

Zach Tillman

From: Zach Tillman
Sent: Tuesday, March 11, 2008 3:18 PM
To: 'wcplanning@co.wasco.or.us'; 'maupincity@centurytel.net'; 'planningcommission@co.deschutes.or.us'; 'sandy.mathewson@co.jefferson.or.us'; 'dwalker@ci.bend.or.us'; 'lmacy@wstribes.org'
Cc: 'Laura'
Subject: Proposed Instream Water Right

We are notifying you of our intent to transfer a water right to instream use. We will be submitting an application to the Oregon Water Resources Department changing the place of use to the Deschutes River, from the city of Bend to Lake Billy Chinook and from Lake Billy Chinook to the mouth of the Deschutes River.

We propose to transfer approximately 0.472 cfs instream, with a priority date of October 31st, 1900. If you have questions regarding this application or are interested in receiving additional information, please call me at the number below. The Oregon Water Resources Department will provide you with additional notice of this transfer once it has been submitted for review. Thanks very much.

Zach

Zachary Tillman, DRC
541-382-4077, x.21
zach@deschutesriver.org

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

1 10562

MP 115

Mitigation Project



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. 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.

1. TYPE OF TRANSFER APPLICATION

Please check one

<input type="checkbox"/> Permanent Transfer	<input checked="" type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer (1 to 5 yrs.)	<input checked="" type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

2. APPLICANT INFORMATION

Name: Deschutes River Conservancy, City of Bend & Central Oregon Irrigation District
First Last

Address: 700 NW Hill St.
Bend OR 97701
City State Zip

Phone: _____ 541-382-4077 x.21 _____
Home Work Other

Fax: 541-382-4078 E-Mail address: zach@deschutesriver.org.

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: _____ **RECEIVED**
First Last

Address: _____ **MAR 13 2008**
City State Zip **WATER RESOURCES DEPT SALEM OREGON**

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

- If an agent is listed above, please check one of the following:
 - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
 - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

T 10562

MP 115

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.			76358 → 83571
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.

- Check **all** proposed change(s) included in this transfer application:

- Place of Use Point of Diversion (POD) Additional Point of Diversion
- Character of Use Point of Appropriation (POA, or well) Additional POA
- Instream Transfer Surface Water POD to Ground Water POA
- Substitution of Supplemental Groundwater right for Primary Surface water right
- Historic POD change Other

- Reason(s) for change(s): Permanent Instream Transfer & Mitigation Project

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

See Exhibit A

- System capacity: _____ cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

See Exhibit A

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

1 10562

MP 115

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? Yes No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? Yes No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? Yes No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

Bureau of Reclamation
1150 N. Curtis Rd., Suite 100
Boise, ID 83706

RECEIVED

MAR 13 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

<u>Deschutes County Planning Dept</u>	<u>City of Redmond Planning Dept</u>
<u>117 NW Lafayette Ave.</u>	<u>P.O. Box # 726</u>
<u>Bend, OR 97701</u>	<u>Redmond, OR 97756-0100</u>

MP 115

T 10562

9. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? Yes No

If "No", provide the following information. For Temporary Transfers, also include a **notarized statement granting consent** to the transfer from **each** of the landowners (for Permanent Transfers see Section 12(c)):

Names of Current Landowner(s): City of Bend owns 12.5 ac. water right only.
First Last

Address: All other water rights, see Quitclaim Packets

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?
 Yes No N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check **one** of the following:
 - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
 - N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

10. Other Remarks (optional)

RECEIVED

MAR 13 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

T 10562

MP 115

11. ATTACHMENTS

*Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.*

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- The Evidence of Use Affidavit **must** be accompanied by **supporting documentation**.

Map

Water Right Transfer

The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.

Temporary Transfer or Historical POD Change

A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information For Proposed Changes:

For Instream Transfers:

- Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (*For instream transfers a Land Use Information Form is not required.*)

For All Other Transfers:

- Land Use Information Form is enclosed; **or**
- All** of the following criteria are met, therefore a Land Use Information Form is not required:
- ❶ In EFU zone or irrigation district,
 - ❷ Change in place of use only,
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, **and**
 - ❹ Irrigation only.

Fees:

- Amount enclosed: \$ 400 ($400 + 400 \div 2$)
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

1 10562

MP 115

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM OREGON

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

12. SIGNATURES

▪ Check one of the following, as appropriate, and sign the application in the signature box below:

In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to **all** lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is **not** the applicant, a **notarized statement consenting to the transfer** (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.


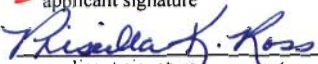
I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.

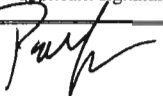
I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.

I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

▪ I (we) affirm that the information contained in this application is true and accurate.

 applicant signature	Zachary Tillman - DRC xfer mgr name and title if applicable (print)	12-13-07 date
 applicant signature	PRISCILLA K. ROSS - BUSINESS MGR name and title if applicable (print)	12-12-07 date

 MP 115

PATRICK GRIFFITHS

2-8-08

Water Right Transfer Supplemental Form A DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 76358 → 83571

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input checked="" type="checkbox"/> Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	<u>76358 → 83571</u> Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Central Oregon Irrigation District
- County: Deschutes
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): 10/31/1900 & 12/2/1907

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: Deschutes R.

Tributary to: Columbia R.

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
 - Yes No N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? See Exhibit C

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled**, except as provided in OAR 690-380-2240(5).*

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

MP 115

▪ Certificate Number or other identifying number: 76358 → 83571

The following information **must be provided only** for those points of diversion or appropriation that **are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.)** Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Deschutes R. 10/31/1900 12/2/1907	17 S.	12 E.	WM	29	SENE		850 Ft. N. & 630 Ft. W. of E corner of Sec. 29

▪ Does the water right being transferred involve a ground water source(s)?

Yes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM OREGON

▪ Certificate Number or other identifying number: 76358 → 83571

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

N/A - Instream Water Right Transfer

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

1 10562

Exhibit A

Place of Use info & Delivery Systems

Name	Location(s)					Acres	Delivery System
	T	S	R	QQ	T/L		
Pilot Butte Canal (PBC) POD#11							
Airport	17	13	20	NWSW	401	12.5	B-35
Rowe, Wayne	14	13	16	NWSW	213	0.12	H-1-8
Murray, Johnnie	15	13	30	NWNW	905	3.6	B-3-1-2
Redmond Sch. District	15	13	17	SENE	1502	4.3	C-6-1-2
Aqua-Tronics	15	13	10	NENW	102	3.73	E-14-0
Hoole, David	15	13	9	NWNW	207	1.74	C-6-13
Thrasher, Gary	15	13	9	NWNW	208	1.81	C-6-13
						27.80	

T 10562

MP 115

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

5. Are there any existing instream water rights at the same point or within the same requested reach(es) or lake, or on a portion thereof:

No Yes (identify other instream water rights): _____

OWRD maintains a current list of instream water rights

New instream water rights generally (but not always) are additive to instream water rights established under ORS 537.348 (instream transfer application process) and ORS 537.470 (allocation of conserved water) and replace a portion of instream water rights established under ORS 537.341 (state agency application process) or ORS 537.346 (conversion of minimum perennial streamflows) with an earlier priority date.

Is it your intent to have the proposed instream water right transfer be additive to any instream water right established under ORS 537.348 and ORS 537.470 and replace a portion of any instream water right established under ORS 537.341 and ORS 537.346 with an earlier priority date?

Yes No. If no, please explain your intent below.

If the proposed conversion would add to the amounts of an existing instream water right(s) established under ORS 537.341 or 537.346, provide documentation demonstrating why additional instream flows are necessary. *Supporting documentation should include information from the Dept. of Fish and Wildlife (ODFW) (fish life), Dept. of Environmental Quality (DEQ) (pollution abatement), and/or Parks and Recreation Dept. (recreation).*

6. Is the requested instream flow intended to exceed the estimated average natural flow or level occurring from the drainage system?

No; *or*
 Yes (Provide supporting documentation that demonstrates why additional flows are significant for the public use requested.); *or*
 Yes, and it is presumed that flows that exceed the estimated average natural flow or natural lake levels are significant because:

- The requested flow does not exceed the maximum amount of any instream water right application applied for under ORS 537.341 (state agency instream water right application process) for the same reach or portion thereof, and the requested public use is for the same public use as the aforementioned instream water right application; **and**
- For the specified time period that flows are requested to exceed the estimated average natural flow or lake level, the stream is in an ODFW flow restoration priority watershed (A copy of the priority watershed map indicating the specific watershed involved should be included with the application. Priority watershed maps may be found on the OWRD web page); **or**
- The stream is listed as water quality limited and DEQ has provided scientific information that demonstrates that increased flows would improve water quality. (The scientific information provided by DEQ should be included with the transfer application.)

7. For a time-limited instream transfer, please answer the following:

The time-limited instream transfer is for a specific number of years:
Begin Year _____ to End Year _____
 The time-limited instream transfer is to terminate based upon other conditions:
Conditions: _____

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

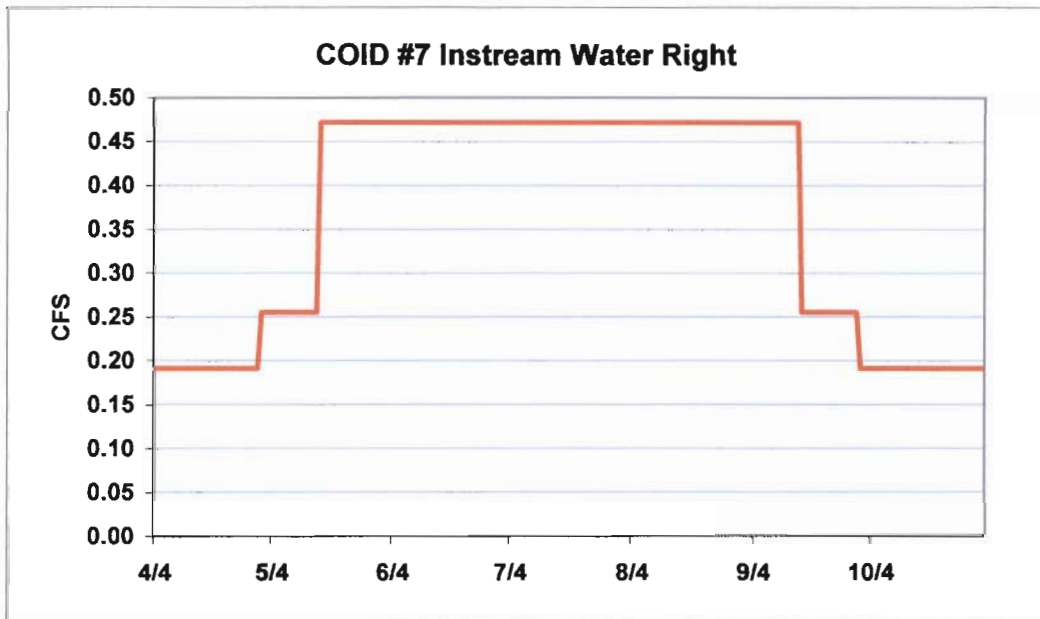
Exhibit B

Instream Water Right COID #7 (27.8 acres)

Instream Rates	1900
Season 1	0.191 CFS
Season 2	0.255 CFS
Season 3	0.472 CFS

Instream Duty 151.52 Acre-Feet

Seasons are as follows:	
Season 1	4-1 through 5-1 & 10-1 through 11-1
Season 2	5-1 through 5-15 & 9-15 through 10-1
Season 3	5-15 through 9-15



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115

Exhibit C

**Cancellation of supplemental water right (IS)
COID #7**

Modification of this supplemental water right reduces by 27.8 acres the number of acres to which stored water may be applied for supplemental irrigation under the right evidenced by Certificate 76714; however, the maximum quantity of stored water that can be diverted for use under the right remains unchanged.

RECEIVED

MAR 13 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

T 10562

MP 115

OREGON



Water Resources Department

**Central Oregon Irrigation District
Calculator for Certificate 83571**

Revised: 12/06/2007

This calculator is primarily designed to facilitate the calculation of how much water may be protected instream through instream leases and transfers. However, the calculator can also be used to determine the rate and duty associated with other transfers and cancellations. For questions regarding its use, please contact Laura Snedaker at 503-986-0884.

Enter Total Number of Acres Involved from POD #1 (CO Canal)

Enter Total Number of Acres Involved from POD #11 (North Canal, also known as PB Canal)

Rate and duty for the acres by which the water right will be reduced by at the Point of Diversion (POD).

POD #1	October 31, 1900	December 2, 1907	Combined
Season 1 Rate (CFS)	0.000		
Season 2 Rate (CFS)	0.000		
Season 3 Rate (CFS)	0.000	0.000	0.000
Duty (AF)			0.00

POD #11	October 31, 1900	December 2, 1907	Combined
Season 1 Rate (CFS)	0.347		
Season 2 Rate (CFS)	0.462		
Season 3 Rate (CFS)	0.611	0.245	0.856
Duty (AF)			274.81

The transmission loss associated with this right is not transferable or protectable instream. The following tables show the amount of water that is protectable for Instream Leases and Instream Transfers, under the October 31, 1900 priority date. (Please contact the Department if you prefer to protect water instream under the combined October 31, 1900 and December 2, 1907 priority dates.) To prevent enlargement and injury, the instream use has been modified from the authorized season of April 1 through October 31, to April 1 through October 26.

From POD #11 to Lake Billy Chinook	
Season 1 Rate (CFS)	0.191
Season 2 Rate (CFS)	0.255
Season 3 Rate (CFS)	0.472
Maximum Volume (AF)	151.52

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

T 10562 MP 115



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Water Right Transfer Supplemental Form Map Waiver

The Director may waive or assist a transfer applicant in satisfying the map requirement (OAR 690-380-3100) for certain transfers if the criteria described in this form are met pursuant to OAR 690-380-3410.

This form must be prepared by the transfer applicant and the appropriate Regional Manager for the Oregon Water Resources Department. To prepare the form, a copy of the complete transfer application, including a description of the water rights to be transferred, must be provided to the Regional Manager.

This map waiver form must be signed by the Regional Manager and submitted with the transfer application.

Transfer Applicant: _____

Water Right(s) to be transferred: COI - Cert

1. The transfer **must** be one of the following. Please check the appropriate box.

- An instream transfer application filed pursuant to ORS 537.348.
- A transfer application necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.375; or
- The transfer application is determined and endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

2. For an **instream transfer application filed pursuant to ORS 537.348**, a map waiver shall only be approved if the application meets one of the following additional criteria. Please check the appropriate box.

- The entirety of the right is being transferred to an instream water right and the location of the instream water right can be clearly delineated through reference to the existing point of diversion for the transferred right and other points of diversion or geographic reference points such as the mouth of the stream; or
- A map meeting the requirements of the transfer rules (OAR 690-380-3100) is available showing the lands not included in the transfer and the location of the instream water right can be clearly delineated through reference to the existing point of diversion for the transferred right and other points of diversion or geographic reference points such as the mouth of the stream. (Please include copy of map(s) with transfer application.)

