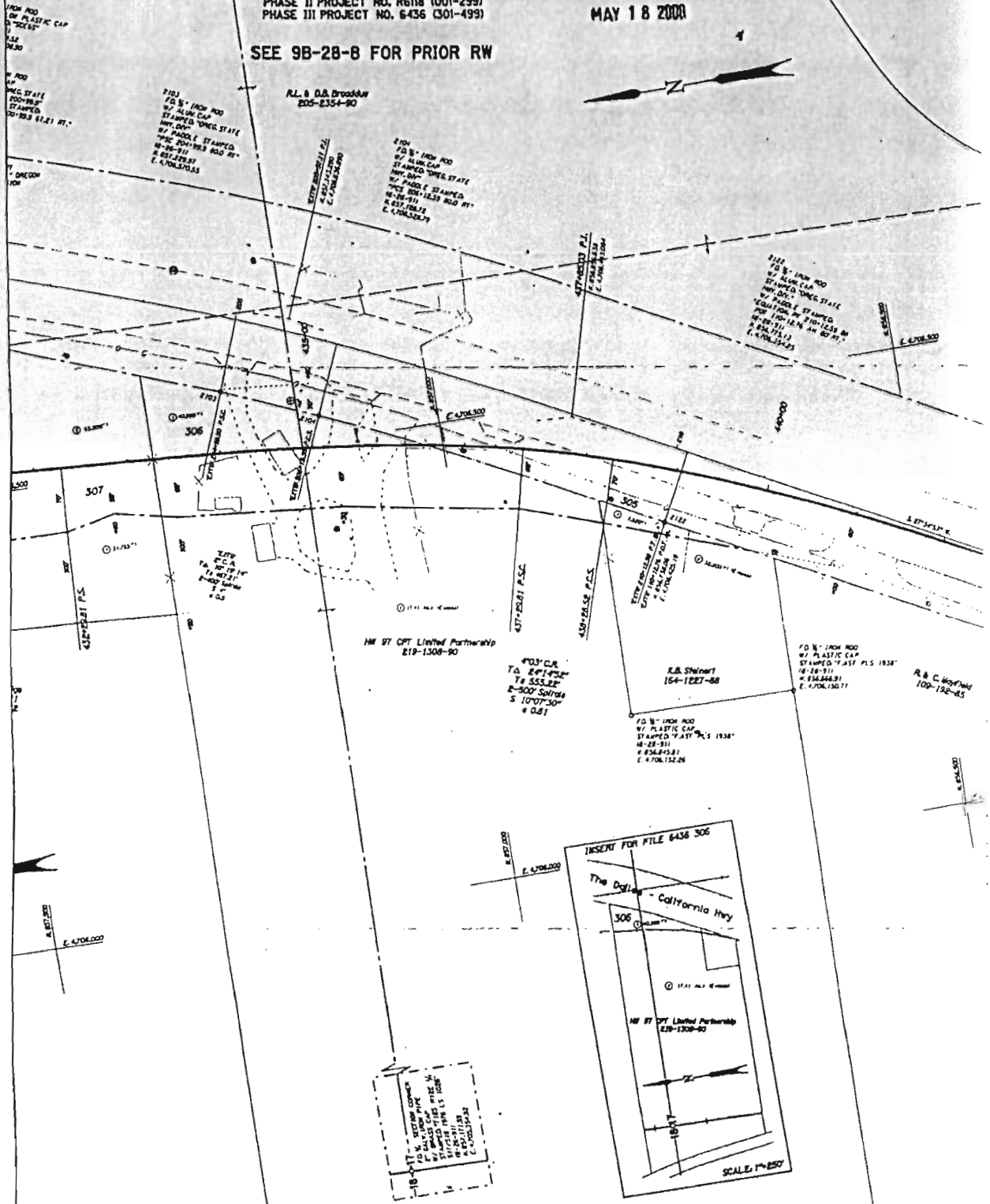
WATER RESOURCES DEPT
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20W.23686-6

T. 18 S., R. 12 E., W.M.
DRG. NO. 1A-22-22
PHASE I PROJECT NO. R6142 (501-999)
PHASE II PROJECT NO. R6118 (001-299)
PHASE III PROJECT NO. 6436 (301-499)

MAY 18 2000

SEE 9B-28-8 FOR PRIOR RW



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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.

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

Optional Identification by Lessor/Lessee: _____
Lease Application Number (assigned by WRD): IL-985

This Lease is with:

Lessor #1 (Water Right Holder):

Name Avion Water Company
Mailing address 60813 Parrell Rd
City, State, Zip Code Bend, OR 97702
Telephone number 541-382-5342
Email address _____

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. 74197 & Supplemental 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.]

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T	R	Sect	¼ ¼	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	12	09	NE NE	00300	4.00	IRRIG	74197	9	2/5/1905- 4/25/1905
2.	18	12	09	NE NE	00400	2.20	IRRIG	74197	9	2/5/1905- 4/25/1905
3.	18	12	09	NE NE	00500	2.00	IRRIG	74197	9	2/5/1905- 4/25/1905
4.	18	12	16	SE NW	00700	3.00	IRRIG	74197	13	2/5/1905- 4/25/1905
5.	18	11	23	SE SE	04900	1.50	IRRIG	74197	3	2/5/1905- 4/25/1905

Total number of acres, if for irrigation, by certificate and priority date: 46.06 ac (Additional water shown on Attachment B - Section 1.5)

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 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.

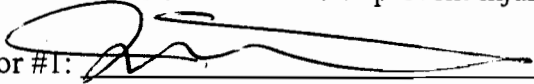
3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

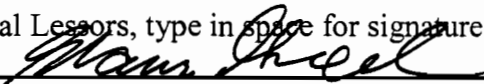
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- 3.3 Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior short term lease shall not set a precedent 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: MAY 6 2008
 Jan Wick, President, Avion Water Company

For additional Lessors, type in space for signature and date
 Lessor #2:  Date: 5/7/08
 Shawn Gerdes, Manager, Arnold Irrigation District

- 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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Attachment A – Section 1.1

Township 18S	Range 12E	Section 09	Tax Lot 00300
Township 18S	Range 12E	Section 09	Tax Lot 00400
Township 18S	Range 12E	Section 09	Tax Lot 00500
Township 18S	Range 12E	Section 16	Tax Lot 00700
Township 18S	Range 11E	Section 23	Tax Lot 04900
Township 18S	Range 12E	Section 09	Tax Lot 00400
Township 18S	Range 12E	Section 08	Tax Lot 00400
Township 18S	Range 12E	Section 08	Tax Lot 01600
Township 18S	Range 12E	Section 17	Tax Lot 00801
Township 18S	Range 12E	Section 09	Tax Lot 00400
Township 18S	Range 12E	Section 09	Tax Lot 00301

Attachment B – Section 1.5 (cont'd)

	T	R	Sect	¼ ¼	Tax Lot	Acres	Type of Use	Cert#	Page(s)#	Priority
No. 6	18	12	09	NW NW	00400	0.25	IRRIG	74197	10	2/5/1905- 4/25/1905
No. 7	18	12	08	NE NE	00400	1.75	IRRIG	74197	7	2/5/1905- 4/25/1905
No. 8	18	12	08	SW SE	01600	1.00	IRRIG	74197	9	2/5/1905- 4/25/1905
No. 9	18	12	17	NW NE	00801	0.30	IRRIG	74197	13	2/5/1905- 4/25/1905
No. 10	18	12	17	NE NW	00801	0.70	IRRIG	74197	13	2/5/1905- 4/25/1905
No. 11	18	12	09	SW NE	00400	23.36	IRRIG	74197	9	2/5/1905- 4/25/1905
No. 12	18	12	09	SW NE	00301	6.00	IRRIG	74197	9	2/5/1905- 4/25/1905

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SALEM, OREGON

JUN 26 2008

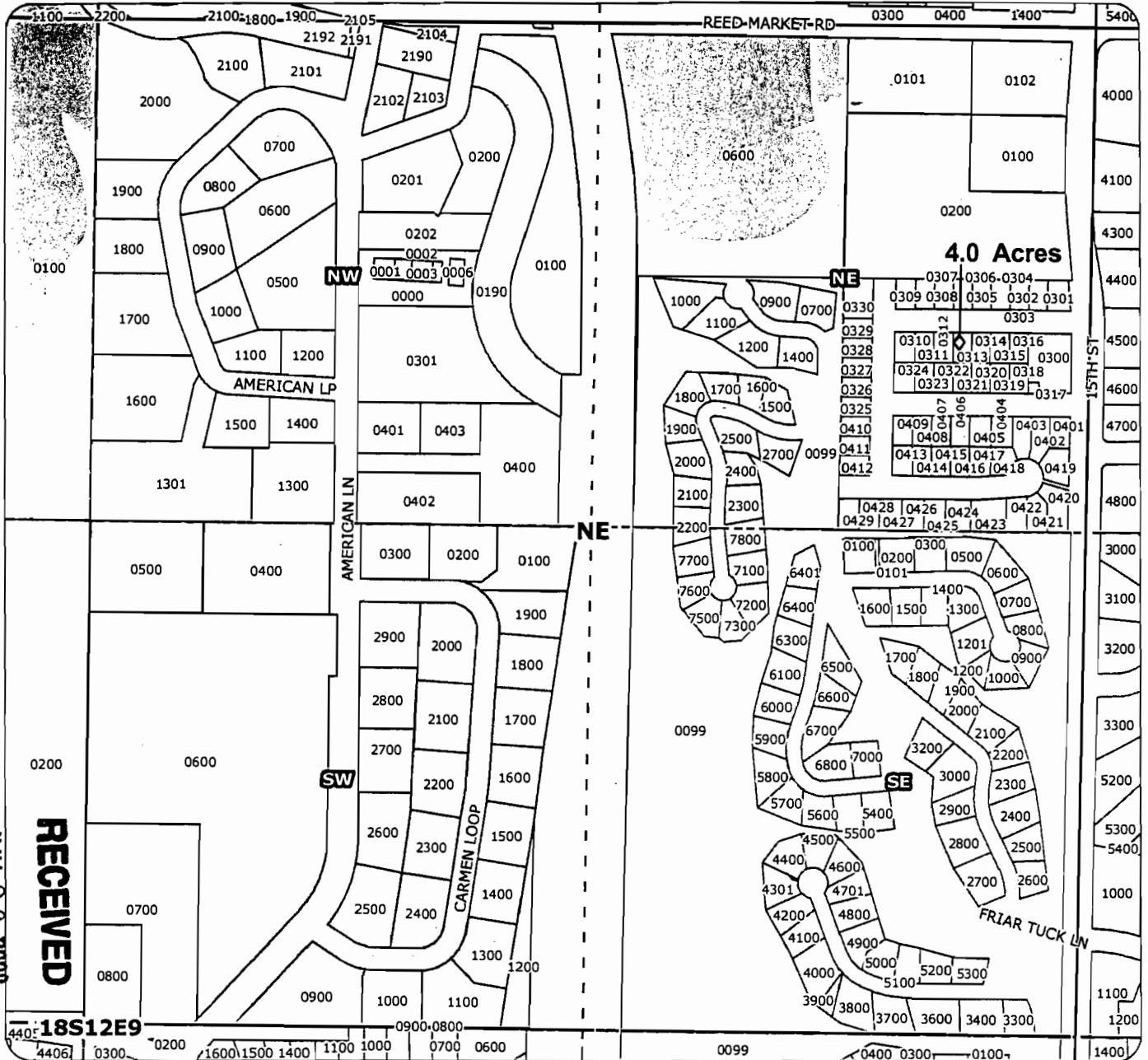
RECEIVED
Water Company

Priority 2/5/1905-4/26/1905

T	R	Sec	Q	Taxlot	Acres	Type of Use	Cert #	Page #	Priority	Quitclaim Deed	Warranty Deed	Name
18	12	9	NENE	00300	4.00	IRR	74197	9	1905	2004-66936	2005-21168 / 2004-54937 / 1995-028398	Ivy Mills
18	12	9	NENE	00400	2.20	IRR	74197	9	1905	2004-63884	1985-029308 (dedication dd)	Mills
18	12	9	NENE	00500	2.00	IRR	74197	9	1905	2004-66935	1985-029308 (dedication dd)	Mills
18	12	16	SENW	00700	3.00	IRR	74197	13	1905	2006-58252 / 2005-16939	1995-008041 (?)	Ward
18	11	23	SESE	04900	1.50	IRR	74197	3	1905	2006-57620 / 2005-52304 (?)	2005-47106	Heuer
18	12	9	NWNW	00400	0.25	IRR	74197	10	1905	2006-58253 / 2006-05123	2003-42766	Shannon
18	12	8	NENE	00400	1.75	IRR	74197	7	1905	2006-58253 / 2006-05123	2003-42766	Shannon
18	12	8	SWSE	01600	1.00	IRR	74197	9	1905	2006-07383	2005-69767	Badger View
18	12	17	NWNE	00801	0.30	IRR	74197	13	1905	2008-20144	2000-28327-1	Haller
18	12	17	NENW	00801	0.70	IRR	74197	13	1905	2008-20144	2000-28327-1	Haller
18	12	9	SWNE	00400	23.36	IRR	74197	9	1905	2002-30392	2000-7079 / 2000-7080 / 1992-020456	Anderson
18	12	9	SWNE	00301	6.00	IRR	74197	9	1905	2002-30392	2000-7079 / 2000-7080 / 1992-020456	Anderson

Total Acres Leased 46.06

2008 Arnold Irrigation District Instream Lease Map





WATER RESOURCES DEPT
SALEM, OREGON

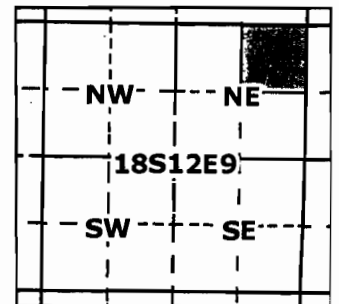
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Application for 1-year Instream Lease Primary: Certificate 74197

-  Proposed Lease of Irrigation Rights
-  Water Rights

For:
Ivy (Avion Water Co.)
Taxlot 300* - 4.0 Acres
in 18S12E9NENE
Total Lease of 4.0 Acres
*Mapped from 3111 water right
representation of taxlot 300



Geo-Spatial Solutions, Inc.
www.geospatialsolutions.com

Date Created: May 2008

j N
1 inch equals 400 feet

BARGAIN AND SALE DEED

Recording requested by and when recorded return to:

**DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK**

2004-66936

Robert S. Lovlien
Bryant, Lovlien & Jarvis
PO Box 1151
Bend, OR 97709-1151



\$41.00

11/08/2004 02:12:34 PM

**D-D Cnt=1 Str=23 PAT
\$15.00 \$11.00 \$10.00 \$5.00**

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

Avion Water Company, Inc.
60813 Parrell Rd.
Bend, OR 97702

The true consideration for this transfer is \$4,000.00.

JESSE K. IVY and GRANT E. MILLS, each as to an undivided one-half (1/2) interest, Grantors, convey to AVION WATER COMPANY, INC., an Oregon corporation, Grantee, the following described water rights:

Four (4) acres of Arnold Irrigation District water rights, which is appurtenant to the real property described as follows:

See Exhibit "A", which is attached hereto, and incorporated herein by reference.

SUBJECT TO:

1. Grantee shall be responsible for all Arnold Irrigation District fees, commencing with the irrigation year beginning April, 2005.
2. Grantee shall transfer the water to an instream lease, until the water is permanently transferred.
3. Grantor authorizes Grantee to execute any and all documents pertaining to water rights as required for transfer or lease.

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

1 - Bargain and Sale Deed
(RSL:AVION.198)

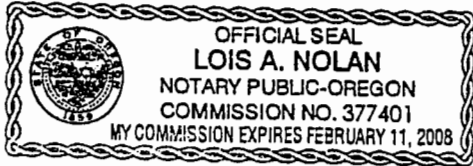
BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 www.bryantlovlienjarvis.com
24 SW Fifth Street Madras, Oregon 97541 (541) 475-2757 fax (541) 475-2962

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WATER RESOURCES DEPT
SALEM, OREGON

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

DATED this 1ST day of November, 2004.



Jesse K. Ivy
JESSE K. IVY

Grant E. Mills
GRANT E. MILLS

STATE OF OREGON)
) ss.
COUNTY OF DESCHUTES)

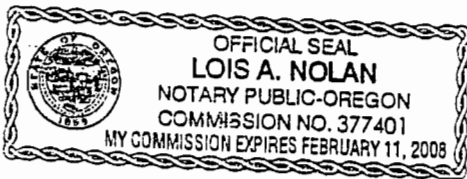
The foregoing instrument was acknowledged before me this 1st day of
Nov, 2004, by Jesse K. Ivy.

Lois A. Nolan
Notary Public for Oregon
My Commission Expires: 2-11-08

STATE OF OREGON)
) ss.
COUNTY OF DESCHUTES)

The foregoing instrument was acknowledged before me this 1st day of
Nov, 2004, by Grant E. Mills.

Lois A. Nolan
Notary Public for Oregon
My Commission Expires: 2-11-08



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WATER RESOURCES DEPT
SALEM, OREGON

2 -- Bargain and Sale Deed
(RSL:AVION.198)

BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 332-4531 fax (541) 389-3386 www.bryantlovlienjarvis.com

EXHIBIT "A"

A parcel of land located in a portion of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 9, Township 18 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Commencing at the Northeast corner of said Section 9; thence along the East boundary of said Section 9 South $00^{\circ}48'01''$ West a distance of 991.92 feet; thence leaving said East boundary South $89^{\circ}50'01''$ West a distance of 20.00 feet to a point on the West right-of-way line of 15th Street (originally known as Ferguson Road established in 1908 with a 40.00-foot-wide right-of-way lying 20.00 feet on each side of centerline), being the true point of beginning of this description; thence along said right-of-way line South $00^{\circ}48'01''$ West a distance of 27.37 feet; thence leaving said right-of-way South $89^{\circ}42'06''$ West a distance of 500.68 feet; thence South $85^{\circ}47'52''$ West a distance of 60.22 feet; thence South $89^{\circ}42'06''$ West a distance of 77.92 feet to a point on the East boundary of the plat of Nottingham Square recorded November 16, 1973 in Plat Cabinet B, Page 375, in the office of the Deschutes County Clerk; thence along said East boundary North $00^{\circ}41'59''$ East a distance of 362.05 feet to the Southwest corner of that parcel described in Warranty Deed recorded November 19, 1993 in Volume 319, Page 2617 of Deschutes County Official Records; thence along the South boundary of said parcel North $89^{\circ}42'06''$ East a distance of 607.45 feet to the West boundary of the parcel described in Declaration of Dedication recorded December 24, 1985 in Volume 112, Page 1735 of Deschutes County Official Records; thence along said West boundary the following one course and one curve:

South $05^{\circ}17'18''$ East a distance of 63.64 feet; 94.84 feet along the arc of a tangent curve to the right with a radius of 892.44 feet, the chord of which bears south $02^{\circ}14'39''$ East for a distance of 94.79 feet; South $00^{\circ}48'01''$ West a distance of 172.38 feet to a point on the North boundary of the parcel described in Bargain and Sale Deed recorded January 6, 1999 in Volume 1999, Page 5436 of Deschutes County Official Records; thence along said North boundary North $89^{\circ}50'01''$ East a distance of 20.00 feet to the point of beginning, the terminus of this description.

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WATER RESOURCES DEPT
SALEM, OREGON

Enhancing the lives of citizens by delivering quality services in a cost-effective manner

Deschutes County

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Information on the Deschutes County Computer is not guaranteed to be accurate and may contain errors and omissions. Deschutes County provides NO WARRANTY AS TO THE MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE FOR ANY INFORMATION. Original records may differ from computer entries. If reliance upon computer record is intended, verification of information on source documents is required. User expressly acknowledges and agrees that the use of any information appearing on the Deschutes County Computer is at User's sole risk. Deschutes County shall not be liable for any direct, indirect, incidental, or consequential damages caused by mistakes, omissions, deletions, errors, defects, in any information, or any failure or delays in receiving information. The following property tax assessment data is updated nightly.

Account: 120222 Map/PL: R 1-001.181209 AA 00300

* * * CURRENT Ownership Information ONLY

IVY, JESSE K
61537 SE 15th ST
BEND OR 97702

Site Address: 61537 15th ST BEND 97702

Assessor Property Description
REED POINTE PHASE 1 Lot 21 Block:

Prop C1S:131 MA:5 VA:53 NR:012 Vol-Page: 2007-57745
Asst Zone:RL CDD Zone:BEND (CITY OF BEND)

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SALEM, OREGON

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2006-59258



\$31.00

10/17/2006 10:34:08 AM

D-D Cntal Slns23 TR
\$5.00 \$11.00 \$10.00 \$5.00

After recording return to:
JESSE E. IVY
61537 SE 15th St.
WASCO, OR 97762

Until a change is requested all tax statements
shall be sent to the following address:
JESSE E. IVY
61537 SE 15th St.
WASCO, OR 97762

STATUTORY BARGAIN AND SALE DEED

Jesse IVY

GENERATION DEVELOPMENT, INC., an Oregon Corporation, Grantor, conveys to JESSE E. IVY, GRANTEE, the following described real property:

LOT 21, NEED POINTE PHASE 1, DESCHUTES COUNTY, OREGON

Tax Account No(s): 130222
Map/Tax Lot No(s): 181209 AA 00360

The true consideration for this conveyance is \$ -0.-.

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 9 day of October, 2006.

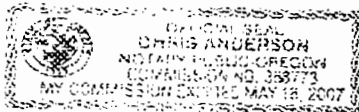
GENERATION DEVELOPMENT, INC.

George A. Male
GEORGE A. MALE,
PRESIDENT

STATE OF OREGON, COUNTY OF *Washington*) ss.

This instrument was acknowledged before me on October 9, 2006 by GENERATION DEVELOPMENT INC. BY: GEORGE A. MALE AS PRESIDENT OF SAID CORPORATION.

Chris Anderson
Notary Public for Oregon
My commission expires 5-11-07



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WATER RESOURCES DEPT
SALEM, OREGON

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2007-57745



\$31.00

10/31/2007 04:01:38 PM

D-0 Cnt=1 Stn=28 JS
\$5.00 \$11.00 \$10.00 \$5.00

STATUTORY BARGAIN AND SALE DEED

GEORGE HALE DEVELOPMENT, INC., Grantor, conveys to JESSE K. IVY, Grantee, the following described real property:

Lot 21. REED POINTE PHASE 1, Deschutes County, Oregon.

Tax Account No(s): 170222
Map/Tax Lot No(s): 182109-AA-00300

The true consideration for this conveyance is to correct the grantor on deed 2005-69258.

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 29 day of October, 2007.

George Hale Development, Inc.

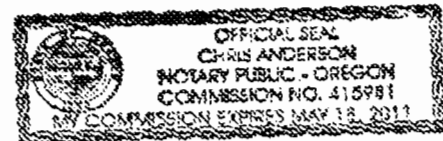
George A. Hale
President

By: George A. Hale, President

STATE OF OREGON, COUNTY OF Multnomah) SS.

This instrument was acknowledged before me on October 29, 2007 by George A. Hale, President of George Hale Development, Inc.

