



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

Application for Instream Lease Pooled Lease Form

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

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

Optional Identification by Lessor/Lessee: _____
Lease Application Number (assigned by WRD): IL-982

This Lease is between:

Lessor #2: Irrigation District or Other Water Purveyor

Name Arnold Irrigation District
Mailing address 19604 Buck Canyon Rd
City, State, Zip Code Bend, OR 97702
Telephone number 541-382-7664
Email address _____

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

Lessee (if different than Oregon Water Resources Department):

Name Deschutes River Conservancy
Mailing address 700 NW Hill St
City, State, Zip Code Bend, OR 97701
Telephone number 541-322-4079
Email address _____

Trustee:

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

-I- Water Right Holder and Water Right Information

1.2 Lessor #2 is the (Check one):

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

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

RECEIVED Certificate No. 74197

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

1.5 **Water Rights Proposed to be Leased Instream.**

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

Certificate No.: 74197

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

Legal Season of Use: April 1 - October 31

If an irrigation right, total number of acres to be leased: 6.14

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

Maximum rate associated with subject water rights (cfs) being leased: 94.68

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

Season 1 (cfs) 0.120 Time period: April 1 - May 1

Season 2 (cfs) 0.157 Time period: May 1 - May 15

Season 3 (cfs) 0.554 Time period: May 15 - Sept 15

Maximum duty associated with subject water rights (ac-ft): 15.42

Conditions or other limitations, if any: _____

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

~II~ Instream Water Right Information

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

Conservation, maintenance and enhancement of aquatic and fish life, wildlife, and fish and wildlife habitat

Pollution abatement

Recreation and scenic attraction

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

Deschutes River

Tributary to Columbia River in the Deschutes Basin.

Describe the point of diversion (POD) and any associated reach(es) of the instream use being created. If possible list the reach by river mile. If no reach is identified, and there is only one POD listed on the certificate, the lease will be processed to be protected at the POD. (If more than one POD is listed on the certificate, then the POD and any associated reach(es) must be identified): Canal diversion river mile 174.5 to Lake Billy Chinook river mile 120 and to the mouth of the Deschutes at river mile 0.

Maximum volume in acre-feet: February 1, 1905 - 5.20, April 1905 - 21.11

Rate in cfs: Season 1 - February 1, 1905 - 0.012, April 1905 - 0.030

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

Rate in cfs: Season 2 - February 1, 1905 - 0.012, April 1905 - 0.043

Rate in cfs: Season 3 - February 1, 1905 - 0.012, April 1905 - 0.061

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

Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from April 1 through October 31.

Other (describe): _____

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- 2.3 Term of lease.** This lease shall terminate on October 31, 2009.
- 2.4 Flow protection.** The Trustee will regulate use of water from the source, subject to prior appropriation and the agency enforcement guidance, to assure the water is delivered to the point of diversion, and through the reach past junior downstream users, so long as flow is sufficient to meet the demand under priority date of the new instream use (see Section 2.2). As part of regulation activities the watermaster or a designee has access to the point of diversion and place of use for the water rights involved in this lease. No party is required to continuously measure the flow of the waterway described in Section 2.2.

~III~ Other Information

- 3.1 Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 3.3 Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.
- 3.4 Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.
- 3.5 Termination provision.**
- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
 - Written notice to the Department with original signatures;
 - Consent by all parties to the lease; and/or
 - Written notice to the Watermaster's office.
 - For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

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

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

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

Lessor #2: Shawn Gerdes Date: 3/27/09
Shawn Gerdes, Manager, Arnold Irrigation District

Lessee: Menemen Hubert Date: 4/2/09
Deschutes River Conservancy

Other Attachments as Needed:

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

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

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

Attachment 4: Split Season Instream Use Form

Attachment 5: Pooled Lease Water Right Holder Form

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Pooled Lease Form 14

FSD

**This table will calculate flow rate factors and duty for Arnold Irrigation District
Instream Leases**

Enter Total Number of Acres to be Leased Instream Here	6.140
--	-------

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

For Primary Water Right - Certificate 74197

Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form			
The rate and duty identified in this section includes the 65% transmission loss.			
Enter Rates by Priority Date on Lease Form	Full Rate	February 1, 1905	April 25, 1905
Season 1	0.120	0.035	0.085
Season 2	0.167	0.035	0.122
Season 3*	0.210	0.035	0.175
* The rate identified for Season 3 has been proportioned such that the max rate allowed by the right (150.0 CFS) will not be exceeded if all acres were being irrigated.			
Duty (AF) associated with leased right for Section 1.5 of the Lease Application Form			
Duty (decree) AF/Acre =	18.42		
	94.68		

Rate (CFS) leased instream for Section 2.2 of the Lease Application Form			
The rate and duty identified in this section does not include the 65% transmission loss.			
Enter Rates by Priority Date on Lease Form	Full Rate	February 1, 1905	April 25, 1905
Season 1	0.042	0.012	0.030
Season 2	0.055	0.012	0.043
Season 3	0.074	0.012	0.061
Volume (AF) leased instream for Section 2.2 of the Lease Application Form			
	# days	AF/Season	Duty (decree) AF/Acre = 5.40
Season 1	61	5.10	Total = 33.14
Season 2	30	3.28	Feb. 1905 portion = 5.20
Season 3	123	17.94	April 1905 portion = 21.11
		26.32	
Additional Conditions to Prevent Injury for Section 2.2 of the Lease Application Form			
Water protected instream:	April through October 31		

For Supplemental Water Right from Crane Prairie Reservoir - Certificate 76714

Duty Associated with Leased Right for Section 1.5 of the Additional Water Right Form	
	94.68

Volume (AF) leased instream for Section 2.2 of the Additional Water Right Form	
	18.90

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Water Resources Department
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Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

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

Optional Identification by Lessor/Lessee: _____
Lease Application Number (assigned by WRD): IL-986

This Lease is with:

Lessor #1 (Water Right Holder):

Name Arnold Irrigation District
Mailing address 19604 Buck Canyon Rd
City, State, Zip Code Bend, OR 97702
Telephone number 541-382-7664
Email address aidist@bendbroadband.com

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

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

-I- Water Right Holder and Water Right Information

- 1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.
- 1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 74197

- 1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No
- 1.5 **Water Right(s) Proposed to be Leased Instream.** Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼, tax lot number, map orientation and scale.]

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Pooled Water Right Holder Form / 1

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T	R	Sect	¼¼	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*	
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	18	12	09	NE NE	100	0.80	IRRIG	74197	9	2/5/1905- 4/25/1905
2.	18	12	09	NE NE	102	0.70	IRRIG	74197	9	2/5/1905- 4/25/1905
3.	18	11	25	NW NW	4700	0.20	IRRIG	74197	5	2/5/1905- 4/25/1905
4.	18	11	26	NW NE	8000	0.50	IRRIG	74197	5	2/5/1905- 4/25/1905
5.	18	11	25	NE NW	2000	0.25	IRRIG	74197	4	2/5/1905- 4/25/1905

Total number of acres, if for irrigation, by certificate and priority date: 6.14

6.	T 18	R12	S17	NESE	900	0.05	IRRIG	74197	P14	2/5/1905-4/25/1905
7.	T 18	R11	S24	SWNE	3300	1.10	IRRIG	74197	P3	2/5/1905-4/25/1905
8.	T18	R12	S9	NWNW	700	0.48	IRRIG	74197	P10	2/5/1905-4/25/1905
9.	T18	R11	S24	NESE	7300	0.50	IRRIG	74197	P4	2/5/1905-4/25/1905
10.	T18	R12	S8	NWNE	301	0.75	IRRIG	74197	P7	2/5/1905-4/25/1905
11.	T18	R12	S9	NWSW	800	0.81	IRRIG	74197	P10	2/5/1905-4/25/1905

Conditions or other limitations, if any: _____

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

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

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

~II~ Instream Water Right Information

- 2.3 Term of lease.** This lease shall terminate on October 31, 2009. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~III~ Other Information

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

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Pooled Water Right Holder Form / 2

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- 3.2 **Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.
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Lessor #1: *Shawn Gerdes* Date: 3/27/09
 Shawn Gerdes, Manager, Arnold Irrigation District

For additional Lessors, type in space for signature and date

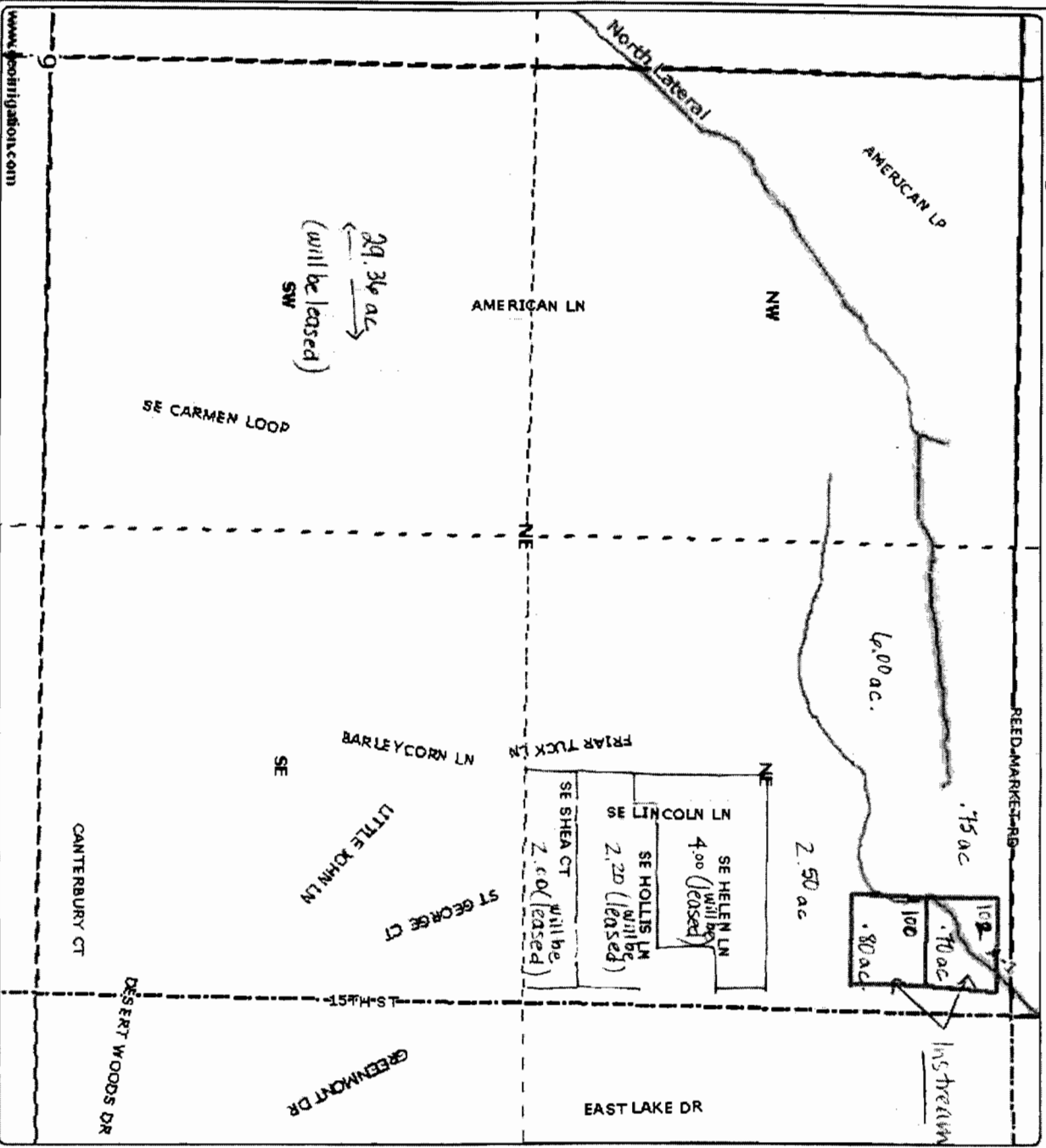
Other Attachments As Needed:

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

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AID - Mark Anderson -
 181209/AA00100 & 102
 181209-NENE-00100 - 0.80 ac /
 00102 - 0.70 ac

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Tractets
- Canal All
- Canal Piped
- Canal Open
- POU District Primary Fill
- Rivers

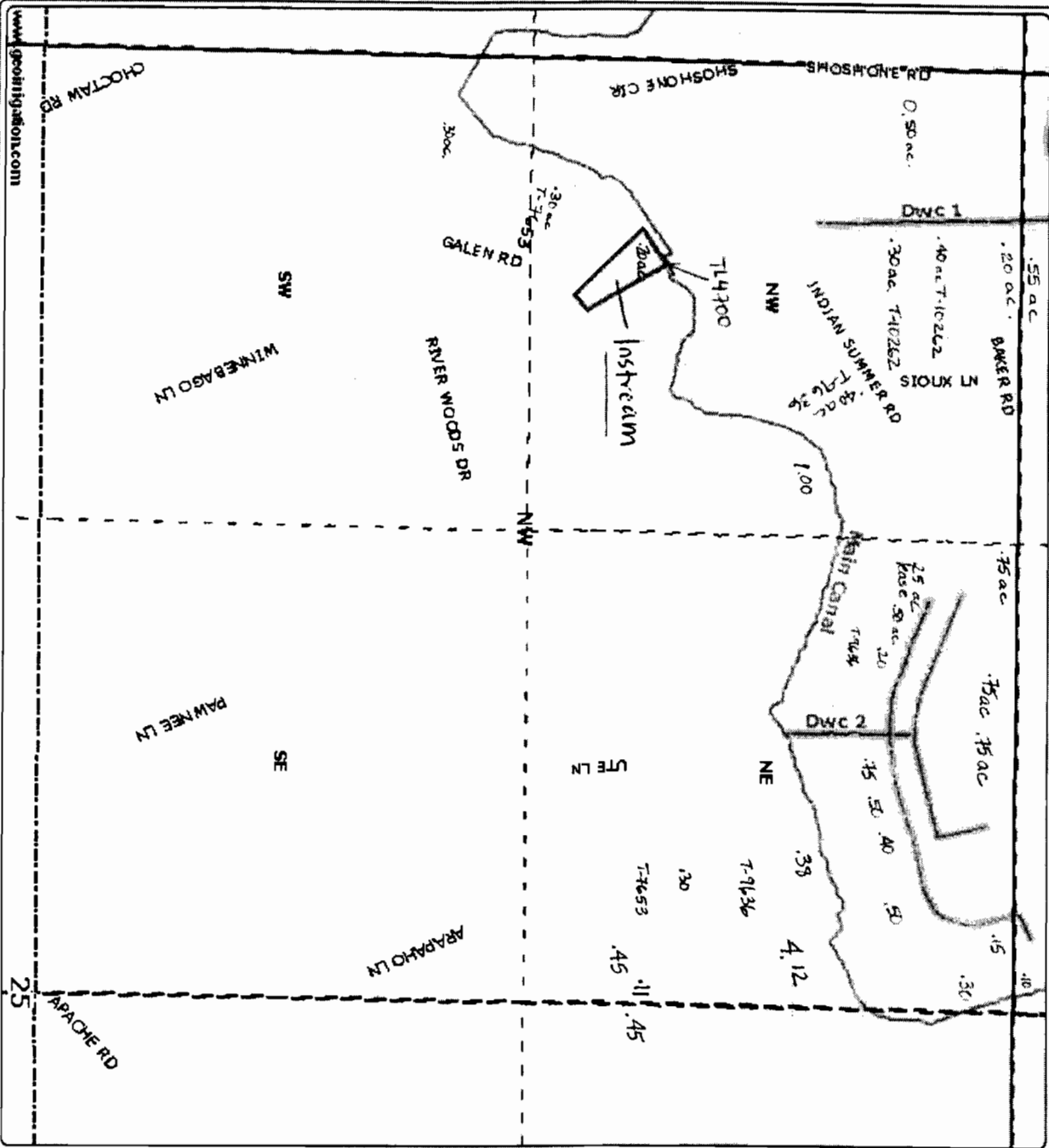
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 SALEM, OREGON

Arnold Irrigation District



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AID - Leslie Hansen -
181125B004700

181125-B0-04700 - 0.20 ac.