T 10562


MP 115

RECEIVED

3. For a **transfer application meeting any one of the criteria identified in #1** (including an instream transfer application), a map waiver may also be approved if other circumstances are present that make an application map unnecessary. If #2 does not apply, but circumstances are present that make an application map unnecessary, describe those circumstances below:

4. For any transfer application meeting one or more of the criteria identified in #1 that does not meet the criteria for a map waiver as described in #2 or #3, the Department may assist the applicant in development of the application map. The Department (through the regional office) may provide this assistance at the discretion of the appropriate Regional Manager. Please check the appropriate box below if the Department has provided assistance in development of the transfer application map:

- A map meeting the requirements of OAR 690-380-3100 has been prepared by Department staff and is included with the transfer application.
- The map provided with the transfer application has been developed with assistance from Department staff and meets the requirements of OAR 690-380-3100.

Signature:  Date: 3-4-08
OWRD Regional Manager, SC Region

For COI

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

2.12
0.12
3.55
3.73
4.30
3.60
12.50

27.80 acres

MP 115

T 10562

Rowe

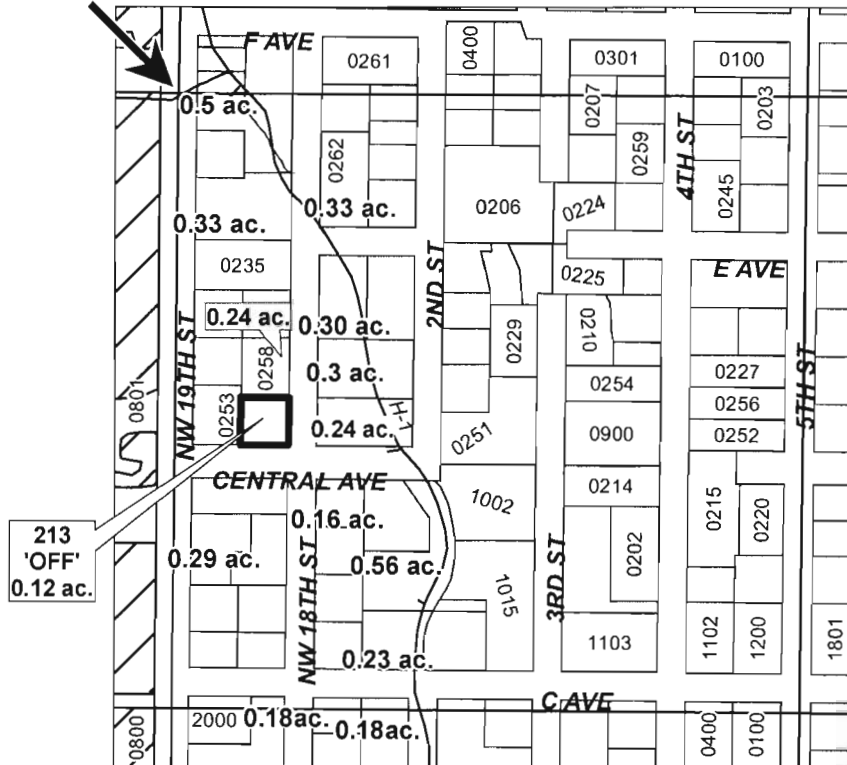
DESCHUTES COUNTY SEC.16 T14S R13E

SCALE - 1" = 400'



NW 1/4 OF THE SW 1/4

W 1/4 COR



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

"OFF" MAP

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



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 213

0.12 ACRES

DATE: 02-12-08

FILE: E:\TRANSFER\WR\TRANS08\DRCV141316_213.PDF

T 10562

MP 115

Hoole & Thrasher

DESCHUTES COUNTY SEC.09 T15S R13E

SCALE - 1" = 400'



NW 1/4 OF THE NW 1/4



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

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

"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 207, 208

3.55 ACRES

DATE: 02-13-08

FILE: E:\TRANSFER\WRTRANS08\DR0151309_NWNW.PDF

T 10562 MP 115

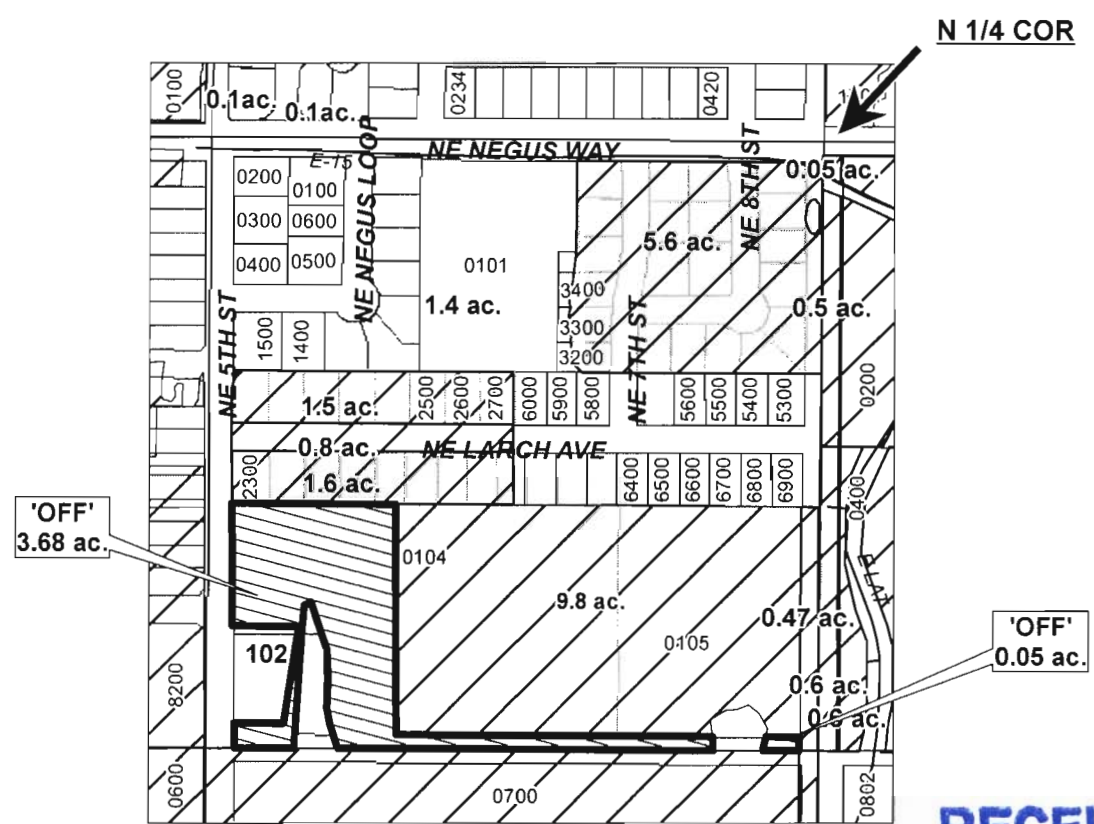
Agua-Tronics

DESCHUTES COUNTY SEC.10 T15S R13E

SCALE - 1" = 400'



NE 1/4 OF THE NW 1/4



N 1/4 COR

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

"OFF" MAP

	EXISTING WATER RIGHTS
	OFF LANDS



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 102

3.73 ACRES

DATE: 02-13-08

FILE: E:\TRANSFER\WRTRANS08\DCR\151310_102.PDF

T 10562

MP 115

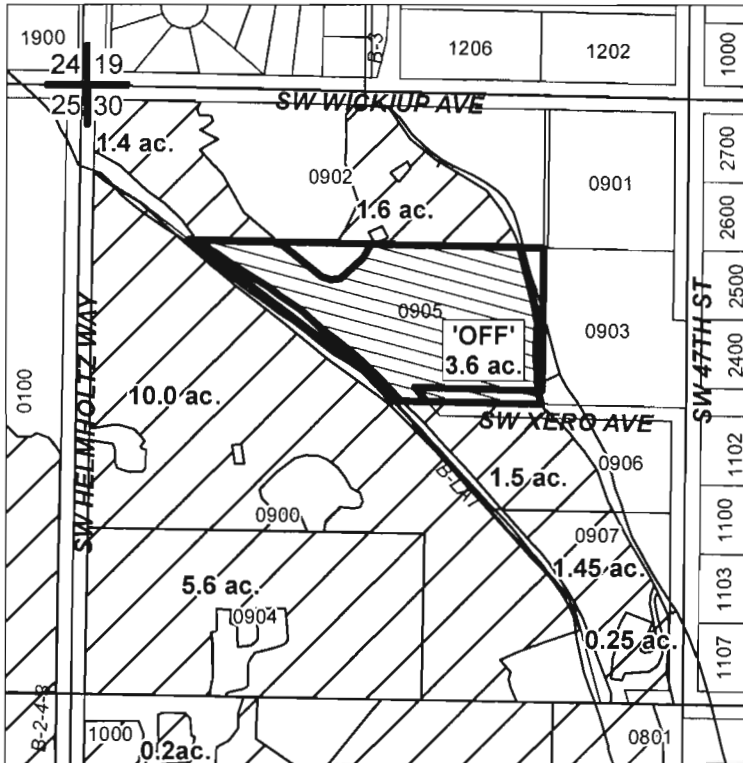
Murray

DESCHUTES COUNTY SEC.30 T15S R13E

SCALE - 1" = 400'



NW 1/4 OF THE NW 1/4



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

	EXISTING WATER RIGHTS
	OFF LANDS

"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 905

3.6 ACRES

DATE: 02-12-08

FILE: E:\TRANSFER\WRTRANS08\DRCV151330_905.PDF

T 10562

MP 115

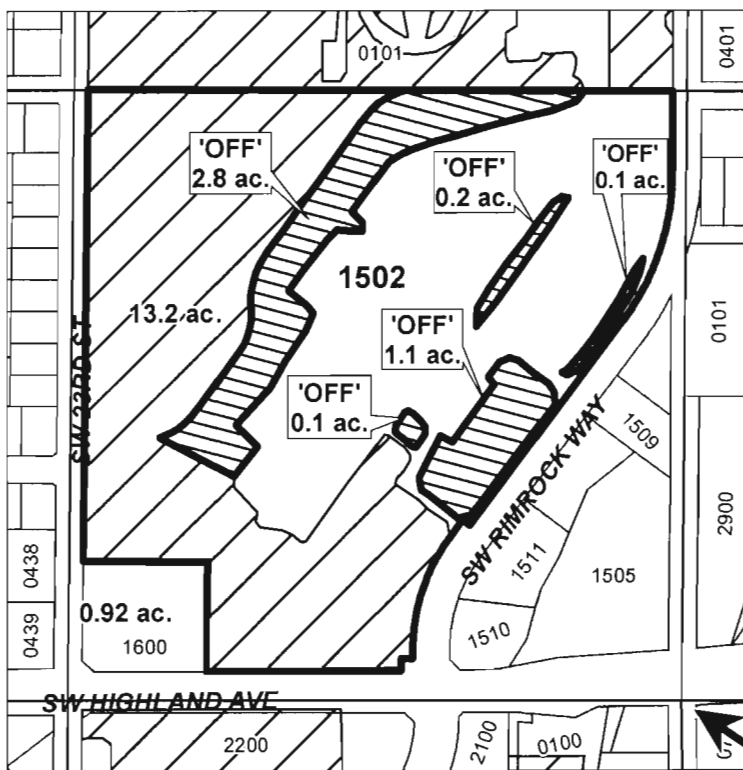
Rdm. School District

DESCHUTES COUNTY SEC.17 T15S R13E

SCALE - 1" = 400'



SE 1/4 OF THE NE 1/4



E 1/4 COR

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

	EXISTING WATER RIGHTS
	OFF LANDS

"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 1502

4.3 ACRES

DATE: 02-13-08

FILE: E:\TRANSFER\WR\TRANS08\DRM151317_SENE.PDF

T 10562

MP 115

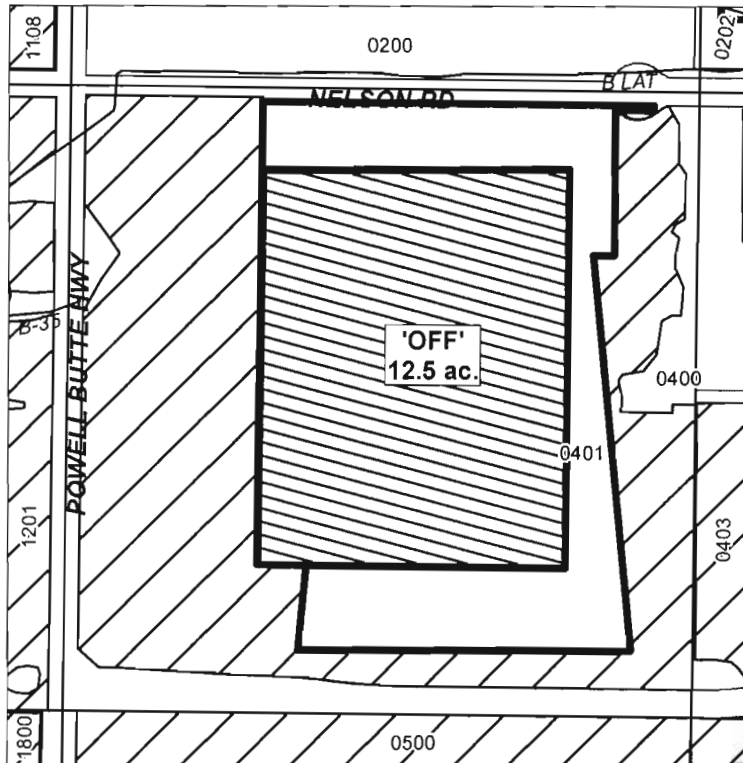
Airport

DESCHUTES COUNTY SEC.20 T17S R13E

SCALE - 1" = 400'



NW 1/4 OF THE SW 1/4



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

"OFF" MAP

	EXISTING WATER RIGHTS
	OFF LANDS



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 401

12.5 ACRES

DATE: 02-12-08

FILE: E:\TRANSFER\WR\TRANS08\DR\171320_401.PDF

T 10562

MP 115

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2004-09130



\$31.00

00244378200400091300020029

02/23/2004 12:16:32 PM

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

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



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

MP 115 T 10562

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

CENTRAL OREGON IRRIGATION DISTRICT
2598 North Highway 97
Redmond, OR 97756

QUITCLAIM DEED

FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Wayne R. & Stella M. Rowe, releases and quitclaims to Central Oregon Irrigation District all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands described as: Lots 29, 30, 31, and 32 in Block 5 of HILLMAN, Deschutes County, Oregon; release their claim and responsibility for 0.12 acres of Central Oregon Irrigation District water rights that are appurtenant to the lands described above, to Central Oregon Irrigation District. Central Oregon Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Central Oregon Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

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

Furthermore, upon signing of this agreement and the accompanying transfer application, Wayne R. & Stella M. Rowe shall no longer be liable for any district assessment or charges pertaining to the 0.12 acres of water right incurred after the date of signing and subsequent completion of the transfer of water. The water right in question is further described as a portion of certificate # 76358, priority of 1900 and 1907, located: 14-13-16 NW SW 00213.