Chris Anderson
(Notary Public for Oregon)
My commission expires 5-18-2011



After recording return to Grantee:
Jesse K. Ivy
61537 -15th Street
Bend, OR 97702

Until a change is requested all tax statements shall be sent to the following address:
Grantee as set forth above

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

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WATER RESOURCES DEPT
SALEM, OREGON

26

STATUTORY QUITCLAIM DEED

Jesse K. Ivy and Grant Mills, Grantor, releases and quitclaims to Grant Mills, Grantee, all right, title and interest in and to the following described real property:

2

See Attached Exhibit "A" and made apart hereof.

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

The true consideration for this conveyance is \$ -0-.

This deed releases any and all interest in recorded Purchase Agreement Recorded October 18, 2004 as fee no. 2004 - 62416.

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 5 day of April, 2005.

Grant Mills
Jesse K. Ivy

STATE OF OREGON,)
County of Deschutes) ss.
This instrument was acknowledged before me on 4/5, 2005, by Jesse K. Ivy

STATE OF OREGON,)
County of Deschutes) ss.
This instrument was acknowledged before me on 4/5, 2005, by Grant Mills

Notary Public for [Signature]
My commission expires:

Notary Public for [Signature]
My commission expires:

After recording return Grant Mills
61519 SE 15th
Bend OR 97702



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

61519 SE 15th
Bend OR 97702
TITLE NO. 10-0244204
ESCROW NO. 10-0244204

RECORDED BY: WESTERN TITLE & ESCROW CO.

DESCHUTES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY CLERK

2005-21168



\$36.00

04/08/2005 02:12:01 PM

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

WATER RESOURCES DEPT SALEM, OREGON

JUN 26 2008

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EXHIBIT "A"

A parcel of land located in a portion of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 9, Township 18 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Commencing at the Northeast corner of said Section 9; thence along the East boundary of said Section 9 South $00^{\circ}48'01''$ West a distance of 991.92 feet; thence leaving said East boundary South $89^{\circ}50'01''$ West a distance of 20.00 feet to a point on the West right-of-way line of 15th Street (originally known as Ferguson Road established in 1908 with a 40.00-foot-wide right-of-way lying 20.00 feet on each side of centerline), being the true point of beginning of this description; thence along said right-of-way line South $00^{\circ}48'01''$ West a distance of 27.37 feet; thence leaving said right-of-way South $89^{\circ}42'06''$ West a distance of 500.68 feet; thence South $85^{\circ}47'52''$ West a distance of 60.22 feet; thence South $89^{\circ}42'06''$ West a distance of 77.92 feet to a point on the East boundary of the plat of Nottingham Square recorded November 16, 1973 in Plat Cabinet B, Page 375, in the office of the Deschutes County Clerk; thence along said East boundary North $00^{\circ}41'59''$ East a distance of 362.05 feet to the Southwest corner of that parcel described in Warranty Deed recorded November 19, 1993 in Volume 319, Page 2617 of Deschutes County Official Records; thence along the South boundary of said parcel North $89^{\circ}42'06''$ East a distance of 607.45 feet to the West boundary of the parcel described in Declaration of Dedication recorded December 24, 1985 in Volume 112, Page 1735 of Deschutes County Official Records; thence along said West boundary the following one course and one curve:

South $05^{\circ}17'18''$ East a distance of 63.64 feet; 94.84 feet along the arc of a tangent curve to the right with a radius of 892.44 feet, the chord of which bears south $02^{\circ}14'39''$ East for a distance of 94.79 feet; South $00^{\circ}48'01''$ West a distance of 172.38 feet to a point on the North boundary of the parcel described in Bargain and Sale Deed recorded January 6, 1999 in Volume 1999, Page 5436 of Deschutes County Official Records; thence along said North boundary North $89^{\circ}50'01''$ East a distance of 20.00 feet to the point of beginning, the terminus of this description.

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WATER RESOURCES DEPT
SALEM, OREGON

NN

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2004-54937

\$41.00



09/13/2004 02:00:01 PM

D-D Cnt=1 St=1 BECKEY
\$15.00 \$11.00 \$10.00 \$5.00

SPACE R. FOR RECORDER'S USE No. _____, Records of said County.

Witness my hand and seal of County affixed.

NAME TITLE

By _____, Deputy.

Grantor's Name and Address

Jesse K. Ivy & Denise M. Ivy
21175 SE Claremont Ct
Bend OR 97702

Grantee's Name and Address

Until requested otherwise, send all tax statements to (Name, Address, Zip):
No Change With This Deed

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Jesse K. Ivy and Denise M. Ivy

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Jesse K. Ivy and Denise M. Ivy hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Deschutes County, State of Oregon, described as follows, to-wit:

For legal description, see Exhibit "A" attached hereto and made a part hereof;

This deed is given to perfect a lot line adjustment.

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

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ none consideration.

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

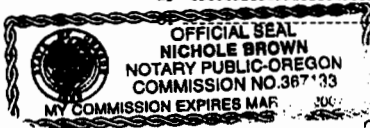
IN WITNESS WHEREOF, the grantor has executed this instrument on Sept 02, 2004; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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.

Jesse K. Ivy
Denise M. Ivy

STATE OF OREGON, County of Deschutes ss. This instrument was acknowledged before me on 9-2-04 by Jesse K. Ivy and Denise M. Ivy

This instrument was acknowledged before me on by as



367133 Nichole Brown
Notary Public for Oregon
My commission expires March 30, 2005

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JUN 26 2008 WATER RESOURCES DEPT SALEM, OREGON

WATER RESOURCES DEPT SALEM, OREGON

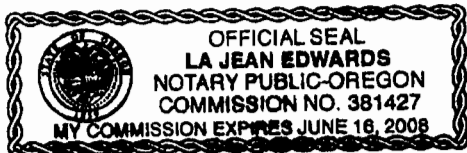
STATE OF OREGON,

County of Deschutes } ss.

On 9/13/04 before me personally appeared Denise M Ivy

whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above.



[Signature]
Notary Public for Oregon
My commission expires 6/16/08

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

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WATER RESOURCES DEPT
SALEM, OREGON

**Adjusted 181209AA Tax Lot 300-
to be deeded from Ivy to Ivy**

A parcel of land containing 5.09 acres, more or less, located in a portion of the Northeast One-quarter of the Northeast One-quarter (NE1/4 NE1/4) of Section 09, Township 18 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Commencing at the northeast corner of said Section 09; thence along the east boundary of said Section 09 South 00°48'01" West a distance of 991.92 feet; thence leaving said east boundary South 89°50'01" West a distance of 20.00 feet to a point on the west right-of-way line of 15th Street (originally known as Ferguson Road established in 1908 with a 40.00 foot wide right-of-way lying 20.00 feet on each side of centerline), being the true **Point of Beginning** of this description; thence along said right-of-way line South 00°48'01" West a distance of 27.37 feet; thence leaving said right-of-way South 89°42'06" West a distance of 500.68 feet; thence South 85°47'52" West a distance of 60.22 feet; thence South 89°42'06" West a distance of 77.92 feet to a point on the east boundary of the plat of Nottingham Square recorded November 16, 1973 in plat cabinet B, page 375 in the office of the Deschutes County Clerk; thence along said east boundary North 00°41'59" East a distance of 362.05 feet to the southwest corner of that parcel described in Warranty Deed recorded November 19, 1993 in Volume 319, Page 2617 of Deschutes County Official Records; thence along the south boundary of said parcel North 89°42'06" East a distance of 607.45 feet to the west boundary of the parcel described in Declaration of Dedication recorded December 24, 1985 in Volume 112, Page 1735 of Deschutes County Official Records; thence along said west boundary the following one (2) courses and one (1) curve:

South 05°17'18" East a distance of 63.64 feet;
94.84 feet along the arc of a tangent curve to the right with a radius of 892.44 feet, the chord of which bears South 02°14'39" East for a distance of 94.79 feet;
South 00°48'01" West a distance of 172.38 feet to a point on the north boundary of the parcel described in Bargain and Sale Deed recorded January 6, 1999 in Volume 1999, Page 5436 of Deschutes County Official Records; thence along said north boundary North 89°50'01" East a distance of 20.00 feet to the point of beginning, the terminus of this description.

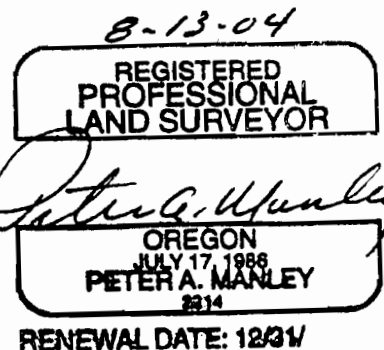
Subject to: All easements, restrictions and right-of-ways of record and those common and apparent on the land.

WATER RESOURCES DEPT
SALEM, OREGON

JUN 26 2008

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July 01, 2004
S:\Land Projects\040218 Mills Subdivision\Docs\Adj TL 300.doc
Page 1
Ivy to Ivy



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 RECORDING DATE: 8/15/1995 10:50:00 AM
 RECORDING FEES:
 BOOK & PAGE: 381-2218
 CONSIDERATION: \$193,000
 DESCRIPTION: D 1 = Deed
 INDEXED: Yes
 VERIFIED: Yes
 ARCHIVE DATA: [View Additional Information](#)
 IMAGE: [View Document Image as TIF](#)
 [View Document Image as PDF](#)

Return To

NAME	ADDRESS	ADDRESS 2	CITY	STATE	ZIP

Parties

PARTY TYPE	LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
DIRECT	SCHAFER	ROBERT	J	
INDIRECT	IVY	JESSE	K	
INDIRECT	IVY	DENISE	M	

Legal Descriptions

SUBDIVISION	LOT	BLOCK	DIRECTION	PART	PART TYPE	TWN	RNG	SCT	QQ	TAXLOT	PARCEL	LEGAL DESCRIPTION
						18	12	09				S9 T18 R12 NE1/4NE1/4
						18	12	09	AA		003	

The following documents are referenced in this document:

DOCUMENT #	BOOK & PAGE	DOCUMENT TYPE

The following documents make reference to this document:

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 JUN 26 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

Deschutes County Clerks Office Recording System Web Query

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LOCATION	381-2218
NOTES	SEE DOCUMENT FOR COMPLETE LEGAL
NOTES	WARRANTY DEED
RECEPTION NUMBER	95-28398

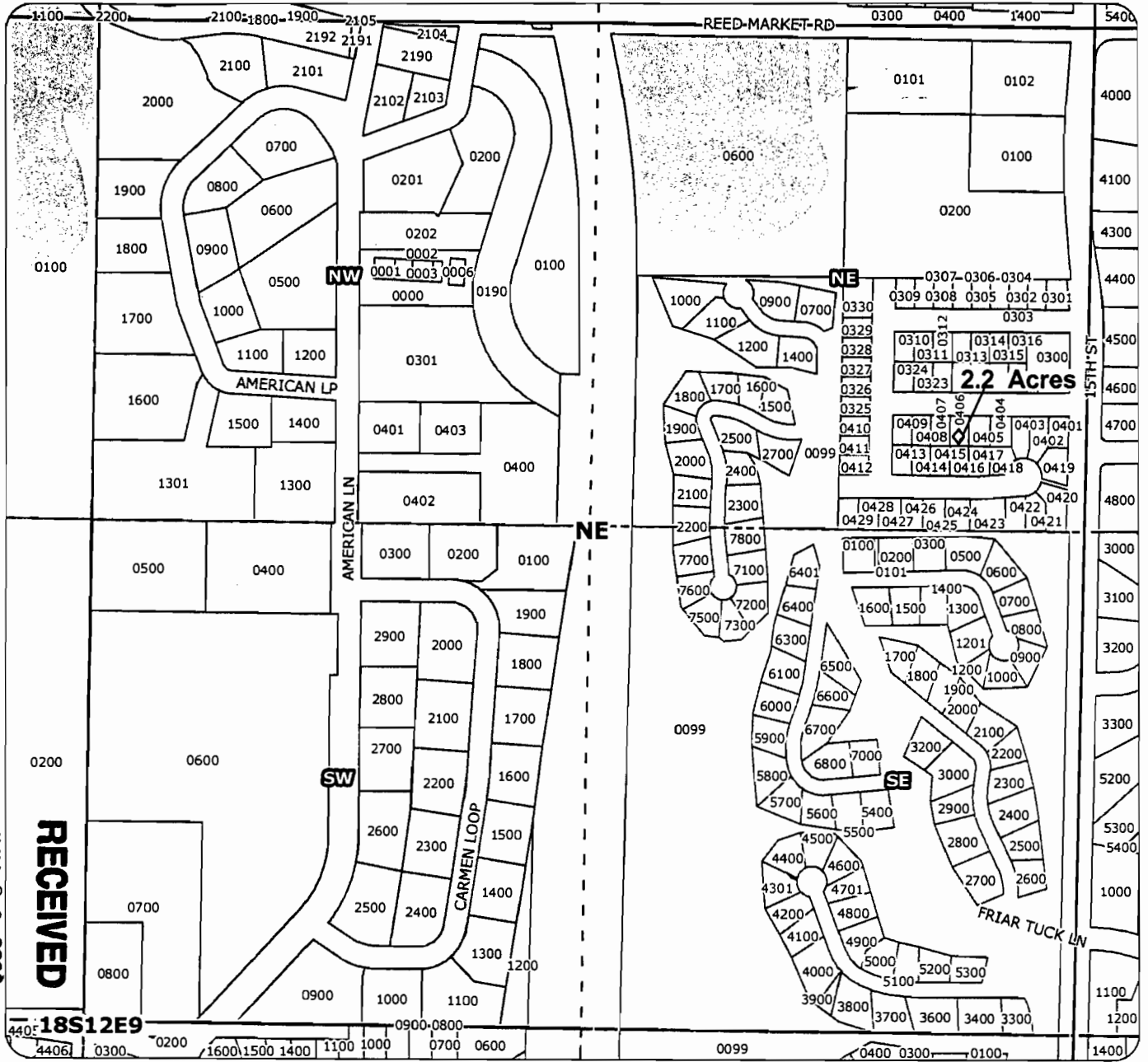
[Return to Document](#)

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WATER RESOURCES DEPT
SALEM, OREGON

2008 Arnold Irrigation District Instream Lease Map





WATER RESOURCES DEPT
SALEM, OREGON

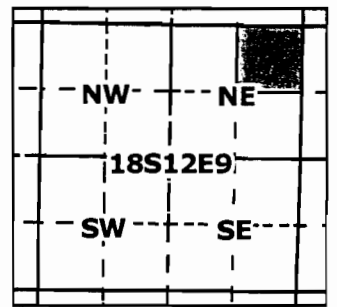
JUN 26 2008

RECEIVED

Application for 1-year Instream Lease Primary: Certificate 74197

-  Proposed Lease of Irrigation Rights
-  Water Rights

For:
Mills (Avion Water Co.)
Taxlot 400* - 2.2 Acres
in 18S12E9NENE
Total Lease of 2.2 Acres
*Mapped from 3111 water right
representation of taxlot 400



Geo-Spatial Solutions, Inc.
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Date Created: May 2008

j N

1 inch equals 400 feet

JUN 26 2008

Arnold Irrigation District

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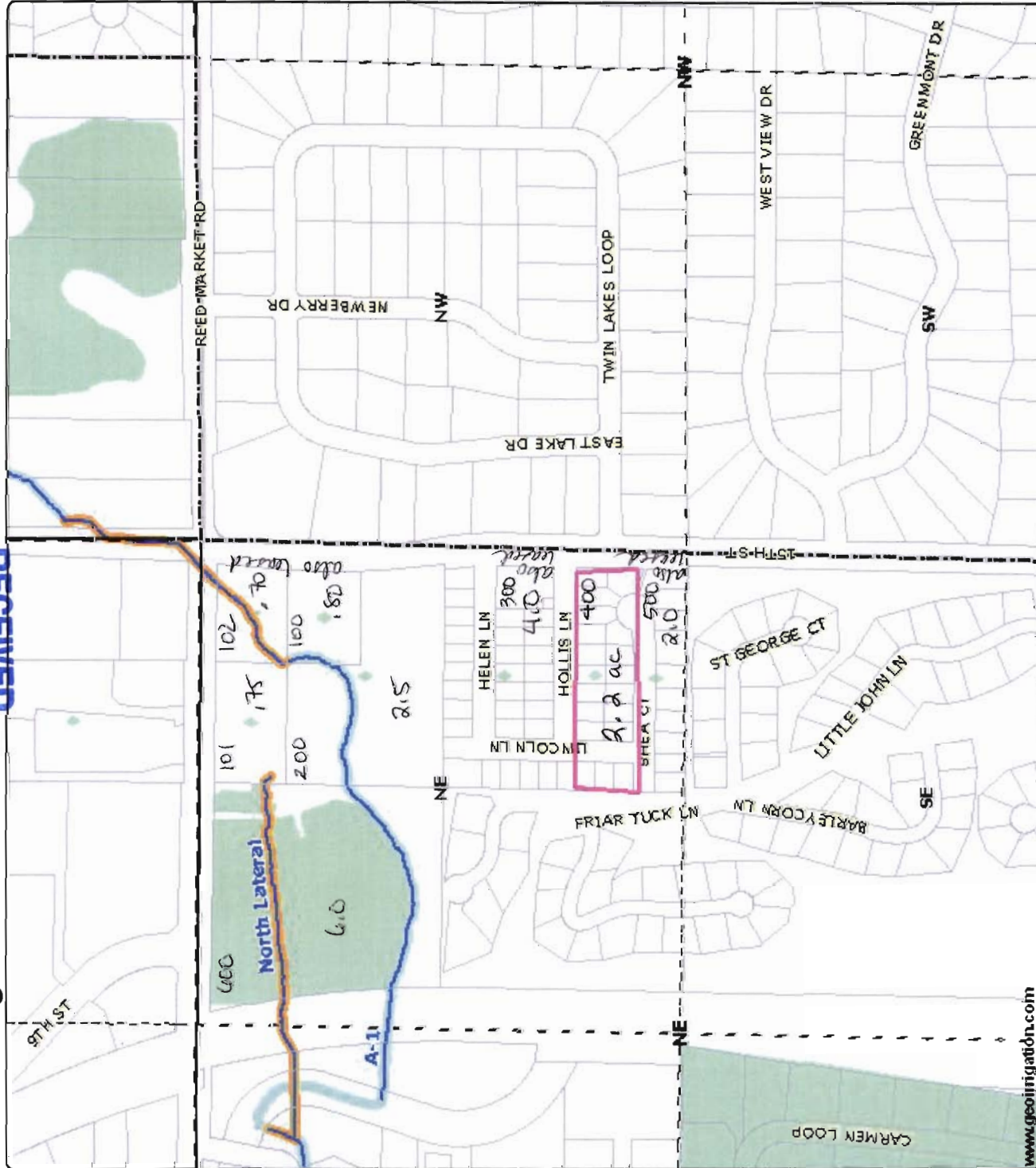
Avion-Mills -
181209-NENE-00400 -
2.20 ac
181209AA00400

- District Boundary
- County Boundary
- State Roads
- Roads
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Canal All
- Canal Piped
- Canal Open
- Rivers
- Place of Use Fill

tax lots 400/500
have been canceled
and subdivided
taxlot 300 has
also been divided



Scale 1" = 400'
Created: 4/25/2008



DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.

BARGAIN AND SALE DEED

Recording requested by and when recorded return to:

Robert S. Lovlien
Bryant, Lovlien & Jarvis
PO Box 1151
Bend, OR 97709-1151

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2004-53884



00312055200400638840030034

\$41.00

10/25/2004 02:36:21 PM

D-D Cnt=1 Stn=23 JEFF
\$15.00 \$11.00 \$10.00 \$5.00

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

Avion Water Company, Inc.
60813 Parrell Rd.
Bend, OR 97702

The true consideration for this transfer is \$2,200.00.

GRANT E. MILLS, Grantor, conveys to AVION WATER COMPANY, INC., an Oregon corporation, Grantee, the following described water rights:

2.2 acres of Arnold Irrigation District water rights, which is appurtenant to the real property described as follows:

See Exhibit "A", which is attached hereto, and incorporated herein by reference.

SUBJECT TO:

1. Grantee shall be responsible for all Arnold Irrigation District fees, commencing with the irrigation year beginning April, 2005.
2. Grantee shall transfer the water to an instream lease, until the water is permanently transferred.
3. Grantor authorizes Grantee to execute any and all documents pertaining to water rights as required for transfer or lease.

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.

1 - Bargain and Sale Deed
(RSL:AVION.197)

BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 www.bryantlovlienjarvis.com

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

A tract of land in the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 9, Township 18 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at a point on the section line between Sections 9 and 10 South 0°52' West, 991.92 feet from the corner of Sections 3, 4, 9, 10 and running thence South 0°52' West, 330.64 feet along the section line to the Southeast corner of the NE1/4 NE1/4; thence South 89°53' West, 658.0 feet; thence North 0°46'30" East, 330.8 feet; thence North 89°54' East, 658.4 feet to the point of beginning.

EXCEPTING THEREFROM the right of way of the County road as located over and across the Easterly portion thereof.

AND ALSO EXCEPTING THEREFROM a tract of land in the NE1/4 NE1/4 of Section 9 of said Township and Range, described as follows:

Beginning at the Southeast corner of said NE1/4 NE1/4; thence West along the South line of said NE1/4 NE1/4, a distance of 658.0 feet; thence North 0°45'30" East, 165.4 feet; thence North 89°54' East, a distance of 658.4 feet to a point on the East line of said NE1/4 NE1/4; thence South along the East line of said NE1/4 NE1/4 to the point of beginning.

EXCEPTING THEREFROM the right of way of the County Road as located over and across the Easterly portion thereof.

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JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

VOL: 1999 PAGE: 543

STATE OF OREGON COUNTY OF DESCHUTES

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

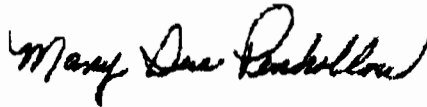
DATE AND TIME: Jan. 6, 1999; 3:26 p.m.

RECEIPT NO: 275

DOCUMENT TYPE: Deed

FEE: \$45.00

NUMBER OF PAGES: 2



MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK



*1999-543 * Vol:Page

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JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

1999-543-1

BARGAIN AND SALE DEED

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

Grant E. Mills
61319 S.E. 15th Street
Bend, Oregon 97702

After recording, this Deed shall be delivered to:

Melissa P. Lande
Bryant, Lovlien & Jarvis, P.C.
P.O. Box 1151
Bend, Oregon 97701

The true consideration for this transfer is division of marital assets pursuant to dissolution of marriage.

LISA L. MILLS, Grantor, conveys to GRANT E. MILLS, Grantee, the following-described real property:

A tract of land in the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 9, Township 18 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at a point on the section line between Sections 9 and 10 South 0°52' West, 991.92 feet from the corner of Sections 3, 4, 9, 10 and running thence South 0°32' West, 330.64 feet along the section line to the Southeast corner of the NE1/4 NE1/4; thence South 89°53' West, 658.0 feet; thence North 0°46'30" East, 330.8 feet; thence North 89°54' East, 658.4 feet to the point of beginning.

EXCEPTING THEREFROM the right of way of the County road as located over and across the Easterly portion thereof.

AND ALSO EXCEPTING THEREFROM a tract of land in the NE1/4 NE1/4 of Section 9 of said Township and Range, described as follows:

Beginning at the Southeast corner of said NE1/4 NE1/4; thence West along the South line of said NE1/4 NE1/4, a distance of 658.0 feet; thence North 0°45'30" East, 165.4 feet; thence North 89°54' East, a distance of 658.4 feet to a point on the East line of said NE1/4 NE1/4; thence South along the East line of said NE1/4 NE1/4 to the point of beginning.