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Canal All
- Canal Piped
- Canal Open
- POU District Primary Fill
- Rivers

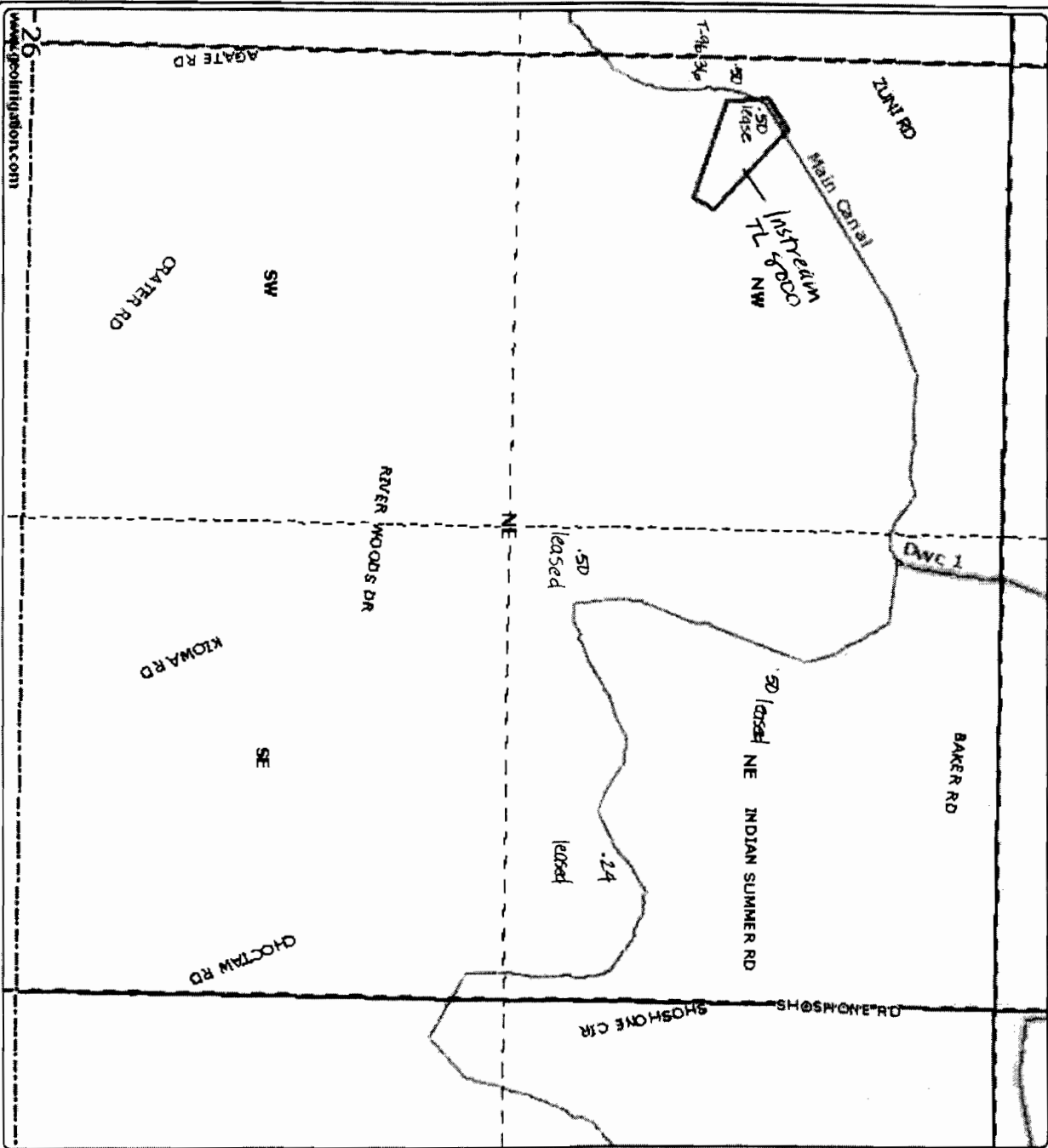


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SALEM, OREGON

Arnold Irrigation District



AID - Dennis Fiore -
181126A008000

181126-NWNE-08000 - 0.50 ac

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Tractlets
- Canal All
- Canal Piped
- Canal Open
- POU District Primary Fill
- Rivers



Scale 1" = 400'
Created: 3/23/2009

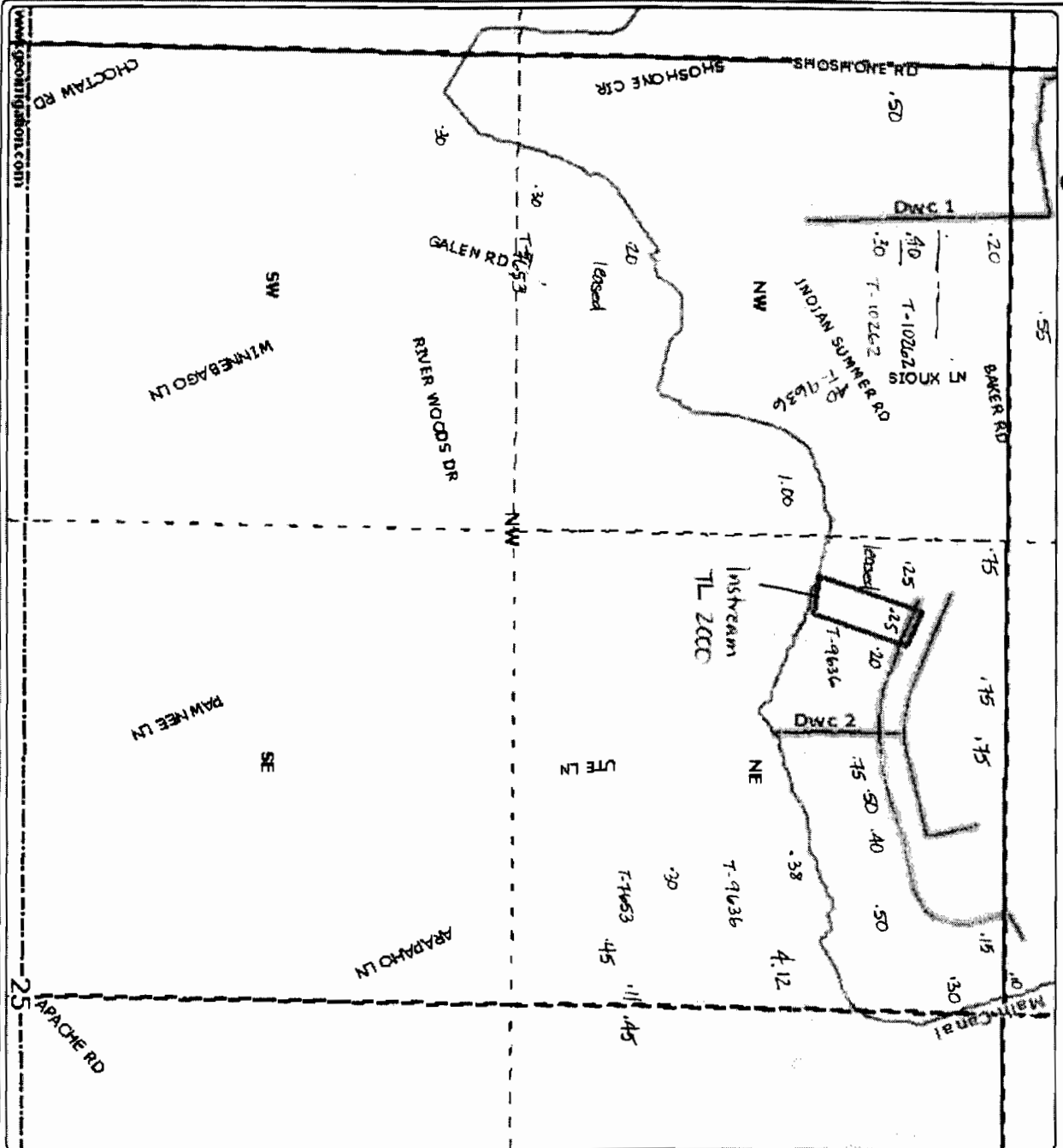
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SALEM, OREGON

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AID - Lisa Burns -
181125B002000

181125-NENW-02000 - 0.25 ac

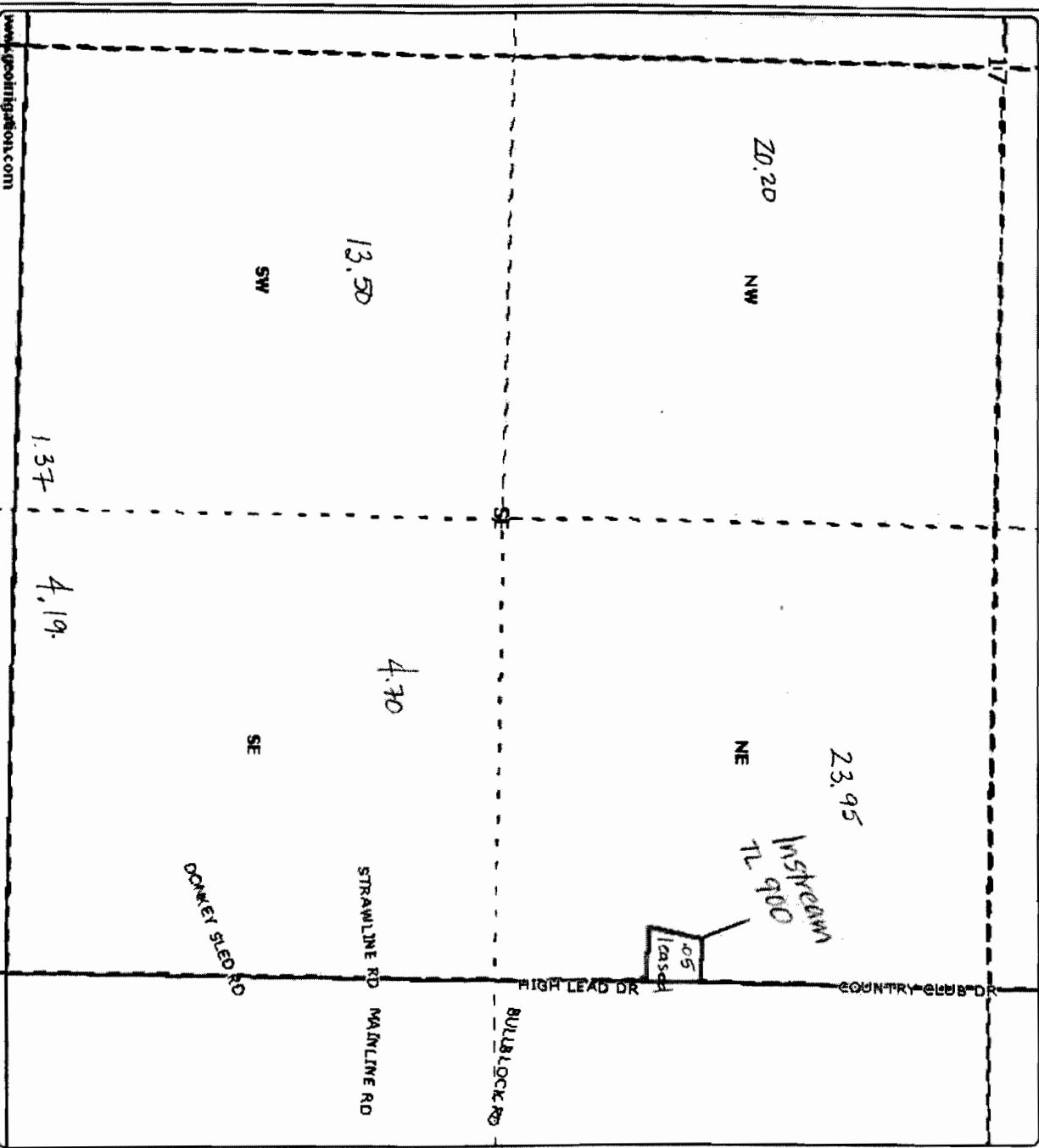
- District Boundary
- County Boundary
- Road labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Trails
- Canal All
- Canal Flood
- Canal Open
- POU District Primary Fill
- Rivers

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AID - BG&CC -
181217DA00900

181217-NESE-00900 - 0.05 ac.