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

Consideration for this Quitclaim: COID to pay 2004 assessment of \$277.76

Grantor:

Wayne R. Rowe

Date 2/6/04

Wayne R. Rowe

Stella M. Rowe

Date 2/6/04

Stella M. Rowe

State of Oregon
County of Deschutes

This instrument was acknowledged before me on 2-6-04 by Wayne R. & Stella M. Rowe

Yvette Moore
My commission expires 5-15-07

MAIL TAX STATEMENT
TO: NO CHANGE

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



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562
MP 115



First American Title Insurance Company of Oregon
PO Box 323, Bend, OR 97709
Street Address: 141 NW Greenwood Ave., Bend, OR 97701
(541) 382-4201 - Fax (541) 389-5431

TRISHA BARTKOWSKI
TITLE OFFICER
tbartkowski@firstam.com

WATER TRANSFER REPORT

Central Oregon Irrigation
2598 N Hwy 97
Redmond, OR 97756

May 29, 2003
File No.: 7069-180129

Attention: Leslie

Re:
Fee \$150.00

We hereby certify that we have searched our Tract Indices as to the following described property:

Lots Twenty-nine (29), Thirty (30), Thirty-one (31) and Thirty-two (32) in Block Five (5) of
HILLMAN, Deschutes County, Oregon.

and as of May 12, 2003 at 8:00 a.m.

Vested of Record in:

WAYNE R. ROWE and STELLA M. ROWE, as tenants by the entirety

Subject to:

We have also searched our General Index for Judgment and State and Federal Tax Liens against the vestee and find the following:

NOTE: Taxes for the year 2002-2003 PAID IN FULL

Tax Amount:	\$941.49
Map No.:	14 13 16 CB 00213
Property ID:	134233
Tax Code No.:	2-012

1. The premises described herein fall within the boundaries of Central Oregon Irrigation District and are subject to rules and regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals thereof.

T 10562

MP 115





First American Title Insurance Company of Oregon
PO Box 323, Bend, OR 97709
Street Address: 141 NW Greenwood Ave., Bend, OR 97701
(541) 382-4201 - Fax (541) 389-5431

1/1

Title Transmittal

Central Oregon Irrigation
2598 N Hwy 97
Redmond, OR 97756

May 28, 2003
File No.: 7069-180129

Attention: Leslie

Re:
Buyer:
Seller/Owner: **Wayne R. Rowe and Stella M. Rowe**
Property: **8541 NW 18th Street, Terrebonne, OR 97760**

Enclosed please find the following, per your request:

- Water Transfer Report
- Billing Invoice

Should you have any questions or need further assistance, please contact the undersigned. We appreciate the opportunity to serve you.

Sincerely,

Trisha Bartkowski

Trisha Bartkowski
Title Officer

TB/TB

T 10562

MP 115



2. Deed of Trust and the terms and conditions thereof.

Grantor/Trustor: Wayne R. Rowe and Stella M. Rowe, as tenants by the entirety
Grantee/Beneficiary: Mortgage Electronic Registration Systems, Inc., as nominee for Homecomings Financial Network, Inc.
Trustee: Amerititle
Amount: \$81,750.00
Recorded: November 6, 2002
Recording Information: Book 2002, Page 62124

This report is made for the purpose herein specified and for this reason liability hereunder is expressly limited to the sum paid therefore. THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lien and Encumbrance Search and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

1 10562
MP 115

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

48248-31



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
WAYNE R. ROWE
P.O. BOX 538
SISTERS, OR 97759

Until a change is requested all
tax statements shall be sent to
the following address:
WAYNE R. ROWE
P.O. BOX 538
SISTERS, OR 97759

Escrow No. RD048248CZ
Title No. _____

DESCHUTES COUNTY OFFICIAL RECORDS
MARY SUE PENHOLLOW, COUNTY CLERK

2002-62123



\$31.00

001123020020021230010012

11/06/2002 04:15:00 PM

D-D Cntal Strm11 JEFF
\$5.00 \$11.00 \$10.00 \$5.00

WARRANTY DEED

HOWARD N. LONG AND CONNIE LEE LONG, AS TENANTS BY THE ENTIRETY, AND HAROLD LONG, EACH TO AN UNDIVIDED 50% INTEREST, NOT AS TENANTS IN COMMON BUT WITH RIGHTS OF SURVIVORSHIP, Grantor(s) hereby grant, bargain, sell, warrant and convey to: WAYNE R. ROWE and STELLA M. ROWE, as tenants by the entirety Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of DESCHUTES and State of Oregon, to wit:

Lots Twenty-nine (29), Thirty (30), Thirty-one (31) and Thirty-two (32), Block Five (5), HILLMAN, Deschutes County, Oregon.

SERIAL NO. 134233 14 13 16BC 00213

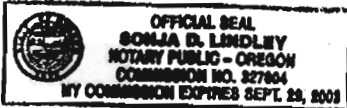
SUBJECT TO: all those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any; and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration for this conveyance is \$ 109,000.00.

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 4th day of NOV, 2002.

BY: [Signature]
HOWARD N. LONG
BY: [Signature]
CONNIE LEE LONG
BY: [Signature]
HAROLD LONG



State of Oregon
County of Washington

This instrument was acknowledged before me on NOV 4, 2002 by
HOWARD N. LONG AND CAROL LEE LONG AND HAROLD LONG.

[Signature]
(Notary Public for Oregon)
My commission expires Sept. 29, 2003

After recording, return to
AmeriTitle
15 OREGON AVENUE, BEND

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

T 10562
MP 115

Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of Deschutes _____)

I, Cary D. Penhollow, in my capacity as Central Oregon Irrigation District Watermaster,
 mailing address 1055 SW Lake Court, Redmond, OR 97756
 telephone number (541) 548-6047, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- The water right was leased instream at some time within the last five years. The instream lease number is as follows: L-675; **or**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section		Gov't Lot or DLC	Acres (if applicable)
14	S	13	E	W M	16	NW	SW	TL 213	0.12

1 10562
 MP 115

RECEIVED
 MAR 13 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Irrigation of yard, landscaping.

5. The water delivery system used to apply water as authorized by the right is described below:

Water was quitclaimed off in February 2004. Delivery system has been removed.

H.C. H-1-8

6. One or more of the following documentation supporting the above statements is attached:

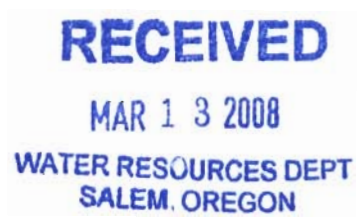
- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Instream lease number L-675
- Other: _____

Cam D. Penkellon
Signature of Affiant

4/12/07
Date

Signed and sworn to (or affirmed) before me this 12th day of April, 2007.

Leslie Clark
Notary Public for Oregon



T 10562
MP 115

After Recording return to:
Central Oregon Irrigation District
2558 North Highway
Redmond, OR 97756



MAIL TAX STATEMENT
TO: NO CHANGE

QUITCLAIM DEED

FOR TRANSFER OF INTEREST IN A WATER RIGHT

3
Grantor, Gary N. & Sherry L. Thrasher as tenants by the entirety, release and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 1.81 acres of COID water rights that are appurtenant to the lands listed in Exhibit A, to COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913, located on land commonly known as: 15-13-09 NW NW 208.

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

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

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the 1.81 acres of water rights incurred.

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

Consideration for this Quitclaim: \$1,629.00 (\$300.00 Transfer fee to be deducted)

Grantor:

Gary N. Thrasher

Gary N. Thrasher

Date 11-25-05

Sherry L. Thrasher

Sherry L. Thrasher

Date 11-25-05

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on Nov 25, 2005 by Gary N. Thrasher.



Susan Kiser
Notary Public

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-83845



\$41.00

00420788200500838450030035

12/07/2005 10:10:51 AM

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

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on NOV 25, 2005 by Sherry L. Thrasher.



Susan Kiser
Notary Public

Grantee:

A handwritten signature in black ink, appearing to be 'S. Johnson'.

Date 12-5-2005

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

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on December 5, 2005 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Leslie Clark
Notary Public

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 3 of Partition Plat No. 1991-48 being a portion of the Southeast One-quarter of the Northwest One-quarter of the Northwest One-quarter (SE1/4NW1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, City of Redmond, Deschutes County, Oregon.

EXCEPTING THEREFROM a portion of Parcel 3 of Partition Plat No. 1991-48, which parcel is located in the Southeast One-quarter of the Northwest One-quarter of the Northwest One-quarter (SE1/4NW1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, City of Redmond, Deschutes County, Oregon, and being more particularly described as follows:

Commencing at a 5/8" rebar monumenting the northwest corner of Parcel 3 of Partition Plat No. 1991-48, situated in the Northwest One-quarter of the Northwest One-quarter (NW1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, said 5/8" rebar being the initial point as well as the point of beginning; thence South 89°38'28" East along the north line of said Parcel 3, 49.96 feet to a 5/8" rebar monumenting the northwest corner of Parcel 1 of said Partition Plat; thence South 00°18'19" West along the boundary common to said Parcel 3 and said Parcel 1, 302.52 feet to a 5/8" rebar monumenting the southwest corner of said Parcel 1; thence North 89°33'32" West along the prolongation of the south boundary of said Parcel 1, 49.90 feet to the west boundary of said Parcel 3; thence North 00°17'39" East along said west boundary, 302.45 feet to the point of beginning.

RECEIVED

MAR 13 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

I 10562

MP 115



IRRIGATION DISTRICT REPORT

CENTRAL OREGON IRRIGATION DISTRICT
2598 N HWY 97
REDMOND, OR 97756

August 4, 2005
Title Number : 078822
Title Officer : DEBBY DAVIDSON
Fee : \$150.00

Attn: LESLIE CLARK

We have searched our Tract Indices as to the following described property:

See Attached Exhibit "A"

and dated as of July 25, 2005 at 7:30 a.m.

We find that the last deed of record runs to:

**GARY N. THRASHER and SHERRY L. THRASHER,
as tenants by the entirety**

We also find the following apparent encumbrances within ten years prior to the effective date hereof:

- 1. Deed of Trust, including the terms and provisions thereof, to secure an indebtedness of the amount herein stated.
Amount: \$315,027.00
Dated: August 7, 2003
Recorded: August 13, 2003
Volume-Page: 2003-55370, Deschutes County Records
Grantor: Gary N. Thrasher and Sherry L. Thrasher
Trustee: Fidelity National Title Insurance Company
Beneficiary: Wells Fargo Home Mortgage, Inc.

Substitution of Trustee as disclosed by instrument,
Dated: January 21, 2005
Recorded: January 24, 2005
Volume-Page: 2005-04182, Deschutes County Records
New Trustee: Western Title & Escrow Company

Partial Reconveyance, including the terms and provisions thereof, recorded January 24, 2005 in Volume 2005, Page 04183, Deschutes County Records.



T 10562 MP 115



2. Deed of Trust, including the terms and provisions thereof, to secure an indebtedness of the amount herein stated.

Amount: \$56,000.00
Dated: May 3, 2002
Recorded: May 13, 2002
Volume-Page: 2002-26218, Deschutes County Records
Grantor: Gary N. Thrasher and Sherry L. Thrasher, an estate in fee simple, as tenants by the entirety
Trustee: Wells Fargo Financial National Bank
Beneficiary: Wells Fargo Bank, N.A.

The lien of the above Deed of Trust was subordinated to the lien of the Deed of Trust shown as exception No. 11 above by instrument,

Dated: July 25, 2003
Recorded: August 13, 2003
Volume-Page: 2003-55369, Deschutes County Records

Partial Reconveyance, including the terms and provisions thereof, recorded February 24, 2005 in Volume 2005, Page 10689, Deschutes County Records.

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:

NONE

We also find the following unpaid taxes and city liens:

Taxes assessed under Code No. 2-001 Map and Tax Lot Number 15 13 09B0 00208
Account No. 180209

NOTE: The 2004-2005 Taxes: \$5,556.37, Paid in full.

1. The 2005-2006 Taxes: A lien not yet due or payable.

City Liens, if any, of the city of Redmond. (No inquiry has been made, and if search is requested, a charge of \$30.00 will be added.)

RECEIVED

MAR 13 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

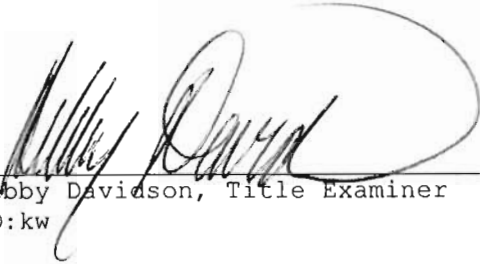
T 10562

MP 115

NOTE: This Irrigation District Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.

AmeriTitle

By:



Debby Davidson, Title Examiner
DD:kw

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

"Superior Service with Commitment and Respect for Customers and Employees"

T 10562 MP 115

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 3 of Partition Plat No. 1991-48 being a portion of the Southeast One-quarter of the Northwest One-quarter of the Northwest One-quarter (SE1/4NW1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, City of Redmond, Deschutes County, Oregon.

EXCEPTING THEREFROM a portion of Parcel 3 of Partition Plat No. 1991-48, which parcel is located in the Southeast One-quarter of the Northwest One-quarter of the Northwest One-quarter (SE1/4NW1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, City of Redmond, Deschutes County, Oregon, and being more particularly described as follows:

Commencing at a 5/8" rebar monumenting the northwest corner of Parcel 3 of Partition Plat No. 1991-48, situated in the Northwest One-quarter of the Northwest One-quarter (NW1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, said 5/8" rebar being the initial point as well as the point of beginning; thence South 89°38'28" East along the north line of said Parcel 3, 49.96 feet to a 5/8" rebar monumenting the northwest corner of Parcel 1 of said Partition Plat; thence South 00°18'19" West along the boundary common to said Parcel 3 and said Parcel 1, 302.52 feet to a 5/8" rebar monumenting the southwest corner of said Parcel 1; thence North 89°33'32" West along the prolongation of the south boundary of said Parcel 1, 49.90 feet to the west boundary of said Parcel 3; thence North 00°17'39" East along said west boundary, 302.45 feet to the point of beginning.