EXCEPTING THEREFROM the right of way of the County Road as located over and across the Easterly portion thereof.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE

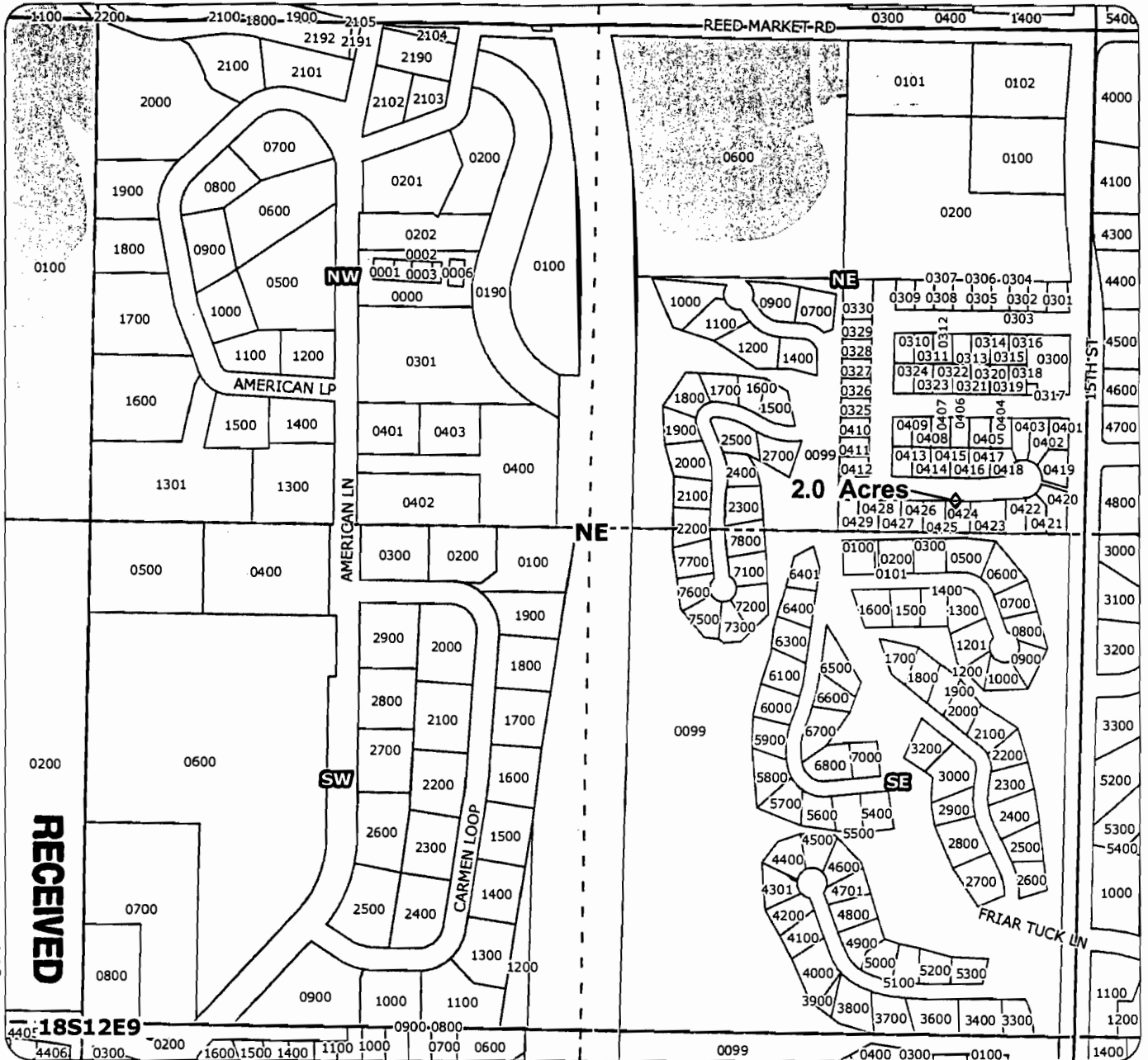
Rit Pd.

WATER RESOURCES DEPT
SALEM, OREGON

JUN 26 2008

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2008 Arnold Irrigation District Instream Lease Map





WATER RESOURCES DEPT
SALEM, OREGON

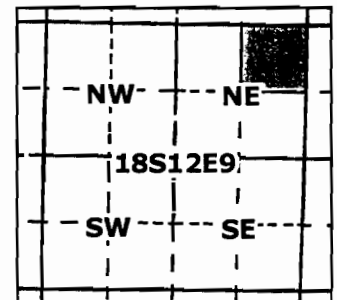
JUN 26 2008

RECEIVED

Application for 1-year Instream Lease Primary: Certificate 74197

-  Proposed Lease of Irrigation Rights
-  Water Rights

For:
Mills (Avion Water Co.)
Taxlot 500* - 2.0 Acres
in 18S12E9NENE
Total Lease of 2.0 Acres
*Mapped from 3111 water right
representation of taxlot 500



Geo-Spatial Solutions, Inc.
www.geospatialolutions.com

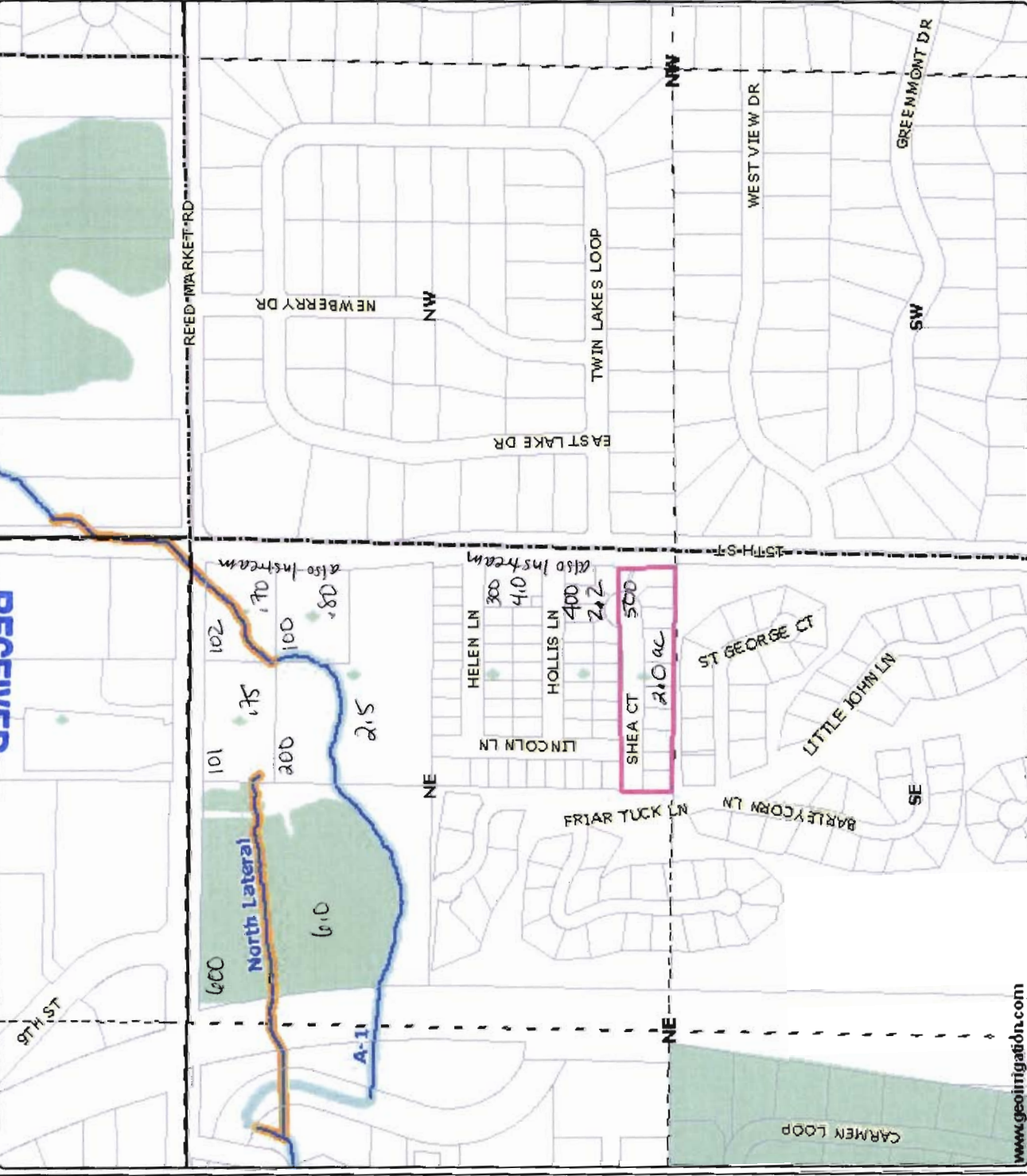
Date Created: May 2008

j N
1 inch equals 400 feet

JUN 26 2008

Arnold Irrigation District

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Avion-Mills -
181209-NENE-00500 - 2.0
aC
181209AA00500

- District Boundary
- County Boundary
- State Roads
- Roads
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Canal All
- Canal Piped
- Canal Open
- Rivers
- Place of Use Fill

taxlots 400/500
have been canceled
and subdivided
taxlot 300 has also
been subdivided



Scale 1" = 400'
Created: 4/25/2008

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.

BARGAIN AND SALE DEED

Recording requested by and when recorded return to:

Robert S. Lovlien
Bryant, Lovlien & Jarvis
PO Box 1151
Bend, OR 97709-1151

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2004-66935



\$36.00

11/08/2004 02:12:34 PM

D-D Cnt=1 Stn=23 PAT
\$10.00 \$11.00 \$10.00 \$5.00

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

Avion Water Company, Inc.
60813 Parrell Rd.
Bend, OR 97702

The true consideration for this transfer is \$2,000.00.

ROBERT G. MILLS and FRANCES A. MILLS, husband and wife, Grantors,
convey to AVION WATER COMPANY, INC., an Oregon corporation, Grantee, the
following described water rights:

Two (2) acres of Arnold Irrigation District water rights, which is appurtenant to
the real property described as follows:

In Township 18 South, Range 12 East of the Willamette Meridian, Deschutes
County, Oregon:

Section 9: A tract of land in the NE1/4 NE1/4, described as follows: Beginning
at the Southeast corner of said NE1/4 NE1/4; thence West along the South line of
said NE1/4 NE1/4 a distance of 658.0 feet; thence North 0 degrees 46' 30" East
165.4 feet; thence North 89 degrees 54' East a distance of 658.4 feet to a point of
the East line of said NE1/4 NE1/4; thence South along the East line of said NE1/4
NE1/4 to the point of beginning; EXCEPTING THEREFROM the right of way of
the County Road as located over and across the easterly portion thereof.

SUBJECT TO:

1. Grantee shall be responsible for all Arnold Irrigation District fees,
commencing with the irrigation year beginning April, 2005.
2. Grantee shall transfer the water to an instream lease, until the water is
permanently transferred.

1 - Bargain and Sale Deed
(RSL:AVION.196)

BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 www.bryantlovlienjarvis.com

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JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

3. Grantors authorize Grantee to execute any and all documents pertaining to water rights as required for transfer or lease.

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 27th day of OCT, 2004.

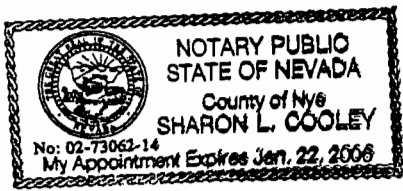
Robert G. Mills
ROBERT G. MILLS

Frances A. Mills
FRANCES A. MILLS

STATE OF ~~OREGON~~ NEVADA)
 NE) ss.
COUNTY OF ~~DESCHUTES~~)

OCT The foregoing instrument was acknowledged before me this 27th day of _____, 2004, by Robert G. Mills and Frances A. Mills.

Sharon L. Cooley
Notary Public for ~~Oregon~~ NEVADA
My Commission Expires: 1-22-06



RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

2 - Bargain and Sale Deed
(RSL:AVION.196)

FORM NO. 716-100000001 (Revised 11/11/07) 7001
VOL. 141 PAGE 562 54006 VOL. 142 PAGE 301

KNOW ALL MEN BY THESE PRESENTS, That ROBERT E. MITCHELL and BETTY L. MITCHELL, husband and wife

in consideration of Ten Dollars and no/100 Dollars

to grantor said by ROBERT GENE MILLS & FRANCIS ANN MILLS husband and wife, hereinafter called the grantors, does hereby grant, bargain, sell and convey unto the grantee, as tenants by the entirety, the here of the survivor and their assigns, that certain real property, with the tenements, appurtenments and appurtenances thereto belonging or appertaining, situated in the State of Oregon and the county therein named being, described as follows, to-wit:

IN TOWNSHIP 18 SOUTH, RANGE 12, EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon:

Section 9: A tract of land in the NE1/4, described as follows: Beginning at the Southeast corner of said NE1/4; thence West along the South line of said NE1/4 a distance of 658.0 feet; thence North 0° 45' 30" East 165.4 feet; thence North 89° 54' East a distance of 658.4 feet to a point on the East line of said NE1/4; thence South along the East line of said NE1/4 to the point of beginning; EXCEPTING therefrom the right of way of the County Road as located over and across the easterly portion

To HAVE AND HOLD the above described and granted premises unto the said grantee, or tenants by the entirety, their heirs and assigns forever.

And grantor hereby covenants to and with grantee and the heirs of the survivors and their assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except easements of record and mortgage from grantor to Equitable Savings and Loan Association in the sum of \$8,500.00, recorded March 14, 1984 in Vol. 138 of Mortgages at page 613 and that grantor will and grantor's heirs, executors, and administrators shall warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, including a lease of water rights in the Arnold Irrigation District appurtenant thereto. In construing this deed and where the context so requires, the singular includes the plural.

WITNESS (grantor's hand and seal this 12th day of December 2004



Robert E. Mitchell (S&W)
Betty L. Mitchell (S&W)
(S&W)
(S&W)

STATE OF OREGON, County of Deschutes, December 12, 2004
Personally appeared the above named ROBERT E. & BETTY L. MITCHELL

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

Notary Public for Oregon
My commission expires 11-20-08

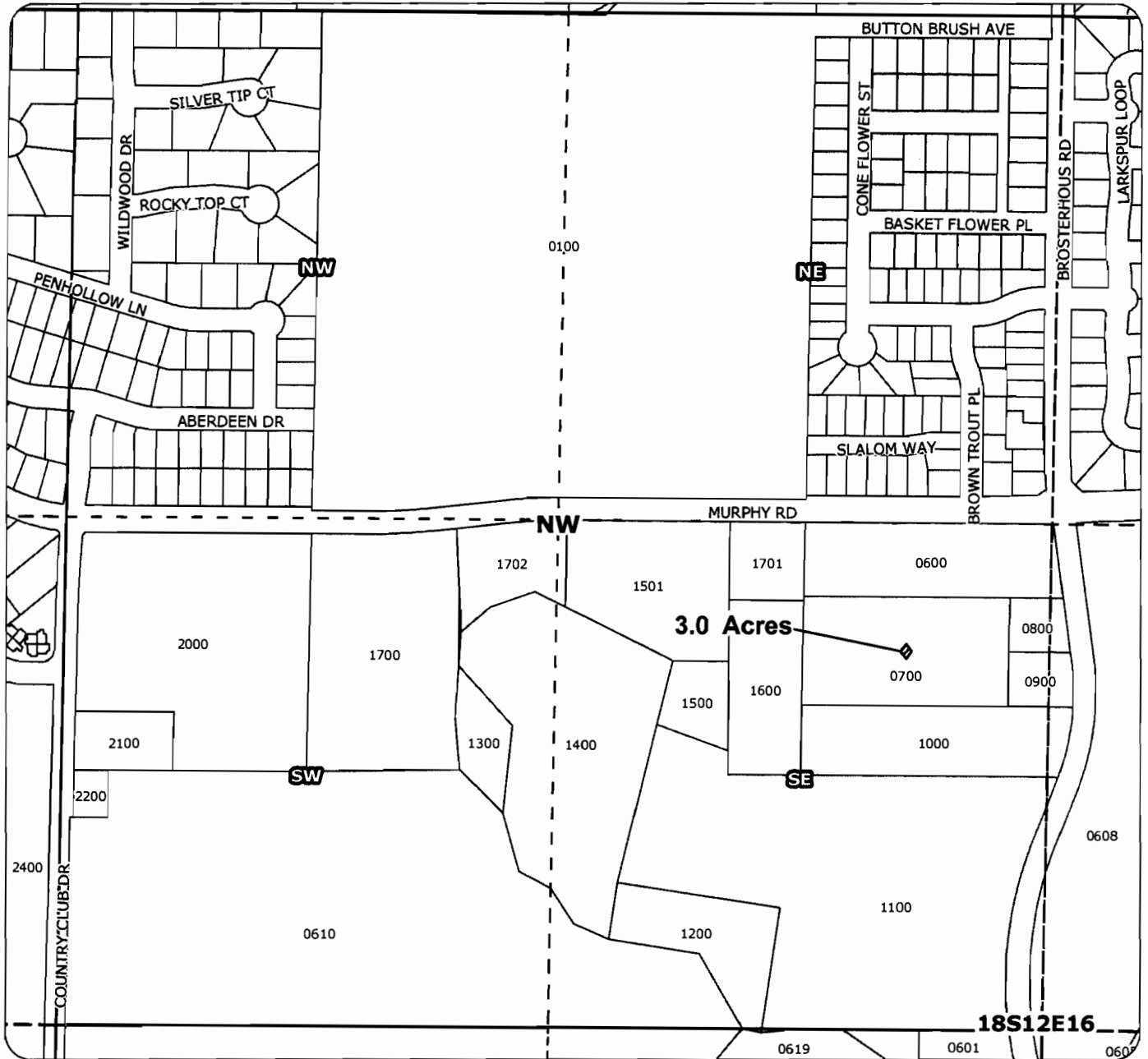
WARRANTY DEED
ROBERT E. & BETTY L.

STATS OF OREGON,
County of Deschutes, Oregon
I certify that the within instrument was received by record on the 12th day of December, 2004, at 9:30 o'clock P.M., and recorded in book 141 on page 301-2, Record of Deeds of said County.
Witness my hand and seal of County office.



Blank area for recording information and signatures.

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JUN 26 2008
WATER RESOURCES DEPT
ALEM, OREGON

2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

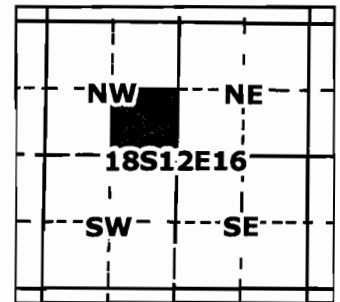
-  Proposed Lease of Irrigation Rights
-  Water Rights

WATER RESOURCES DEPT
SALEM, OREGON

JUN 26 2008

RECEIVED

For:
 Ward (Avion Water Co.)
 Taxlot 700 - 3.0 Acres
 in 18S12E16SE
 Total Lease of 3.0 Acres



Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

Date Created: May 2008


 1 inch equals 400 feet

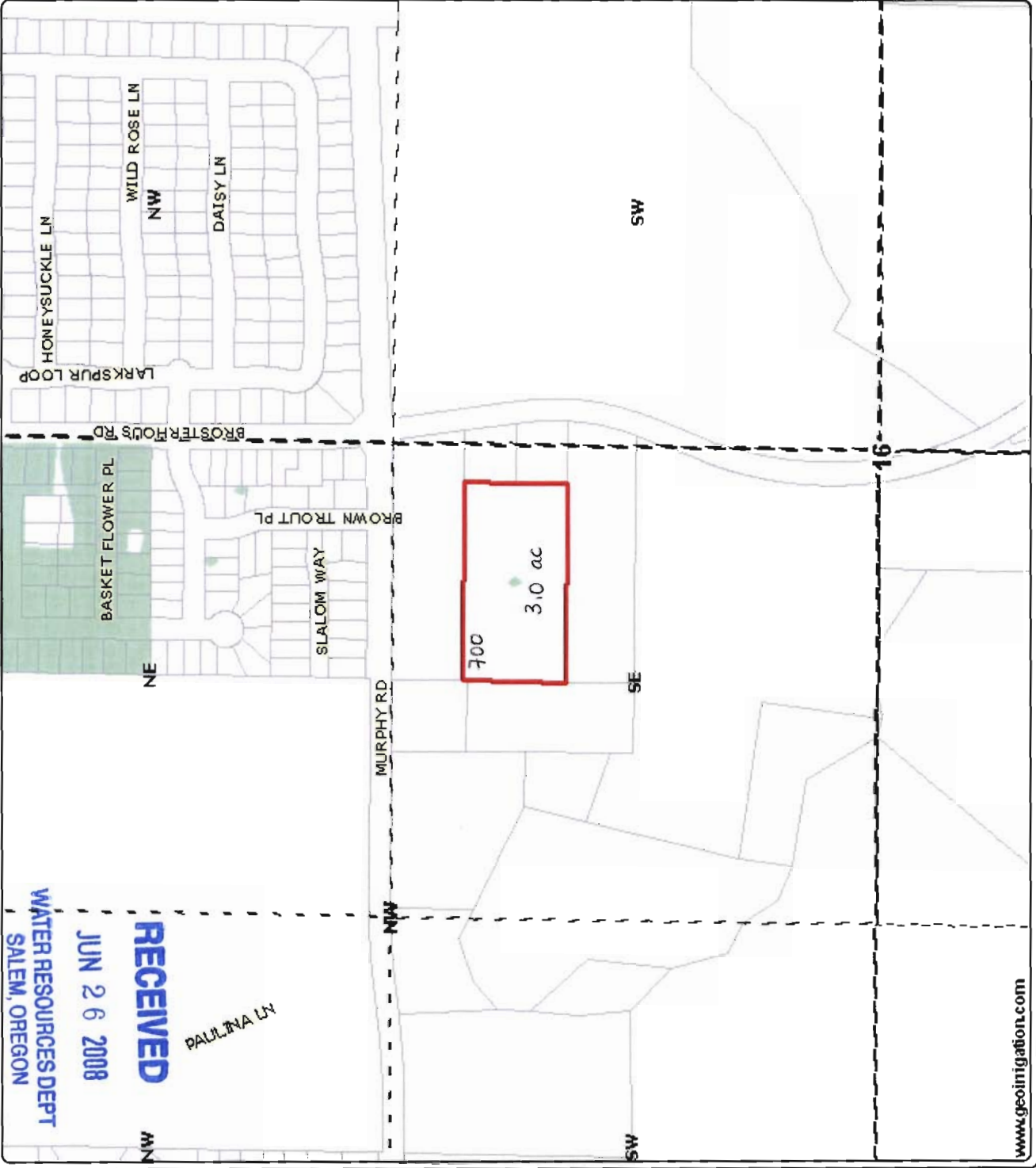
Arnold Irrigation District

WATER RESOURCES DEPT
SALEM, OREGON

JUN 26 2008

RECEIVED

PAULINA LN



Avion-Ward -
181216-SENW-00700 -
3.00 ac
181216B000700 (Now Lava
Ridge)

- District Boundary
- County Boundary
- State Roads
- Roads
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Canal All
- Canal Piped
- Canal Open
- Rivers
- Place of Use Fill



Scale 1" = 400'
Created: 4/25/2008

www.geoinformation.com

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08/24/2006 03:41:06 PM

D-D Cnt=1 Str=4 TRACY
\$20.00 \$11.00 \$10.00 \$5.00

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Deschutes County Clerk

Certificate Page



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JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

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

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



03/22/2005 04:15:34 P

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

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



RERECORDING CERTIFICATE: This Deed is being rerecorded to reflect that there is no change to where the tax statements are to be sent, and to accurately reflect the water right being transferred.