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Tractets
- Canal All
- Canal Piped
- Canal Open
- POU District Primary Fill
- Rivers

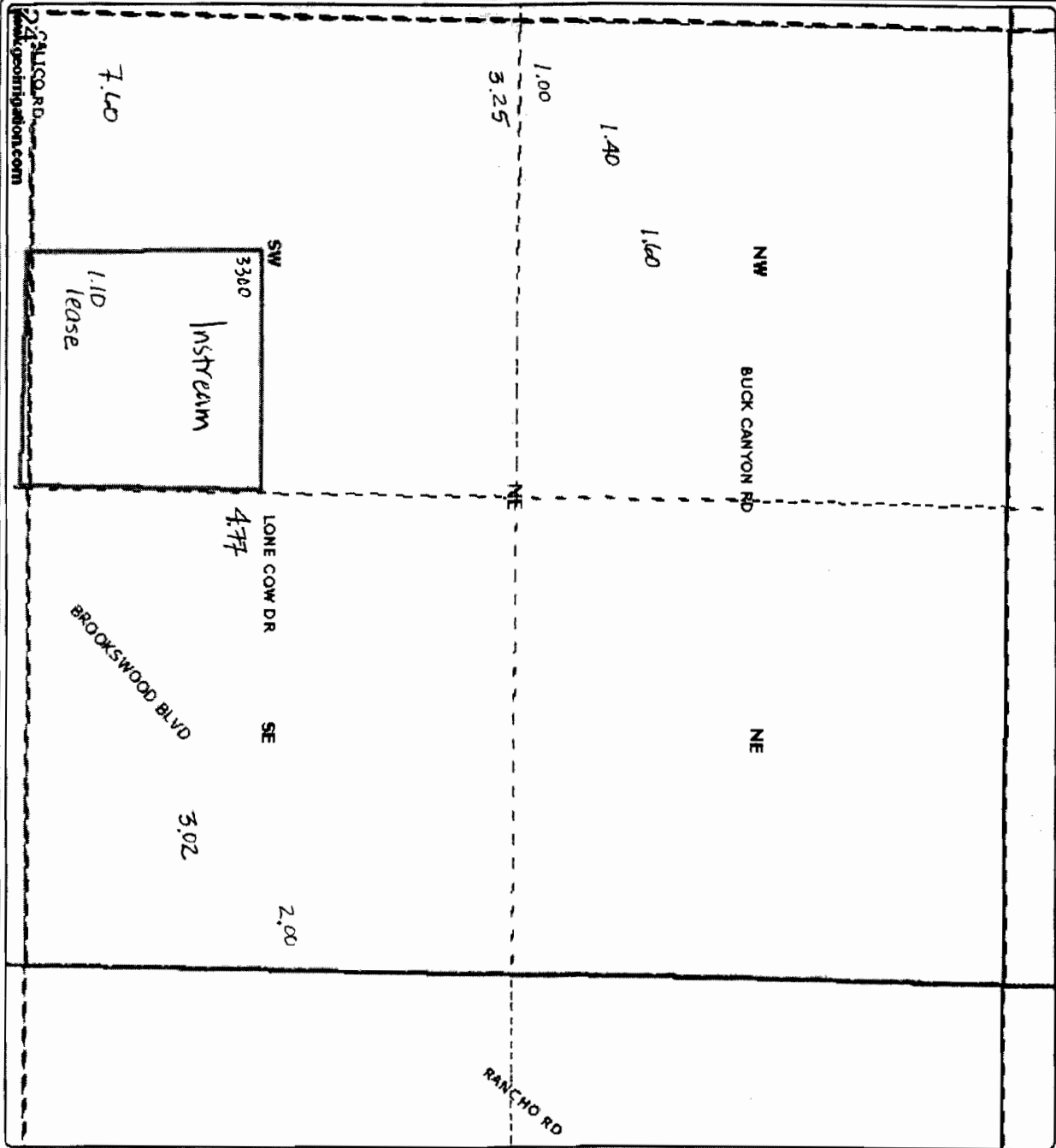


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CALICO RD
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AID - Cymbala -
181124003300

181124=SWNE-03300 - 1.10 ac

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
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- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Canal All
- Canal Pipel
- Canal Open
- POU District Primary Fill
- Rivers



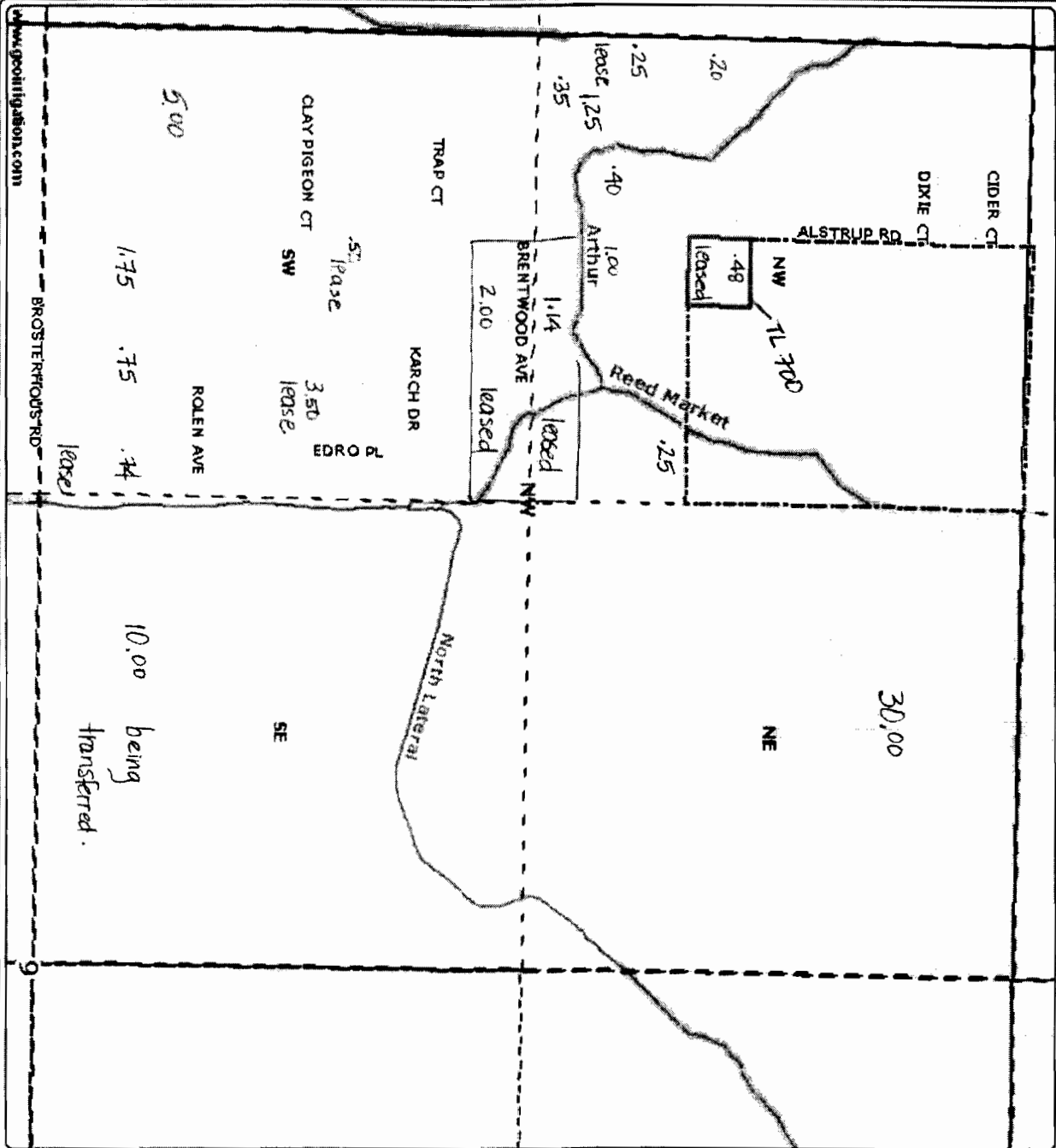
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 Investors -
 181209BB00700
 181209-NW-00700 - 0.48 ac

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Tailcuts
- Canal All
- Canal Piped
- Canal Open
- POU District Primary Fill
- Rivers



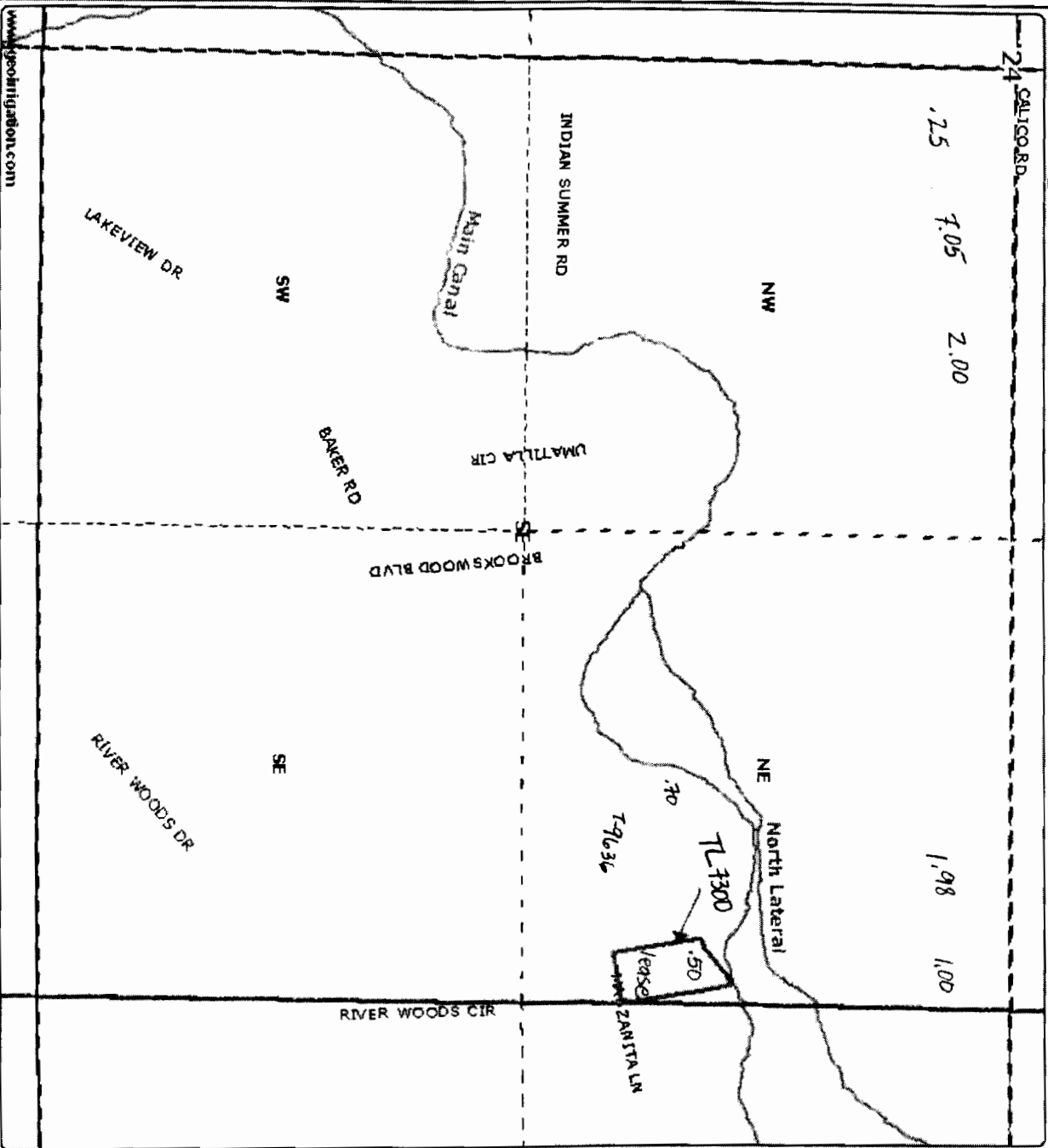
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 SALEM, OREGON

Arnold Irrigation District



24 CALICO RD

.25 1.05 2.00

1.98 1.00

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AID - Wood -
181124D007300

181124-NESE-07300 - 0.50 ac

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Canal/RI
- Canal Piped
- Canal Open
- POU District Primary Fill
- Rivers



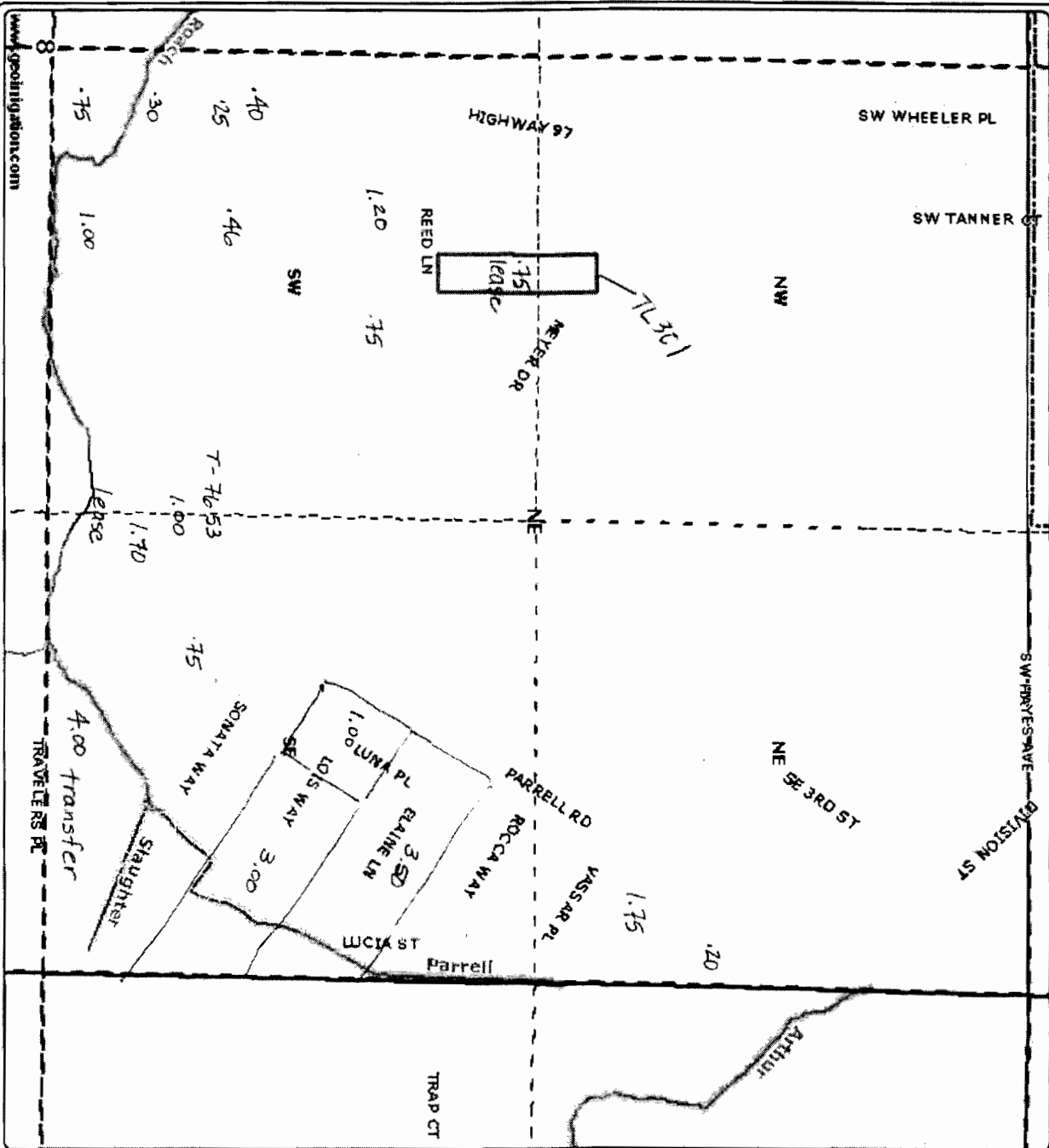
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AID - B&C Development,
 LLC - 181208AB00301

181208-NWNE-00301 - 0.75 ac

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Canal All
- Canal Piped
- Canal Open
- POU District Primary Fill
- Rivers