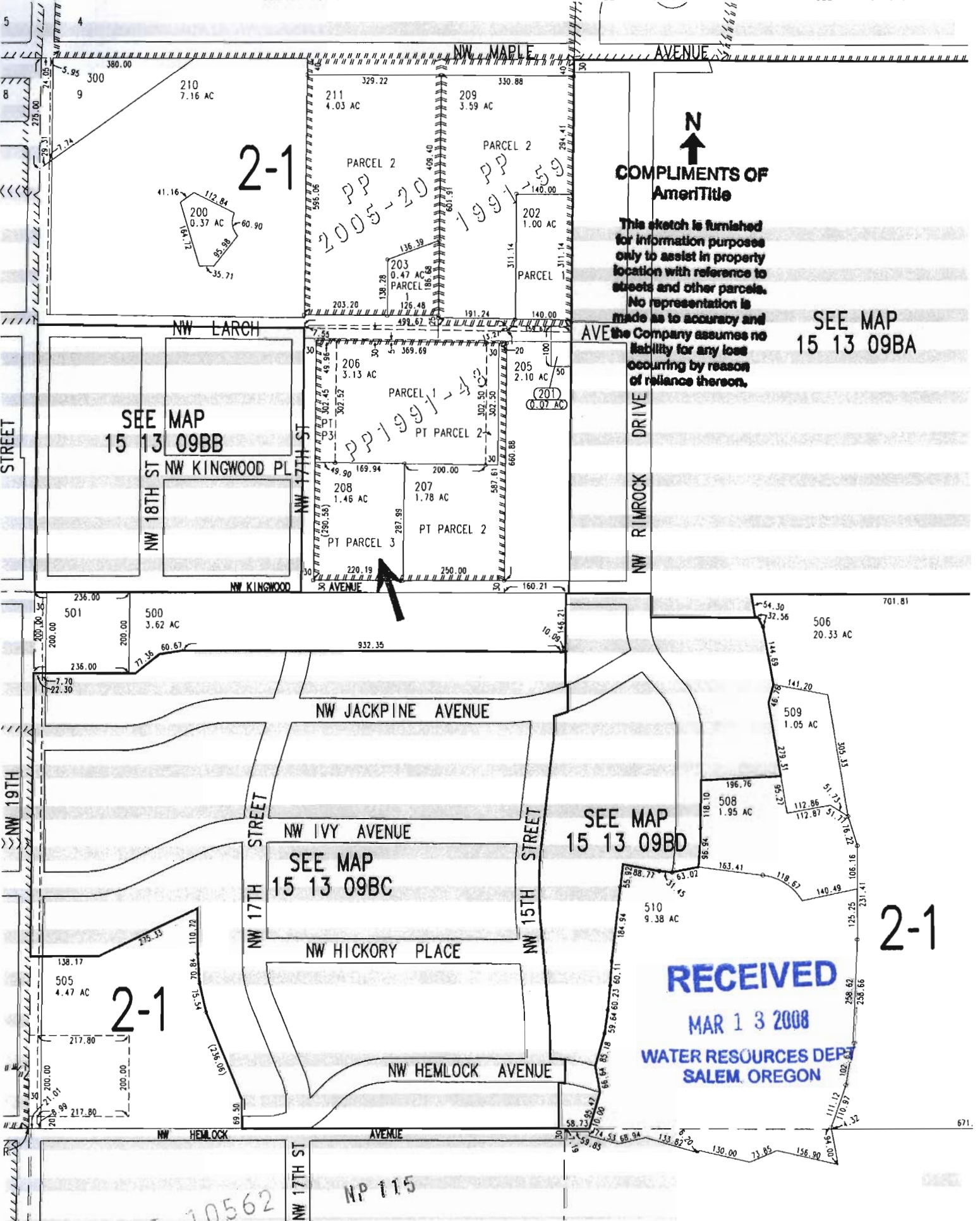
RECEIVED

MAR. 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115



N
↑
COMPLIMENTS OF
AmeriTitle

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

SEE MAP 15 13 09BA

SEE MAP 15 13 09BB

SEE MAP 15 13 09BD

SEE MAP 15 13 09BC

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

2-1

2-1

T 10562

NP 115

24
 Gary N. Thrasher, etux
 1638 NW Larch Ave
 Beaverton, OR 97004
 Grantor's Name and Address

Gary N. Thrasher, etux
 same as above
 Grantee's Name and Address

After recording, return to (Name, Address, Zip):
 Grantee
 address as noted above

Until requested otherwise, send all tax statements to (Name, Address, Zip):
 Grantee
 address as noted above

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-02873



\$36.00

01/18/2005 03:37:16 PM

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

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

Witness my hand and seal of County affixed.

NAME _____ TITLE _____
By _____, Deputy.

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Gary N. Thrasher and Sherry L. Thrasher, husband and wife, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Gary N. Thrasher and Sherry L. Thrasher, husband and wife, 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:

See Exhibit "A" for complete legal description, attached herewith and made apart hereof.

**to complete 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.

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

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

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 January 14 2005; 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.

Gary N. Thrasher
Gary N. Thrasher

Sherry L. Thrasher
Sherry L. Thrasher

STATE OF OREGON, County of Deschutes) ss.
This instrument was acknowledged before me on January 14 2005

by Gary N. Thrasher and Sherry L. Thrasher

This instrument was acknowledged before me on _____

by _____

as _____

of _____



Notary Public for Oregon
My commission expires 10-15-08

T 20562

MP 115

PROPERTY DESCRIPTION
PROPERTY LINE ADJUSTMENT
CITY OF REDMOND FILE LLA 04-___

RESULTING TAX LOT 15-13-09B-208

PARCEL 3 OF PARTITION PLAT NO. 1991-48 BEING A PORTION OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (SE1/4 NW1/4 NW1/4) OF SECTION 9, TOWNSHIP 15 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF REDMOND, DESCHUTES COUNTY, OREGON.

EXCEPTING THEREFROM A PORTION OF PARCEL 3 OF PARTITION PLAT NO. 1991-48, WHICH PARCEL IS LOCATED IN THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (SE1/4 NW1/4 NW1/4) OF SECTION 9, TOWNSHIP 15 SOUTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF REDMOND, DESCHUTES COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" REBAR MONUMENTING THE NORTHWEST CORNER OF PARCEL 3 OF DESCHUTES COUNTY PARTITION PLAT NO. 1991-48, SITUATED IN THE NW1/4 NW1/4 OF SECTION 9, TOWNSHIP 15 SOUTH, RANGE 13 EAST, WILLAMETTE MERIDIAN, SAID 5/8" REBAR BEING THE INITIAL POINT, AS WELL AS THE POINT OF BEGINNING; THENCE S89°38'28"E ALONG THE NORTH LINE OF SAID PARCEL 3 - 49.96 FEET TO A 5/8" REBAR MONUMENTING THE NORTHWEST CORNER OF PARCEL 1 OF SAID PARTITION PLAT; THENCE S00°18'19"W ALONG THE BOUNDARY COMMON TO SAID PARCEL 3 AND SAID PARCEL 1 - 302.52 FEET TO A 5/8" REBAR MONUMENTING THE SOUTHWEST CORNER OF SAID PARCEL 1; THENCE N89°33'32"W ALONG THE PROLONGATION OF THE SOUTH BOUNDARY OF SAID PARCEL 1 - 49.90 FEET TO THE WEST BOUNDARY OF SAID PARCEL 3; THENCE N00°17'39"E ALONG SAID WEST BOUNDARY - 302.45 FEET TO THE POINT OF BEGINNING.

Thanks to the...

3

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

17681 Highway 395 - P.O. Box 28
Lakeview, Oregon 97630
(541) 947-4407
FAX 947-2321

852 SW 15th Street - P.O. Box 419
Redmond, Oregon 97756
(541) 923-4307
FAX 923-4308

Anderson Engineering & Surveying Inc.

Professional Engineers & Land Surveyors

PROPERTY DESCRIPTION
PROPERTY LINE ADJUSTMENT
CITY OF REDMOND FILE LLA 04-___

1 10562

MP 115

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Irrigating pasture grass

5. The water delivery system used to apply water as authorized by the right is described below:

Water received through C-6-13. Flood irrigated with tarps

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: _____

Craig D. Penhollow
Signature of Affiant

12-5-05
Date

Signed and sworn to (or affirmed) before me this 5th day of December, 2005.

Leslie Clark
Notary Public for Oregon



My Commission Expires: _____



T 10562
MP 115

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

BENEFICIAL USE SITE REPORT

REPORT YEAR 2005, 2004, 2003

Property Owner: Gary & Sherry Thrasher

Property Tax Map: 15-13-09 NW NW 208

Address: 1638 NW Larch Ave; Redmond

Number of Acres reported dry: _____

Interviewed Patron (who and date) _____

Evidence of Use provided by Patron _____

Discussed with Patrolman _____

X Visual review of Property: Visual by PB3 Patrolman during 2003, 2004 & 2005 season

Actual number of acres dry: _____

X Actual numbers of acres in use: 181 acres in use during 2003, 2004, 2005 season

Neighbor(s) interviewed (who and date) _____

Discussed options with Patron: Use _____ Lease Instream _____ Transfer _____

What measures are now needed?

Talk with water right user _____

Follow up in _____ weeks/days

Re-visit site on _____

NOTES:

Water delivered through C-6-13; Flood

Inspected by: PB3, Loren Dean Howey

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

MP 115

T 10562

LARCH AVE

0.5 AC

151309B000208

1.81 ac.

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON



City of Redmond 2004 Aerial Mapping Updates
Orthophoto Mapping by David C. Smith & Associates, Inc
Portland, OR
DSA Job # 1791
Pixel Resolution: 0.5 Ft
Datum: NAD 83/91 Oregon State Plane South Zone
Date of Photography: July 8, 2004; August 18, 2004

15-13-09
NWNW
TL: 208



PRINTED 10:31:05

	IL
	INSTREAM
	QC
	QC-INSTREAM
	play
	TAXLOTS

MP 115

10562

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



MAIL TAX STATEMENT
TO: NO CHANGE

QUITCLAIM DEED

FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, David L. & Loretta J. Hoole, as tenants by the entirety, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 1.74 acres of COID water rights that are appurtenant to the lands listed in Exhibit A, to COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913, located on land commonly known as: 15-13-09 NW NW 207.

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

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

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the 1.74 acres of water rights incurred.

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

Consideration for this Quitclaim: \$1,566.00

Grantor:
David L. Hoole
David L. Hoole
Loretta J. Hoole
Loretta J. Hoole

Date 9-23-05

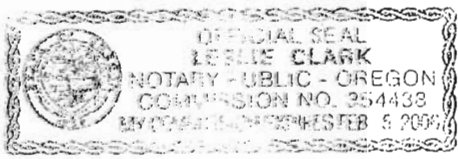
Date 9-23-05

State of Oregon)
) ss.
County of Deschutes)

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

This instrument was acknowledged before me on September 23, 2005 by David L. Hoole.

Leslie Clark
Notary Public



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-66965



\$41.00

00402994200500669650030030

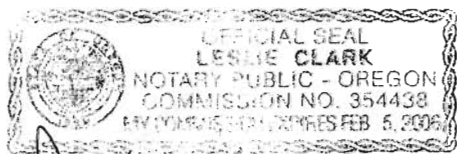
10/03/2005 01:40:25 PM

D-D Cnt=1 Stn=25
\$15.00 \$11.00 \$10.00 \$5.00

T 10562

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on September 23, 2005 by Loretta J. Hoole.



Leslie Clark
Notary Public

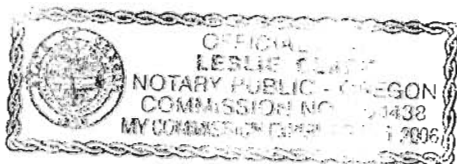
Grantee: [Signature]

Date 9-23-2005

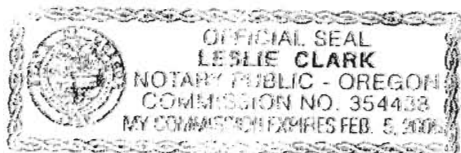
Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on September 23, 2005 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Leslie Clark
Notary Public



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel Two (2), of Partition Plat No. 1991-48, being a portion of the Southeast One-Quarter of the Northwest One-Quarter (SE1/4 NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM a portion of Parcel 2 of Partition Plat No. 1991-48 30' x 302.50' lying directly east of and adjacent to Parcel 1 of Partition Plat No. 1991-48, which parcel is located in the Southeast Quarter of the Northwest Quarter of the Northwest Quarter (SE1/4NW1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115



IRRIGATION DISTRICT REPORT

CENTRAL OREGON IRRIGATION DISTRICT
2598 N HWY 97
REDMOND, OR 97756

Attn: LESLIE CLARK

September 2, 2005
Title Number : 081101
Title Officer : TERRI ALLEN
Fee : \$150.00

We have searched our Tract Indices as to the following described property:

See Attached Exhibit "A"

and dated as of August 22, 2005 at 7:30 a.m.

We find that the last deed of record runs to:

**DAVID L. HOOLE and LORETTA J. HOOLE,
as tenants by the entirety**

We also find the following apparent encumbrances within ten years prior to the effective date hereof:

- 1. Deed of Trust, including the terms and provisions thereof, to secure an indebtedness of the amount herein stated.
 Amount: \$396,000.00
 Dated: August 23, 2005
 Recorded: August 25, 2005
 Volume-Page: 2005-56461, Deschutes County Records
 Grantor: David L. Hoole and Loretta J. Hoole
 Trustee: Western Title & Escrow Company
 Beneficiary: Columbia River Bank

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:

NONE

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115



We also find the following unpaid taxes and city liens:

Taxes assessed under Code No. 2-001 Map and Tax Lot Number 15 13 09B0 00207
Account No. 180208

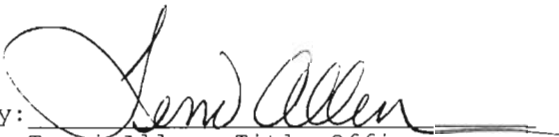
NOTE: The 2004-2005 Taxes: \$4,949.08, Paid in full.

1. The 2005-2006 Taxes: A lien not yet due or payable.

City Liens, if any, of the city of Redmond. (No inquiry has been made, and if search is requested, a charge of \$30.00 will be added.)

NOTE: This Irrigation District Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.

AmeriTitle

By: 
Terri Allen, Title Officer
TA:kw

"Superior Service with Commitment and Respect for Customers and Employees"

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel Two (2), of Partition Plat No. 1991-48, being a portion of the Southeast One-Quarter of the Northwest One-Quarter (SE1/4 NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM a portion of Parcel 2 of Partition Plat No. 1991-48 30' x 302.50' lying directly east of and adjacent to Parcel 1 of Partition Plat No. 1991-48, which parcel is located in the Southeast Quarter of the Northwest Quarter of the Northwest Quarter (SE1/4NW1/4NW1/4) of Section Nine (9), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

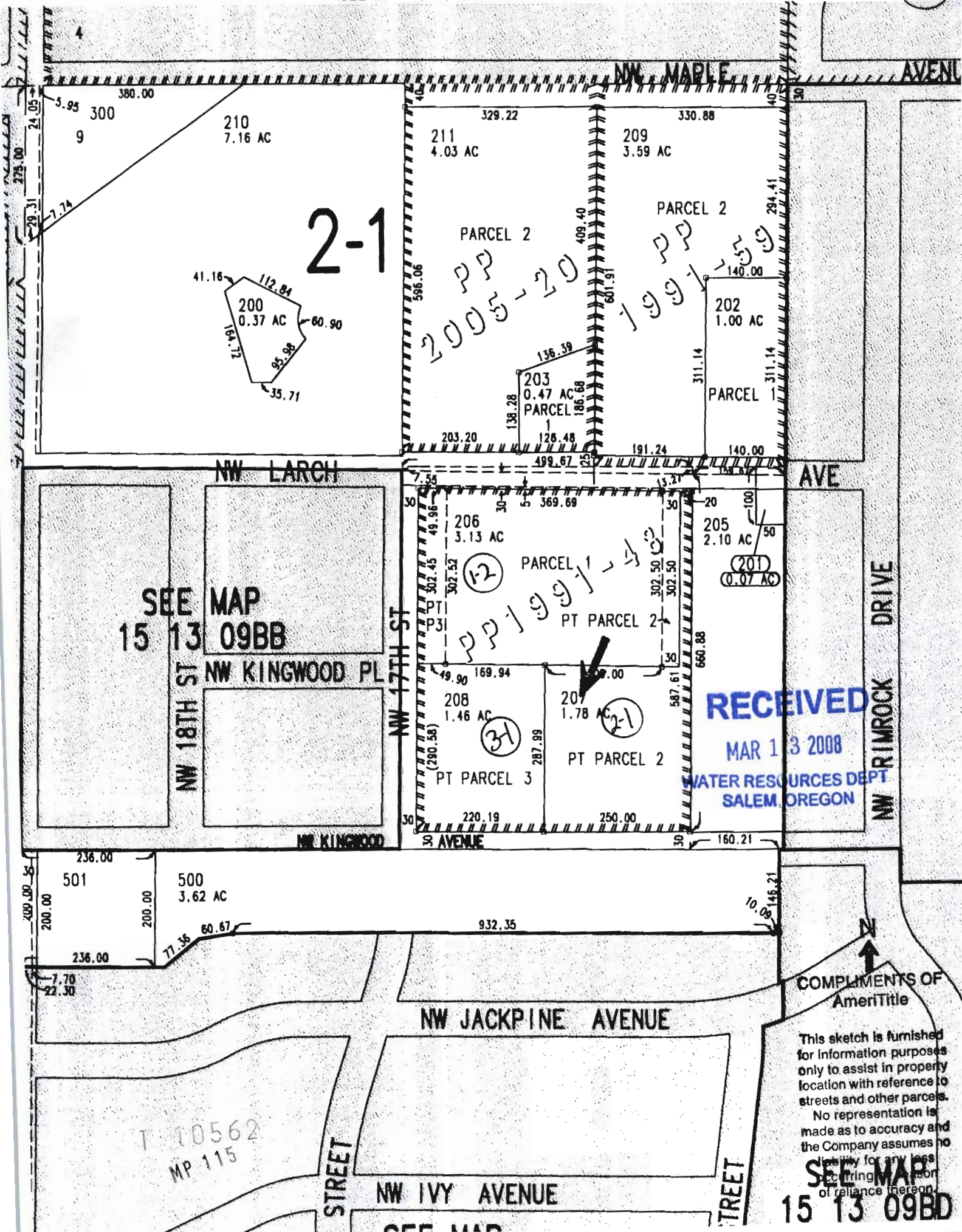
RECEIVED

MAR 13 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

T 10562

MP 115



2-1

SEE MAP 15 13 09BB

RECEIVED
 MAR 13 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

COMPLIMENTS OF AmeriTitle

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

SEE MAP 15 13 09BD

T 10562 MP 115



HL

2

After recording return to:
DAVID L. HOOLE AND LORETTA J. HOOLE
60445 ZUNI ROAD
BEND, OR 97702