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

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

BARGAIN AND SALE DEED

Recording requested by and when recorded return to:

Robert S. Lovlien
Bryant, Lovlien & Jarvis
PO Box 1151
Bend, OR 97709-1151

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

~~Avion Water Co, Inc
60813 Farrell Rd
Bend, OR 97702~~ *no change*

The true consideration for this transfer is \$3,000.00.

LLC KDW
KIM D. WARD, Grantor, conveys to AVION WATER COMPANY, INC., an Oregon corporation, Grantee, the following described real property:

TDW
Three (3) acre ~~feet~~ of Arnold Irrigation District water rights located upon the following described real property, to-wit:

See Exhibit "A", which is attached hereto and incorporated herein by reference.

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 4 day of MARCH, 2005.

KIM D. WARD, LLC

By: *[Signature]*
KIM D. WARD, Member

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

A tract of land located in the Northeast one-quarter of the Southeast one-quarter of the Northwest one-quarter (NE1/4 SE1/4 NW1/4) of Section Sixteen (16), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, described as:

Commencing at the North one-quarter (N1/4) corner of said Section 16; thence South 00 degrees 32' 27" West along the North-South center section line 1333.42 feet to the center North one-sixteenth corner; thence South 89 degrees 48' 23" West 651.19 feet; thence South 00 degrees 32' 36" West 195.00 feet to the true point of beginning, said point further being a five-eighth inch iron rod; thence North 89 degrees 48' 23" East 543.36 feet; thence South 00 degrees 32' 26" West 285.71 feet; thence South 89 degrees 48' 08" West 543.36 feet; thence North 00 degrees 32' 26" East 285.75 feet to the point of beginning and terminus of this description. ALSO KNOWN AS Tax Lot 18-12-16B-700.

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JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 www.bryantlovlienjarvis.com

5413859932

Mar 10 2008 10:11 AM

101 - 10177

Unless a change is requested, all tax statements shall be sent to Grantee at the following address:
Kim D. Ward and Sally Ward
47801 Bronckhouse Rd.
Bend, OR 97702

88-00699

WARRANTY DEED

JEFFREY ALAN VIOLET and PATTY VIOLET, husband and wife
Grantor, conveys and warrants to KIM D. WARD and SALLY WARD,
husband and wife, Grantee, the following described property, free
of encumbrances except as specifically set forth herein:

The North three (3) acres of that portion of the
Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4)
lying West of the Simpson County Road, and the Northeast
Quarter of the Southeast Quarter of the Northwest
Quarter (NE1/4 SE1/4 NW1/4) of Section 16, Township 12
South, Range 12, East of the Willamette Meridian,
Deschutes County, Oregon. Together with 3 acres Arnold Irrigation Water.

SUBJECT TO:

1. The existence of roads, railroads, irrigation ditches and canals, telephone, telegraph and power transmission facilities.
2. The premises fall within the boundaries of Arnold Irrigation District and are subject to its regulations, assessments and liens thereon.
3. Sewer Hookup Agreement, including the terms and provisions thereof, between The City of Bend, an Oregon municipal corporation, and Jeffrey Alan Violet and Patty Violet, recorded September 12, 1985, in Book 100, Page 97, Deschutes County records.

The true consideration for this transfer is \$20,000.00.

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

Page 1 WARRANTY DEED

Bend Title Company

GRAY, FANCHER, HOLMES & HURLEY
ATTORNEYS AT LAW

1111 N. BROADWAY, SUITE 200, BEND, OREGON 97702-1111 (503) 325-1111

88

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

5413859932

MAR 10 2008

11:04

FILE

161 - 0818

CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

DATED this 1st day of April, 1968.

X *Jeffrey Alan Violet*
JEFFREY ALAN VIOLET

X *Patty Violet*
PATTY VIOLET

STATE OF OREGON, County of Deschutes, ss:
The foregoing instrument was acknowledged before me, only
1st day of April, 1968, by JEFFREY ALAN VIOLET
and PATTY VIOLET.

Don R. Smith
Notary Public for Oregon
My Commission Expires: *11/15/08*

STATE OF OREGON
COUNTY OF DESCHUTES

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

BY: *P. [Signature]*
NO. 88-06699 REC. 15
DESCHUTES COUNTY OFFICIAL RECORDS

- Page 2 WARRANT DEED

GRAY, FANCHER, HOLMES & HURLEY

ATTORNEYS AT LAW

40 N. GREENWOOD • P.O. BOX 311 • BEND, OREGON 97701-0311 • 503 332 4100

HR

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JUN 26 2008

WATER RESOURCES DEPT.
SALEM, OREGON

135507-34

94-50142

352 - 0020

WARRANTY DEED

Unless a change is requested, all tax statements shall be sent to Grantee at the following address: Kim D. Ward L.L.C. 60801 Brestershaus Road Bend, Oregon 97702

After recording, this Deed shall be delivered to Kevin J. Jensen PO Box 1151 Bend, Oregon 97709-1151

The true consideration for this transfer is \$0. The consideration consists of other property given, which is the whole consideration.

Kim D. Ward and Sally Ward, Grantor, conveys and warrants to Kim D. Ward L.L.C.,

Grantee, the following described real property located in Deschutes County, Oregon:

PARCEL 1:

In TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12), EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon:

Section Sixteen (16): A tract of land located in the Northeast Quarter of the Southeast Quarter of the Northwest Quarter (NE 1/4 SE 1/4 NW 1/4) and the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW 1/4 SW 1/4 NE 1/4), more particularly described as follows. Commencing at the North one-quarter corner of said Section 16; thence South 00° 32' 37" West along the North-South centerline 1333.42 feet to the center North one-sixteenth corner; thence South 89° 48' 23" West, 107.83 feet; thence South 00° 32' 26" West, 327.00 feet to the true point of beginning; thence continuing South 00° 32' 26" West, 141.71 feet; thence North 89° 48' 08" East to a point on the Westerly right-of-way line of a county road; thence Northerly along said right-of-way line to a point on a North 89° 48' 23" East 152.65 feet from the true point of beginning; thence South 89° 48' 23" West, 162.65 feet to the true point of beginning and the terminus of this description.

ALSO KNOWN AS TAX LOT 18-12-16-50-900

THIS DOCUMENT IS A COPY OF THE ORIGINAL RECORD AS FILED IN THE PUBLIC RECORDS OF DESCHUTES COUNTY, OREGON. THE ORIGINAL RECORD IS FILED IN THE PUBLIC RECORDS OF DESCHUTES COUNTY, OREGON. THE ORIGINAL RECORD IS FILED IN THE PUBLIC RECORDS OF DESCHUTES COUNTY, OREGON.

WARRANTY DEED

kjkwa014 509842

RECORDED IN THE PUBLIC RECORDS OF DESCHUTES COUNTY, OREGON. BOOK 94-50142 PAGE 35

FILED IN THE PUBLIC RECORDS OF DESCHUTES COUNTY, OREGON. BOOK 94-50142 PAGE 35

FILED IN THE PUBLIC RECORDS OF DESCHUTES COUNTY, OREGON. BOOK 94-50142 PAGE 35

WATER RESOURCES DEPT SALEM, OREGON

JUN 26 2008

RECEIVED

362 - 0021

PARCEL 2:

The North three (3) acres of that portion of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) lying west of the Sipchen County Road, and the Northeast Quarter of the Southeast Quarter of the Northwest Quarter (NE 1/4 SE 1/4 NW 1/4) of Section 16, Township 18 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon. Together with 3 acres Arnold Irrigation Water.

ALSO KNOWN AS TAX LOT 18-12-16-30-600

SUBJECT TO:

1. The existence of roads, railroads, irrigation ditches and canals, telephone, telegraph and power transmission facilities.
2. The premises fall within the boundaries of Arnold Irrigation District and are subject to rules, regulations, assessments and liens thereon.
3. Sewer Hookup Agreement, including the terms and provisions thereof, between The City of Bend, an Oregon municipal corporation, and Jeffrey Alan Violet and Patty Violet, recorded September 12, 1985, in Book 104, Page 97, Deschutes County records. ALSO KNOWN AS TAX LOT 18-12-16-30-600

PARCELS 1 & 4:

A tract of land located in the Northeast one-quarter of the Southeast one-quarter of the Northwest one-quarter (NE 1/4 SE 1/4 NW 1/4) of Section Sixteen (16), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, described as:

Commencing at the North one-quarter (N 1/4) corner of said Section 16; thence South 00° 32' 27" West along the North-South center section line 1333.42 feet to the center North one-sixteenth corner; thence South 89° 48' 23" West 651.19 feet; thence South 00° 32' 36" West 195.00 feet to the true point of beginning, said point further being a five-eighths inch iron rod; thence North 89° 48' 23" East 543.36 feet; thence South 00° 32' 26" West 285.73 feet; thence South 89° 48' 08" West 543.36 feet; thence North 00° 32' 26" East 285.73 feet to the point of beginning and terminus of this description. ALSO KNOWN AS TAX LOT 18-12-16-30-700

The South Three Acres of that portion of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) lying West of the Sipchen County Road, and the Northeast Quarter of the Southeast Quarter of the Northwest Quarter (NE 1/4 SE 1/4 NW 1/4), Section Sixteen (16), Township Eighteen (18) South, Range Twelve (12) E.W.M.

ALSO KNOWN AS TAX LOT 18-12-16-30-1000

2 - WARRANTY DEED

kjk@ardc.com/212

Home & Business Center

415 W. Commercial, P.O. Box 1001, Bend, Oregon 97701-1101 (503) 382-4371 Fax: (503) 382-4372

RECEIVED
 JUN 26 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

541385932

Mar 10 2008

11:05

382 - 0022

PARCELS:

A tract of land containing 12.31 acres, more or less, located in the West one-half (W 1/2) of Section Sixteen (16), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon; the aforesaid tract of land being more particularly described as follows:

Commencing at the West one-quarter (W 1/4) corner of said section, thence North 89° 47' 53" East; along the East-West center section line of said section 1953.55 feet to the C-E-W 1/64 corner of said section; thence North 00° 32' 26" East 666.75 feet to the true point of beginning of this description, said point being the SE-NW 1/64 corner of said Section 16, said point further being the Southeast corner of that tract of land recorded in Volume 156, Page 9, Deed Records, Deschutes County, Oregon; thence North 89° 48' 01" East along the Northerly line of the SE 1/4 SE 1/4 NW 1/4 of said Section 16, 651.19 feet to the C-S-N 1/64 corner of said Section; thence North 89° 55' 55" East along the Northerly line of the SW 1/4 SW 1/4 NE 1/4 of said section 28.51 feet to a point of the Westerly right-of-way line of Sipher County Road, thence along said line along the arc of a 646.66 foot radius curve Right 12.61 feet; the chord of which bears South 20° 26' 35" West 12.61 feet; thence South 21° 00' 22" West 460.26 feet; thence along the arc of a 497.60 foot radius curve Left 229.92 feet; the chord of which bears south 07° 46' 08" West 227.88 feet; thence leaving said right-of-way line South 89° 47' 53" West along the East-West center section line of said section 160.19 feet; thence leaving said line South 00° 32' 18" West 135.97 feet; thence North 56° 13' 56" West 243.33 feet to a point on said East-West center section line; thence South 89° 47' 53" West along said line 122.04 feet; thence leaving said line South 84° 09' 52" West 89.79 feet to the Southeast corner of that tract of land recorded in Volume 192, Page 312, Deed Records, Deschutes County, Oregon; thence North 08° 09' 28" East along the East line of said tract 329.64 feet; thence North 81° 50' 48" West along the Northerly line of said tract 435.03 feet; thence leaving said line North 33° 21' 02" East 344.62 feet; thence due East 100.00 feet to the Southwest corner of that tract of land recorded in Volume 156, Page 9, Deed Records, Deschutes County, Oregon, thence due East along the Southerly line of said tract 190.00 feet to the point of beginning and terminus of this description. ALSO KNOWN AS TAX LOT 18-12-16-80-1100

A tract of land containing 0.865 acres, more or less, located in the West one-half of the Southeast one-quarter of the Northwest one-quarter (W 1/2 SE 1/4 NW 1/4) of Section Sixteen (16), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, the aforesaid tract of land being more particularly described as follows: Commencing at the West one-quarter (W 1/4) corner of said Section 16; thence North 89° 47' 53" East, along the East-West center section line of said Section, 1953.55 feet to the C-E-W 1/64 corner of said section; thence North 00° 32' 26" East 666.75 feet to the SE-NW 1/64 corner of said section; thence due West 190.00 feet to the "True Point of Beginning" for this

3 - WARRANTY DEED

Approved: _____

Address: Phoebe Hyatt, Esq. ■ Esq.

40 N.W. Greenwood, P.O. Box 151, Bend, Oregon 97701-0151 (503) 336-4931 Fax: (503) 336-1414

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

362 - 0024

STATE OF OREGON, County of Deschutes, ss:

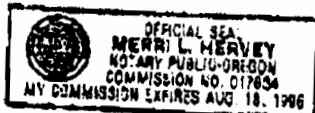
The foregoing instrument was acknowledged before me this 22nd day of Dec, 1994, by Kim D. Ward.



Merrill L. Hervey
Notary Public for Oregon
My Commission Expires: 8/13/96

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 22nd day of Dec, 1994, by Sally Ward.



Merrill L. Hervey
Notary Public for Oregon
My Commission Expires: 8/18/96

STATE OF OREGON)
COUNTY OF DESCHUTES) ss.

I, MARY SUE PENNINGTON, COUNTY CLERK AND
RECORDS DEPARTMENT, IN AND FOR SAID
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS RECORDED THIS DATE:

54 DEC 28 PM 2:47

MARY SUE PENNINGTON
COUNTY CLERK

BY: Wallace
NO. 21-50142
DESCHUTES COUNTY OFFICIAL RECORDS

5 - WARRANTY DEED

kjkward14/009004

Travis Hanks, President

40 N.W. Greenwood, P.O. Box 1181, Bend, Oregon 97709-0181, (503) 362-4731, Fax: (503) 785-1265

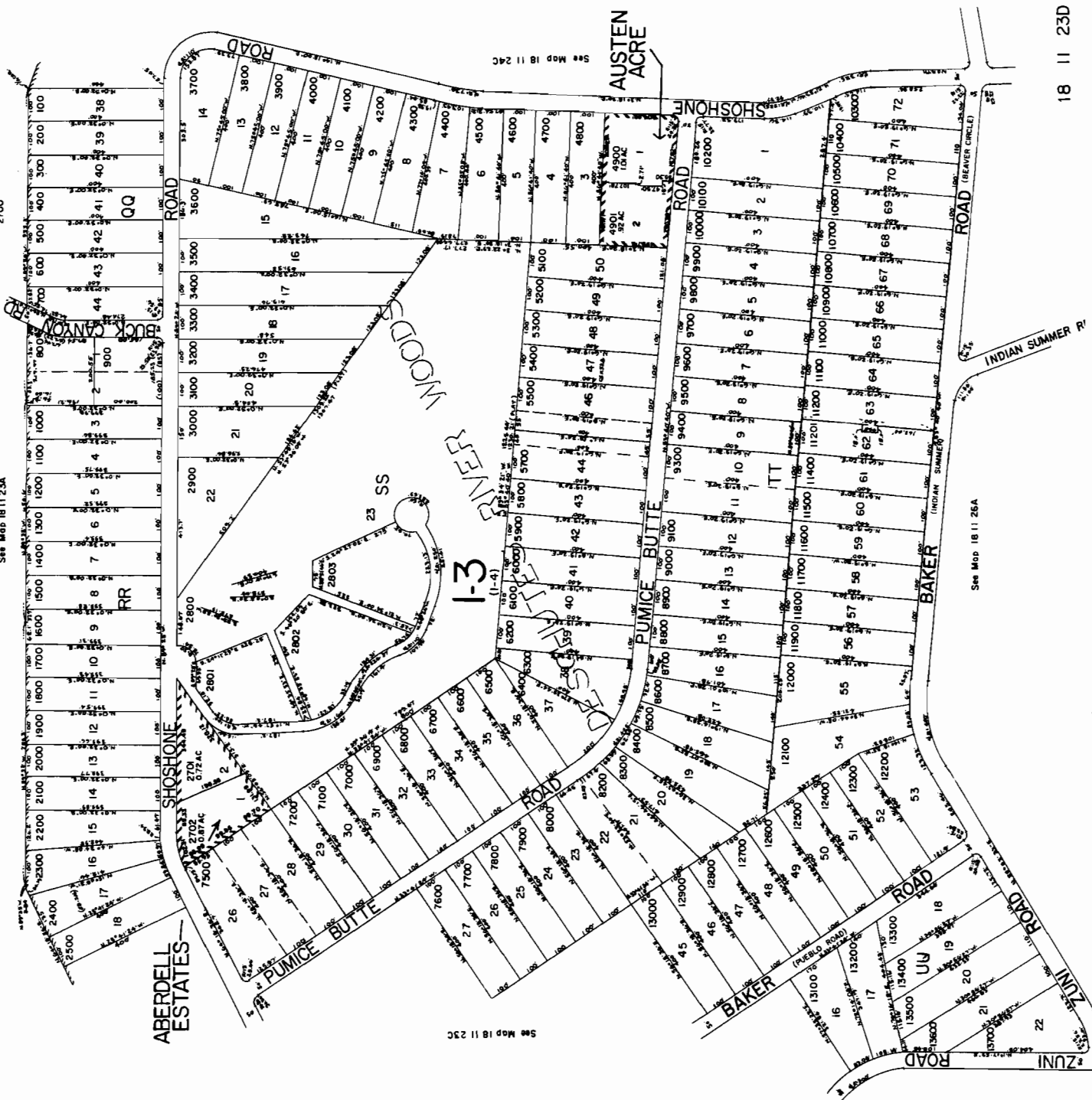
RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

SE1/4 SEC. 23 T18S. R.11E.W.M.
 DESCHUTES COUNTY
 1" = 200'

dead numbers
 2600
 2500
 2400
 2300
 2200
 2100
 2000
 1900
 1800
 1700
 1600
 1500
 1400
 1300
 1200
 1100
 1000
 900
 800
 700
 600
 500
 400
 300
 200
 100

18 11 23D

See Map 18 11 23A



See Map 18 11 23C

See Map 18 11 25A

18 11 23D

6-11-07
 12-01-05
 12-22-06
 8-13-06
 11-06-07

WATER RESOURCES DEPT
 SALEM, OREGON

JUN 26 2008

RECEIVED

Mr. & Mrs. Heuer
Gene initial

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP COUNTY CLERK

2005-52304

\$36.00



08/09/2005 03:44:59 PM

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

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



RERECORDING CERTIFICATE: This Deed is being rerecorded to reflect that there is no change as to where tax statements are to be sent, and to accurately reflect the water right being transferred.

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

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON



00489198200500576200040041

08/22/2006 04:21:31 PM

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

Do not remove this page from original document.

Deschutes County Clerk

Certificate Page



RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

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

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

BARGAIN AND SALE DEED

Recording requested by and when recorded return to:

Robert S. Lovlien
Bryant, Lovlien & Jarvis
PO Box 1151
Bend, OR 97709-1151

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

~~Avion Water Co.
60813 Parrell Rd.
Bend, OR 97702~~

no change

The true consideration for this transfer is \$1,500.00.

RICHARD D. HEUER and EVELYN P. HEUER, husband and wife, Grantors, convey to AVION WATER COMPANY, INC., an Oregon corporation, Grantee, the following described real property:

g.p.h. p.d.h.

1.5 acres ~~feet~~ of Arnold Irrigation District water rights located upon the following described real property, to-wit:

Lots 1 and 2, Block SS, DESCHUTES RIVER WOODS, Deschutes County, 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.

DATED this 3 day of August, 2005.

Richard D. Heuer
RICHARD D. HEUER

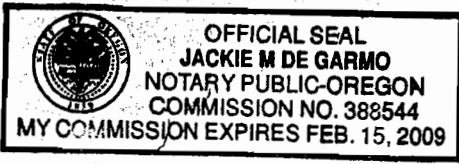
Evelyn P. Heuer
EVELYN P. HEUER

WATER RESOURCES DEPT
SALEM, OREGON
JUN 26 2008

RECEIVED

STATE OF OREGON)
) ss.
COUNTY OF DESCHUTES)

The foregoing instrument was acknowledged before me this 3rd day of August, 2005, by Richard D. Heuer and Evelyn P. Heuer.



Jackie M. DeGarmo
Notary Public for Oregon
My Commission Expires: 2/15/2009

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

WATER PURCHASE AGREEMENT

THIS AGREEMENT dated this 11th day of August, 2005, by and between RICHARD D. HEUER and EVELYN P. HEUER, husband and wife, hereinafter referred to as "Heuer" and AVION WATER COMPANY, INC., an Oregon corporation, hereinafter referred to as "Avion".

RECITAL:

Heuer desires to sell to Avion and Avion desires to purchase from Ward 1.5 acre feet of Arnold Irrigation District irrigation water located upon the following described real property owned by Heuer:

Lots 1 and 2, Block SS, DESCHUTES RIVER WOODS,
Deschutes County, Oregon.

NOW THEREFORE, in consideration of the mutual promises set forth herein, the parties hereby agree as follows:

AGREEMENT:

1. Agreement to Sell. Heuer hereby agrees to sell to Avion and Avion hereby agrees to purchase from Heuer 1.5 acre feet of Arnold Irrigation District water, which is located upon the above-described real property, for the sum of \$1,000.00 per acre foot of water, or \$1,500.00 total purchase price. The entire purchase price shall be paid in cash at the time of closing.

2. Transfer Fees. In addition, Avion hereby agrees to pay any and all transfer fees that may be charged by Arnold Irrigation District associated with the transfer of the water rights from Heuer to Avion, and further agrees to pay their pro rata share for the year 2005 assessment

- Water Purchase Agreement (RSL:AVION.232)

BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 WWW.BLJLAWYERS.COM

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JUN 26 2008

WATER RESOURCES DEPT
SALEM OREGON

to be charged by Arnold Irrigation District.

3. Closing Date. The parties agree to close this transaction on or before

Aug. 15, 2005 at the law offices of Bryant, Lovlien & Jarvis, P.C. in Bend, Oregon.

4. Notice. Any notice given with respect hereto, whether or not required to be given shall be deemed given when actually delivered or when deposited in the United States registered or certified mails, return receipt requested, in an envelope addressed to the last known address, or to such other address as either party may hereafter specify by notice to the other. If either party is a corporation, notices shall be addressed to the attention of the corporate secretary.

5. Default. If either party shall fail or refuse to carry out any provision hereof, the other party shall be entitled to such remedy or remedies for breach of contract as may be available under applicable law, including without limitation the remedy of specific performance, if such other party has fully performed all of its obligations hereunder. Time is of the essence hereof.