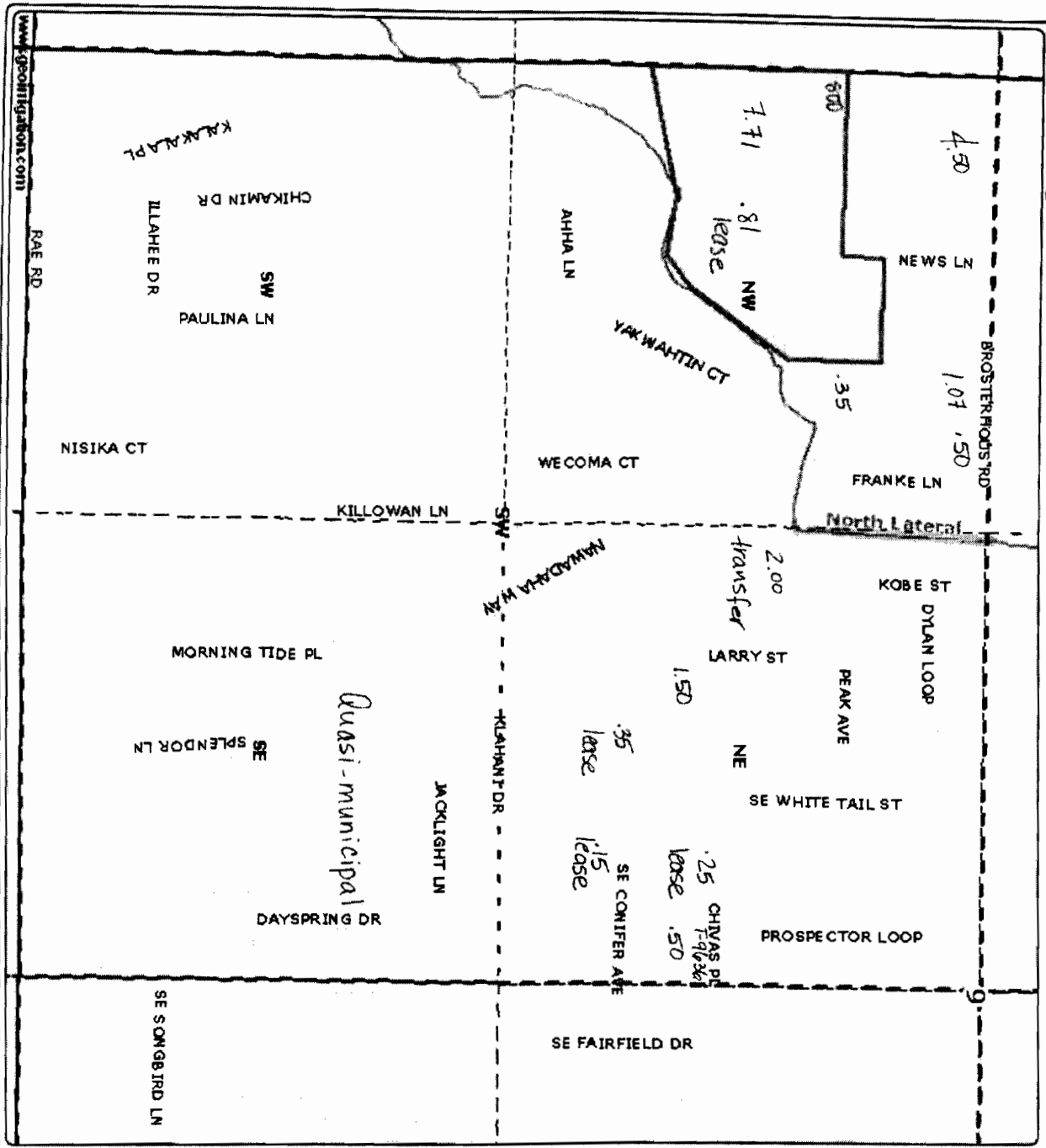
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AID - Kipnis -
 181209C000800
 181209-NWSW-00800 - 0.81 ac

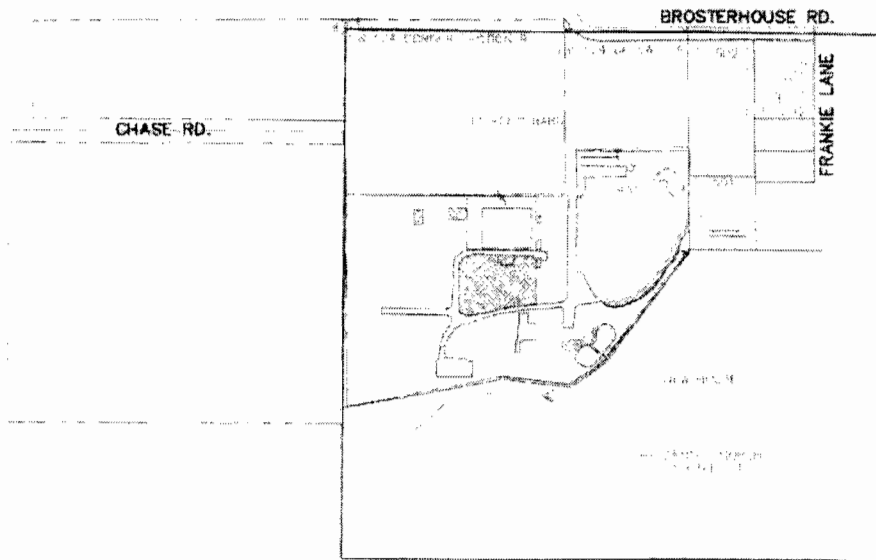
- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Tardals
- Canal All
- Canal Piped
- Canal Open
- PDU District Primary Fill
- Rivers

Scale 1" = 400'
 Created: 3/23/2009

RECEIVED

APR 08 2009
 WATER RESOURCES DEPT
 SALEM, OREGON

WATER RIGHTS TRANSFER MAP
 FOR KIPNIS
 LOCATED IN THE SECTION 9, T 18 S R12 E, W.M.
 DESCHUTES COUNTY, OREGON



1" = 400'
 2" = 800' (SCALE OF WATER RIGHTS DEPT. OF ORG.)
 [Stippled Box] 0.21 ACRES WATER RIGHTS TO BE TRANSFERRED TO DESCHUTES



TYE ENGINEERING, INC.

725 NW HILL, BEND, OREGON 97701 (541) 389-6959

DATE: 04/08/09 SCALE: 1" = 400' DRAWN BY: JPD DWC # 1197

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WATER RESOURCES DEPT

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)



Arnold Irrigation District
P.O. Box 9220
Bend, Oregon 97708
PHONE: 541-382-7664 FAX: 541-382-0833

1. WATER RIGHT

CERTIFICATE #74197
PRIORITY DATE 02/01/1905 – 04/25/1905
DESCHUTES COUNTY
WATER RIGHT UNDER NAME OF ARNOLD IRRIGATION DISTRICT

2. APPLICANT

NAME ROBERT WOOD
ADDRESS 19600 MANZANITA LN., BEND, OR 97702
ENCUMBRANCES _____

3. TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE

4. LOCATION OF USE

AUTHORIZED POINT OF DIVERSION _____

LOCATION OF AUTHORIZED PLACE OF USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE
18	11	24	NE SE	7300	.50	

5. RECIPIENT

NAME _____
ADDRESS _____

6. LOCATION OF PROPOSED USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE

7. EXHIBITS

A. Map showing the location of the present and proposed irrigated lands.

Arnold Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years or the right appurtenant is not subject to forfeiture, and that applicant and recipient hereby authorize the transfer proposed herein.

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 holders.

ARNOLD IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: x Robert A. Wood Name Robert A. Wood Date x 3-10-06
 RECIPIENT: Shawn Greer Name Shawn Greer, Manager Date 3-10-06
 FOR DISTRICT: _____ Name _____ Date _____

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WATER RESOURCES DEPT
SALEM, OREGON



\$41.00

08/08/2008 03:42:01 PM

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

BARGAIN AND SALE DEED

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

3

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

Robert A. Wood, Grantor, conveys to ARNOLD IRRIGATION DISTRICT, Grantee, on March 10, 2006, the following described real property:

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

18-11-24-D0-07300

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

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW THE USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARM OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Signed Nunc Pro Tunc this 10th day of March, 2006.

RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

Robert A. Wood, Grantor

Robert A. Wood

STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 29 day of may, 2008, by Robert Wood Grantor.



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

ACCEPTANCE

Shawn Gerdes, District Manager, Arnold Irrigation District, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

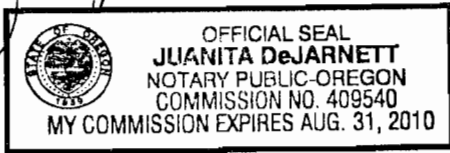
DATED this 30th day of July, 2008.

Arnold Irrigation District

By: Shawn Gerdes
Shawn Gerdes, District Manager

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Shawn Gerdes the above-named manager, and acknowledged the foregoing instrument on behalf of Arnold Irrigation District. Before me this 30th day of July, 2008.



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

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APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

Exhibit "A"

Lot Twenty-two (22) and East half (E ½) of Lot Twenty-three (23), in Block FF, Deschutes River Wood,
Deschutes County, Oregon.

Page 3 of 3 – BARGAIN & SALE DEED
B&S Deed Wood.doc

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APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

OK

86861 15

88-21724
WARRANTY DEED—STATUTORY FORM
INDIVIDUAL GRANTOR

170 - 2881

SHAWN J. SALISBURY and FAY A. SALISBURY, a/k/a FAY A. HOBBY

conveys and warrants to ROBERT A. WOOD Grantor,

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

Lot Twenty-two (22) and East half (E1/2) of Lot Twenty-three (23), in Block FF, Deschutes River Wood, Deschutes County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The said property is free from encumbrances except those as shown on the reverse side, if any;

The true consideration for this conveyance is \$ 34,500.00 (Here comply with the requirements of ORS 93.030)

Dated this 22nd day of September, 1988.

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.

Shawn J. Salisbury
Shawn J. Salisbury

Fay A. Salisbury
Fay A. Salisbury, a/k/a/ Fay A. Hobby

STATE OF OREGON, County of Deschutes) ss.
This instrument was acknowledged before me on this 22nd day of September, 1988.
by Shawn J. Salisbury and Fay A. Salisbury

(SEAL)
NOTARY PUBLIC

Joanne M. Post
Joanne M. Post
Notary Public for Oregon
My commission expires

WARRANTY DEED	
Shawn J. & Fay A. Salisbury	GRANTOR
Robert A. Wood	GRANTEE
19600 Squaw River Lane	
Bend, OR 97702	
GRANTEE'S ADDRESS, ZIP	
After recording return to:	
Grantee	
NAME, ADDRESS, ZIP	
Until a change is requested, all tax statements shall be sent to the following address:	
As above	
NAME, ADDRESS, ZIP	

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,) ss.
County of

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME TITLE
By _____ Deputy

Bend Title Company

88

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APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

1. 1988-1989 Taxes; A lien not yet payable.
2. The premises under search fall within the boundaries of Arnold Irrigation District and are subject to rules, regulations, assessments and liens thereon.
3. Mortgage, including the terms and provisions thereof, in the original amount of \$26,125.00 dated April 13, 1979 and recorded April 13, 1979 in Book 266, Page 135 of Mortgage records in favor of the State of Oregon, represented and acting by the Director of Veterans' Affairs; Assumption agreement recorded July 23, 1986 in Book 128, Page 312, Deschutes County records, the unpaid balance of which indebtedness the Grantee hereby assumes and agrees to pay.

STATE OF OREGON)
 COUNTY OF DESCHUTES) SS.

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:

88 SEP 23 PM 3:32

MARY SUE PENHOLLOW
 COUNTY CLERK

BY: Phew DEPUTY

NO. 88-21724 FEE 15

DESCHUTES COUNTY OFFICIAL RECORDS

88

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APR 08 2009

WATER RESOURCES DEPT
 SALEM, OREGON



Arnold Irrigation District
PO Box 9220
Bend, OR 97708
PHONE: 541-382-7664 FAX: 541-382-0833

January 10, 2006

Mark Anderson
400 SW Bluff Dr., #107
Bend, OR 97701

RE: 181209AA00102 – 20785 Reed Market Rd – 0.70 acre water right
181209AA00100 – 61575 15th St. – 0.80 acre water right

Dear Mark:

It has come to the district's attention that you have illegally interfered with your water right. Your delivery has been excavated and covered up which means you no longer have access to the delivery of your irrigation water and you are excavating on your water right.

Since you are in violation of Oregon Water Law, you must immediately sell your water right. If the water has not been sold by the beginning of irrigation season, the district will have to remove the water right for non-use forfeiture.

If you have any questions, please feel free to call the office.

Sincerely,

RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

Shawn Gerdes
Board Secretary/Manager

/jbd



Arnold Irrigation District
PO Box 9220
Bend, OR 97708
PHONE: 541-382-7664 FAX: 541-382-0833

April 25, 2006

Mark Anderson
400 SW Bluff Dr., #107
Bend, OR 97701

RE: 181209AA00102 – 20785 Reed Market Rd – 0.70 acre water right
181209AA00100 – 61575 15th St. – 0.80 acre water right

Dear Mark:

Referencing our letter to you dated January 10, 2006, you were notified that you were in violation of Oregon Water Law by illegally interfering with your water right and it's delivery. We also advised you that since this was the case you would have to sell your water right immediately and if it was not sold by the beginning of water season, the district would remove the water right for non-use forfeiture.

To date this office has not heard from you. You are also delinquent for this year's assessment.

We are notifying you that we are removing your water right from this property and are leasing it to the river until such time as we have land to move this water right to. In the meantime, you are still liable for the assessment and we will be filing a lien on this property.

If you have any questions, please contact the office.

Sincerely,

RECEIVED

APR 08 2009

Shawn Gerdes
Board Secretary/Manager
WATER RESOURCES DEPT
SALEM, OREGON

/jbd



Arnold Irrigation District
PO Box 9220
Bend, OR 97708
PHONE: 541-382-7664 FAX: 541-382-0833

January 10, 2006

Mark Anderson
400 SW Bluff Dr., #107
Bend, OR 97701

RE: 181209AA00102 – 20785 Reed Market Rd – 0.70 acre water right
181209AA00100 – 61575 15th St. – 0.80 acre water right

Dear Mark:

It has come to the district's attention that you have illegally interfered with your water right. Your delivery has been excavated and covered up which means you no longer have access to the delivery of your irrigation water and you are excavating on your water right.

Since you are in violation of Oregon Water Law, you must immediately sell your water right. If the water has not been sold by the beginning of irrigation season, the district will have to remove the water right for non-use forfeiture.

If you have any questions, please feel free to call the office.

Sincerely,

RECEIVED

APR 08 2009

Shawn Gerdes
Board Secretary/Manager

WATER RESOURCES DEPT
SALEM, OREGON

/jbd

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-32231



\$55.00

00305050200500322310070077

05/25/2005 11:25:08 AM

D-D Criml Str=23 BECKEY
\$30.00 \$11.00 \$10.00 \$5.00

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



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

RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

After recording return to:
Joel J. Kent
Stahancyk, Gearing, Rackner & Kent
225 NW Franklin Ave.
Ste. C
Bend, OR 97701

Mail all tax statements to:
Mark A. Anderson
1925 NE Cliff Drive
Bend, OR 97701

BARGAIN AND SALE DEED
(Statutory Form)


Janice G. Anderson, grantor, conveys to Mark A. Anderson, hereinafter called grantee, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining thereto the following real property, situated in Deschutes County, State of Oregon, described on attached Exhibit "1."

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

The true and actual consideration for this conveyance includes other property or value that represents the whole consideration pursuant to the General Judgment of Unlimited Separation, filed in Deschutes County, case no. 05-DS-0169-MS.

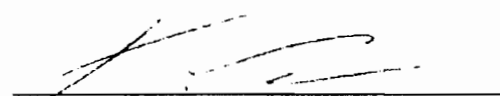
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO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

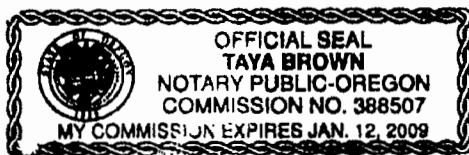
In Witness Whereof, the grantor has executed this instrument this 29 day of April, 2005.


Janice G. Anderson

State of Oregon, County of Deschutes) ss.

This instrument was acknowledged before me this 29 day of April, 2005, by Janice G. Anderson to be her voluntary act and deed.