Until a change is requested all tax statements
shall be sent to the following address:
DAVID L. HOOLE AND LORETTA J. HOOLE
60445 ZUNI ROAD
BEND, OR 97702

WARRANTY DEED - STATUTORY FORM

RICK E. NICKELL and DEBORAH NICKELL, husband and wife, Grantor,

conveys and warrants to

DAVID L. HOOLE and LORETTA J. HOOLE, husband and wife, Grantee,

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

Parcel 2 of Partition Plat No. 1991-48, filed August 8, 1991, being a portion
of the Southeast Quarter of the Northwest Quarter of the Northwest Quarter
(SE1/4 NW1/4 NW1/4) of Section 9, Township 15 South, Range 13 East of the
Willamette Meridian, Deschutes County, Oregon. EXCEPTING THEREFROM that
portion conveyed to James R. Westendorf and Susan L. Westendorf, husband and
wife, by instrument recorded June 9, 1993 in Book 301 Page 1501 in Deschutes
County Official Records.

Tax Account No(s): 180208
Map/Tax Lot No(s): 15-13-09-BO-00207

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 \$495,000.00 .

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 24 day of August, 2005.

Rick E. Nickell
RICK E. NICKELL

Deborah Nickell
DEBORAH NICKELL

RECORDED BY:
WESTERN TITLE & ESCROW CO.

12-0134405

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115

Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of Deschutes _____)

I, Cary D. Penhollow, in my capacity as Central Oregon Irrigation District Watermaster, mailing address 1055 SW Lake Court, Redmond, OR 97756 telephone number (541) 548-6047, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **or**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section		Gov't Lot or DLC	Acres (if applicable)
15	S	13	E	W M	09	NW	NW	TL 207	1.74

RECEIVED
 MAR 13 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

T 10562
 MP 115

Township	Range	Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Irrigation of yard and pasture grass.

5. The water delivery system used to apply water as authorized by the right is described below:

Water was quitclaimed off in September 2005. Prior to that the ground was flood irrigated using tarps and some culverts.

H.G. C-6-13

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- 2005 dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Instream lease number _____,
- Other: _____

RECEIVED

~~MAR 13 2008~~

WATER RESOURCES DEPT
SALEM, OREGON

Cory D. Penhallow
Signature of Affiant

4/12/07
Date

Signed and sworn to (or affirmed) before me this 12 day of April, 2007.

Leslie Clark

Notary Public for Oregon



T 10562

MP 115

Central Oregon Irrigation District



151309 NW NW 207
2005 AERIAL

- District Boundary
- County Boundary
- Road Labels On/Off
- Road Labels Eschutes
- Ranchship Range
- Section 1
- Section 2
- Section Label
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Tank
- Gauging station
- Phone Line
- Canal All
- Unknown
- Open
- Canal Piped
- Dust Abatement
- Irrigation
- Manufacturing or Industrial
- Manure pit
- Pond
- Waterbodies NHD
- Rivers POLYDMS
- Major Rivers

Scale 1" = 300'
Created: 2/22/2007

©2007 Aerial. This map is provided for display purposes only and is not intended for any other representation. There are no warranties, expressed or implied, for accuracy of this product.

T 10562
MP 115

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-41739



\$36.00

00375940200500417390030032

06/30/2005 03:36:37 PM

D-D Cnt=1 Stn=2 JEFF

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

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

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

T 10562
MP 115

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



MAIL TAX STATEMENT
FO: NO CHANGE

QUITCLAIM DEED

5661TBW

FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Aqua-Tronics Inc., releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands described as Parcel 2 of Partition Plat No. 1996-27, Being a portion of the Northwest quarter of Section 10, Township 15 South, Range 13 East of the Willamette Meridian, Deschutes County, Oregon EXCEPTING THEREFROM that portion deeded to State of Oregon, by and through its Department of Transportation in Warranty Deed recorded September 23, 2004, in Book 2004, Page 57214, Deschutes County Official Records, release their claim and responsibility for 3.73 acres of COID water rights that are appurtenant to the lands described above, to COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913, located on land commonly known as: 15-13-10 NE NW 102.

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

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands described above that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of COID, the subject land will have 9.80 acres of appurtenant water rights remaining.

Furthermore, upon signing of this agreement, Aqua-Tronics Inc. shall no longer be liable for any district assessment or charges pertaining to the 3.73 acres of water rights incurred.

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

Consideration for this Quitclaim:

Grantor:

Merrill K. Haddon

Date 6/28/05

Merrill K. Haddon

RECEIVED

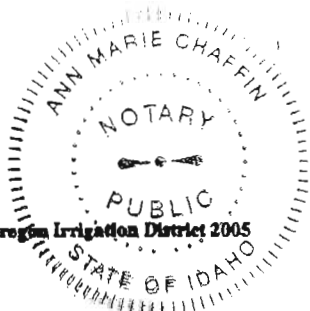
MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

Idaho)
State of Oregon)
County of Deschutes) ss.
Bonnevillle)

This instrument was acknowledged before me on 6/28/05 by Merrill K. Haddon as OWNER for Aqua-Tronics Inc.

Ann Marie Chaffin
Notary Public

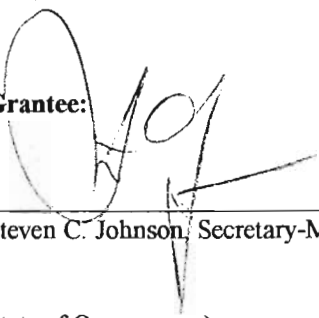


© Central Oregon Irrigation District 2005

T 10562

DESCHUTES COUNTY TITLE COMPANY
MP 115 1245 SE 3RD ST. STE A-1
BEND, OREGON 97702
MP 115

Grantee:

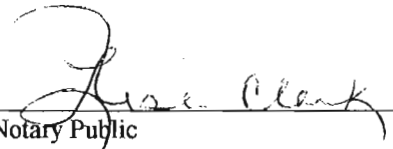


Date 30 June 2005

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

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on June 30, 2005 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Notary Public



T 10562

MP 115



IRRIGATION DISTRICT REPORT

CENTRAL OREGON IRRIGATION DISTRICT
2598 N HWY 97
REDMOND, OR 97756

June 30, 2005
Title Number : 078373
Title Officer : CHUCK NICHOLS
Fee : \$150.00

Attn: LESLIE CLARK

We have searched our Tract Indices as to the following described property:

Parcel 2 of Partition Plat No. 1996-27, being a portion of the Northwest Quarter of Section 10, Township 15 South, Range 13, East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING therefrom that portion conveyed to the State of Oregon, by and through its Department of Transportation, recorded September 23, 2004, in Book 2004, Page 57214, Deschutes County, Official Records.

and dated as of June 17, 2005 at 7:30 a.m.

We find that the last deed of record runs to:

AQUA-TRONICS, INC., an Oregon Corporation

We also find the following apparent encumbrances within ten years prior to the effective date hereof:

- 1. Deed of Trust, including the terms and provisions thereof, to secure an indebtedness of the amount herein stated.

Amount: \$475,000.00
Dated: August 7, 1995
Recorded: August 16, 1995
Book-Page: 381-2718, Deschutes County Records
Grantor: Aqua-Tronics Inc., an Oregon Corporation
Trustee: Western Title and Escrow Company
Beneficiary: Bank of the Cascades
(Said Deed of Trust is a Line of Credit Deed of Trust)

The terms of said Trust Deed were modified by instrument,
Recorded: February 9, 1996
Book-Page: 399-1702, Deschutes County Records

The terms of said Trust Deed were modified by instrument,
Recorded: August 28, 1996
Book-Page: 421-0218, Deschutes County Records

RECEIVED

MAR 13 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

T 10562 MP 115



2. Deed of Trust, including the terms and provisions thereof, to secure an indebtedness of the amount herein stated.

Amount: \$335,000.00
Dated: July 1, 1996
Recorded: July 5, 1996
Book-Page: 415-0857, Deschutes County Records
Grantor: Aqua-Tronics, Inc., an Oregon Corporation
Trustee: Western Title and Escrow Company
Beneficiary: Oregon Certified Business Development Corporation

The beneficial interest under said Deed of Trust was assigned of record by instrument

Dated: July 1, 1996
Recorded: July 5, 1996
Book-Page: 415-0862, Deschutes County Records
Assigned to: U.S. Small Business Administration
Rerecorded: July 5, 1996
Book-Page: 415-1415, Deschutes County Records

The lien of the above Deed of Trust was subordinated to the lien of the Deed of Trust shown as exception No. 8 above by instrument,

Dated: July 2, 1996
Recorded: July 5, 1996
Book-Page: 415-0863, Deschutes County Records

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:

NONE

We also find the following unpaid taxes and city liens:

Taxes assessed under Code No. 2-039 Map and Tax Lot Number 15 13 10B0 00102
Account No. 187638

NOTE: The 2004-2005 Taxes: \$9,834.26, Paid in full.

1. The 2005-2006 Taxes: A lien not yet due or payable.

According to the Deschutes County Assessor's Roll, the subject property does not lie within any city limit.

NOTE: This Irrigation District Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.

AmeriTitle

By: 

Chuck Nichols, Title Examiner
CN:cl

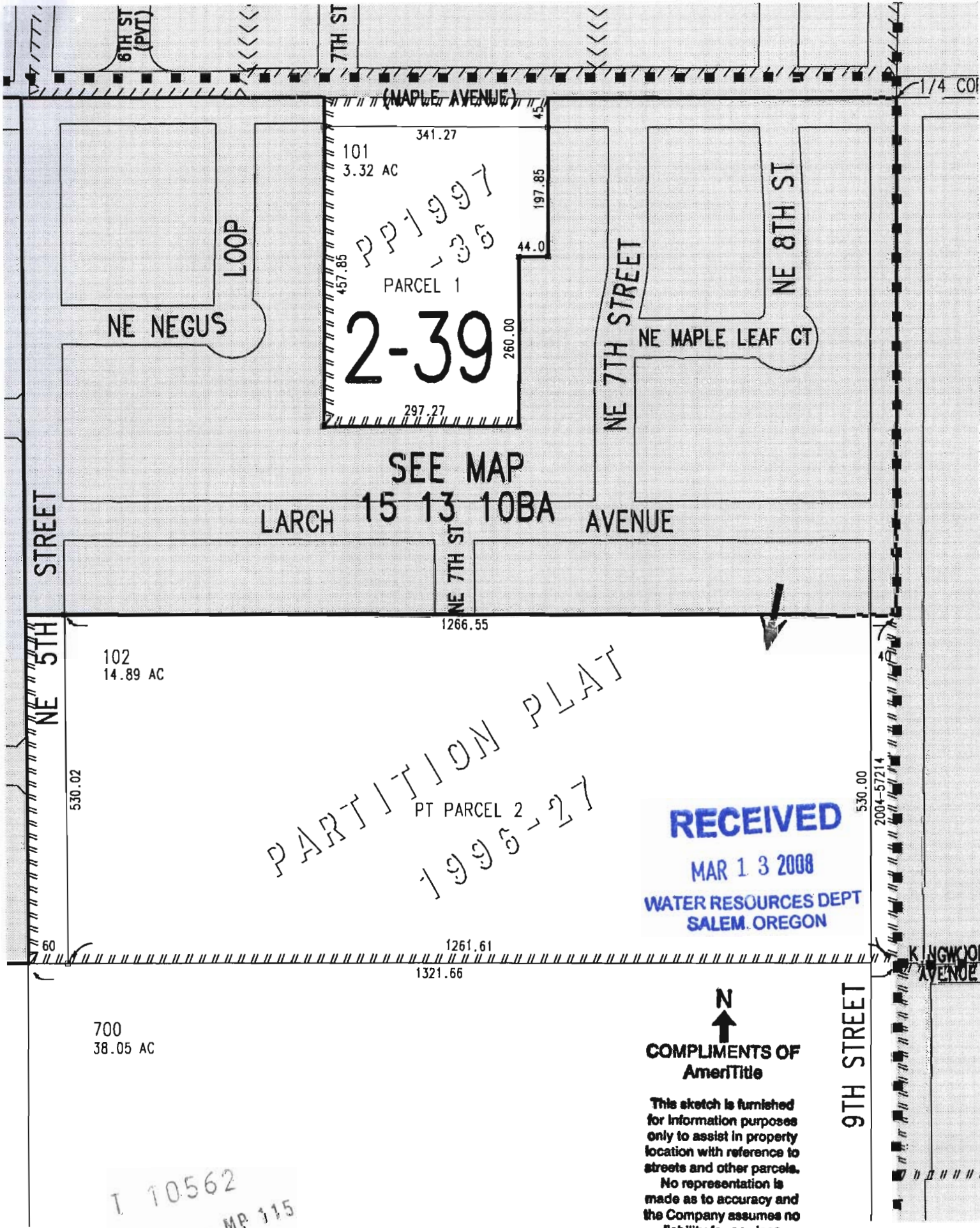
RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

"Superior Service with Commitment and Respect for Customers and Employees"



101
3.32 AC
PP 1997
-35

PARCEL 1
2-39

SEE MAP
LARCH 15 13 10BA AVENUE
PARTITION PLAT
1995-27

RECEIVED

MAR 1 3 2008

WATER RESOURCES DEPT
SALEM, OREGON

N
↑
**COMPLIMENTS OF
AmeriTitle**

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

T 10562
MP 115

2004-57214

KINGWOOD AVENUE

9TH STREET

NE NEGUS

LOOP

NE 7TH STREET

NE 8TH ST

NE MAPLE LEAF CT

(MAPLE AVENUE)

1/4 CO

NE 5TH STREET

NE 5TH

NE 7TH ST

1266.55

102
14.89 AC

PT PARCEL 2

1261.61

1321.66

700
38.05 AC

341.27

197.85

44.0

260.00

297.27

530.02

530.00

60

415 - 0864



To induce the second party to make the loan last mentioned, the first party heretofore has agreed and consented to subordinate first party's lien to the lien about to be taken by the second party as above set forth.