6. Attorney Fees. In any suit or action brought upon or arising out of this agreement, and upon any appeal thereof, the losing party agrees to pay the prevailing party's reasonable attorney fees to be fixed by the trial and appellate courts respectively

7. Warranty. Heuer warrants that Heuer has the right to enter into this transaction and will be able to deliver the Certificate of Water Rights to Avion, provided only that Avion's damages for any breach of this warranty shall in no event exceed the amount of money paid by Avion for the water.

8. Required Documents. The parties agree to execute any and all documents pertaining to water rights as required for transfer or lease.

2 - Water Purchase Agreement (RSL:AVION.232)

BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 WWW.BLJLAWYERS.COM

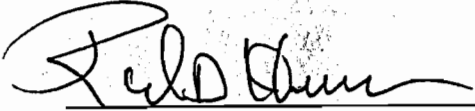
WATER RESOURCES DEPT

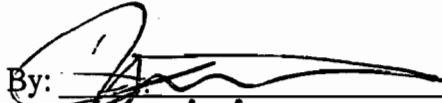
JUN 26 2008

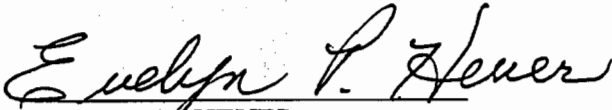
RECEIVED

IN WITNESS WHEREOF, the parties have set their hands on the day and year first above written.

AVION WATER COMPANY, INC.


RICHARD D. HEUER

By: 
Its: President


EVELYN F. HEUER

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

3 - Water Purchase Agreement (RSL:AVION.232)

BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 WWW.BLJLAWYERS.COM

41

\$41.00

07/22/2005 11:02:59 AM

After recording return to:
WESTERN TITLE & ESCROW COMPANY
1345 NW WALL STREET, STE 200
BEND, OR 97701

D-D Cntwl Strwl BECKEY
\$15.00 \$11.00 \$10.00 \$5.00

3

Until a change is requested all tax statements shall be sent to the following address:
RICHARD D. HEUER
19239 SHOSHONE RD
BEND, OR 97701

STATUTORY BARGAIN AND SALE DEED

RICHARD D. HEUER and EVELYN P. HEUER, as tenants by the entirety, Grantor, conveys to RICHARD D. HEUER and EVELYN P. HEUER, as tenants by the entirety, Grantee, the following described real property:

See EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Tax Account No(s): 109633 Map/Tax Lot No(s): 181123D04900

The true consideration for this conveyance is perfect lot line adjustment

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 20 day of July, 2005.

[Signature]
RICHARD D. HEUER
[Signature]
EVELYN P. HEUER

STATE OF OREGON, COUNTY OF DESCHUTES) SS.

This instrument was acknowledged before me on July 20th, 2005 by RICHARD D. AND EVELYN P. HEUER.

[Signature]
(Notary Public for Oregon)
My commission expires Jan. 31, 2009



TITLE NO. 10-0196105
ESCROW NO. 10-0196105

RECORDED BY:
WESTERN TITLE & ESCROW CO.

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

JO-ANN RUTLEDGE

TL 4900

A portion of Lots 1 and 2, Block SS, Deschutes River Woods, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the Southwest corner of said Lot 1, Block 22, Deschutes River Woods, said point lying on the North right-of-way line of Pumice Butte Road and being the TRUE POINT OF BEGINNING; thence leaving said North right-of-way line and along the West line of said Lots 1 and 2 North $03^{\circ}18'20''$ East 199.68 feet to the Northwest corner of said Lot 2; thence leaving said West line and along the North line of said Lot 2 South $86^{\circ}40'04''$ East 191.71 feet; thence leaving said North line South $03^{\circ}18'20''$ West 107.78 feet; thence North $86^{\circ}41'40''$ West 2.71 feet; thence South $03^{\circ}18'20''$ West 47.50 feet; thence South $86^{\circ}41'40''$ East 16.00 feet; thence South $03^{\circ}18'20''$ West 55.30 feet to a point on the South line of said Lot 1 and the aforementioned North right-of-way line of Pumice Butte Road; thence along said South line North $83^{\circ}40'40''$ West 205.28 feet to the TRUE POINT OF BEGINNING, containing 39,878 square feet, more or less.

WATER RESOURCES DEPT
SALEM OREGON

**REPLAT OF LOTS 1 AND 2, BLOCK SS,
DESCHUTES RIVER WOODS**

JULY 7, 2006
**LOTS 1 AND 2, BLOCK SS,
DESCHUTES RIVER WOODS, LOCATED IN THE
SE 1/4 OF SECTION 23, TOWNSHIP 18 SOUTH,
RANGE 11 EAST, WILAMETTE MERIDIAN,
DESCHUTES COUNTY, OREGON**

APPLICANT:
JD-AMM RUTLEDGE
18824 RIVERWOODS DRIVE
BEVD, OREGON 97702

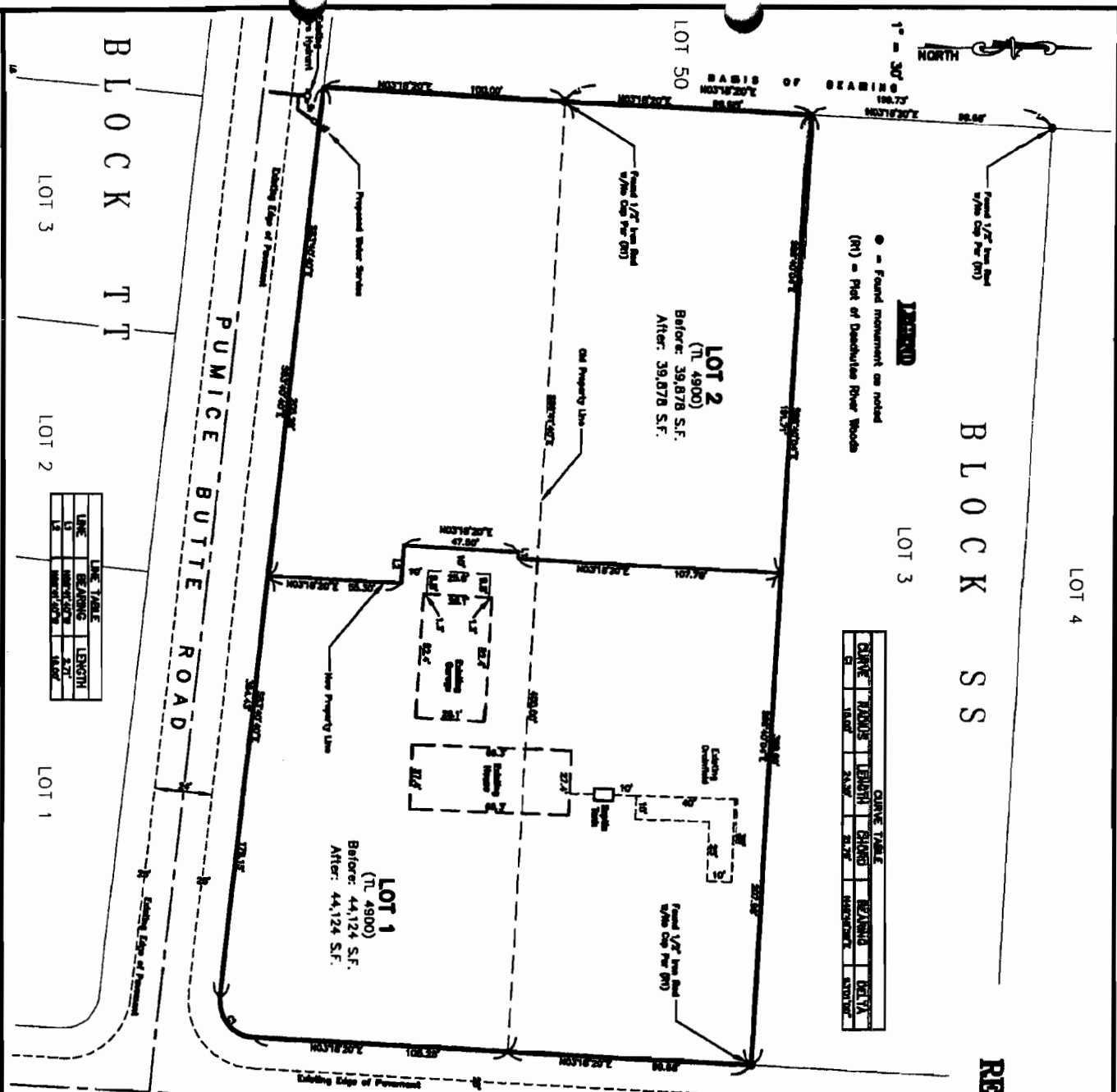
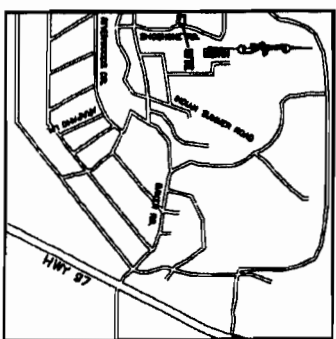
OWNER:
RICHARD D. HEUER
18239 SHOSHONE ROAD
BEVD, OREGON 97702

SURVEYOR:
SUN COUNTRY ENGINEERING &
SURVEYING, INC.
820 S.E. ARMOUR ROAD
BEVD, OREGON 97702

TAX LOTS: 18-11-230, LOT 4000

ZONE: RR-10

LOT SIZE: 84,002 SF
WATER: APACHE WATER AND WELL
SEWER: SEPTIC TANK & DRAINFIELD
POWER: PACIFIC POWER & LIGHT
PHONE: QWEST
SCHOOL: BEND-LAPINE DISTRICT
FIRE: CITY OF BEVD
IRREGATOR: ARNOLD IRRIGATION DISTRICT



CURVE TABLE

CURVE NO.	LENGTH	CHANG. ANGLE	BEARING	DELTA
1	100.00	90.00	N 00° 00' 00" W	100.00
2	100.00	90.00	S 00° 00' 00" E	100.00

LINE TABLE

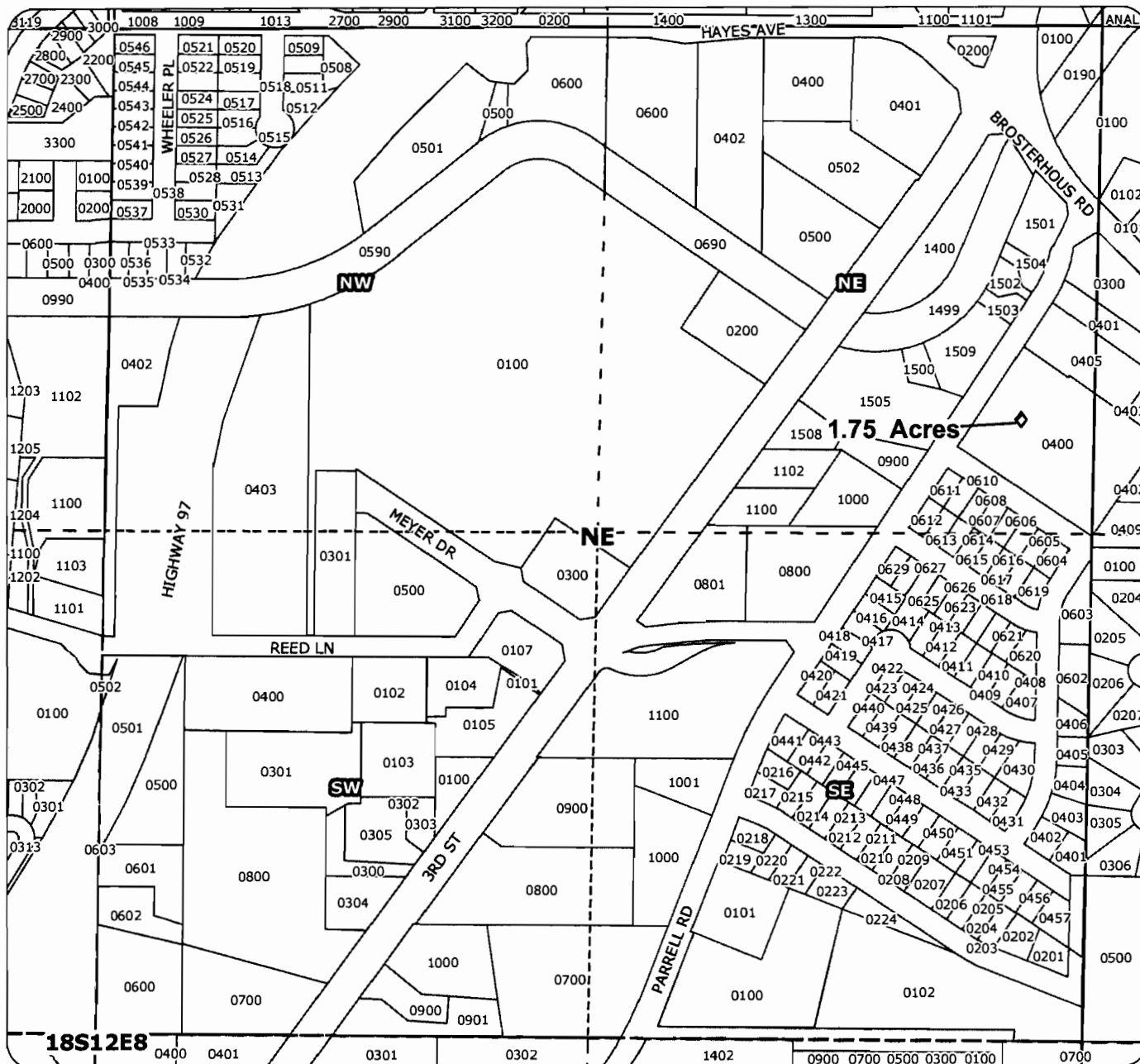
LINE NO.	BEARING	LENGTH	AC. AREA	PERCENT
1	N 00° 00' 00" W	100.00	100.00	100.00
2	S 00° 00' 00" E	100.00	100.00	100.00

SUN COUNTRY ENGINEERING & SURVEYING, INC.
920 S.E. ARMOUR ROAD BEND, OREGON 97702 PHONE 382-8882


REPLAT OF LOTS 1 AND 2, BLOCK SS FOR JD-AMM RUTLEDGE

Date	Revised	By	Reason
7-07-06			
02-1-01A			

2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

 Proposed Lease of Irrigation Rights

 Water Rights



Geo-Spatial Solutions, Inc.

www.geospatialolutions.com

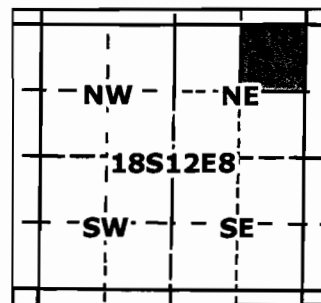
WATER RESOURCES DEPT
SALEM, OREGON

JUN 26 2008

RECEIVED

For:

Shannon (Avion Water Co.)
Taxlot 400 - 1.75 acres
in 18S12E8NENE
Total Lease of 1.75 Acres

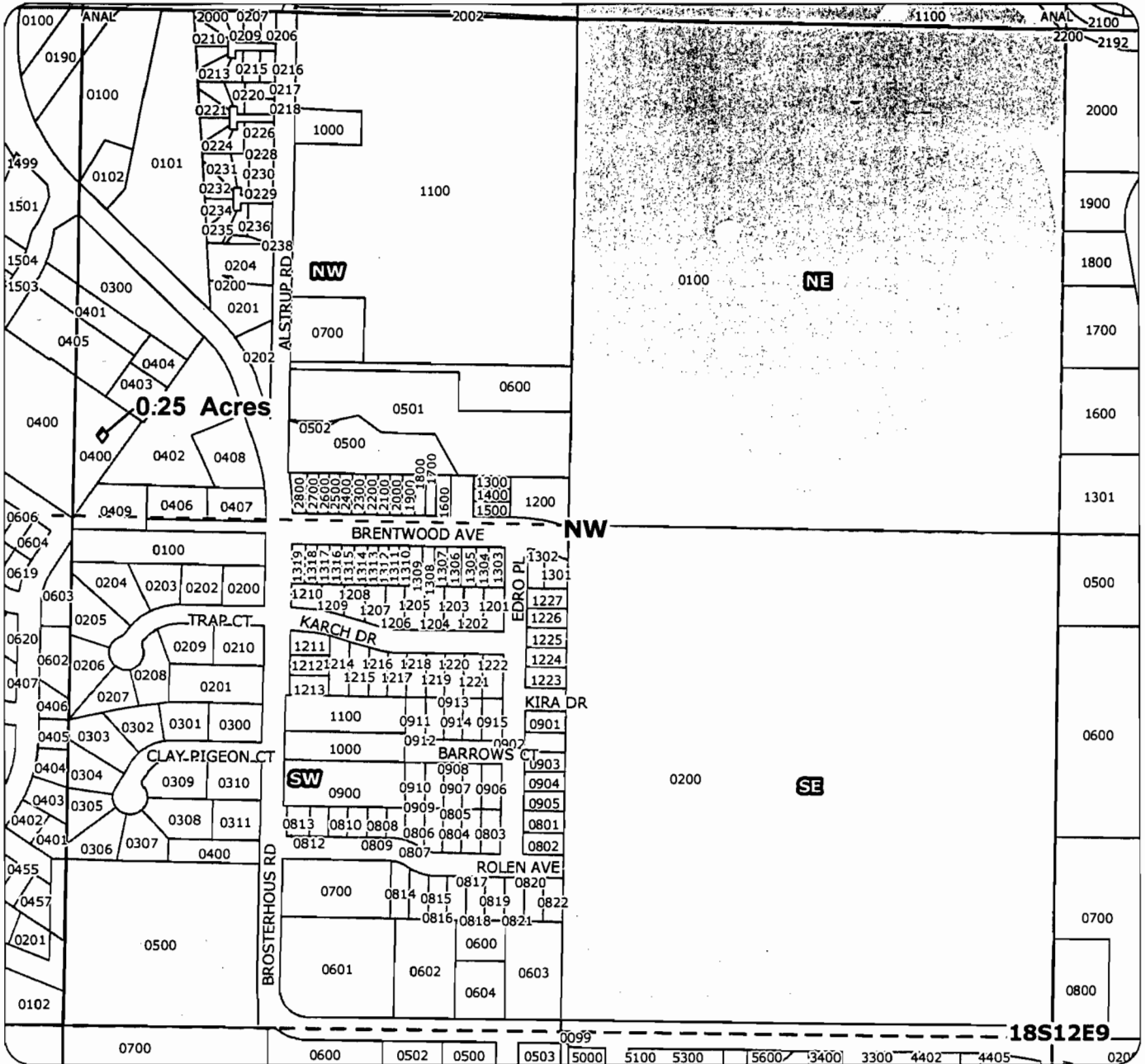


j N

1 inch equals 400 feet

Date Created: May 2008

2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197



Proposed Lease of
Irrigation Rights

Water Rights



Geo-Spatial Solutions, Inc.

www.geospatialolutions.com

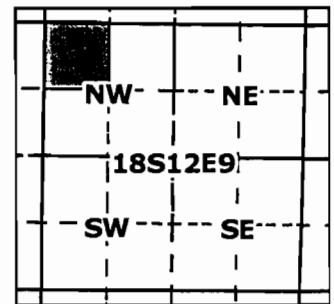
WATER RESOURCES DEPT
SALEM, OREGON

JUN 26 2008

RECEIVED

For:

Shannon (Avion Water Co.)
Taxlot 400 - 0.25 Acres
in 18S12E9NWNW
Total Lease of 0.25 Acres



Date Created: May 2008

j N
1 inch equals 400 feet

Arnold Irrigation District

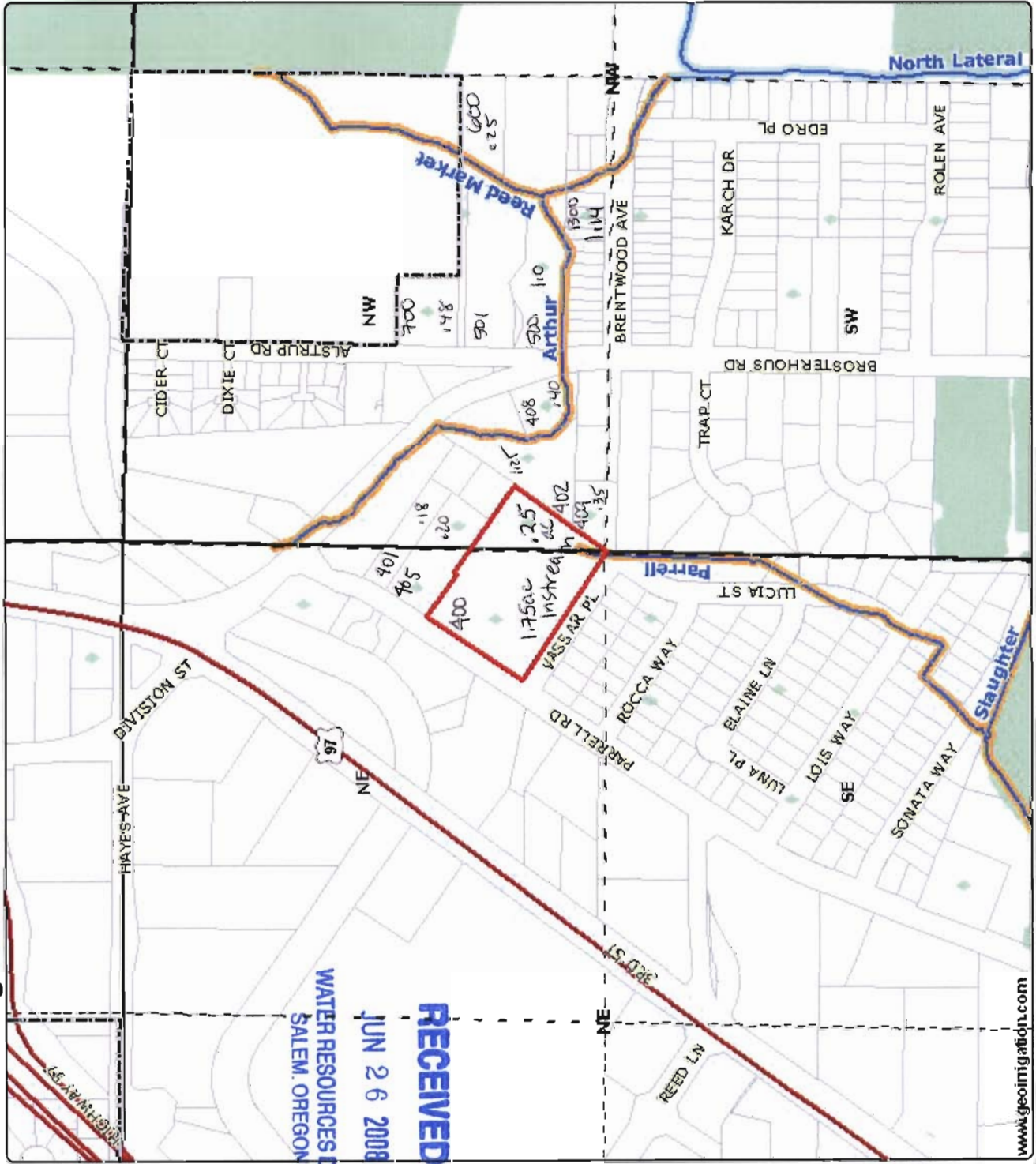
Avion-Shannon -
 181208-NENE-00400 -
 1.75 ac &
 181209-NWNW-00400 -
 18120955500400