Notary Public for Oregon



RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

PROPERTY ONE

Legally Described as:

A parcel of land located in the south one-half of the southwest one-quarter (S1/2SW 1/4) of Section 27, Township 17 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon being more particularly described as follows: Beginning at a point on the south right of way of Cliff Drive, said point being on the west line of Edgecliff, as platted and recorded with the Deschutes County Clerk, said point also being on the east line of that tract of land described as Parcel 1 in deed recorded in Volume 2002, Page 09108, Deschutes County Official Records; thence along said south right of way, North 89°47'19" East, 46.38 feet; thence leaving said right of way, South 26°24'31" West, 99.51 feet to a point on the line common to said Edgecliff and said Parcel 1; thence along said common line, South 01°21'58" East, 87.64 feet to the south line of said Parcel 1; thence along said south line, South 88°43'38" West, 128.44 feet; thence leaving said south line, North 08°40'04" West, 174.35 feet; thence North 00°12'41" West, 21.04 feet; thence North 89°47'19" East, 44.26 feet to a point of curvature; thence along the arc of a 100.00 foot radius curve to the right, through a central angle of 16°19'52", an arc distance of 28.50 feet (the long chord of which bears South 82°02'45" East, 28.41 feet) to a point of reverse curvature; thence along the arc of a 260.00 foot radius curve to the left, through a central angle of 16°19'52", an arc distance of 74.11 feet (the long chord of which bears South 82°02'45" East, 73.86 feet) to a point of tangency; thence North 89°47'19" East, 5.00 feet to the point of beginning.

More Commonly Known as:

1925 Cliff Drive, Bend, OR 97701

PROPERTY TWO

Legally Described as:

A parcel of land ly in the Southwest Quarter (SW1/4) c ection Nine (9), Township Seventeen (17) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at the Southwest corner of Section 9; thence North 89°49'39" East along the South line of said Section 9, 432.82 feet; thence North 00°05'00" West 596.73 feet to the true point of beginning; thence continuing North 00°05'00" West to the North line of said Southwest Quarter, 2,045.91 feet; thence North 89°51'01" East 881.48 feet to the East line of the West One-half of the Southwest One-quarter (W1/2SW1/4) of said Section 9; thence South 00°15'27" East along said East line of the W1/2SW1/4 of said Section 9, 2,045.91 feet to a point North 00°15'27" West 596.38 feet from the South line of said Section 9; thence South 89°51'01" West 887.70 feet to the true point of beginning.

EXCEPTING THEREFROM those portions lying within the limits of Hunnell Road and Berg Lane.

RECEIVED

More Commonly Known as:

APR 08 2009

63660 Berg Lane, Bend, OR 97701

WATER RESOURCES DEPT
SALEM, OREGON

PROPERTY THREE

Legally Described as:

A parcel of land located in the Southeast Quarter (SE1/4) of Section Eight (8) and the Southwest Quarter (SW1/4) of Section Nine (9), Township Seventeen (17) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, being described as follows: Commencing at the One-quarter corner common to said Sections 8 and 9, being a 5/8" iron rod; thence South 89°50'07" West, 445.17 feet; thence South 0°05'39" East, 496.30 feet to a 5/8" iron rod being the True Point of Beginning of this description; thence North 89°38'53" East, 445.08 feet to the line common to Sections 8 and 9; thence North 89°38'53" East, 363.47 feet to a 5/8" iron rod; thence along the arc of a 150.00 foot radius curve concave to the East a distance of 388.64 feet, chord bears South 4°19'44" East, 288.70 feet to a 5/8" iron rod; thence South 0°05'00" East, 244.49 feet to a 5/8" iron rod; thence South 89°38'53" West, 402.83 feet to the line common to Sections 8 and 9; thence South 89°38'53" West, 444.98 feet to a 5/8" iron rod; thence North 0°05'39" West, 532.50 feet to the Point of Beginning and there terminating.

More Commonly Known as:

63765 Berg Lane, Bend, OR 97701

PROPERTY FOUR

Legally Described as:

A parcel of land located in the Southeast Quarter (SE1/4) of Section Eight (8) and the Southwest Quarter of Section Nine (9), Township Seventeen (17) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the 1/4 corner common to Sections 8 and 9, being a 5/8" iron rod; thence North 89°27'20" East, 432.83 feet to a cross chiseled in bedrock; thence South 0°05'00" East, 487.48 feet to a 5/8" iron rod; thence along the arc of a 150.0 foot radius curve concave South, a distance of 52.42 feet (chord bears South 79°54'22" West, 52.15 feet) to a 5/8" iron rod; thence South 89°38'53" West, 363.47 feet to the line common to said Sections 8 and 9; thence South 89°38'53" West, 445.08 feet to a 5/8" iron rod; thence North 0°05'39" West, 496.30 feet to a 1/2" iron rod; thence North 89°50'07" East, 445.17 feet to the Point of Beginning.

More Commonly Known as:

63775 Berg Lane, Bend, OR 97701

PROPERTY FIVE

Legally Described as:

THE NORTH ONE HUNDRED SIXTY-FIVE FEET (N.165') OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION ELEVEN (11), TOWNSHIP SEVENTEEN (17) SOUTH, RANGE TWELVE (12), EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY,

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APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

63893 Deschutes Market Road, Bend, OR 97701

Legally Described as:

PROPERTY SIX

PARCEL I:

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

Beginning at the Northeast corner to Section 9, Township 18 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, the true point of beginning of this description; thence South 00°49'12" West, 231.95 feet along the east line of said Section 9, said line being also the centerline of Ferguson Road; thence North 89°53'14" West, 329.80 feet; thence North 00°49'12" East, 231.52 feet to the North line of said Section 9, said line being also the centerline of Reed Market Road; thence South 89°57'43" East, 329.81 feet along said line to the Northeast corner of said Section 9, the true point of beginning and terminus of this description.

EXCEPTING THEREFROM that portion described in Declaration of Dedication recorded December 12, 1985 in Volume 112, Page 240, Official Records, Deschutes County, Oregon.

More Commonly Known as:

20785 Reed Market Road, Bend, OR 97702

PROPERTY SEVEN

Legally Described as:

LOTS FOURTEEN (14), FIFTEEN (15) AND THE EASTERLY TEN FEET (E.10') OF LOTS TWELVE (12) AND THIRTEEN (13) OF BLOCK ONE HUNDRED TWENTY ONE (121) OF BEND PARK FIRST ADDITION, CITY OF BEND, DESCHUTES COUNTY, OREGON.

More Commonly Known as:

617 NE 10th Street, Bend, OR 97701

PROPERTY EIGHT

Legally Described as:

LOT 12 IN BLOCK 26 of TOWNSITE OF REDMOND, CITY OF REDMOND, DESCHUTES COUNTY, OREGON.

TAX ACCT #15-13-16-AB-07300, 2-1

RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

More Commonly Known as:

361 SW 6th Street, Redmond, OR 97756

PROPERTY NINE

Legally Described as:

Site Address: 65315 85TH PL BEND 97701

Assessor Property Description

SECOND ADDITION TO WHISPERING PINES ESTATES Lot: 2 Block: 19

Prop Cls:400 MA:3 VA:62 NH 000 Vol-Page:1992-2572283
Asmt Zone:RR CDD Zone:SMIA (SURFACE MINING IMPACT AREA COMBINING)
" :AS (AIRPORT SAFETY COMBINING ZONE)
" :RR10 (RURAL RESIDENTIAL - 10 ACRES MINIMUM)

Local Improvement District Assessment Due - W429

More Commonly Known as:

65315 85th Place, Bend, OR 97701

PROPERTY TEN

Legally Described as:

PARCEL II:

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

Beginning at the Northeast corner to Section 9, Township 18 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon; thence South 00°49'12" West, 231.95 feet along the East line of said Section 9 (said line being also the centerline of Ferguson Road) to a point, said point being the true point of beginning of this description; thence continuing along said line South 00°49'12" West, 200.00 feet; thence North 89°53'14" West, 329.80 feet; thence North 00°49'12" East, 200.00 feet; thence South 89°53'14" East, 329.80 feet to a point on the East line of said Section 9, said point being the true point of beginning and terminus of this description.

EXCEPTING THEREFROM that portion described in Declaration of Dedication recorded December 12, 1985 in Volume 112, Page 242, Official Records, Deschutes County, Oregon.

RECEIVED

More Commonly Known as:

APR 08 2009

PROPERTY ELEVEN

Legally Described as:

A tract of land situated in the Northwest Quarter of the Northeast Quarter (NW ¼ NW ¼) of Section 3, Township 18 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Commencing at the Northwest corner of said Section 3; thence along the Northerly section line North 89°58'41" East (by deed 89°36'43" East) 1058.36 feet to the Northeast corner of that parcel of land conveyed to Duane E. Dudley and Irene Dudley, husband and wife by Bargain and Sale Deed recorded March 4, 1992 in Book 258 Page 1232, of Deschutes County Official Records and also the true point of beginning; thence North 89°58'41" East 112.00 feet; thence South 00°17'28" West 232.00 feet; thence South 89°58'41" West 112.00 feet to the East line of the above described parcel of land; thence along the East line of said parcel North 00°17'48" East (by deed 00°16'15" East) 232.00 to the true point of beginning.

EXCEPTING THEREFROM any portion of Bear Creek Road.

ALSO EXCEPTING all that portion which lies North of the North right-of-way of Bear Creek Road.

More Commonly Known as:

1751 SE Bear Creek Drive, Bend, OR 97702

PROPERTY TWELVE

Legally Described as:

A portion of Lot 17 in Block Q of DESCHUTES RIVER WOODS, Deschutes County, Oregon, described as follows:

Beginning at the most Northerly corner of said Lot 17; thence South 39°58'41" East along the Northeasterly lot line, 100 feet; thence South 50°01'19" West for a distance of 100 feet; thence North 39°58'41" West along the Southwesterly lot line, 100 feet to the most Westerly corner of said Lot 17; thence North 50°01'19" East along the Northwesterly lot line, 100 feet to the point of beginning.

Tax Account No(s): 109740

RECEIVED Lot No(s): 18-11-25-D0-12602

APR 08 2009
More Commonly Known as:

WATER RESOURCES DEPT
SALEM, OREGON

60212 Cinder Butte Road, Bend, OR 97702

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)



Arnold Irrigation District
P.O. Box 9220
Bend, Oregon 97708
PHONE: 541-382-7664 FAX: 541-382-0833

1. **WATER RIGHT**
CERTIFICATE #74197
PRIORITY DATE 02/01/1905 - 04/25/1905
DESCHUTES COUNTY
WATER RIGHT UNDER NAME OF ARNOLD IRRIGATION DISTRICT

2. **APPLICANT**
NAME SHELDON DEVELOPMENT (B+C DEVELOPMENT)
ADDRESS 23765 SE HIGHWAY 212, BORING, OR 97709-7249
ENCUMBRANCES _____

3. **TYPE OF CHANGE:** PERMANENT CHANGE IN PLACE OF USE

4. **LOCATION OF USE**
AUTHORIZED POINT OF DIVERSION _____

LOCATION OF AUTHORIZED PLACE OF USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE
18	12	08	NW NE	301	.75 ac.	

RECEIVED

5. **RECIPIENT**
NAME _____
ADDRESS APR 08 2009

6. **LOCATION OF WATER RESOURCES DEPT**

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE

7. **EXHIBITS**
A. Map showing the location of the present and proposed irrigated lands.

Arnold Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years or the right appurtenant is not subject to forfeiture, and that applicant and recipient hereby authorize the transfer proposed herein.

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 holders.

ARNOLD IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: Caryn Sullivan Date 1-31-05
Name _____ Date _____
RECIPIENT: Shawn Gerdes Date 1-31-05
Name Shawn Gerdes, Manager Date _____
FOR DISTRICT: _____ Date _____
Name _____ Date _____



BARGAIN AND SALE DEED

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

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

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

B & C Development, LLC, Grantor, conveys to ARNOLD IRRIGATION DISTRICT, Grantee, on January 31, 2005, the following described real property:

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

** 18-12-08-AB-00301

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

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW THE USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARM OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Signed Nunc Pro Tunc this 31st day of January, 2005.

RECEIVED

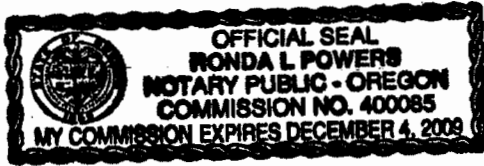
APR 08 2009

Carey M. Sheldon, Grantor

Carey M. Sheldon

STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 16 day of MAY, 2008, by Carey Sheldon Grantor.



Ronda L Powers
NOTARY PUBLIC FOR OREGON
My commission expires: 12/04/09

ACCEPTANCE

Shawn Gerdes, District Manager, Arnold Irrigation District, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

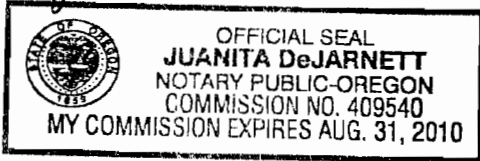
DATED this 30th day of July, 2008.

Arnold Irrigation District

By: *Shawn Gerdes*
Shawn Gerdes, District Manager

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Shawn Gerdes the above-named manager, and acknowledged the foregoing instrument on behalf of Arnold Irrigation District. Before me this 30th day of July, 2008.



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

RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

Exhibit "A"

The Southerly 435.27 feet of the Easterly 105.00 feet of the Westerly 125.00 feet of the following described property:

A tract of land as platted in an allotment near the City of Bend, Deschutes County, Oregon known as "Reed Highway Acreage" Section 2, (which plat was vacated December 7, 1932) and being in Section 8, Township 18 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, being Lot No. 21 as formerly platted, and more particularly described as follows: Starting at the initial point of the allotment survey which is the Northwest corner of the Northeast Quarter (NE 1/4) of Section 8, Township 18 South, Range 12 East of the Willamette Meridian, thence South 00° 36' 21" West for a distance of 1589.89 lineal feet to a point; thence through an angle of 90° 21' West to the left and on a bearing of 90° East for a distance of 538 lineal feet to the Southwest corner of said Lot 21 as formerly platted for a point of beginning. From this beginning point and on a bearing of 00° 00" East, run 870.53 lineal feet to the Southerly right of way line of the Central Oregon Irrigation Canal, thence Northeasterly along said right of way 290.64 feet to the Northeast corner of said Lot 21, thence 1015.01 lineal feet to the Southeast corner of Lot No. 21, thence West 250 feet to the point of beginning.

RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON



After recording return to:

~~SCOTT INVESTMENTS, LLC~~ B&C DEVELOPMENT, LLC
13600 SE SUNNYSIDE RD
CLACKAMAS, OR 97015

2

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

~~SCOTT INVESTMENTS, LLC~~ B&C DEVELOPMENT, LLC
13600 SE SUNNYSIDE RD
CLACKAMAS, OR 97015

WARRANTY DEED -- STATUTORY FORM

SCOTT INVESTMENTS, LLC, Grantor,

conveys and warrants to

30-

~~SCOTT INVESTMENTS, LLC~~ B&C DEVELOPMENT, LLC, Grantee,

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

The Southerly 435.27 feet of the Easterly 105.00 feet of the Westerly 125.00 feet of the following described property:
A tract of land as platted in an allotment near the City of Bend, Deschutes County, Oregon known as "Reed Highway Acreage" Section 2, (which plat was vacated December 7, 1932) and being in Section 8, Township 18 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, being Lot No. 21 as formerly platted, and more particularly described as follows: Starting at the initial point of the allotment survey which is the Northwest corner of the Northeast Quarter (NE 1/4) of Section 8, Township 18 South, Range 12 East of the Willamette Meridian; thence South 00°36'21" West for a distance of 1589.89 lineal feet to a point; thence through an angle of 90°21' West to the left and on a bearing of 90° East for a distance of 538 lineal feet to the Southwest corner of said Lot 21 as formerly platted for a point of beginning. From this beginning point and on a bearing of 00°00" East, run 870.53 lineal feet to the Southerly right of way line of the Central Oregon Irrigation Canal; thence Northeasterly along said right of way 290.64 feet to the Northeast corner of said Lot 21, thence 1015.01 lineal feet to the Southeast corner of Lot No. 21; thence West 250 feet to the point of beginning.