NOW, THEREFORE, for value received, and for the purpose of inducing the second party to make the loan aforesaid, the first party, first party's personal representatives (or successors) and assigns, hereby covenants, consents and agrees to and with the second party, second party's personal representatives (or successors) and assigns, that the first party's lien on the property is and shall always be subject and subordinate to the lien about to be delivered to the second party, as aforesaid, and that second party's lien in all respects shall be first, prior and superior to that of the first party, provided always, however, that if second party's lien is not duly filed or recorded or an appropriate financing statement thereon duly filed within ⁹⁰ days after the date hereof, this subordination agreement shall be null and void and of no force or effect.

It is expressly understood and agreed that nothing herein contained shall be construed to change, alter or impair the first party's lien, except as hereinabove expressly set forth.

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

IN WITNESS WHEREOF, the undersigned has executed this agreement; if the undersigned 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.

The City of Redmond, a municipal corporation of the State of Oregon

BY:

Its:

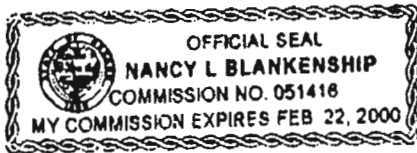
Joe Hanner
City Manager

STATE OF OREGON, County of *Deschutes*) ss.
This instrument was acknowledged before me on *July 2*, 19*96*,
by *Joe Hanner*
This instrument was acknowledged before me on *July 2*, 19*96*
by *Joe Hanner*
as *City Manager*
of *City of Redmond*

N B D

Notary Public for Oregon

My commission expires *2-22-2000*



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115

STATE OF OREGON) ss.
COUNTY OF DESCHUTES)

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

96 JUL -5 PM 12:02

MARY SUE PENHOLLOW
COUNTY CLERK

BY: *[Signature]* DEPUTY
NO. *96-24451* FEE *20*

DESCHUTES COUNTY OFFICIAL RECORDS

DESCHUTES COUNTY TITLE COMPANY

1245 SE THIRD STREET, SUITE A-1, BEND, OR 97702
541-389-2120 Fax 541-389-2180

June 30, 2005

Central Oregon Irrigation District
2598 N. Hwy 97
Redmond, OR 97756

Re: Escrow No. 14020BW
Title Order No. 56617BE

Please accept this letter as confirmation from Escrow that all liens of record against the property described in the above title order, have been paid in full. These liens are described in Preliminary Commitment, Schedule A, dated June 10, 2005 by Deschutes County Title as Special Exceptions 3, 4 and 5.

Thank you for this opportunity to be of service, if you have any questions regarding this matter, please do not hesitate to give me a call.

Sincerely,
DESCHUTES COUNTY TITLE COMPANY



Bonnie C. Wilkins
Senior Escrow Officer

Encl.

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115

Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of Deschutes _____)

I, Cary D. Penhollow, in my capacity as Central Oregon Irrigation District Watermaster,
 mailing address 1055 SW Lake Court, Redmond, OR 97756
 telephone number (541) 548-6047, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- The water right was leased instream at some time within the last five years. The instream lease number is as follows: L-765; **or**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section		Gov't Lot or DLC	Acres (if applicable)
15	S	13	E	W M	10	NE	NW	TL 102	3.73

RECEIVED
 MAR 13 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

T 10562 MP 115

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Irrigation of pasture grass.

5. The water delivery system used to apply water as authorized by the right is described below:

Water was quitclaimed off in June 2005. Prior to that the ground was flood irrigated and pumped. Pumps and delivery system has been removed.

H.G. E-14-0

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Instream lease number L-765
- Other: _____

Cary D. Penhellen
Signature of Affiant

4/12/07
Date

Signed and sworn to (or affirmed) before me this 12 day of April, 2007.

Leslie Clark

Notary Public for Oregon



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115



DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



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

T 10562

MP 115

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

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



MAIL TAX STATEMENT
TO: NO CHANGE

QUITCLAIM DEED

FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Johnnie M. Murray, Trustee, or a Successor Trustee, Of The Johnnie Murray Trust Dated April 21, 2003, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 3.60 acres of COID water rights that are appurtenant to the lands listed in Exhibit A, to COID. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913, located on land commonly known as: 15-13-30 NW NW 905.

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

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

Furthermore, upon signing of this agreement, Johnnie M. Murray, Trustee Of The Johnnie Murray Trust shall no longer be liable for any district assessment or charges pertaining to the 3.60 acres of water rights incurred.

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

Consideration for this Quitclaim: \$3,240.00 (Includes transfer fee and 2005 assessment balance)

Grantor:

Johnnie M. Murray
Johnnie M. Murray

Date 6-27-05

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on June 27, 2005 by Johnnie M. Murray as Trustee of The Johnnie Murray Trust Dated April 21, 2003.

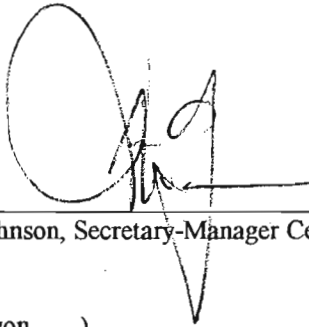
Janet L. Brown
Notary Public

T 10562 MP 115



RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

Grantee:



Date

27 June 2005

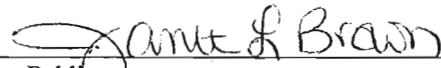
Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

State of Oregon)

) ss.

County of Deschutes)

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



Notary Public



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL A:

Parcel One (1) of Partition Plat PP2000-52, filed October 10, 2000, a parcel of land located in Government Lot One (1) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM a parcel of land situate in a portion of the Northwest Quarter (NW1/4) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, said parcel being more particularly described as follows:

The East 110 feet of the South 105 feet of Parcel 1 of Deschutes County Partition Plat No. 2000-52.

PARCEL B:

Description of a parcel of land situate in a portion of the Northwest Quarter (NW1/4) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, said parcel being more particularly described as follows:

The East 110 feet of the South 105 feet of Parcel 1 of Deschutes County Partition Plat No. 2000-52.

T 10562

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON



Part Of The JELD-WEN Family

IRRIGATION DISTRICT REPORT

CENTRAL OREGON IRRIGATION DISTRICT
2598 N HWY 97
REDMOND, OR 97756

June 8, 2005
Title Number : 077464
Title Officer : TERRI ALLEN
Fee : \$150.00

Attn: LESLIE CLARK

We have searched our Tract Indices as to the following described property:

See Attached Exhibit "A"

and dated as of May 24, 2005 at 7:30 a.m.

We find that the last deed of record runs to:

**JOHNNIE M. MURRAY, TRUSTEE, OR A SUCCESSOR TRUSTEE,
OF THE JOHNNIE MURRAY TRUST DATED APRIL 21, 2003**

We also find the following apparent encumbrances within ten years prior to the effective date hereof:

NONE

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:

NONE

We also find the following unpaid taxes and city liens:

Taxes assessed under Code No. 2-001 Map and Tax Lot Number 15 13 30 00 00905
Account No. 130245

NOTE: The 2004-2005 Taxes: \$2,726.36, Paid in full.

City Liens, if any, of the city of Redmond. (No inquiry has been made, and if search is requested, a charge of \$30.00 will be added.)

I 10562

MP 115



RECEIVED

MAR 13 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

NOTE: This Irrigation District Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.

AmeriTitle

By: 
Terri Allen, Title Officer
TA:kw

T 10562

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

"Superior Service with Commitment and Respect for Customers and Employees"

MP 115

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL A:

Parcel One (1) of Partition Plat PP2000-52, filed October 10, 2000, a parcel of land located in Government Lot One (1) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM a parcel of land situate in a portion of the Northwest Quarter (NW1/4) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, said parcel being more particularly described as follows:

The East 110 feet of the South 105 feet of Parcel 1 of Deschutes County Partition Plat No. 2000-52.

PARCEL B:

Description of a parcel of land situate in a portion of the Northwest Quarter (NW1/4) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, said parcel being more particularly described as follows:

The East 110 feet of the South 105 feet of Parcel 1 of Deschutes County Partition Plat No. 2000-52.

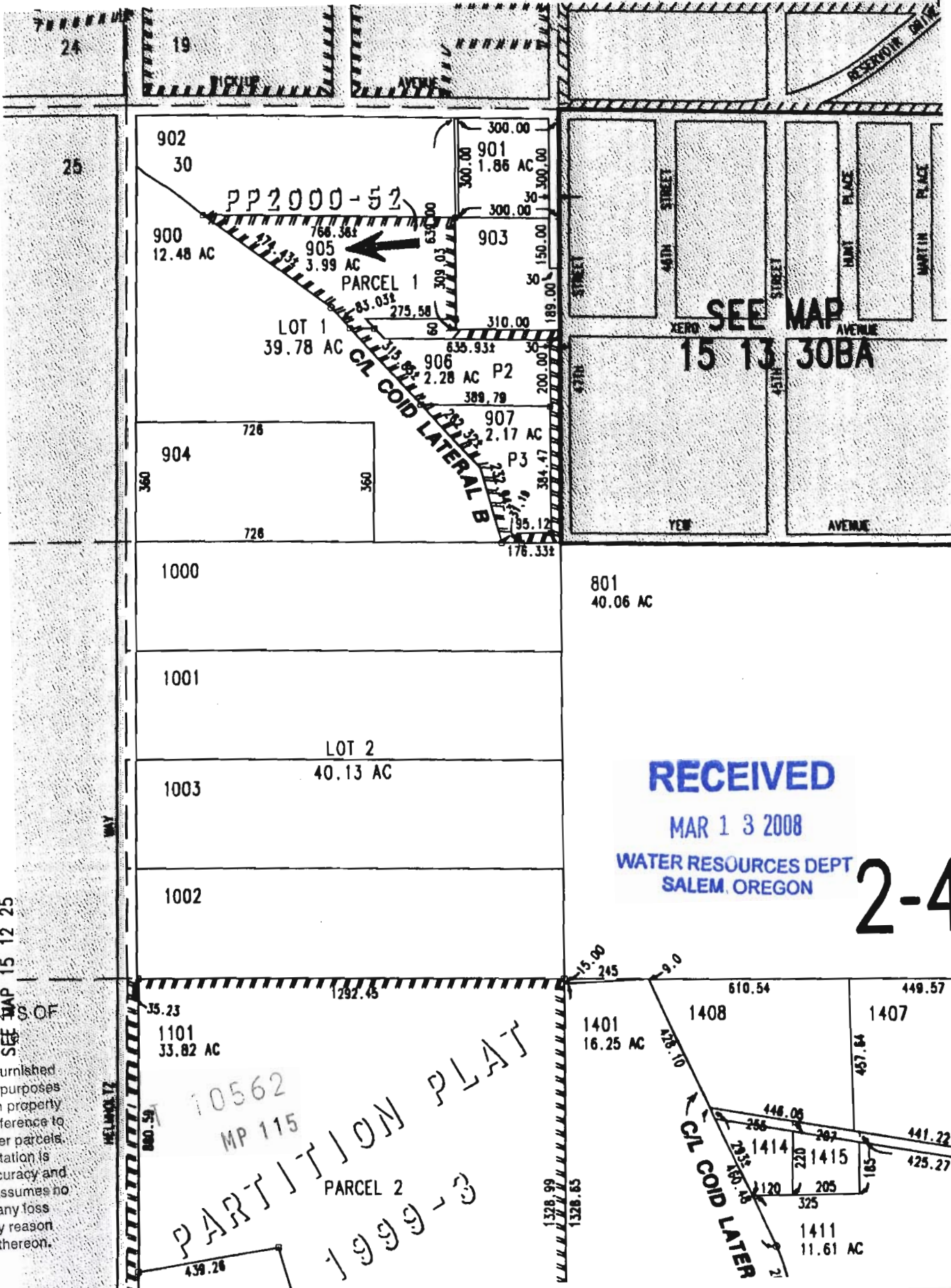
RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115

SEE MAP 15 13 19

SEE MAP 15 13 19CD



SEE MAP 15 13 30BA

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

2-4

COMPLIMENTS OF
AmeriTitle
SEE MAP 15 12 25

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

10562
MP 115
PARTITION PLAT
PARCEL 2
1999-3



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
Johnnie M. Murray, Trustee/Exchanger
3661 SW 63rd Street
Redmond, OR 97756

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK
2004-02424
\$36.00
01/16/2004 12:34:08 PM
D-D Cnt=1 St=1 BECKEY
\$10.00 \$11.00 \$10.00 \$5.00



Until a change is requested all
tax statements shall be sent to
The following address:
Johnnie M. Murray, Trustee/Exchanger
3661 SW 63rd Street
Redmond, OR 97756

Escrow No. RD062493RR

STATUTORY WARRANTY DEED

Donald D. David and April S. David, as tenants by the entirety, Grantor(s) hereby convey and warrant to Johnnie M. Murray Trustee, or a Successor Trustee, of the Johnnie Murray Trust Dated April 21, 2003, Grantee(s) the following described real property in the County of Deschutes and State of Oregon, free of encumbrances except as specifically set forth herein:

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

Serial #130245 15-13-30 00 00905

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

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

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 13th day of JANUARY, 2004.

Donald D. David
Donald D. David
April S. David
April S. David

State of Oregon
County of MARION

This instrument was acknowledged before me on JANUARY 13, 2004 by Donald D. David and April S. David.

Gerry B. Morgan
(Notary Public for Oregon)
My commission expires 1-29-05

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON



1 10562

MP 115

After recording, return to
AmeriTitle
15 OREGON AVENUE, BEND

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL A:

Parcel One (1) of Partition Plat PP2000-52, filed October 10, 2000, a parcel of land located in Government Lot One (1) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM a parcel of land situate in a portion of the Northwest Quarter (NW1/4) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, said parcel being more particularly described as follows:

The East 110 feet of the South 105 feet of Parcel 1 of Deschutes County Partition Plat No. 2000-52.

PARCEL B:

Description of a parcel of land situate in a portion of the Northwest Quarter (NW1/4) of Section Thirty (30), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, said parcel being more particularly described as follows:

The East 110 feet of the South 105 feet of Parcel 1 of Deschutes County Partition Plat No. 2000-52.

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115

Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of Deschutes _____)

I, Cary D. Penhollow, in my capacity as Central Oregon Irrigation District Watermaster, mailing address 1055 SW Lake Court, Redmond, OR 97756 telephone number (541) 548-6047, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- The water right was leased instream at some time within the last five years. The instream lease number is as follows: L-765; **or**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section		Gov't Lot or DLC	Acres (if applicable)
15	S	13	E	W M	30	NW	NW	TL 905	3.60

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
 SALEM, OREGON

T 10562
 MP 115

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Irrigation of pasture grass.

5. The water delivery system used to apply water as authorized by the right is described below:

Water was quitclaimed off in July 2005. Delivery system has been removed.