- District Boundary
- County Boundary
- State Roads
- Roads
- Township Range
- Section s
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Canal All
- Canal Piped
- Canal Open
- Rivers
- Place of Use Fill

Tax lot 1300
 has been
 subdivided



Scale 1" = 400'
 Created: 4/25/2008



RECEIVED
 JUN 26 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

www.geoinformation.com

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY.
REVISED: 08/01/2007

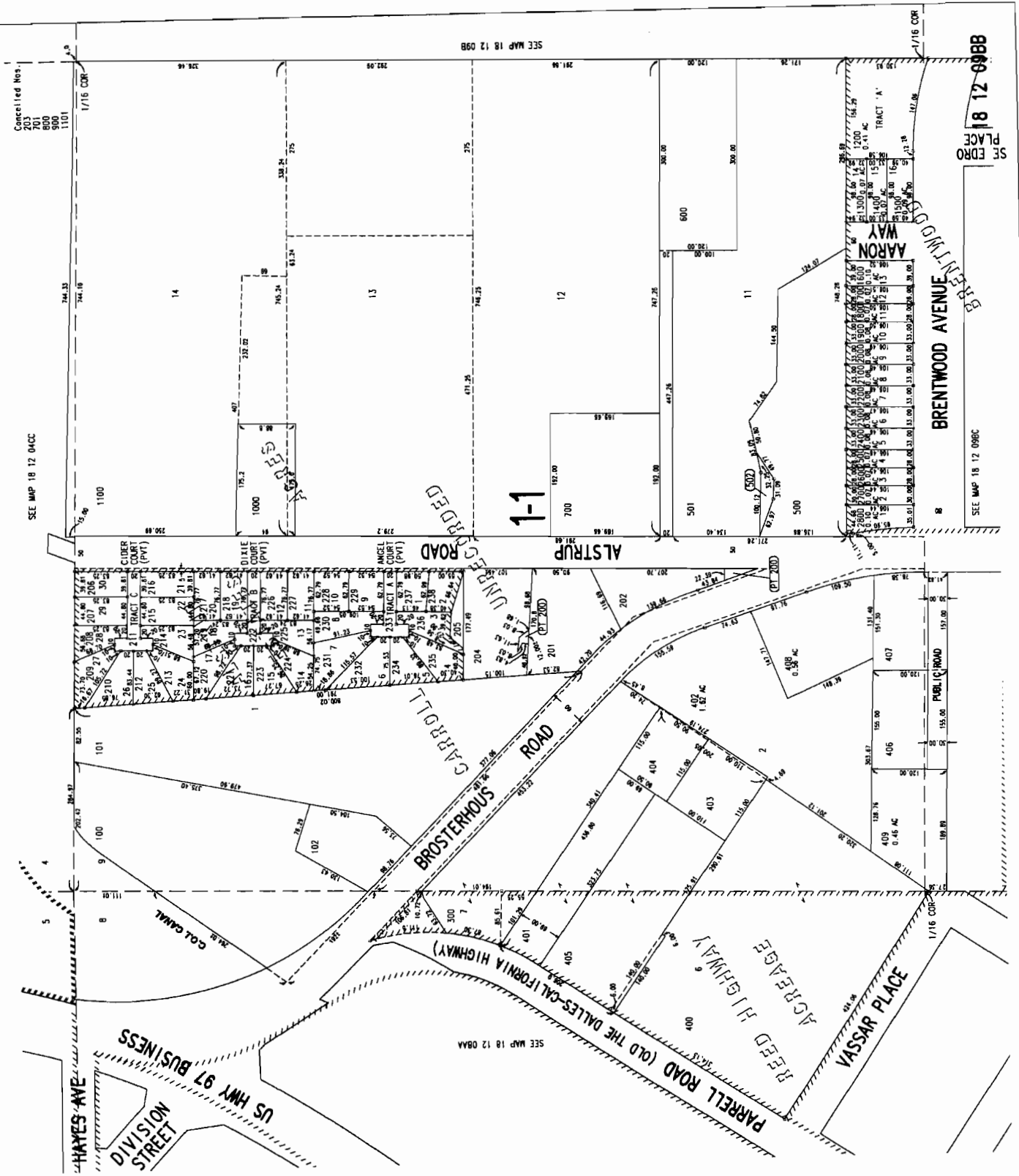
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
JUN 26 2008

NW1/4 NW1/4 SEC. 09 T.18S. R.12E. W.M.
DESCHUTES COUNTY

18 12 09BB

1" = 100'



SEE MAP 18 12 09BB
ST. EDRO
PLACE

SEE MAP 18 12 096C

SEE MAP 18 12 096B



08/24/2006 03:43:42 PM

D-D Cnt=1 Stn=4 TRACY
\$20.00 \$11.00 \$10.00 \$5.00

Do not remove this page from original document.

Deschutes County Clerk

Certificate Page



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JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

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

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

Rob SHANNON

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENHIP, COUNTY CLERK

2006-05123



\$41.00

00433000200600051230040043

01/24/2006 03:54:34 PM

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

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



RERECORDING CERTIFICATE: This Deed is being rerecorded to reflect that there is no change as to where the tax statements are to be sent, and to accurately describe the water right being transferred.

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

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

BARGAIN AND SALE DEED

Recording requested by and when recorded return to:

3
Robert S. Lovlien
Bryant, Lovlien & Jarvis
PO Box 1151
Bend, OR 97709-1151

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

~~Avion Water Company, Inc.
60813 Parrell Rd.
Bend, OR 97702~~

no change

The true consideration for this transfer is \$2,000.00.

ROBERT SHANNON, Grantor, conveys to AVION WATER COMPANY, INC., an Oregon corporation, Grantee, the following described real property:

[Signature]
2.0 acres of Arnold Irrigation District water rights located upon the following described real property, to-wit:

Map 18-12-09, NW NW, Tax Lot 400 (.25 irrigated acres); and
Map 18-12-09, NE NE, Tax Lot 400 (1.75 irrigated acres), all located in Deschutes County, Oregon. See Exhibit "A" for complete 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 21 day of December, 2005.

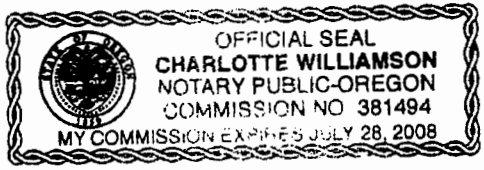
[Signature]
ROBERT SHANNON

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON)
) ss.
COUNTY OF DESCHUTES)

The foregoing instrument was acknowledged before me this 21 day of December 2005, by Robert Shannon.

Charlotte Williamson
Notary Public for Oregon
My Commission Expires: 7-28-08



RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

A portion of Lot Six (6) of REED HIGHWAY ACREAGE, Deschutes County, Oregon, and a portion of the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows: Beginning at the Southwest corner of Lot 6 of REED HIGHWAY ACREAGE which is located on the East side of Parrell Road right of way; thence North 33 degrees 03' 30" East, 314.13 feet along said right of way; thence South 56 degrees 56' 30" East, 140.00 feet; thence North 33 degrees 03' 30" East, 6.00 feet; thence South 56 degrees 56' 30" East 290.91 feet; thence South 34 degrees 17' West, 320.20 feet; thence North 56 degrees 56' 30" West, 424.06 feet along the South line of said Lot 6 of said REED HIGHWAY ACREAGE to the point of beginning.

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 WWW.BLJLAWYERS.COM

53727.37



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
ROBERT L. SHANNON
346 NE DEKALB AVE
BEND, OR 97701

Until a change is requested all tax statements shall be sent to the following address:
ROBERT L. SHANNON
346 NE DEKALB AVE
BEND, OR 97701

Escrow No. BT053727LS
Title No. _____

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2003-42766



\$31.00

06/25/2003 03:18:19 PM

D-D Cnt=1 Str=11 MICHELLE
\$5.00 \$11.00 \$10.00 \$5.00

WARRANTY DEED

CARL E. ZEPNEWSKI and CLYDENE K. ZEPNEWSKI, as tenants by the entirety, Grantor(s) hereby grant, bargain, sell, warrant and convey to: ROBERT L. SHANNON 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:

LEGAL DESCRIPTION

A portion of Lot Six (6) of REED HIGHWAY ACREAGE, Deschutes County, Oregon, and a portion of the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12), East, of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows: Beginning at the Southwest (S.W.) corner of Lot 6 of REED HIGHWAY ACREAGE which is located on the East side of Parrell Road right of way; thence North 33°03'30" East, 314.13 feet along said right of way; thence South 56°56'30" East, 140.00 feet; thence North 33°03'30" East, 6.00 feet; thence South 56°56'30" East, 290.91 feet; thence South 34°17' West, 320.20 feet; thence North 56°56'30" West, 424.06 feet along the South line of said Lot 6 of said REED HIGHWAY ACREAGE to the point of beginning.

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.

The true and actual consideration for this conveyance is exchange of property

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 19th day of June, 2003.

Carl E. Zepnewski
CARL E. ZEPNEWSKI
Clydene K. Zepnewski
CLYDENE K. ZEPNEWSKI



State of Oregon
County of DESCHUTES

This instrument was acknowledged before me on June 19, 2003 by CARL E. ZEPNEWSKI AND CLYDENE K. ZEPNEWSKI.

Linda Sinclair
(Notary Public for Oregon)

My commission expires 12/21/2004

After recording, return to
AmeriTitle
15 OREGON AVENUE, BEND

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JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

18 12 09BB

NW1/4 NW1/4 SEC. 09 T. 18S. R. 12E. W.M.
DESCHUTES COUNTY

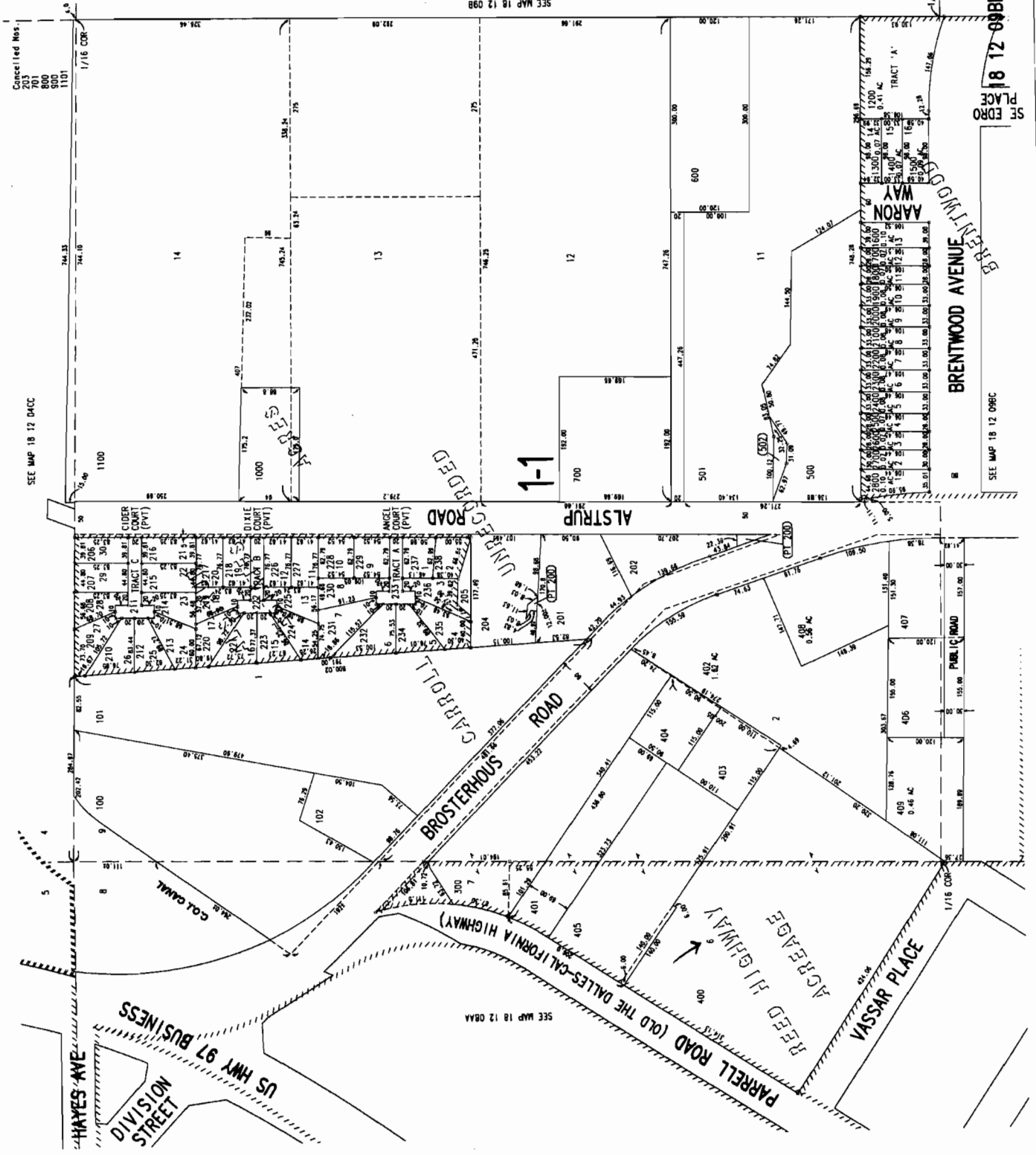
1" = 100'

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.
REVISED: 08/01/2007

WATER RESOURCES DEPT
SALEM OREGON

JUN 26 2008

RECEIVED



SEE MAP 18 12 09BB
SE EDRO
PLACE

SEE MAP 18 12 09BC

SEE MAP 18 12 09BA

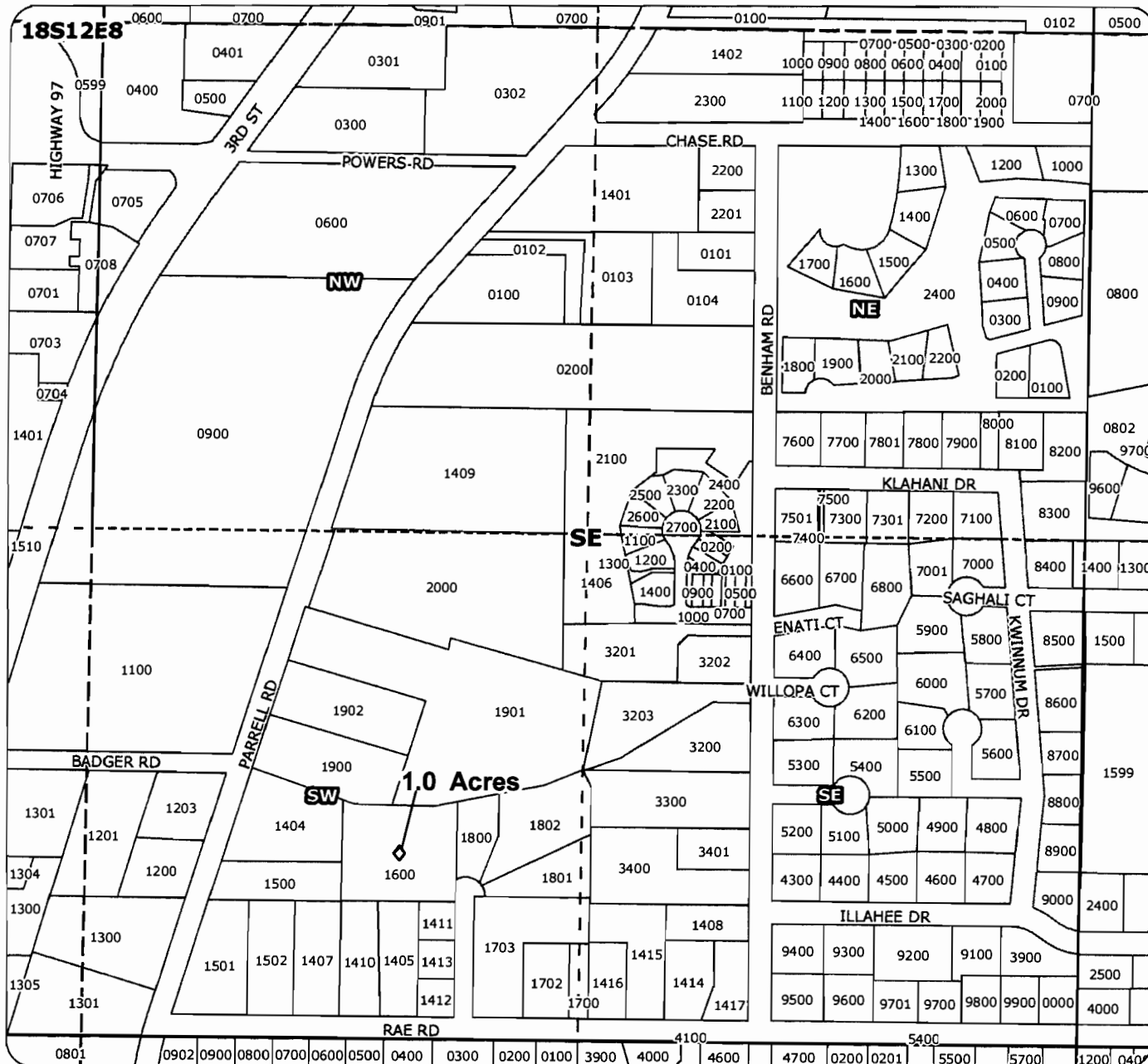
SEE MAP 18 12 09AA

SEE MAP 18 12 09AB

SEE MAP 18 12 09AC

SEE MAP 18 12 09AD

2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

 Proposed Lease of Irrigation Rights

Water Rights



Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

WATER RESOURCES DEPT.
SALEM, OREGON

JUN 26 2008

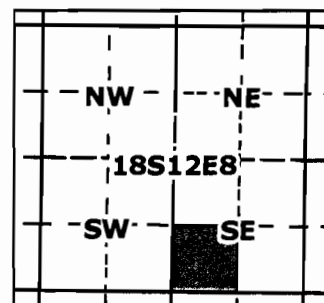
RECEIVED

For:

Badger View (Avion Water Co.)

Taxlot 1600 - 1.0 Acres
in 18S12E8SWSE

Total Lease of 1.0 Acres



j n

1 inch equals 400 feet

Date Created: May 2008

JUN 26 2008

RECEIVED

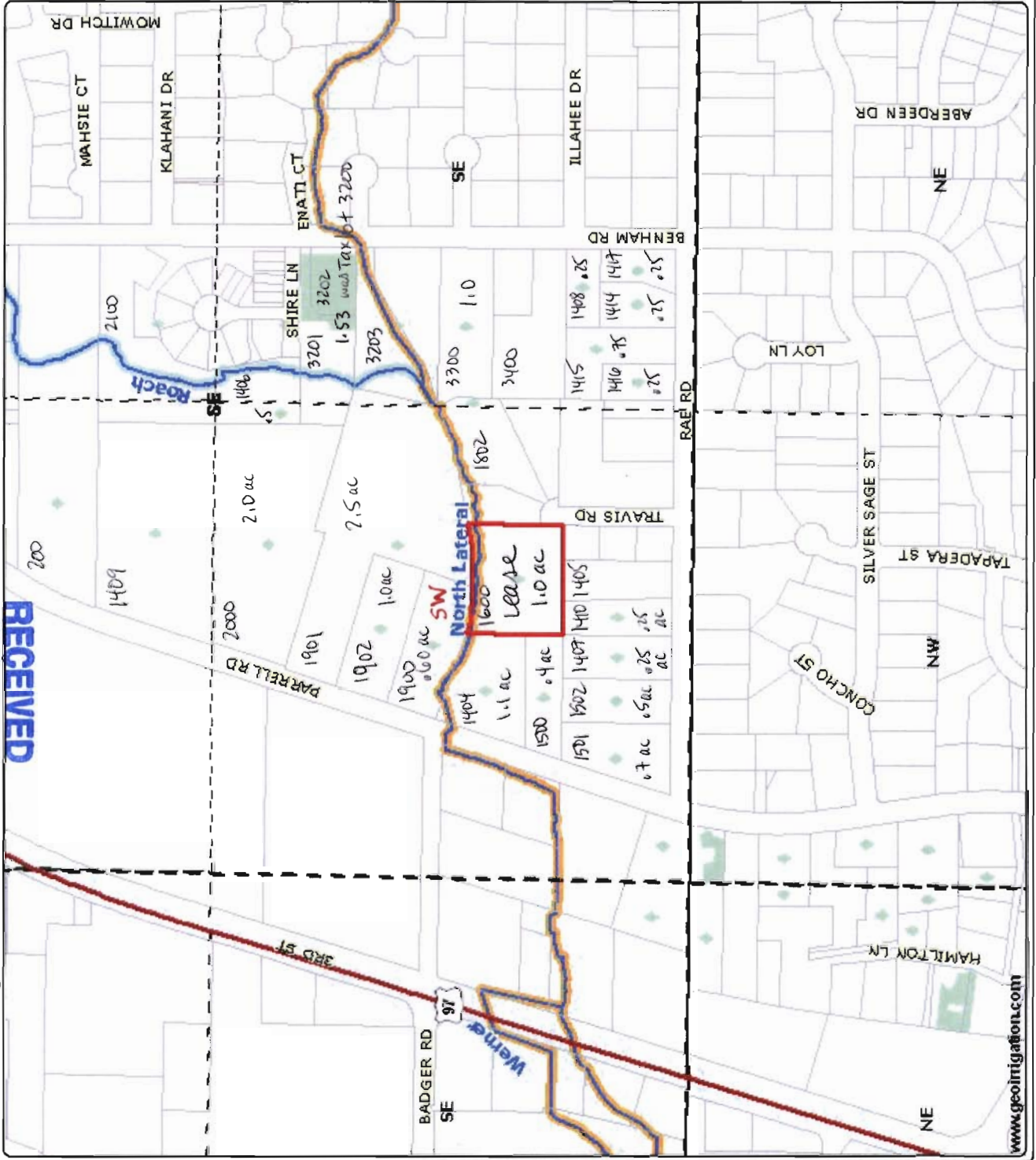
Arnold Irrigation District

Avion-Badger View -
181208-SWSE-01600 -
1.00 ac
181208D001600

- District Boundary
- County Boundary
- State Roads
- Roads
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Canal All
- Canal Piped
- Canal Open
- Rivers
- Place of Use Fill



Scale 1" = 400'
Created: 4/25/2008



www.geoinformation.com
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THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

REVIS: 02/06/2008

WATER RESOURCES DEPT
SALEM, OREGON

JUN 26 2008

RECEIVED

SE1/4 SEC. 08 T.18S. R.12E. W.M.
DESCHUTES COUNTY

1" = 200'