Tax Account No(s): 119931
Map/Tax Lot No(s): 18-12-08-AB-00301

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 \$230,000.00 .

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 15th day of October, 2004.

SCOTT INVESTMENTS, LLC

BY:
RUSSELL SCOTT,
MEMBER

RECORDED BY:
WESTERN TITLE & ESCROW CO.

RECEIVED 15-0018704


APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

After recording return to:
10/05/04

STATE OF OREGON, COUNTY OF DESCHUTES) SS.

This instrument was acknowledged before me on October 13, 2004 by RUSSELL
SCOTT, MEMBER OF SCOTT INVESTMENTS, LLC.



(Notary Public for Oregon)
My commission expires _____

TITLE NO. 15-0018704
ESCROW NO. 15-0018704



RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)



Arnold Irrigation District
P.O. Box 9220
Bend, Oregon 97708
PHONE: 541-382-7664 FAX: 541-382-0833

1. WATER RIGHT

CERTIFICATE #74197
PRIORITY DATE 02/01/1905 - 04/25/1905
DESCHUTES COUNTY
WATER RIGHT UNDER NAME OF ARNOLD IRRIGATION DISTRICT

2. APPLICANT

NAME BEND GOLF & Country CLUB
ADDRESS 61045 Country Club Drive Bend Or 97707
ENCUMBRANCES _____

3. TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE

4. LOCATION OF USE

AUTHORIZED POINT OF DIVERSION _____

LOCATION OF AUTHORIZED PLACE OF USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE
18	12	17	NE SE	00980	.05	

5. RECIPIENT

NAME _____
ADDRESS _____

6. LOCATION OF PROPOSED USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE

7. EXHIBITS

A. Map showing the location of the present and proposed irrigated lands.

Arnold Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years or the right appurtenant is not subject to forfeiture, and that applicant and recipient hereby authorize the transfer proposed herein.

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 holders.

ARNOLD IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: [Signature] Date 10/30/06
RECIPIENT: Guarita DeJarnett Date 10/31/06
FOR DISTRICT: _____ Date _____

RECEIVED

APR 08 2009



BARGAIN AND SALE DEED

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

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

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

Bend Golf & Country Club, Grantor, conveys to Arnold Irrigation District, Grantee, the following described real property: See Exhibit "A"

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

** 181217DA00900

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW THE USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARM OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

DATED this 26th day of November, 2007.

RECEIVED

APR 08 2009

**Bend Golf and Country Club., an Oregon Limited Liability Company, Grantor

By: Mary Schell, President
Mary Schell, President

STATE OF OREGON

County of Deschutes) ss:

SIGNED before me on the 6 day of December, 2007, by Mary Schell as
President of Bend Golf and Country Club.



Karen Goodman
NOTARY PUBLIC FOR OREGON
My commission expires: 3-13-11

RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

ACCEPTANCE

Shawn Gerdes, District Manager, Arnold Irrigation District, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

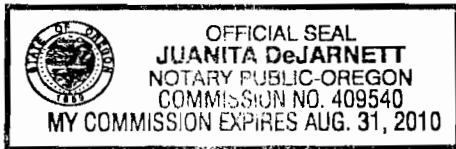
DATED this 8th day of May, 2008.

Arnold Irrigation District

By: Shawn Gerdes
Shawn Gerdes, District Manager

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Shawn Gerdes the above-named manager, and acknowledged the foregoing instrument on behalf of Arnold Irrigation District. Before me this 8th day of May, 2008.



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

RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

"Exhibit A"

Parcel 1

A parcel of land containing 0.47 acres, more or less, being located in the Northeast One-Quarter of the Southeast One-Quarter (NE ¼ SE ¼) of Section 17, Township 18 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Parcel 1, Partition Plat No. 2007-39, Deschutes County, Oregon.

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

RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

3-455

PARTITION 06-325

PARTITION PLAT NO. 2007-39

LOCATED THE WEST ONE-HALF AND THE SOUTHEAST ONE-QUARTER AND SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M., CITY OF BEND, DESCHUTES COUNTY, OREGON.

SURVEYOR'S CERTIFICATE:

I, DAVID R. WILLIAMS, REGISTERED PROFESSIONAL LAND SURVEYOR FOR THE STATE OF OREGON, BEING DULY SWORN, DEPOSE AND SAY THAT THIS SURVEY WAS PERFORMED BY ME, OR UNDER MY SUPERVISION IN COMPLIANCE WITH OREGON REVISED STATUTES CHAPTERS 83.43 AND 208 IN SEPTEMBER OF 2006 AT THE REQUEST OF BEND GOLF AND COUNTRY CLUB, AND THAT PARCELS 3 OF THIS PLAT IS UNSURVEYED, MAPPED FROM RECORD MEASUREMENTS ONLY, AND THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH LEGAL MONUMENTS PARCELS 1 AND 2 ON THIS PARTITION PLAT BEING LOCATED IN THE WEST ONE-HALF (1/2) OF THE SOUTHEAST ONE-QUARTER (SE1/4) AND THE SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER (S1/2 NE1/4) OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M., CITY OF BEND, DESCHUTES COUNTY, OREGON, AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE "INITIAL POINT" SAID POINT ALSO BEING THE INITIAL POINT FOR TRIMBER RIDGE SUBDIVISION MARKED BY A 5/8" IRON ROD; THENCE ALONG THE BOUNDARY OF SAID TRIMBER RIDGE THE FOLLOWING SEVEN COURSES:

- SOUTH 87°41'10" WEST A DISTANCE OF 897.11 FEET;
- SOUTH 81°07'43" WEST A DISTANCE OF 185.54 FEET;
- SOUTH 80°50'17" WEST A DISTANCE OF 72.96 FEET;
- SOUTH 04°06'08" EAST A DISTANCE OF 83.00 FEET;
- SOUTH 28°33'14" WEST A DISTANCE OF 436.06 FEET;
- SOUTH 88°17'20" WEST A DISTANCE OF 888.84 FEET;
- SOUTH 103°37'28" EAST A DISTANCE OF 103.85 FEET TO THE NORTH RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN - SANTA FE RAILROAD 100 FOOT WIDE RIGHT-OF-WAY.

THENCE ALONG THE SAID NORTH RIGHT-OF-WAY THE FOLLOWING CIRCULAR CURVE, OFFSET SPIRAL CURVE AND ONE COURSE:

586.29 FEET ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 2814.79 FEET, THE CHORD OF WHICH BEARS SOUTH 70°08'18" WEST A DISTANCE OF 562.89 FEET;

OFFSET SPIRAL CURVE TO THE RIGHT WITH AN OFFSET OF 60.00 FEET THE CENTERLINE SPIRAL IS DEFINED AS FOLLOWS: $\theta=144.15$, $L=126.00$ FEET, $R=2864.789$ FEET, $\theta=130°00'$; THE CHORD OF WHICH BEARS SOUTH 83°58'38" WEST A DISTANCE OF 121.05 FEET;

SOUTH 83°04'18" WEST A DISTANCE OF 23.64 FEET TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE AND THE SOUTH LINE OF SAID SECTION 17;

THENCE ALONG SAID SOUTH SECTION LINE NORTH 88°18'11" WEST A DISTANCE OF 1803.74 FEET TO SOUTHWEST CORNER OF MOUNTAIN PINES P.L.D.; THENCE ALONG THE EAST LINE OF MOUNTAIN PINES P.L.D. PHASE 1 RECORDED AS CS14500, PHASE 2 RECORDED AS CS14868, PHASES 4 AND 3 RECORDED AS CS15419 THE FOLLOWING SEVEN COURSES:

- NORTH 81°38'31" WEST A DISTANCE OF 248.81 FEET;
- NORTH 33°01'54" EAST A DISTANCE OF 360.89 FEET;
- NORTH 13°31'36" EAST A DISTANCE OF 1127.06 FEET;
- NORTH 86°33'08" EAST A DISTANCE OF 162.23 FEET;
- NORTH 01°11'31" EAST A DISTANCE OF 182.00 FEET;
- NORTH 25°47'18" WEST A DISTANCE OF 265.05 FEET;
- NORTH 28°42'18" WEST A DISTANCE OF 8.18 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF PARRELL ROAD;

THENCE ALONG SAID EAST RIGHT-OF-WAY THE FOLLOWING ONE CURVE AND ONE COURSE:

312.23 FEET ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 8028.86 FEET, THE CHORD OF WHICH BEARS NORTH 33°01'54" EAST A DISTANCE OF 311.83 FEET;

NORTH 23°08'10" EAST A DISTANCE OF 886.03 FEET TO THE SOUTHWEST CORNER OF BEND GOLF AND COUNTRY CLUB ADDITION RECORDED AS CS 05378;

THENCE ALONG THE SOUTH LINE AND EAST LINE OF SAID BEND GOLF AND COUNTRY CLUB ADDITION THE FOLLOWING TWO COURSES:

- SOUTH 84°47'58" EAST A DISTANCE OF 124.81 FEET;
- NORTH 23°18'08" EAST A DISTANCE OF 1000.03 FEET TO THE NORTHEAST CORNER OF SAID BEND GOLF AND COUNTRY CLUB;

THENCE NORTH 23°18'11" EAST A DISTANCE OF 60.00 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 3 OF THE PLAT OF WILDLAND PARK RECORDED AS CS20801; THENCE ALONG THE SOUTH LINE OF BLOCK 3 OF SAID WILDLAND PARK THE FOLLOWING FOUR/FIFTH COURSES:

- NORTH 81°07'58" EAST A DISTANCE OF 194.83 FEET;
- SOUTH 47°23'01" EAST A DISTANCE OF 81.41 FEET;
- SOUTH 47°04'43" EAST A DISTANCE OF 100.00 FEET;
- SOUTH 47°07'44" EAST A DISTANCE OF 188.97 FEET;
- SOUTH 47°06'41" EAST A DISTANCE OF 118.18 FEET;
- SOUTH 80°10'46" EAST A DISTANCE OF 154.82 FEET;
- SOUTH 80°10'46" EAST A DISTANCE OF 32.83 FEET;
- NORTH 81°08'53" EAST A DISTANCE OF 314.82 FEET;
- NORTH 54°28'37" EAST A DISTANCE OF 308.84 FEET;
- NORTH 54°28'37" EAST A DISTANCE OF 38.00 FEET;
- NORTH 88°38'46" EAST A DISTANCE OF 418.88 FEET;
- SOUTH 30°58'46" EAST A DISTANCE OF 187.85 FEET;
- NORTH 51°01'00" EAST A DISTANCE OF 70.88 FEET;
- NORTH 51°01'00" EAST A DISTANCE OF 38.85 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF FAIRWAY DRIVE;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY THE FOLLOWING ONE CURVE AND THREE COURSES:

SOUTH 38°58'00" EAST A DISTANCE OF 36.21 FEET;

171.24 FEET ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 183.73 FEET, THE CHORD OF WHICH BEARS SOUTH 84°54'47" EAST A DISTANCE OF 183.82 FEET;

SOUTH 88°58'23" EAST A DISTANCE OF 78.30 FEET TO THE WEST RIGHT-OF-WAY LINE OF COUNTRY CLUB DRIVE;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING ONE COURSE AND ONE CURVE:

- SOUTH 00°51'35" WEST A DISTANCE OF 1238.87 FEET;
- 188.56 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 5260.00 FEET, THE CHORD OF WHICH BEARS SOUTH 00°51'35" WEST A DISTANCE OF 188.56 FEET TO THE INTERSECTION OF SAID CURVE AND EAST LINE OF SAID SECTION 17;
- THENCE SOUTH 02°32'34" WEST A DISTANCE OF 86.41 FEET TO THE MOST NORTHEASTERLY CORNER OF SAID TRIMBER RIDGE; THENCE ALONG THE BOUNDARY OF SAID TRIMBER RIDGE SOUTH 02°37'43" WEST A DISTANCE OF 418.77 FEET TO THE "INITIAL POINT" AND THE TERMINUS OF THIS DESCRIPTION.

SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAYS OF RECORD AND THOSE COMMON AND APPARENT ON THE LAND;

CONTAINS 832.14 ACRES, MORE OR LESS.

SURVEYOR'S NARRATIVE:

BE BEND RETAINED BY BEND GOLF AND COUNTRY CLUB, TO PREPARE AND MONUMENT CITY OF BEND PARTITION PZ 06-325, WHICH IS A PARTITION OF PORTIONS OF THE WEST ONE-HALF (1/2), THE SOUTHWEST ONE-QUARTER (SW1/4), AND THE SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER (S1/2 NE1/4) OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M., CITY OF BEND, DESCHUTES COUNTY, OREGON.

WITH THE LARGE SIZE OF THE PARCEL, THE COUNTY SURVEYOR WAIVED THE REQUIREMENTS FOR SURVEYING THE ENTIRE BOUNDARY, AS PERMITTED BY COUNTY CODE ONLY PARCELS 1 AND 2 HAVE BEEN SURVEYED WITH THIS PARTITION. THE ENTIRE PARCEL WAS SURVEYED BY JOE KORN IN 1987 RECORDED AS CS 18146. HE COMPLETED A FULL BOUNDARY SURVEY MONUMENTING THE ANGLE POINTS ON THE BOUNDARY AS NEEDED AND SHOWING THE RECORD MONUMENTATION. FROM THAT MAP THE BOUNDARY WAS MAPPED AS SHOWN ON SHEET 3.

DURING THE FIELD INVESTIGATION IT WAS FOUND THAT PACIFIC POWER AND LIGHT HAS AN UNDERGROUND POWER VAULT ON PARCEL 2. THIS VAULT IS LOCATED WITHIN A 12 FOOT WIDE ELECTRICAL UTILITY CASEMENT WHICH IS BEING CREATED ALONG THE EAST LINE OF PARCEL 1 & 2.

DECLARATION:

BEND GOLF AND COUNTRY CLUB, AN OREGON NON-PROFIT CORPORATION, TRUSTEE OF THE LAND ON THE PLAT OF PARTITION NO. 06-325 AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HERETO ATTACHED, HAS CAUSED SAID LAND TO BE PLATTED AS SHOWN ON SUCH PLAT AND DECLARE THE PLAT OF PARTITION NO. 06-325 TO BE PREPARED AND PROPERLY PARTITIONED IN ACCORDANCE WITH O.R.S. CHAPTER 83 AND UNITED STATES NATIONAL BANK OF OREGON AS BENEFACTORY OF TRUST DEEDS RECORDED IN VOLUME 3008, PAGE 88788 RECORDED IN THE COUNTY CLERK'S OFFICE ON AUGUST 14, 1908 AND U.S. BANK N.A. AS BENEFACTORY OF TRUST DEEDS RECORDED IN VOLUME 3008, PAGE 88788 RECORDED IN THE COUNTY CLERK'S OFFICE ON AUGUST 14, 1908. CONSENTS TO THE PLATTING OF PLAT OF PARTITION NO. 06-325 AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE HERETO ATTACHED AND HEREBY GRANTS A 12 FOOT WIDE ELECTRICAL EASEMENT AS SHOWN ON SHEET 4 TO PACIFIC POWER AND LIGHT, FOR ELECTRICAL POWER PURPOSES.