H.G. B-3-1-2

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Instream lease number L-765
- Other: _____

Cary D. Penhollow
Signature of Affiant

4/12/07
Date

Signed and sworn to (or affirmed) before me this 12 day of April, 2007.

Leslie Clark

Notary Public for Oregon



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-36641

\$46.00



D-D Cnt=1 Stn=2 TIFFANY
\$20.00 \$11.00 \$10.00 \$5.00

06/13/2005 10:48:11 AM

WATER RESOURCES DEPT
SALEM, OREGON

MAR 13 2008

RECEIVED

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



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

T 10562

MP 115

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



MAIL TAX STATEMENT
TO: NO CHANGE

QUITCLAIM DEED

FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Redmond School District 2 J, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in the following: By this agreement, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 4.30 acres of COID water rights that are appurtenant to the lands listed in Exhibit A, to COID. COID may elect to complete a transfer application and submit it to the Water Resources Department for approval of use of the water rights at a new location and/or use. COID may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of COID, the subject land will have 13.20 acres of appurtenant water right remaining.

Furthermore, upon signing of this agreement, Redmond School District 2 J shall no longer be liable for any district assessment or charges pertaining to the 4.30 acres of water rights incurred. The water right in question is further described as a portion of Certificate # 76358, priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913, located on land commonly known as: 15-13-17 SE NE 1502.

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

✓ Consideration for this Quitclaim: \$3,870.00

Grantor:

Douglas R. Snyder
Douglas R. Snyder for Redmond School District 2 J

Date June 3, 2005

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on June 3, 2005 by Douglas R. Snyder
as Director of Support Services for Redmond School District 2 J

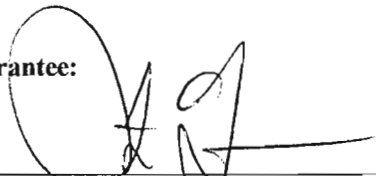
Shelley R Knutz
Notary Public



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM OREGON

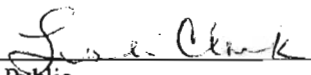
Grantee: 

Date June 8, 2005

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

State of Oregon)
) ss.
County of Deschutes)

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



Notary Public



RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

T 10562 MP 115

EXHIBIT "A"
LEGAL DESCRIPTION

That part of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Seventeen (17), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, lying Westerly of the center line of a county road right-of-way described as follows:

All of that portion of a strip of land for road purposes 60' in width across the SE1/4NE1/4 of Section 17, Township 15 South, Range 13, East, being 30' in width on each side of the center line described as follows:

Beginning at the Northeast corner of the SE1/4NE1/4 of Section 17, Township 15, South, Range 13, East of the Willamette Meridian, Deschutes County, Oregon, and running thence South 00°01'00" West, 178.46 feet; thence on a 10° curve to the right of 572.96 feet radius for 362.83 feet the delta of which is 36°16'30"; thence South 36°17'30" West, 595.90 feet; thence on a 16° curve to the left of 358.10 feet radius for 230.40 feet the delta of which is 36°52'; thence South 00°34'30" East, 42.50 feet to the North right of way line of State Highway No. 126 and known as the McKenzie Highway; and

ALSO EXCEPTING THEREFROM the following tract:

Beginning at a point on the Northerly right of way line of the McKenzie Highway, North 87°59'36" West 1089.4 feet from the East 1/4 corner of said Section; thence North 00°19'24" East 206.08 feet; thence North 89°40'36" West 208.72 feet; thence South 00°79'24" West 208.72 feet; thence North 89°36'24" East 208.93 feet to the point of beginning.

ALSO EXCEPTING THEREFROM that portion deeded to Samuel F. Toevs and Phyllis C. Toevs, in Bargain and Sale Deed recorded December 18, 1970, in Book 173, Page 565, Deed Records, described as follows:

Starting at the East 1/4 corner of said Section 17, the initial point; thence North 86°53'22" West 1028.69 feet to the Northerly right of way line of Oregon State Highway #126, the point of beginning; thence North 00°19'24" East, 238.07 feet; thence North 89°40'36" West 268.05 feet; thence South 00°12'25" West, 50.00 feet to the Northwest corner of parcel of land, being Tax Lot #1600, in the name of Samuel F. Toevs; thence South 89°40'36" East along the North line of said Tax Lot 1600, 207.95 feet; thence South 00°19'24" West, 189.23 feet to the Northerly right of way line of said State Highway #126; thence North 89°12'58" East along the Northerly line of said Highway 126, 60.00 feet to the point of beginning.

EXCEPT that portion lying within the right of way of McKenzie Highway, U.S. Highway No. 28.

ALSO EXCEPT that portion dedicated to the City of Redmond in instrument recorded January 23, 1996, in Book 397, Page 1552, Deschutes County Records.

ALSO EXCEPT that portion dedicated to the State of Oregon, by and through its Department of Transportation, recorded June 7, 2004, in Volume 2004, Page 33517, Deschutes County Records.

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

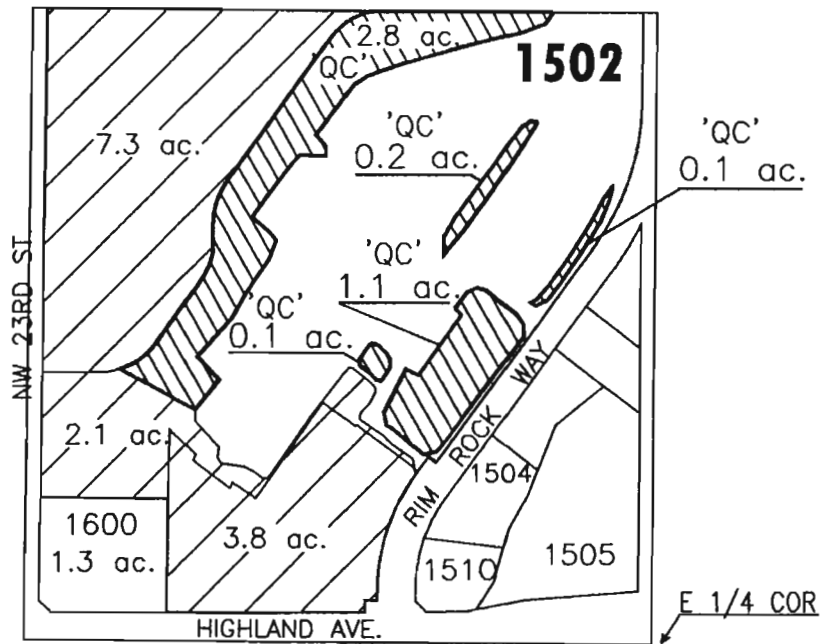
MP 115

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

SCALE - 1" = 400'






SE 1/4 OF THE NE 1/4



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

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



QUITCLAIM DEED FOR WATER RIGHTS TRANSFER
QUITCLAIM MAP

NAME: REDMOND SCHOOL DISTRICT 2 J
TAXLOT #: 1502 4.3 ACRES 'QC'

DATE: 06-03-05

FILE NO: E:\TRANSFER\WRTRAN05\REDMOND SCHOOL_QC

T 10562

MP 115



IRRIGATION DISTRICT REPORT

CENTRAL OREGON IRRIGATION DISTRICT
2598 N HWY 97
REDMOND, OR 97756

June 2, 2005
Title Number : 077279
Title Officer : DEBBY DAVIDSON
Fee : \$150.00

Attn: LESLIE CLARK

We have searched our Tract Indices as to the following described property:

See Attached Exhibit "A"

and dated as of May 20, 2005 at 7:30 a.m.

We find that the last deed of record runs to:

REDMOND SCHOOL DISTRICT NO. 2J

We also find the following apparent encumbrances within ten years prior to the effective date hereof:

NONE

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:

NONE

We also find the following unpaid taxes and city liens:

Taxes assessed under Code No. 2-001 Map and Tax Lot Number 15 13 17 00 01502
Account No. 150701

NOTE: The 2004-2005 Taxes: No tax roll record.

City Liens, if any, of the city of Redmond. (No inquiry has been made, and if search is requested, a charge of \$30.00 will be added.)

RECEIVED

MAR 13 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

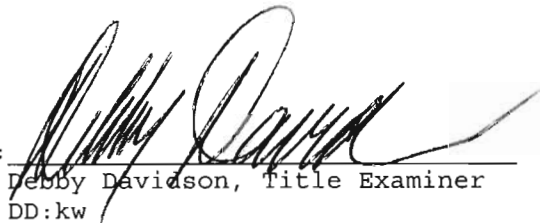


T 10562

MP 115

NOTE: This Irrigation District Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.

AmeriTitle

By: 
Debby Davidson, Title Examiner
DD:kw

"Superior Service with Commitment and Respect for Customers and Employees"

RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

T 10562
MP 115

EXHIBIT "A"
LEGAL DESCRIPTION

That part of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Seventeen (17), Township Fifteen (15) South, Range Thirteen (13), East of the Willamette Meridian, Deschutes County, Oregon, lying Westerly of the center line of a county road right-of-way described as follows:

All of that portion of a strip of land for road purposes 60' in width across the SE1/4NE1/4 of Section 17, Township 15 South, Range 13, East, being 30' in width on each side of the center line described as follows:

Beginning at the Northeast corner of the SE1/4NE1/4 of Section 17, Township 15, South, Range 13, East of the Willamette Meridian, Deschutes County, Oregon, and running thence South 00°01'00" West, 178.46 feet; thence on a 10° curve to the right of 572.96 feet radius for 362.83 feet the delta of which is 36°16'30"; thence South 36°17'30" West, 595.90 feet; thence on a 16° curve to the left of 358.10 feet radius for 230.40 feet the delta of which is 36°52'; thence South 00°34'30" East, 42.50 feet to the North right of way line of State Highway No. 126 and known as the McKenzie Highway; and

ALSO EXCEPTING THEREFROM the following tract:

Beginning at a point on the Northerly right of way line of the McKenzie Highway, North 87°59'36" West 1089.4 feet from the East 1/4 corner of said Section; thence North 00°19'24" East 206.08 feet; thence North 89°40'36" West 208.72 feet; thence South 00°79'24" West 208.72 feet; thence North 89°36'24" East 208.93 feet to the point of beginning.

ALSO EXCEPTING THEREFROM that portion deeded to Samuel F. Toevs and Phyllis C. Toevs, in Bargain and Sale Deed recorded December 18, 1970, in Book 173, Page 565, Deed Records, described as follows:

Starting at the East 1/4 corner of said Section 17, the initial point; thence North 86°53'22" West 1028.69 feet to the Northerly right of way line of Oregon State Highway #126, the point of beginning; thence North 00°19'24" East, 238.07 feet; thence North 89°40'36" West 268.05 feet; thence South 00°12'25" West, 50.00 feet to the Northwest corner of parcel of land, being Tax Lot #1600, in the name of Samuel F. Toevs; thence South 89°40'36" East along the North line of said Tax Lot 1600, 207.95 feet; thence South 00°19'24" West, 189.23 feet to the Northerly right of way line of said State Highway #126; thence North 89°12'58" East along the Northerly line of said Highway 126, 60.00 feet to the point of beginning.

EXCEPT that portion lying within the right of way of McKenzie Highway, U.S. Highway No. 28.

ALSO EXCEPT that portion dedicated to the City of Redmond in instrument recorded January 23, 1996, in Book 397, Page 1552, Deschutes County Records.

ALSO EXCEPT that portion dedicated to the State of Oregon, by and through its Department of Transportation, recorded June 7, 2004, in Volume 2004, Page 33517, Deschutes County Records.