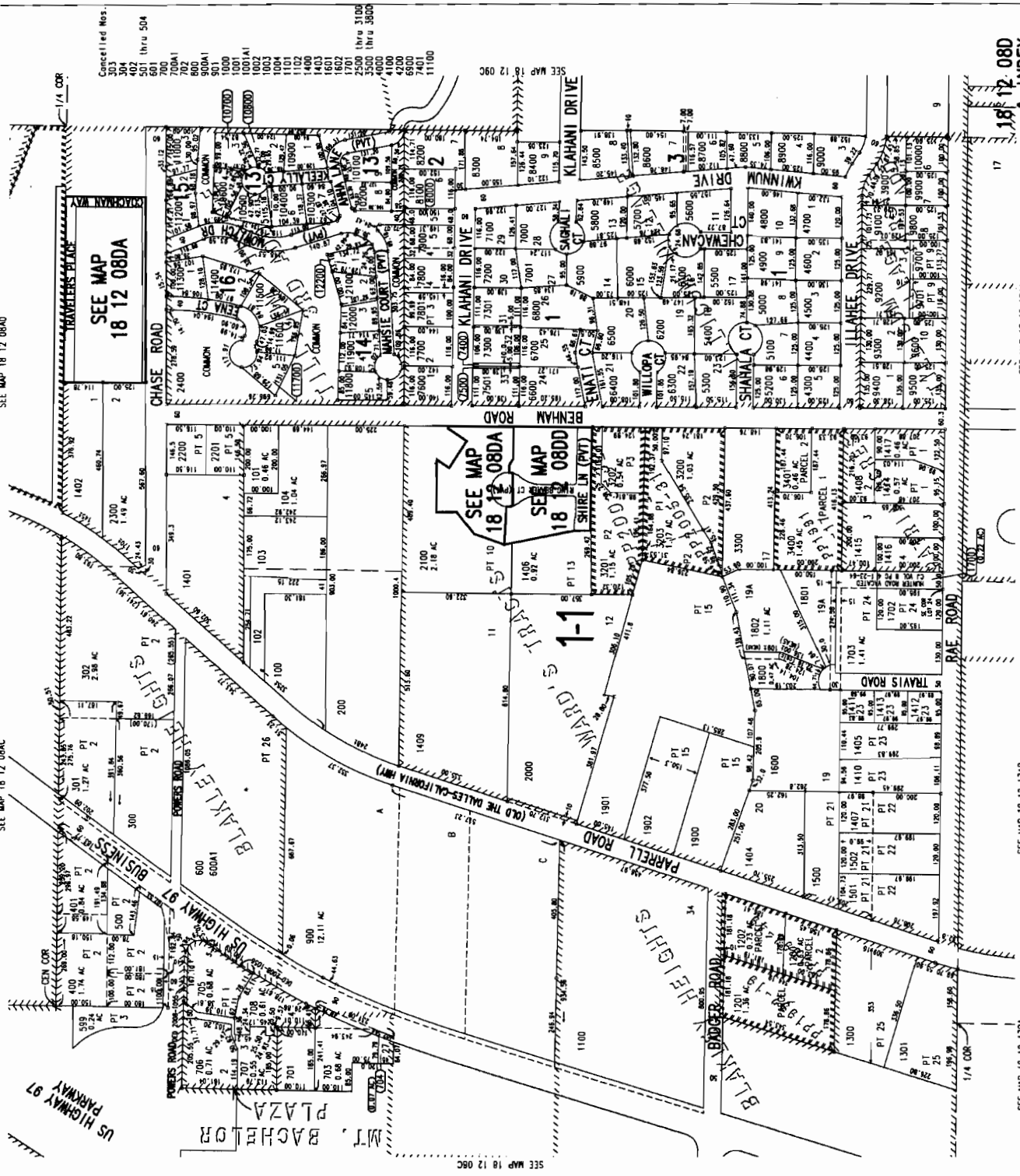
18 12 08D
& INDEX

SEE MAP 18 12 08A0

SEE MAP 18 12 08A0

SEE MAP 18 12 08A0

SEE MAP 18 12 08A0



18 12 08D
& INDEX

SEE MAP 18 12 17A0

SEE MAP 18 12 17A0

SEE MAP 18 12 17A0

SEE MAP 18 12 17A0

31

WARRANTY DEED -- STATUTORY FORM

JANIS J. PIPER, Grantor, conveys and warrants to BADGER VIEW DEVELOPMENT, LLC, Grantee, the following described real property, free of encumbrances except as specifically set forth herein, to wit:

PARCEL I:

Tract 19 of WARD'S TRACTS, Deschutes County, Oregon, EXCEPT that portion deeded to the county by deed recorded December 13, 1960 in Volume 126, Page 449, Deed Records.

Tax Account No(a): 120128
Map/Tax Lot No(a): 18-12-08-DO-01600

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 \$ 460,000.00.

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

Dated this 12th day of October, 2005.

Janis J. Piper

JANIS J. PIPER

STATE OF OREGON, COUNTY OF DESCHUTES) SS.

This instrument was acknowledged before me on October 12th, 2005 by JANIS J. PIPER.

[Signature]

(Notary Public for Oregon)
My commission expires 8-18-08

After recording return to:
WESTERN TITLE & ESCROW COMPANY
1345 NW WALL STREET, STE 200
BEND, OR 97701



Until a change is requested all tax statements shall be sent to the following address:
DAVID MADRIGAL AND/OR ASSIGNS
2778 NW WINDHAM LOOP
BEND, OR 97701

TITLE NO. 10-0254905
ESCROW NO. 10-0254905

RECORDED BY:
WESTERN TITLE & ESCROW CO.

WATER RESOURCES DEPT
SALEM, OREGON

JUN 26 2008

RECEIVED

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-69767



\$31.00

00405961200500687878010618

10/13/2005 01:04:31 PM

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



00488187200500576210050054

08/22/2006 04:22:18 PM

D-D Cnt=1 Str=4 TRACY
\$20.00 \$11.00 \$10.00 \$5.00

Do not remove this page from original document.

Deschutes County Clerk

Certificate Page



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JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

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

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

Done MARRIAGE



\$41.00

00435377200600073830040041

02/01/2006 08:00:00 AM

D-D Cnt=1 Stn=23 PAM
\$15.00 \$11.00 \$10.00 \$5.00

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



RERECORDING CERTIFICATE: This Deed is being rerecorded to reflect that there is no change as to where tax statements are to be sent, and to accurately reflect the water right being transferred.

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

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

BARGAIN AND SALE DEED

Recording requested by and when recorded return to:

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

Robert S. Lovlien
Bryant, Lovlien & Jarvis
PO Box 1151
Bend, OR 97709-1151

No
changes

The true consideration for this transfer is \$1,000.00.

BADGER VIEW DEVELOPMENT, LLC, an Oregon limited liability company, Grantor, conveys to AVION WATER COMPANY, INC., an Oregon corporation, Grantee, the following described real property: See Exhibit "A"

1.0 acre ~~feet~~ of Arnold Irrigation District water rights located upon the following described real property, to-wit:

Map 18-12-08, SW1/4, SE1/4, Tax Lot 1600 (1.0 irrigated acres), located in Deschutes County, 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.

DATED this 36 day of Jan, 2006.

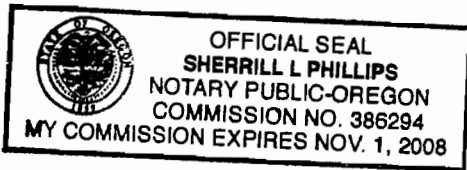
BADGER VIEW DEVELOPMENT, LLC

By: [Signature]
Its: member

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON)
) ss.
COUNTY OF DESCHUTES)

The foregoing instrument was acknowledged before me this 26th day of Jan, 2006, by Dave Madrugal, who stated that he is the member of Badger View Development and that he is authorized to execute the foregoing instrument on behalf of the company.



Sherrill L Phillips
Notary Public for Oregon
My Commission Expires: 11-1-08

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JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

Exhibit "A"

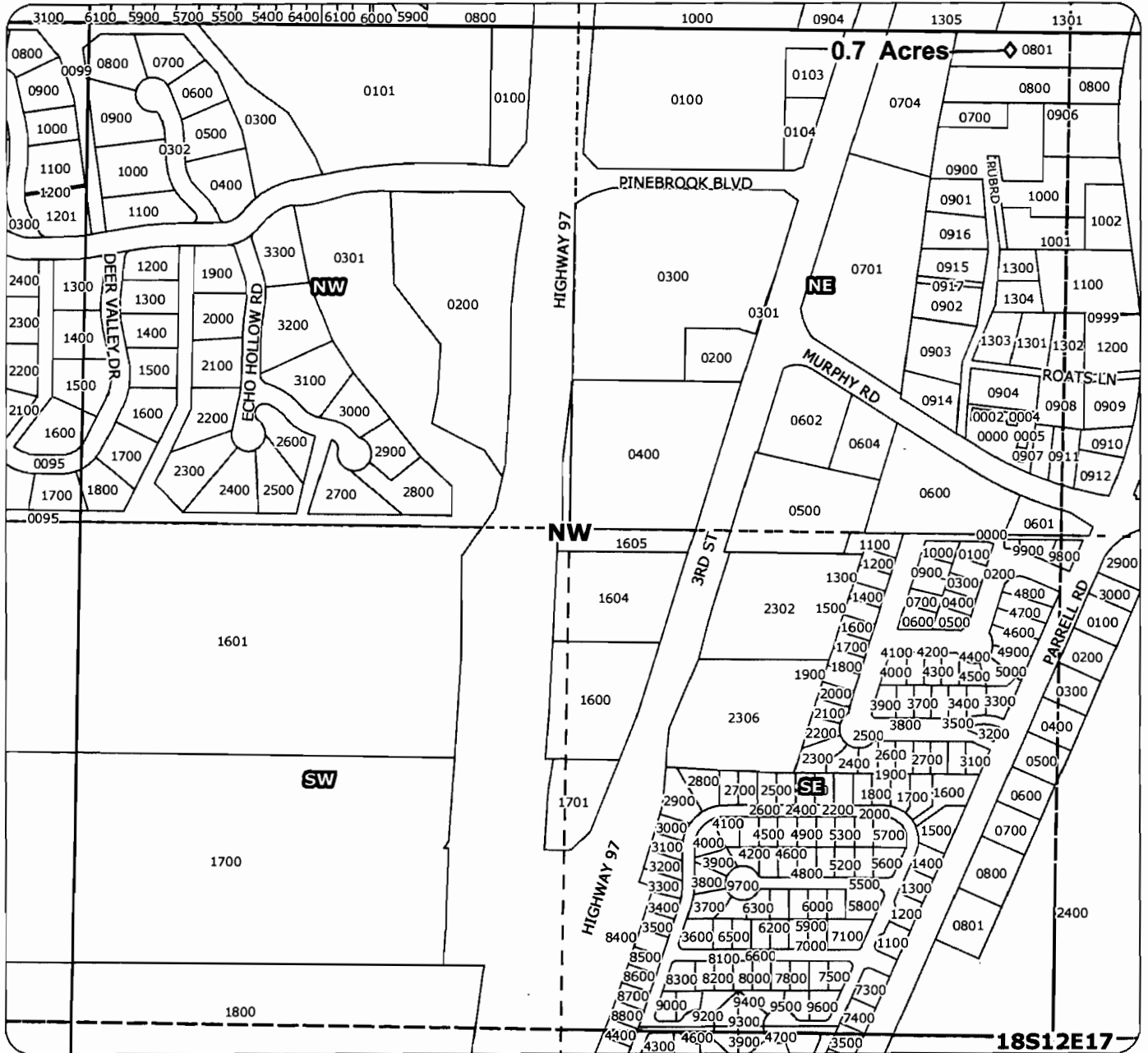
Tract nineteen (19) of WARD'S TRACTS, Deschutes County, Oregon, EXCEPT that portion deeded to the County by Deed recorded December 13, 1960 in Volume 126 page 449, Deed Records, containing 1.9 acres, more or less, and together with one (1) acre of Arnold Irrigation District Water.

RECEIVED


JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

 Proposed Lease of Irrigation Rights
Water Rights

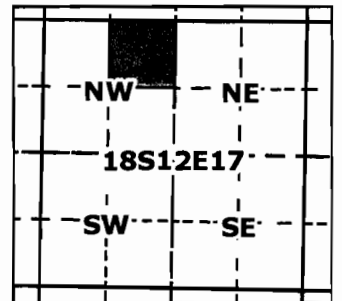
WATER RESOURCES DEPT
SALEM OREGON

JUN 26 2008

RECEIVED

For:

Arnold Irrigation District
Taxlot 801 - 0.7 Acres
in 18S12E17NENW
Total Lease of 0.7 Acres



Geo-Spatial Solutions, Inc.

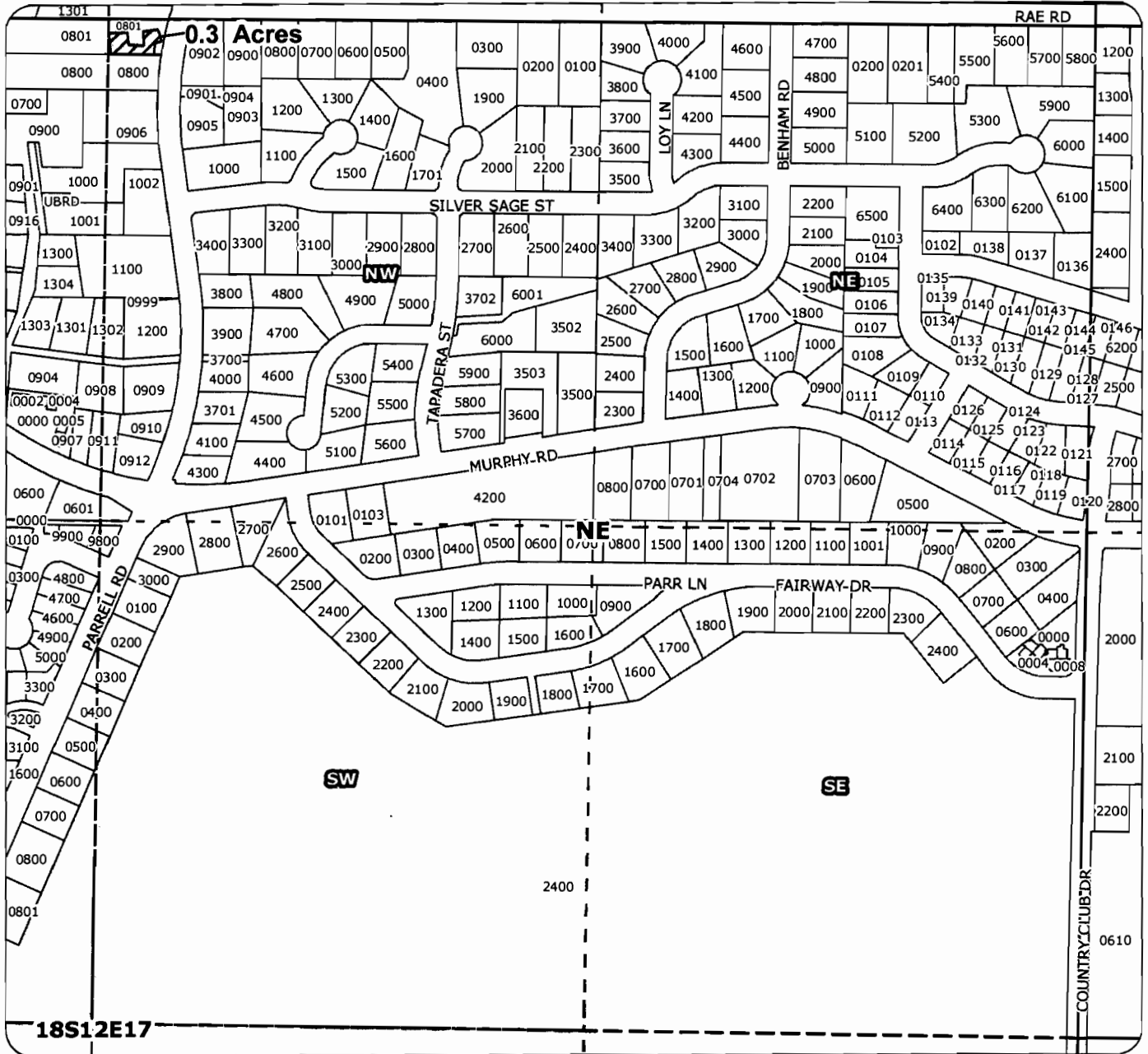
www.geospatialsolutions.com

Date Created: May 2008



j n

1 inch equals 400 feet

2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

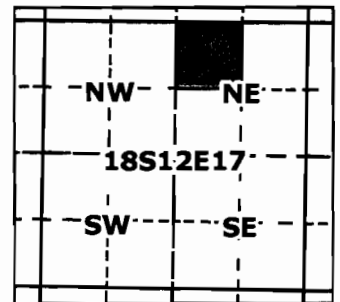
-  Proposed Lease of Irrigation Rights
-  Water Rights

WATER RESOURCES DEPT.
 SALEM, ORE.

JUN 26 2008

RECEIVED

For:
 Haller (Avion Water Co.)
 Taxlot 801 - 0.3 Acres
 in 18S12E17NWNE
 Total Lease of 0.3 Acres



Geo-Spatial Solutions, Inc.
www.geospatialsolutions.com

Date Created: May 2008

j N

1 inch equals 400 feet

JUN 26 2008

Arnold Irrigation District

RECEIVED

Avion (Haller)
181217-NENW-00801 - .70
ac & 181217-NWNE-00801
- 0.30 ac
181217BA00801

- District Boundary
- County Boundary
- State Roads
- Roads
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Canal All
- Canal Piped
- Canal Open
- Rivers
- Place of Use Fill



Scale 1" = 400'
Created: 4/24/2008



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THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.
REVISED: 11/13/2007

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

NE 1/4 NW 1/4 SEC. 17 T. 18S. R. 12E. W.M.
DESCHUTES COUNTY

18 12 17BA

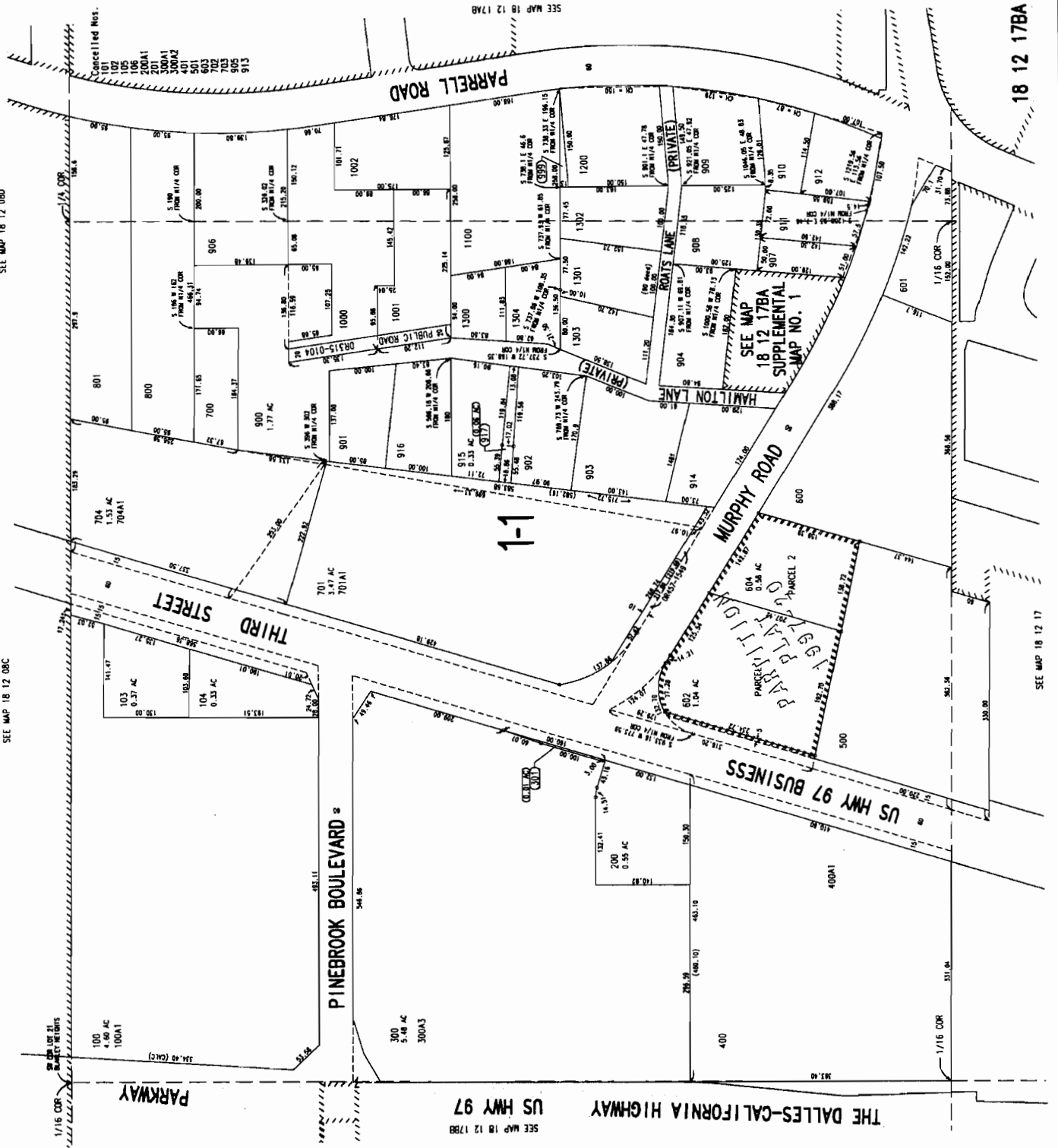
18 12 17BA

SEE MAP 18 12 08D

SEE MAP 18 12 08C

SEE MAP 18 12 17B

SEE MAP 18 12 17



- Cancelled Nos.
- 101
 - 102
 - 106
 - 200A1
 - 201
 - 300A1
 - 401
 - 501
 - 603
 - 702
 - 802
 - 902
 - 913

SEE MAP
18 12 17BA
SUPPLEMENTAL
MAP NO. 1

1-1



00612059200800201440030031

05/07/2008 03:25:41 PM

D-D Cntml Stmt BN
\$15.00 \$11.00 \$10.00 \$5.00

BARGAIN AND SALE DEED

Please Return to:
Juanita DeJarnett
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

Unless a change is requested,
All tax statements shall be sent to:
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

The true consideration for this transfer is forgiveness of future annual assessments.

Gerald Haller, Grantor, conveys to Avion Water Company, Grantee, the following described real property: See Exhibit "A"

1.00 acres of Arnold Irrigation District water rights located upon the following described real property, to-wit:

** 181217BA00801

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 THE 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 FARM 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 30th day of March, 2007.

RECEIVED

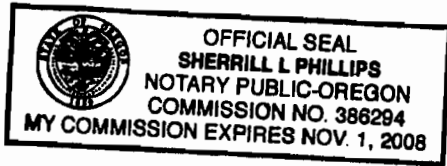
JUN 26 2008

WATER RESOURCES DEPT
SALIDA OREGON

Gerald D Haller
**Gerald Haller, Grantor

STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 4th day of April, 2007, by Gerald D Haller, Grantor.



Sherrill L Phillips
NOTARY PUBLIC FOR OREGON
My commission expires: 11-1-08

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

Exhibit "A"

The Northerly 95 feet of the following described parcel of land: A portion of the Northeast Quarter of the Northwest Quarter (NE ¼ NW ¼) and the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of Section Seventeen (17), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the Quarter section corner between Sections 8 and 17, Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, and running thence North 89°44' 37" East 466.31 feet to the West right of way line of the old Dalles-California Highway; thence on a 6° 00' curve to the right whose radius is 955 feet for a distance of 190.0 feet to the North line of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of Section 17; thence North 09°54' 39" West 158.6 feet to the point of beginning.

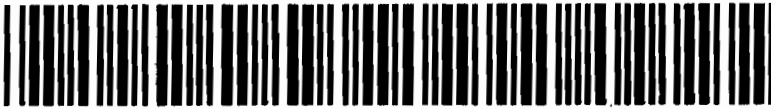
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JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

VOL: 2000 PAGE: 28327
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*2000-28327 * Vol-Page

Printed: 07/17/2000 15:56:02

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: Jul. 17, 2000; 3:53 p.m.