(SEE SHEET 2 FOR DECLARATION SIGNATURES)

DESCHUTES COUNTY OFFICIAL RECORD (001-3623)
 HENRY H. BROOKHUISER, COUNTY CLERK
 \$48.00
 06/28/2007 08:47:28 AM

PLAT INDEX:

- SHEET 1: SURVEYOR'S CERTIFICATE DECLARATION SURVEYOR'S NARRATIVE
- SHEET 2: PLAT SIGNATURES
- SHEET 3: PLAT BOUNDARY, PARCEL 1 CURVE, LINE TABLES FOR PARCELS 3 AND LEGEND.
- SHEET 4: PARCELS 1 & 2 RECORD REFERENCES AND LEGEND.

I CERTIFY THAT THIS IS A TRUE AND FACT COPY OF THE ORIGINAL PLAT.

REGISTERED PROFESSIONAL LAND SURVEYOR

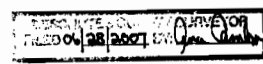
David R. Williams
 DR. ON JULY 1, 1984
 DAVID R. WILLIAMS
 EXP. 15 JUNE 30, 2008

REGISTERED PROFESSIONAL LAND SURVEYOR

David R. Williams
 JULY 1, 1984
 DAVID R. WILLIAMS
 EXP. 15 JUNE 30, 2008

PREPARED BY
WMA WILSON & ASSOCIATES, INC.
 9 PLANNING
 WILSON & ASSOCIATES, INC.
 200 W. BEND, BEND, OREGON 97701
 PHONE (503) 338-6200

SHEET 1 OF 4
 (050818)-1-3



CS17987

RECEIVED

APR 08 2009

WATER RESOURCES DEPT
 SALEM, OREGON

3-456

PARTITION 06-325

PARTITION FLAT NO. 2007-39

LOCATED THE WEST ONE-HALF AND THE SOUTHEAST ONE-QUARTER AND SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M. CITY OF BEND, DESCHUTES COUNTY, OREGON

DECLARATION SIGNATURES

BY: Connie Newport, President, Bend Golf and Country Club, Vestee. DATE: 1/19/07

ACKNOWLEDGMENT

STATE OF OREGON COUNTY OF DESCHUTES THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON January 19, 2007, BY CONNIE NEWPORT, PRESIDENT, BEND GOLF AND COUNTRY CLUB

Notary Public information for Karen Goodman, Commission No. 365690, expires March 13, 2007.

BY: [Signature] 1/19/07 DATE REPRESENTING UNITED STATES NATIONAL BANK OF OREGON, BENEFICIARY

ACKNOWLEDGMENT

STATE OF OREGON COUNTY OF Deschutes THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON January 19, 2007, BY Bruce England OF UNITED STATES NATIONAL BANK OF OREGON, BENEFICIARY.

Notary Public information for Karen Goodman, Commission No. 365690, expires March 13, 2007.

BY: [Signature] 1/19/07 DATE REPRESENTING U.S. BANK N.A., BENEFICIARY

ACKNOWLEDGMENT

STATE OF OREGON COUNTY OF Deschutes THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON January 19, 2007, BY Bruce England OF U.S. BANK N.A., BENEFICIARY.

Notary Public information for Karen Goodman, Commission No. 365690, expires March 13, 2007.

APPROVALS

THIS PARTITION PLAT AS LOCATED IN THE CITY OF BEND, DESCHUTES COUNTY, OREGON, HAS BEEN EXAMINED AND APPROVED:

Approvals from Deschutes County Surveyor, City of Bend Engineer, City of Bend Community Development Director, and Deschutes County Tax Collector.

I HEREBY CERTIFY THAT ALL AD VALOREM TAXES AND SPECIAL ASSESSMENTS, FEES AND OTHER CHARGES REQUIRED BY LAW TO BE PLACED ON THE 2006-2007 TAX ROLL WHICH BECAME A LIEN ON THIS PLAT OR WILL BECOME A LIEN DURING THIS TAX YEAR HAVE BEEN PAID TO ME.

Approvals from Deschutes County Assessor, Deschutes County Sanitarian, and Deschutes County Board of Commissioners.

SIGNATURE BY THE CITY OF BEND COMMUNITY DEVELOPMENT DIRECTOR AND ENGINEER CONSTITUTES ACCEPTANCE BY THE CITY OF BEND OF ANY DEDICATION MADE HEREIN TO THE PUBLIC.

THE LANDS CONTAINED WITHIN THE BOUNDARIES OF THIS PLAT LIE WITHIN THE SERVICE DISTRICT OF THE JUMPER WATER SYSTEM, INC. QUASI-MUNICIPAL WATER DISTRICT.

THE LANDS IN THE ATTACHED SURVEYOR'S CERTIFICATE CONTAIN 118.30 ACRES OF ADJACENT AND CERTIFIED WATER RIGHTS. TRANSFER OF THE ADJACENT WATER RIGHTS ON PARCEL 1 AND 2 HAS BEEN STARTED WITH ARNOLD IRRIGATION DISTRICT. REMAINING WATER RIGHTS ON PARCEL 3 WILL BE DETERMINED AS PART OF THE TRANSFER, WITH NO WATER RIGHTS REMAINING ON PARCEL 1 AND 2 ON COMPLETION OF THE TRANSFER.

Approval from Arnold Irrigation District dated 1/25/07.

DESCHUTES COUNTY SURVEYOR FILED 01/28/07 BY: [Signature]

REGISTERED PROFESSIONAL LAND SURVEYOR DAVID R. WILLIAMS 2006 RENEWAL DATED 06/30/06

PREPARED BY: NATIONAL SURVEYING ENGINEERS & PLANNERS ASSOCIATION

SHEET 2 OF 4

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APR 08 2009

WATER RESOURCES DEPT SALEM, OREGON

CS17387

CS17387

3.457

PARTITION 06-325

PARTITION PLAT NO. 2007-39

LOCATED THE WEST ONE-HALF AND THE SOUTHEAST ONE-QUARTER AND SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M., CITY OF BEND, DESCHUTES COUNTY, OREGON.

PLAT NOTES

1. ALL BEARINGS AND DISTANCES SHOWN ON THIS SHEET FOR PARCEL 3 ARE PER (1).
2. NOTE THAT ALL MONUMENTS ON THE NON-SURVEYED PARCEL ARE SHOWN FOR RECORD ONLY AND NOT PHYSICALLY FOUND.

LEGEND

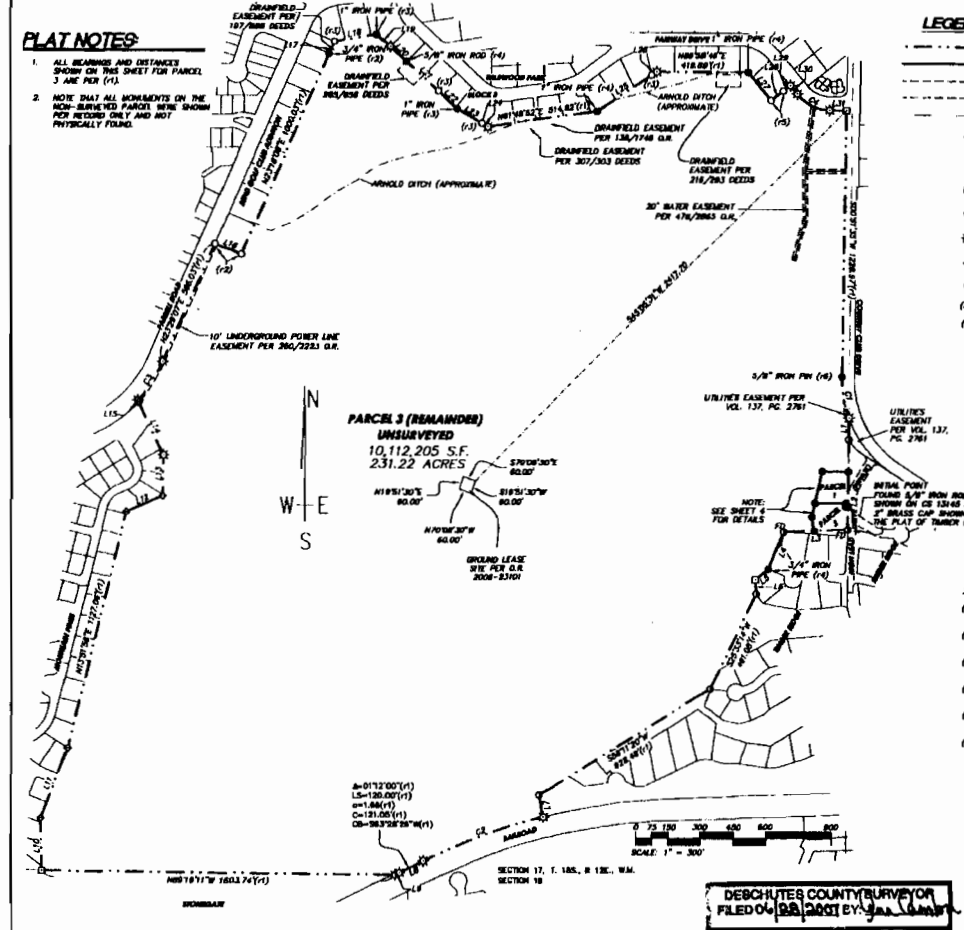
- PROJECT BOUNDARY
- PARCEL LINE
- PRIVATE ROAD EASEMENT
- EASEMENT LINE
- LEASE LINE
- SET 3/8" x 24" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "306"
- FOUND OR MAPPED 3/8" IRON ROD WITH NO CAP PER (4)
- FOUND OR MAPPED PK NAIL WITH ALUMINUM BANDER STAMPED "18 1081" PER (1)
- MAPPED AS NOD
- ★ FOUND OR MAPPED 3/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "306" PER (1)
- ◆ MAPPED 3/8" IRON ROD PER VOLUME ROD PAGE 82 RECORD
- MAPPED 1/2" IRON ROD AS NOD
- (M) MEASURED BEARING/DISTANCE
- (R) RECORD BEARING/DISTANCE

LINE	LENGTH	BEARING
11(1)	98.41'	S00°24'54"W
12(1)	418.77'	S00°27'43"W
13(1)	282.12'	S07°14'18"W
14(1)	183.54'	S11°14'17"W
15(1)	22.88'	S50°20'17"W
16(1)	65.00'	S04°30'00"W
17(1)	103.80'	S75°30'00"W
18(1)	121.00'	S83°28'38"W
19(1)	24.55'	S02°01'19"W
20(1)	525.81'	N05°18'31"W
21(1)	350.81'	N02°31'38"W
22(1)	186.63'	N06°17'00"W
23(1)	150.10'	N05°13'17"W
24(1)	285.00'	N03°34'18"W
25(1)	8.87'	S02°54'18"W
26(1)	124.81'	S05°14'30"W
27(1)	80.00'	S02°17'11"W
28(1)	154.82'	N05°10'34"W
29(1)	81.41'	S02°23'30"W
30(1)	100.00'	S07°24'42"W
31(1)	189.87'	S07°51'44"W
32(1)	118.18'	S07°04'12"W
33(1)	154.88'	S07°10'42"W
34(1)	30.31'	S07°02'48"W
35(1)	808.84'	N05°04'02"W
36(1)	88.00'	S05°04'02"W
37(1)	217.00'	S15°04'02"W
38(1)	70.00'	N05°01'00"W
39(1)	38.40'	N05°01'00"W
40(1)	50.00'	S15°04'02"W
41(1)	28.50'	S08°00'00"W

CURVE	LENGTH	RADIUS	DELTA	CHORD
CR(1)	188.86'	548.00'	87°37'14"	309.200' N 181.50'
CR(2)	488.26'	2014.79'	11°55'20"	570.000' N 587.25'
CR(3)	212.83'	802.00'	30°10'01"	163.782' N 211.17'
CR(4)	174.34'	188.72'	90°00'00"	58.912' S 188.97'

RECORD REFERENCES

- (1) BOUNDARY SURVEY FOR BEND GOLF AND COUNTRY CLUB BY JEFF HETH FILED DECEMBER 23, 1997, DESCHUTES COUNTY SURVEY NUMBER C51314A.
- (2) BEND GOLF CLUB ADDITION BY B. HADSON FILED FEBRUARY 23, 1984, DESCHUTES COUNTY SURVEY NUMBER C50507B.
- (3) BIRCHWOOD PARK PLAT BY GEORGE COOK, FILED AUGUST 4, 1963, DESCHUTES COUNTY SURVEY NUMBER C50903A.
- (4) TIMBER RIDGE PLAT BY RICHARD BRYANT, FILED JUNE 16, 1976, DESCHUTES COUNTY SURVEY NUMBER C50903A.
- (5) SURVEY OF A PORTION OF LOT 33, BLOCK 3 BIRCHWOOD PARK BY GEORGE COOK, FILED JUNE 1, 1977, DESCHUTES COUNTY SURVEY NUMBER C50903A.
- (6) PLAT OF SURVEY BY THOMAS BLUST, FILED MARCH 17, 1967, DESCHUTES COUNTY SURVEY NUMBER C50903A.



DESCHUTES COUNTY SURVEYOR
 FILED BY DAVID R. WILLIAMS
 1/2/07
 RENEWAL DATE 04/28/08

PREPARED BY
MA MECHANICAL, ELECTRICAL & PLUMBING
 MECHANICAL, ELECTRICAL & PLUMBING, INC.
 600 SW 10TH AVENUE, SUITE 1000, BEND, OREGON 97701
 PHONE (503) 338-3300

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APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

3-458

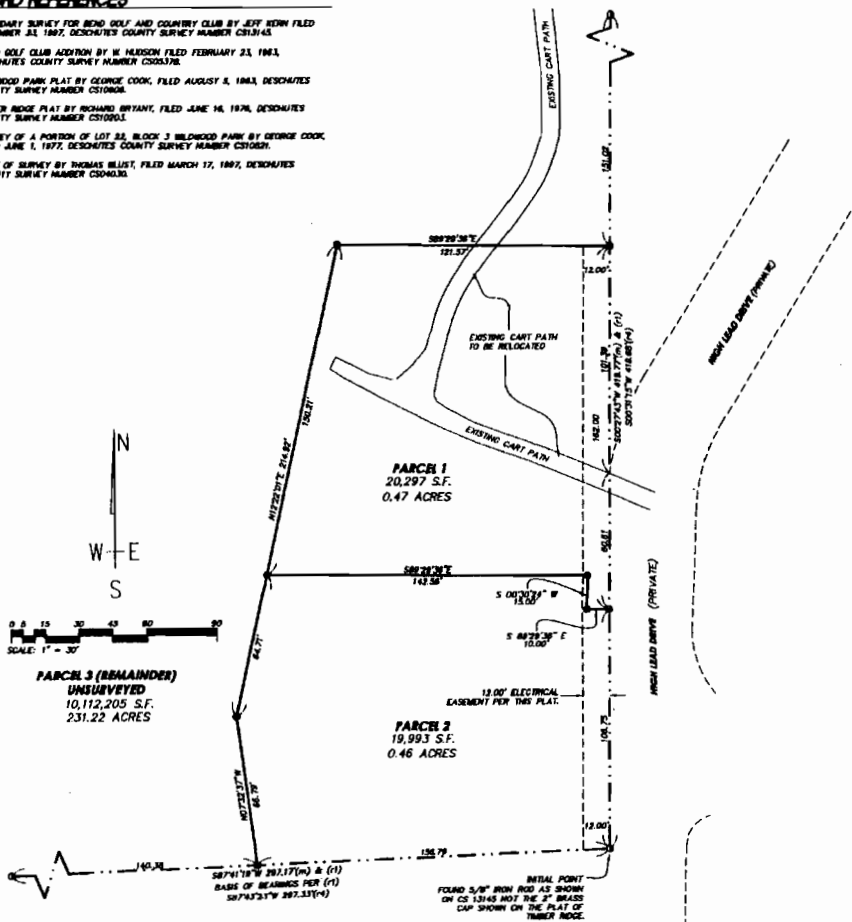
PARTITION 06-325

PARTITION PLAT NO. 2007-39

LOCATED THE WEST ONE-HALF AND THE SOUTHEAST ONE-QUARTER AND SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M., CITY OF BEND, DESCHUTES COUNTY, OREGON.