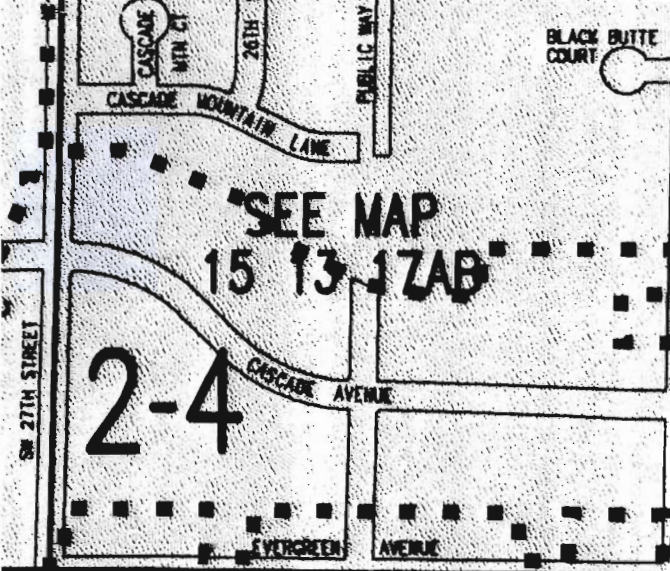
RECEIVED

MAR 13 2008

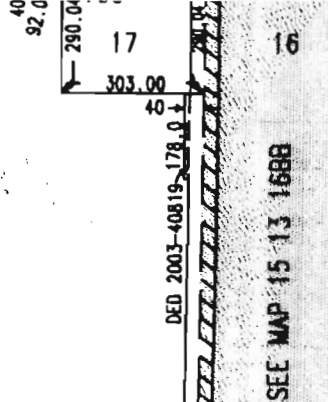
**WATER RESOURCES DEPT
SALEM, OREGON**

T 10562

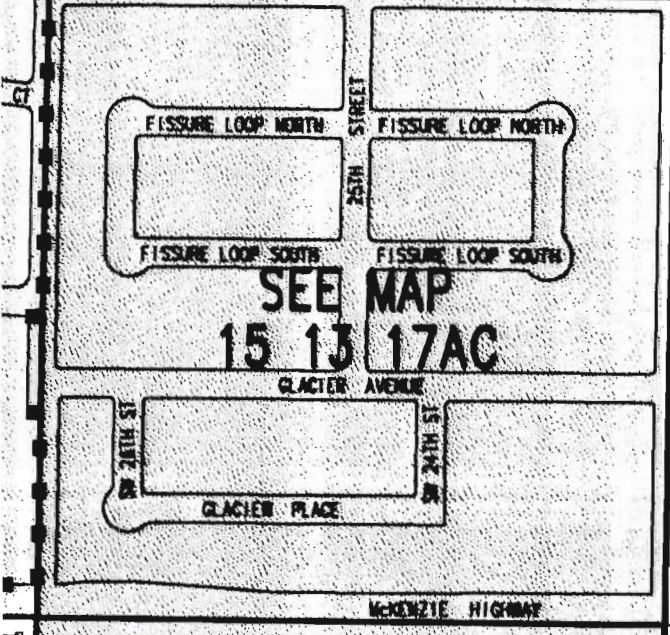
MP 115



101
35.57 AC

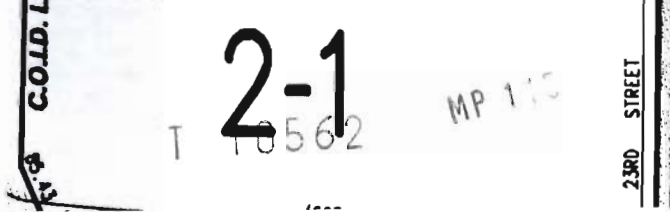
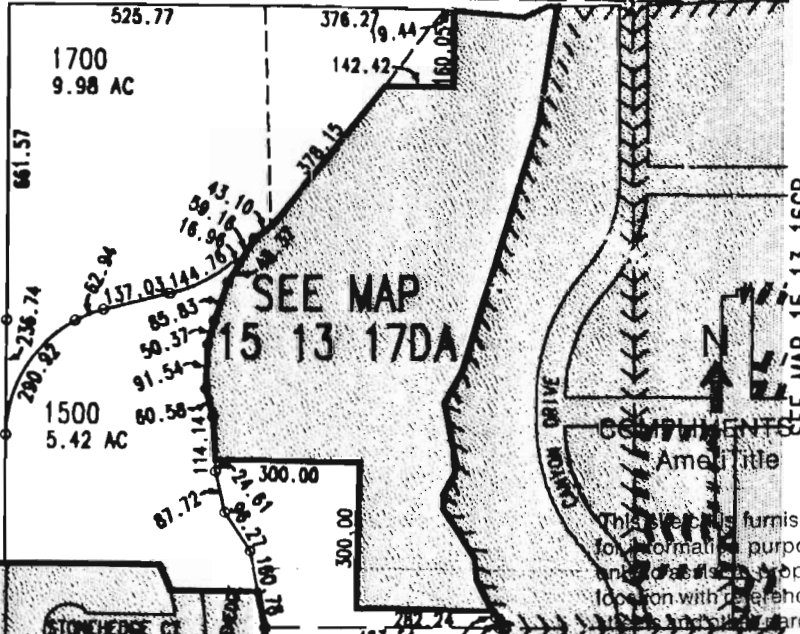
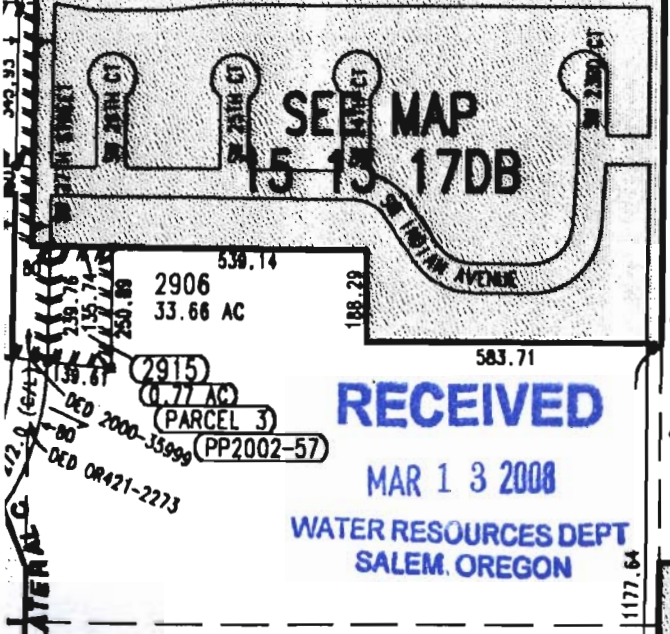
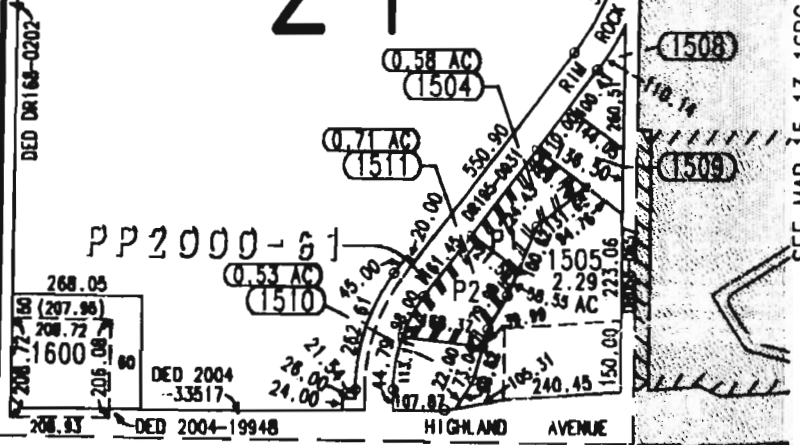


- Cancel
- 200 th
- 1301
- 1303
- 1305
- 1400
- 1501
- 1503
- 1506
- 1507
- 1800 th
- 2800 th
- 2900
- 2902
- 2905
- 2907 th
- 2916
- 3002
- 3100
- 3101



1502
28.78 AC

2-1



RECEIVED
MAR 13 2008
WATER RESOURCES DEPT
SALEM, OREGON

COMPLIMENTS OF
Amed Title
This report is furnished
for informational purposes
and does not constitute a
property location with reference to
the parcels.
No representation is
made as to accuracy and
the Company assumes no
liability for any loss
occurring by reason
of reliance thereon.

4908

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, THAT BRANKIN S. MOYAN and
DORIS MOYAN, husband and wife, hereinafter called the grantors, for
the consideration hereinafter stated, to grantors paid by SCHOOL DISTRICT
NO. 2J, Deschutes County, Oregon, hereinafter called the grantee, do hereby
grant, bargain, sell and convey unto the said grantee and grantee's heirs,
successors and assigns, that certain real property, with the tenements, heredi-
taments and appurtenances thereunto belonging or appertaining, situated in
the County of Deschutes and State of Oregon, described as follows, to-wit:

That part of the Southeast Quarter of the Northeast Quarter
(SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Seventeen (17), Township Fifteen (15)
South, Range Thirteen (13) East of the Willamette Meridian,
lying westerly of the center line of a county road right-of-
way described as follows:

All of that portion of a strip of land for road purposes
60 ft. in width across the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Twp. 15 S.,
R. 13 East, being 30 ft. in width on each side of the center line
described as follows: Beginning at the Northeast corner of the
SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Twp. 15 S., R. 13 E. W. M., and running
thence S. 0° 01' 00" W., 178.46 ft.; thence on a 10° curve to
the right of 572.96 ft. radius for 362.83 ft. the delta of which is
36° 16' 30", thence S. 36° 17' 30" W., 595.90 ft.; thence on a
16° curve to the left of 358.10 ft. radius for 230.40 ft. the delta
of which is 36° 52', thence S. 0° 34' 30" East, 42.50 ft. to the
North right of way line of State Highway No. 126 and known as
the McKenzie Highway; and

ALSO EXCEPTING THEREFROM the following tract:

Beginning at a point on the northerly right of way line
of the McKenzie Highway, North 87° 59' 36" West 1089.4 feet
from the East $\frac{1}{4}$ corner of said section; thence North 0° 19' 24"
East 206.08 feet; thence North 89° 40' 36" West 209.72 feet;
thence South 0° 19' 24" West 206.72 feet; thence North 89° 36'
24" East 208.93 feet to the point of beginning, EXCEPT that
portion lying within the right of way of McKenzie Highway,
U. S. Highway No. 29:

Together with an appurtenant water right of 30.4 acres served
through the system of Central Oregon Irrigation District; and

SUBJECT to the county road right of way above described.

TO HAVE AND TO HOLD the same unto the said grantee and grantee's
successors and assigns forever.

And said grantors hereby covenant to and with said grantee and grantee's
successors and assigns, that grantors are lawfully seized in fee simple of the
above granted premises, free from all encumbrances as of December 12, 1968,
and that grantors will warrant, defend and hold the said premises to said grantee

-1- WARRANTY DEED

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT SALEM, OREGON

4. The water right was exercised for the authorized purpose described below (e.g. crops grown):

Irrigation of landscaping around school, parking lot and fields.

5. The water delivery system used to apply water as authorized by the right is described below:

Water was quitclaimed off in June of 2005. School District is currently using water provided by the City of Redmond municipal water system (on remaining school district property). HG C-6-1-2

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Instream lease number _____
- Other: _____

Cory D. Puckellon
Signature of Affiant

4/12/07
Date

Signed and sworn to (or affirmed) before me this 12 day of April, 2007.

Leslie Clark

Notary Public for Oregon



Central Oregon Irrigation District

15-13-17 SE NE 1502
2005 AERIAL



- District Boundary
- Road Labels Crook
- Road Labels Deschutes
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Gauging Station
- Private Line
- Canal All
- Unknown
- Open
- Canal Piped
- Dust Abatement
- Irrigation
- Menus during or Industrial
- Municipal
- Pond
- Instream Rights
- Pending OFF
- Pending ON
- Pending ON POND
- Petitioned ON
- Petitioned ON POND
- Waterbodies NHD
- Rivers POLYGONS

RECEIVED
MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

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.

10562
MP 11 11

AFFIDAVIT

We, the City of Bend, Applicant, hereby swear that we have read the Division "380" application for transfer of water rights and that the statement made are true & correct.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right users.

By signing this Affidavit, the Applicant hereby agrees to the following:

The Applicant understands that upon issuance of a draft preliminary determination by the Oregon Water Resources Department ("OWRD") described in OAR 690-380-4010(4) and prior to OWRD approval of the transfer, the Applicant may be required to provide land ownership information and evidence that the applicant is authorized to pursue the transfer as identified in OAR 690-380-4010(5).

If this transfer involves a change in the use of the water right from irrigation to any other type of use, the Applicant hereby gives consent to the cancellation of their right to use supplemental water rights.

Patrick J. Griffiths
Signature

Water Resources Coordinator
Title

Patrick J. Griffiths
Printed Name

Dated & signed this 8 day of Feb, 2008

STATE OF OREGON

COUNTY OF DESCHUTES

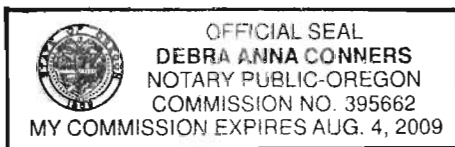
RECEIVED

MAR 13 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

The foregoing instrument was acknowledged before me on this 8 day of February, 2008 by Patrick Griffiths as Water Resource Coordinator for the City of Bend.

Before me: Debra Anna Conners
Notary Public



MP 115

T 10562

BARGAIN AND SALE DEED

Until a change is requested,
all tax statements shall be
sent to the following address:
City of Bend, P.O. Box 431
Bend, OR 97701

PATRICK V. GIBSON and MARJORIE H. GIBSON, grantor,
conveys to CITY OF BEND, an Oregon municipal corporation,
grantee, the property described on Exhibit "A" which is
attached as a part hereof.

The true consideration for this conveyance is \$50,000.

DATED this 31 day of March, 1980.

Patrick V. Gibson
Patrick V. Gibson

Marjorie H. Gibson
Marjorie H. Gibson

STATE OF OREGON)
) ss.
County of Deschutes)

RECEIVED

MAR 13 2000

WATER RESOURCES DEPT
SALEM, OREGON

The foregoing instrument was acknowledged before me
this 31 day of March, 1980 by Patrick V. Gibson and
Marjorie H. Gibson.

Allison Snyder
Notary Public for Oregon
My Commission expires: 6-8-83



29501 1

PANNER, JOHNSON, MARCEAU, KARNOFF, KENNEDY & NASH

ATTORNEYS

1025 N.W. BOND STREET
BEND, OREGON 97701

MP 115

EXHIBIT "A"
DESCRIPTION SHEET

A tract of land located in the West Half (W-1/2) of Section Twenty (20), Township Seventeen (17) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Commencing at the West Quarter corner of said Section 20; thence Easterly along the centerline of Nelson Road a distance of 729 feet, more or less, to the intersection with the Southerly prolongation of the centerline of Runway 16-34 of the Bend Municipal Airport, thence Southerly along said Southerly prolonged centerline a distance of 30 feet to the Southerly right-of-way line of Nelson Road, the true point of beginning. The said true point of beginning is approximately 230.00 feet South of the South end of said Runway 16-34; thence East along the said road right-of-way a distance of 325.00 feet, more or less, to a point on a line 325.00 feet East of and parallel with the said centerline of Runway 16-34; thence South along the said line 325.00 feet East of and parallel with the centerline of Runway 16-34 a distance of 980.00 feet; thence West, along a line parallel with the said South right-of-way line of Nelson Road, a distance of 650.00 feet, more or less, to a point on a line 325.00 feet West of and parallel with the said centerline of Runway 16-34; thence North along the said line 325.00 feet West of and parallel with Runway 16-34 a distance of 980.00 feet, more or less, to the South right-of-way line of said Nelson Road; thence East along the said road right-of-way line a distance of 325.00 feet, more or less, to the true point of beginning and terminus of this description.

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

26439

EXHIBIT "A"

STATE OF OREGON
County of Deschutes
I hereby certify that the within instrument of writing was received for Record
the 7 day of April AD. 1980
at 3:30 o'clock P. M. and recorded
in Book 319 on Page 623 Records
of Deschutes
ROSEMARY PATERSON
County Clerk
By Debbie Padilla Deputy

J 10562

MP 115

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

Deschutes County



Go

help | site map | location | contact us | En español

- LIVING HERE
- BUSINESS
- VISITING
- GOVERNMENT
- ESERVICES

Living in Deschutes County: Comprehensive information for residents of Deschutes County.

You are here: [Government](#) » [Departments](#) » [Assessor's Office](#) » DIAL Search Results Standard

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: 162616 Map/TL: R 1-003 171320 00 00401

* * * Ownership Information ONLY

CITY OF BEND
 PO BOX 431
 BEND OR 97709

Prop Cls:940 MA:3 VA:34 NH 000
 Asmt Zone:EFU CDD Zone:AS (AIRPORT SAFETY COMBINING ZONE)
 " :EFUTRB (EXCLUSIVE FARM USE - TUMALO/REDMOND/BEND)

NON - A S S E S S A B L E

*** Land Values ***

Asmt type	Acres	R.M.V.
RURAL LOT	19.64	188,970



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

***	-----2007-----		-----2006-----		-----2005-----	
	Total	Taxable	Total	Taxable	Total	Taxable
	RMV	A.V.	RMV	A.V.	RMV	A.V.
LND:	188,970		145,360		93,180	

T 10562
 MP 115

Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of Deschutes _____)

I, Cary D. Penhollow, in my capacity as District Watermaster,
 mailing address 1055 SW Lake Court, Redmond, OR 97756
 telephone number (541) 548-6047, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- The water right was leased instream at some time within the last five years. The instream lease number is as follows: **or**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section		Gov't Lot or DLC	Acres (if applicable)
17	S	13	E	W M	20	NW	SW	TL 401	12.50

RECEIVED
 MAR 13 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

I 10562 MP 115

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

TL 401 – Irrigation of pasture grass

5. The water delivery system used to apply water as authorized by the right is described below:

TL 401 delivered through sub-lateral B-35 and flood irrigated.

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph, (2005)
- Dedicated power usage records or receipts,
- Instream lease number ,
- Other: _____

Cam D. Penhollow
Signature of Affiant

10/16/07
Date

Signed and sworn to (or affirmed) before me this 16th day of October, 2007.

Leslie Clark

Notary Public for Oregon



RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10562

MP 115



171320000202
CITY OF BEND

171320000401
CITY OF BEND

MP 115

T 10562

ON RD

RECEIVED

MAR 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

	IN-STREAM
	PENDING, OFF
	PENDING, ON
	PENDING, ON POND
	PETITIONED, ON
	PETITIONED, ON POND
	OC
	OC-IN-STREAM



2004 AERIAL PHOTO COURTESY OF
BEND MAPPING AND BLUEPRINTING
PHOTO TAKEN: 7/23/2004
CO FLIGHT LINE #: 12-18
PHOTO NOT ORTHORECTIFIED

WATER RIGHTS MAP

17-13-20
SENW TL: 202; NWSW TL: 401
CITY OF BEND