RECEIPT NO: 23450

DOCUMENT TYPE: Deed

FEE PAID: \$36.00

NUMBER OF PAGES: 2

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON



After recording return to:
Gerald D. Haller
61197 Parrell Road
Bend, OR 97702

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

Gerald D. Haller
61197 Parrell Road
Bend, OR 97702

Escrow No. 0010700
Title No. 156603-TH

THIS SPACE RESERVED FOR RECORDER'S USE
2000 - 28327-1
FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON
P.O. BOX 323
BEND, OR 97709

STATUTORY BARGAIN AND SALE DEED

Gerald D. Haller, Grantor, conveys to Gerald D. Haller and Carolyn L. Haller, husband and wife, Grantee, the following described real property:

see Exhibit "A" attached hereto and made a part hereof

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 \$-0- (Here comply with the requirements of ORS 93.030)

Dated this 10th day of July, 2000.

Gerald D. Haller
Gerald D. Haller

STATE OF OREGON
County of Deschutes } ss.

This instrument was acknowledged before me on this 10th day of July, 2000 by Gerald D. Haller



Cheryl Williams
Notary Public for Oregon
My commission expires: 3-15-02

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

2000-28327-2

EXHIBIT "A" - LEGAL DESCRIPTION

The Northerly 95 feet of the following described parcel of land: A portion of the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) and the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section Seventeen (17), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, described as follows:

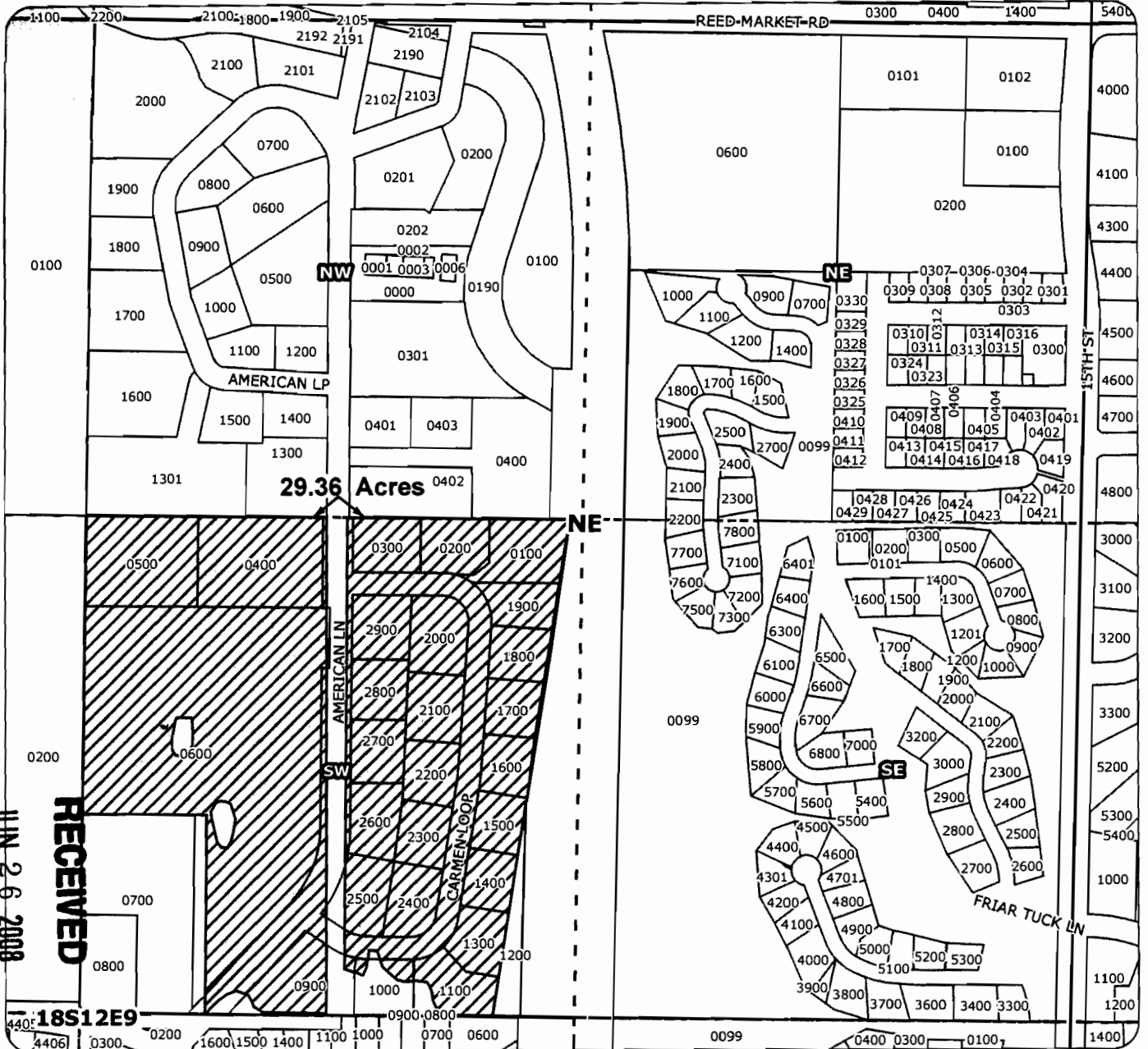
Beginning at the Quarter section corner between Sections 8 and 17, TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN, and running thence North $89^{\circ} 44' 37''$ West 297.90 feet; thence South $10^{\circ} 54' 22''$ West 190 feet; thence South $89^{\circ} 44' 37''$ East 466.31 feet to the West right of way line of the old Dalles-California Highway; thence on a $6^{\circ} 00'$ curve to the right whose radius is 955 feet for a distance of 190.0 feet to the North line of the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section 17; thence North $09^{\circ} 54' 39''$ West 158.6 feet to the point of beginning.

RECEIVED



JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

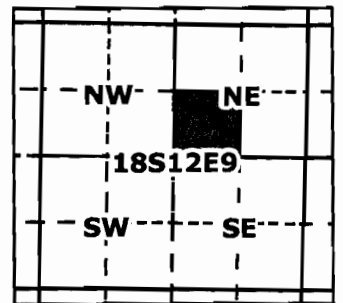
2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

 Proposed Lease of Irrigation Rights
 Water Rights

For:
 Anderson (Avion Water Co.)
 Taxlot 400* - 29.36 Acres
 in 18S12E9SWNE
 Total Lease of 29.36 Acres
 *Mapped from 3111 water right
 representation of taxlot 400.



1 inch equals 400 feet

WATER RESOURCES DEPT
 SALEM, OREGON

JUN 26 2008

RECEIVED

18S12E9

Geo-Spatial Solutions, Inc.

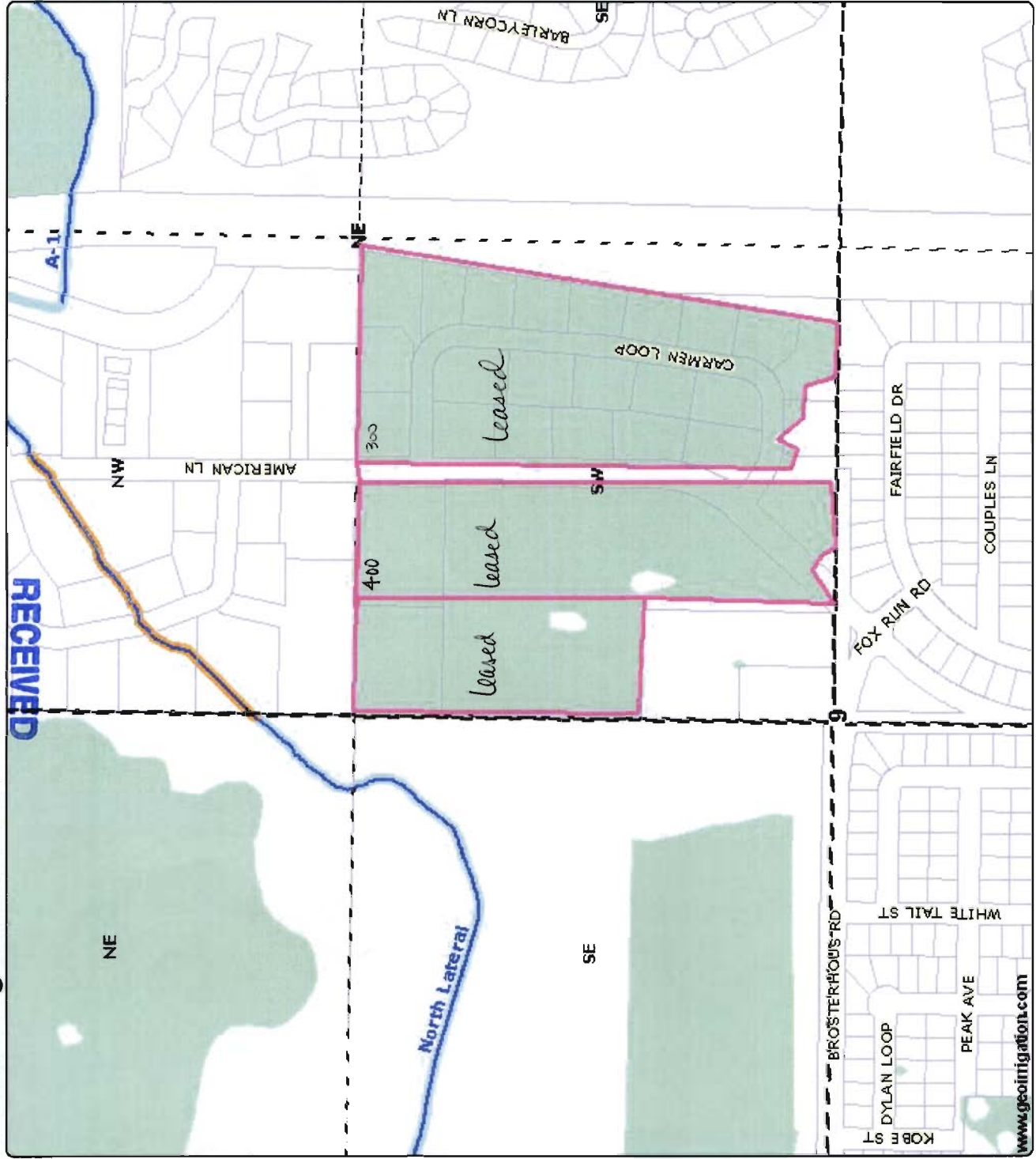
www.geospatialsolutions.com

Date Created: May 2008

JUN 26 2008

Arnold Irrigation District

RECEIVED



Avion (Anderson)
181209-SWNE-00400
(now 181209AC00400,
00600, 00900 &
subdivision - 23.36 ac

181209-SWNE-00301 (now
181209AC00500 & 00600) - 6.00
ac.

see attached county
tax lot map revised
on 12/26/2007

- District Boundary
- County Boundary
- State Roads
- Roads
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Canal All
- Canal Piped
- Canal Open
- Rivers
- Place of Use Fill

Taxlots have changed
drastically in this
QQ (SWNE)



Scale 1" = 400'
Created: 4/24/2008

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.
REVISED: 12/26/2007

WATER RESOURCES DEPT
SALEM, OREGON

JUN 26 2008

RECEIVED

SW1/4 NE1/4 SEC. 09 T.18S. R.12E. W.M.
DESCHUTES COUNTY

1" = 100'

18 12 09AC



SEE MAP 18 12 090B

18 12 09AC

ASSIGNMENT OF WATER RIGHTS

WHEREAS, CHARLES ANDERSON, as Grantor, granted to AVION WATER COMPANY, INC., an Oregon corporation and/or JAN WICK, individually, as Grantees, the right to acquire 30 acres of adjudicated irrigation water rights located within the Arnold Irrigation District in Deschutes County, Oregon;

WHEREAS, those water rights were, in fact, acquired by JAN WICK and CHRIS WICK, husband and wife;

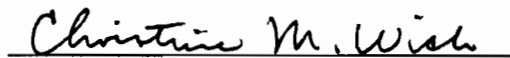
WHEREAS, JAN WICK and CHRIS WICK, for valuable consideration, want to assign said water rights.

NOW THEREFORE, JAN WICK and CHRIS WICK, husband and wife, hereby assign and convey to AVION WATER COMPANY, INC., an Oregon corporation, 30 acres of adjudicated irrigation water rights located within the Arnold Irrigation District, Deschutes County, Oregon, said water rights having been obtained from Charles Anderson.

DATED this 17th day of February, 2005.



JAN WICK



CHRIS WICK

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

BARGAIN AND SALE DEED

Recording requested by and when recorded return to:

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

Robert S. Lovlien
Bryant, Lovlien & Jarvis
591 SW Mill View Way
Bend, OR 97702

Jan Wick and Christine Wick
60100 Stirling Dr.
Bend, OR 97702

The true consideration for this transfer is \$1,000.00 per acre of water rights.

CHARLES W. ANDERSON and LINDA ANDERSON, husband and wife, Grantors, convey to JAN M. WICK and CHRISTINE M. WICK, husband and wife, Grantees, the following described property:

All of the Arnold Irrigation District water rights appurtenant to the following-described real property, said water rights consisting of 30 acres:

A portion of the Southwest one-quarter of the Northeast one-quarter (SW1/4 NE1/4) of Section 9, Township 18 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being Southerly 392.00 feet of the Northerly 792.00 feet of the Westerly 300.00 feet and portion lying Westerly of the Westerly right-of-way of American Lane exception the Northerly 400.00 feet and the Western 300.00 feet and that portion lying Easterly of the Easterly right-of-way line and the Westerly right-of-way line of the Greater Northern Railway, Excepting the Northerly 170.00 feet.

Tax Account No.: 181209AO, Tax Lot 400.

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

DESCHUTES COUNTY OFFICIAL RECORDS
MARY SUE PENHOLLOW, COUNTY CLERK

2002-30392



\$35.00

06/04/2002 03:33:22 PM

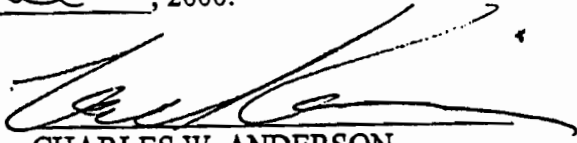
D-D Cnt=1 Stn=1 PAM
\$10.00 \$11.00 \$10.00 \$5.00

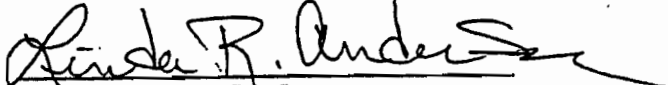
MADATA\ARSL\CLIENTS\A\Avion.096.B & S Deed

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

AS DEFINED IN ORS 30.930.

DATED this 25 day of April, 2000.

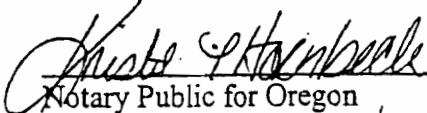

CHARLES W. ANDERSON


LINDA ANDERSON

STATE OF OREGON .)
) ss.
COUNTY OF DESCHUTES)

The foregoing instrument was acknowledged before me this 25th day of April, 2000, by Charles W. Anderson and Linda Anderson.




Notary Public for Oregon
My Commission Expires: June 15, 2002

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

VOL: 2000 PAGE: 7079
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*2000-7079 * Vol-Page

Printed: 02/25/2000 09:35:52

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: Feb. 25, 2000; 9:35 a.m.

RECEIPT NO: 17568

DOCUMENT TYPE: Lot Line Adjustment Deed

FEE PAID: \$31.00

NUMBER OF PAGES: 1

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

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

VOL: 2000 PAGE: 7080
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



*2000-7080 * Vol-Page Printed: 02/25/2000 09:35:58

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: Feb. 25, 2000; 9:35 a.m.
RECEIPT NO: 17568
DOCUMENT TYPE: Lot Line Adjustment Deed

FEE PAID: \$31.00

NUMBER OF PAGES: 1

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

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

**VOL: 2000 PAGE: 27015
RECORDED DOCUMENT**

**STATE OF OREGON
COUNTY OF DESCHUTES**



400027015 Vol-Page

Printed: 07/07/2000 11:30:13

DO NOT REMOVE THIS CERTIFICATE

(This certificate constitutes a part of the original instrument in accordance with ORS 105.180(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: Jul. 7, 2000; 11:18 a.m.

RECEIPT NO: 23012

DOCUMENT TYPE: Deed

FEE PAID: \$56.00

NUMBER OF PAGES: 2

**MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK**

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JUN 26 2008

WATER RESOURCES DEPT
SALEM OREGON

RECORDED BY

WESTERN TITLE & ESCROW CO.

200-27015.1

After Recording Return To

Until a change is requested, send tax statements to

Merrill O'Sullivan, LLP
1070 NW Bond Street, Suite 303
Bend, Oregon 97701

Charles W. and Linda Anderson
1404 NE 3rd
Bend, Oregon 97701

STATUTORY QUITCLAIM DEED

HELYN L. VAN HUFFEL, surviving spouse of JAMES D. VAN HUFFEL, Grantor, releases and quitclaims unto CHARLES W. ANDERSON and LINDA ANDERSON, husband and wife, Grantees, all right, title, and interest in and to the life estate which the Grantors reserved in a Statutory Warranty Deed between the parties dated June 12, 1992, and recorded June 24, 1992, in Book 269, Page 622, Reference Number 92-20456, Deschutes County Official Records with respect to the real property described as follows.

PARCEL I:

The Northernly 752 feet of the Westerly 330 feet, and a 30 foot strip being the Easterly 30 feet of the South 523.35 feet of the Westerly 330 feet all in the Southwest Quarter of the Northeast Quarter (SW¼ NE¼) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM the right of way of American Lane.

PARCEL II:

All of that portion of the Southwest Quarter of the Northeast Quarter (SW¼ NE¼) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, lying West of the right of way of the Great Northern Railway.

EXCEPTING THEREFROM the Westerly 330 feet of said SW¼ NE¼.

ALSO EXCEPTING THEREFROM the right of way of American Lane.

Subject To:

As disclosed by the assessment and tax roll, the premises herein have been specifically assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest

MERRILL O'SULLIVAN, LLP

Statutory Quitclaim Deed

ATTORNEY AT LAW
1070 NW BOND, SUITE 303
BEND, OR 97701

Charles W. Anderson

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

2000. 27015-2

and penalty, will be levied for the number of years in which this special assessment was in effect for the land. (BOTH PARCELS.)

2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Arnold Irrigation District. (BOTH PARCELS.)

3. The existence of roads, railroad, irrigation ditches and canals, telephone, telegraph and power transmission facilities. (BOTH PARCELS.)

4. Right of way of railroad (PARCEL II) and Lateral (BOTH PARCELS) as shown on the Assessor's Map.

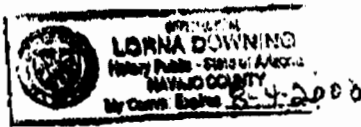
The consideration for this transfer is other value given or promised.

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.

DATED this 15 day of June, 2000.

Helyn Van Huffel
HELYN L. VAN HUFFEL

STATE OF ARIZONA)
County of Navajo) ss.



The foregoing instrument was acknowledged before me this 15 day of June, 2000, by HELYN L. VAN HUFFEL.

Lorna Downing
Notary Public for Arizona

MERRILL O'SULLIVAN LLP

ATTORNEYS AT LAW
1070 N.W. BOND, SUITE 140
SUNNYVALE, CA 95086

Statutory Quitclaim Deed

05/09/2008 08:08:05 AM PDR SEND

RECEIVED
JUN 26 2008
WATER RESOURCES DEPT
SALEM, OREGON

92-20456

269 - 0622

STATUTORY WARRANTY DEED

JAMES D. VAN HUFFEL and HELEN L. VAN HUFFEL, husband and wife, Grantors, convey and warrant unto CHARLES W. ANDERSON and LINDA ANDERSON, husband and wife, Grantees, the following described real property, free of encumbrances, except as specifically set forth herein:

See attached Exhibit A.

Subject to:

1. As disclosed by the assessment and tax roll, the premises herein have been specifically assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land. (BOTH PARCELS.)
2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Arnold Irrigation District. (BOTH PARCELS.)
3. The existence of roads, railroads, irrigation ditches and canals, telephones, telegraph and power transmission facilities. (BOTH PARCELS.)
4. Right of way of railroad (PARCEL 11) and Lateral (BOTH PARCELS) as shown on the Assessor's Map.

Provided, however, that Grantors grant all of the above-described real property to Grantees on the condition that Grantors shall retain possession and control of their residence located on the above-described real property for the sooner of the Grantors' abandonment of the above-described property or the death of the last of the Grantors; at which time, for example

NOTARIAL
OFFICE

SHERILL O SULLIVAN, MAURITZIE, PETERSEN & BRADY

Page 1
11/12/2008/010/01

RECORDED BY
TINA WESTERHOLM
11-14-08

ADMITTED TO
THE OFFICE
OF THE
NOTARY PUBLIC

JUN 26 2008

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WATER RESOURCES DEPT
CULTURE CENTER

269 - 0623

absolute title to all the above-described real property shall vest in Grantees.

The consideration for this transfer is \$300,000.00.

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

DATED this 12 day of June, 1992.

James D. Van Huffel
JAMES D. VAN HUFFEL

Reilyn L. Van Huffel
REILYN L. VAN HUFFEL

STATE OF OREGON)
County of Deschutes) ss.

The foregoing instrument was acknowledged before me this 12 day of June, 1992, by JAMES D. VAN HUFFEL and REILYN L. VAN HUFFEL, husband and wife.



Beverly Ann McKee
Notary Public for Oregon
My Commission Expires: 7-18-93

By execution of this instrument, Grantors certify that they are not "foreign persons" as that term is defined in the Internal Revenue Code, Section 1445.

SEND TAX STATEMENTS TO:
11/04 102 3 1st
11/04 01 9 21 01

Wattanty
Deed

ERRILL, O'SULLIVAN, MCMURTRY, PETERSEN & BRADY

Page 2

11/04/01/01/01

ATTORNEYS AT LAW
11/04/01/01/01
11/04/01/01/01

RECEIVED

JUN 26 2009

WATER RESOURCES DEPT
SALEM OREGON

269 - 0624

EXHIBIT "A"

PARCEL I:

The Northerly 750 feet of the Westerly 330 feet, and a 30 foot strip being the Easterly 30 feet of the South 523.35 feet of the Westerly 330 feet all in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM the right of way of American Lane.

PARCEL II:

All of that portion of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, lying West of the right of way of the Great Northern Railway.

EXCEPTING THEREFROM the Westerly 330 feet of said SW1/4 NE1/4.

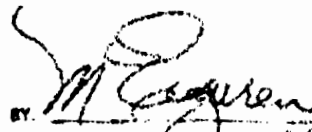
ALSO EXCEPTING THEREFROM the right of way of American Lane.

STATE OF OREGON)
COUNTY OF DESCHUTES ; ss.

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

92 JUN 24 PM 3:07

MARY SUE PENHOLLOW
COUNTY CLERK

BY:  CLERK
NO. 92-20455 RE 13
DESCHUTES COUNTY OFFICIAL RECORDS

RECEIVED

JUN 26 2008

WATER RESOURCES DEPT
SALEM, OREGON