RECORD REFERENCES

- (1) BOUNDARY SURVEY FOR BEND GOLF AND COUNTRY CLUB BY JEFF DEHN FILED DECEMBER 31, 1967, DESCHUTES COUNTY SURVEY NUMBER C51343.
- (2) BEND GOLF CLUB ADDITION BY W. HURSON FILED FEBRUARY 23, 1963, DESCHUTES COUNTY SURVEY NUMBER C003376.
- (3) WILLOW PARK PLAT BY GEORGE COOK, FILED AUGUST 8, 1943, DESCHUTES COUNTY SURVEY NUMBER C51006.
- (4) THUNDER RIDGE PLAT BY RICHARD BRYANT, FILED JUNE 16, 1976, DESCHUTES COUNTY SURVEY NUMBER C510001.
- (5) SURVEY OF A PORTION OF LOT 23, BLOCK 3 WILLOW PARK BY GEORGE COOK, FILED JUNE 1, 1977, DESCHUTES COUNTY SURVEY NUMBER C51006.
- (6) PLAT OF SURVEY BY THOMAS BLUST, FILED MARCH 17, 1997, DESCHUTES COUNTY SURVEY NUMBER C006033.



LEGEND

- PROJECT BOUNDARY
- PARCEL LINE
- - - PRIVATE ROAD EASEMENT
- EASEMENT LINE
- SET 5/8" x 34" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TMM"
- FOUND OR MAPPED 5/8" IRON ROD WITH NO CAP PER (1)
- FOUND OR MAPPED PK NAIL WITH ALUMINUM WASHER STAMPED "LS 1081" PER (1)
- MAPPED AS NOTED
- ☆ FOUND OR MAPPED 3/4" IRON ROD WITH YELLOW PLASTIC CAP MARKED "DEHN L51081" PER (1)
- MAPPED 5/8" IRON ROD PER VOLUME 802, PAGE 573 OREGON RECORDS
- MAPPED 1/2" IRON ROD AS NOTED
- (M) MEASURED BEARING/DISTANCE
- (?) RECORDED BEARING/DISTANCE
- FD FOUND MONUMENTATION

DESCHUTES COUNTY SURVEYOR
FILED 06/25/07 BY: [Signature]

PREPARED BY:
 REGISTERED PROFESSIONAL LAND SURVEYOR
 [Signature]
 DAVID R. WILLIAMS
 REVENUE DATE 06/28/07

REGISTERED SURVEYING PROFESSIONAL & PLANNING
 MICHAEL WILLIAMS & ASSOCIATES, INC.
 600 NW 20TH AVENUE, SUITE 1000, BEND, OREGON 97701
 PHONE (503) 339-1400

SHEET 4 OF 4
000818-1

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APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

17:18

AMERITITLE

1541 317 5106

P.02.03



63446-31

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

LISA M. BURNS
1915 INDIAN SUMMER RD
RIDGE, OR 97133

If a change is requested all
our statements shall be sent to
the following address:

LISA M. BURNS
1915 INDIAN SUMMER RD
RIDGE, OR 97133

Instrument No. BA063446LR

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2008-17376



\$31.00

D-D Cnt=1 Stmt=1 BECKETY
\$2.00 \$11.00 \$10.00 \$9.00

03/31/2004 02:05:09 PM

STATUTORY WARRANTY DEED

RAQUEL D. MOODY, Grantor(s) hereby convey and warrant to LISA M. BURNS, 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.

Lot 1 section 04, Block 10, DESCHUTES RIVER WOODS, Deschutes County, Oregon.

IN LT 2500 01000

107531

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 \$134,000.00.

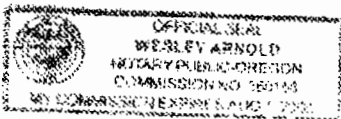
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING THE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.032.

Dated this 30 day of November, 2007.

Raquele Moody
RAQUEL MOODY

State of Oregon
County of Deschutes

This instrument was acknowledged before me on March 30, 2008 by RAQUEL D. MOODY.



Wesley Arnold
(Notary Public for Oregon)
My commission expires Aug 1, 2009

After recording, return to:
AmeriTitle
15 OREGON AVENUE, SEAS

RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

District Internal
Notice # _____

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)



Arnold Irrigation District
P.O. Box 9220
Bend, Oregon 97708
PHONE: 541-382-7664 FAX: 541-382-0833

1. **WATER RIGHT**
CERTIFICATE #74197
PRIORITY DATE 02/01/1905 - 04/25/1905
DESCHUTES COUNTY
WATER RIGHT UNDER NAME OF ARNOLD IRRIGATION DISTRICT

2. **APPLICANT**
NAME Lisa Burns
ADDRESS 19315 Indian Summer Rd.
ENCUMBRANCES _____

3. **TYPE OF CHANGE:** PERMANENT CHANGE IN PLACE OF USE

4. **LOCATION OF USE**
AUTHORIZED POINT OF DIVERSION _____

LOCATION OF AUTHORIZED PLACE OF USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE
18	11	25	NE NW	2000	.25	

5. **RECIPIENT**
NAME _____
ADDRESS _____

6. LOCATION OF PROPOSED USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE

7. **EXHIBITS**
A. Map showing the location of the present and proposed irrigated lands.

Arnold Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years or the right appurtenant is not subject to forfeiture, and that applicant and recipient hereby authorize the transfer proposed herein.

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 holders.

ARNOLD IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: x Lisa M Burns Name _____ Date NOV 29, 2005
RECIPIENT: Maan Gu Name _____ Date 11/29/05
FOR DISTRICT: _____ Name _____ Date _____

RECEIVED
APR 08 2009
WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)



Arnold Irrigation District
P.O. Box 9220
Bend, Oregon 97708
PHONE: 541-382-7664 FAX: 541-382-0833

1. **WATER RIGHT**
CERTIFICATE #74197
PRIORITY DATE 02/01/1905 - 04/25/1905
DESCHUTES COUNTY
WATER RIGHT UNDER NAME OF ARNOLD IRRIGATION DISTRICT ~~880~~
2. **APPLICANT**
NAME CIRCLE K PARTNERSHIP
ADDRESS 61335 NEWS LANE, BEND, OR 97702
ENCUMBRANCES _____
3. **TYPE OF CHANGE:** PERMANENT CHANGE IN PLACE OF USE
4. **LOCATION OF USE**
AUTHORIZED POINT OF DIVERSION _____

LOCATION OF AUTHORIZED PLACE OF USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE
18	12	09	NW SW	800	.81 ac	

5. **RECIPIENT**
NAME _____
ADDRESS _____

6. LOCATION OF PROPOSED USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE

7. **EXHIBITS**
A. Map showing the location of the present and proposed irrigated lands.

Arnold Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years or the right appurtenant is not subject to forfeiture, and that applicant and recipient hereby authorize the transfer proposed herein.

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 holders.

ARNOLD IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: Terone Rippe, Mgr RECEIVED 10/12/04
Name _____ Date _____
RECIPIENT: Shawn Gerdes, Manager APR 08 2009 10/12/04
Name _____ Date _____
FOR DISTRICT: _____
Name _____ Date _____

WATER RESOURCES DEPT
SALEM, OREGON



00823391200800295260030033

07/11/2008 03:48:19 PM

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

BARGAIN AND SALE DEED

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

3

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

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

“Circle K Ranch Limited Partnership, Grantor, by and through its manager, Patricia Kipnis, conveys to Arnold Irrigation District, Grantee, the following described real property:

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

** 181209C00800

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

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON’S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW THE USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARM OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

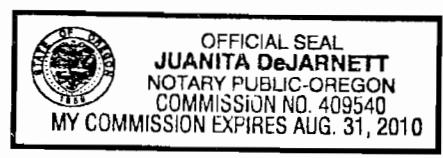
Signed Nunc Pro Tunc this 12th day of October, 2004.

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APR 08 2009
WATER RESOURCES DEPT
SALEM, OREGON

Patricia Kipnis
Patricia Kipnis, Manager, Circle K Ranch Limited Partnership

STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 19th day of May, 2008, by Patricia Kipnis, Grantor.



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

ACCEPTANCE

Shawn Gerdes, District Manager, Arnold Irrigation District, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

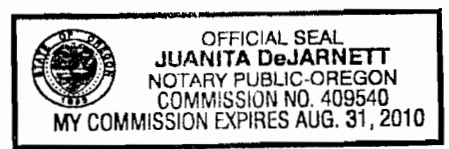
DATED this 20th day of May, 2008.

Arnold Irrigation District

By: Shawn Gerdes
Shawn Gerdes, District Manager

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Shawn Gerdes the above-named manager, and acknowledged the foregoing instrument on behalf of Arnold Irrigation District. Before me this 20th day of May, 2008.



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

RECEIVED
APR 08 2009
WATER RESOURCES DEPT
SALEM, OREGON

Exhibit "A"

Beginning at a point on the West boundary line of Section Nine (9) a distance of 410.9 feet South of the quarter corner between Section Eight (8) and Nine (9), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN, thence East 530 feet; thence North 110.9 feet, thence East 300 feet, thence South 255 feet, thence East 478 feet to a point on the East boundary line of the Northwest Quarter of the Southwest Quarter of Section 9, thence South on said boundary line a distance of 767.5 feet to the Southeast corner of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 9; thence West along the South boundary of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 1308 feet to the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence North along the Section line between Sections 8 and 9 a distance of 911.6 feet to the point of beginning, all in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section Nine (9), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN.

EXCEPTING THEREFROM: Beginning at an iron pipe marking the Southeast corner of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Nine (9), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN, in Deschutes County, Oregon, thence North $00^{\circ} 26' 46''$ East along the East line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 9, 762.72 feet to an iron road marking the Southwest corner of a tract of land convey to Edwin I. Shaw by deed recorded in volume 127, Page 315, Deed Records for said County and State, thence North $89^{\circ} 37' 26''$ West along the South line of said Shaw tract 478.00 feet to an iron rod; thence South $00^{\circ} 26' 46''$ West 765.28 feet to a point on the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 9; thence South $89^{\circ} 55' 52''$ East 478.00 feet to the place of beginning.

ALSO EXCEPTING THEREFROM: That portion of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Nine (9), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, described as follows:

Beginning at an iron rod which is 762.72 feet North $00^{\circ} 26' 46''$ East and 478.00 feet North $89^{\circ} 37' 26''$ West from the Southeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 9; thence South $37^{\circ} 05' 14''$ West 338.61 feet to an iron rod; thence South $54^{\circ} 16' 04''$ West 104.91 feet to an iron rod; thence North $82^{\circ} 30' 26''$ West 169.23 feet to an iron rod; thence South $78^{\circ} 28' 41''$ West 380.47 feet to an iron rod on the West line of the SW $\frac{1}{4}$ of said Section 9, thence South $00^{\circ} 25' 30''$ West along the West line of the SW $\frac{1}{4}$ of said Section 9, a distance of 25.26 feet to the Northwest corner of the West 360.0 feet of the South 360.0 feet of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 9; thence Easterly 360.0 feet to the Northeast corner of the West 350.0 feet of the South 360.0 feet of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 9; thence South $00^{\circ} 25' 30''$ West 360.0 feet to the Southeast corner of the West 360.0 feet of the South 360.0 feet of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 9; thence Easterly along the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 9 to a point which is 478.00 feet Westerly from the Southeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section, thence North $00^{\circ} 26' 46''$ East 765.28 feet to the point of the beginning.

ALSO EXCEPTING THEREFORM: The West 360 feet of the South 360 feet of NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section Nine (9), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon.

RECEIVED

APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

493 2569

BARGAIN AND SALE DEED	
JEROME L. KIPNIS AND PATRICIA H. KIPNIS 61395 Brosterhaus Road Bend, OR 97702	Grantors
CIRCLE K RANCH LIMITED PARTNERSHIP 61395 Brosterhaus Road Bend, OR 97702	Grantee
After recording return to: HANNA, KERNS & STRADER, P.C. 1300 SW Sixth Avenue, Suite 300 Portland, OR 97201	

98-20487

STATE OF OREGON)
COUNTY OF DESCHUTES) SS.
I, MARY SUE PENNINGLOW, COUNTY CLERK AND
RECORDER OF CONVEYANCES, IN AND FOR SAID
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS RECORDED THIS DAY:
98 MAY 13 AM 11:17
MARY SUE PENNINGLOW
COUNTY CLERK

BY: *Mary Sue Penninglow*
98-20487 FEE 40
NO. DESCHUTES COUNTY OFFICIAL RECORDS

copy on

BARGAIN AND SALE DEED - STATUTORY FORM

JEROME L. KIPNIS AND PATRICIA H. KIPNIS, HUSBAND AND WIFE, Grantors, convey to CIRCLE K RANCH LIMITED PARTNERSHIP, an Oregon limited partnership, Grantee, the following real property situated in Deschutes County, Oregon, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.
Also known as 61335 News Lane, Bend, Oregon.

The true consideration for this conveyance is: \$0. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

DATED this 30th day of April, 1998

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 30.950.

Jerome L. Kipnis
Jerome L. Kipnis
Patricia H. Kipnis
Patricia H. Kipnis

State of Oregon)
County of Deschutes) SS.

Personally appeared the above named Jerome L. Kipnis and Patricia H. Kipnis and acknowledged the foregoing to be their voluntary act and deed.

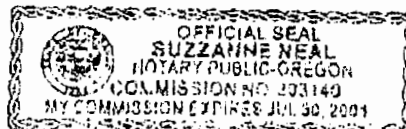
Before me this 30 day of April, 1998

Suzanne Neal
Notary Public in and for Oregon
My Commission Expires: 7-30-2001

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

CIRCLE K RANCH LIMITED PARTNERSHIP
61395 Brosterhaus Road
Bend, OR 97702

RECEIVED



493 - 2570

EXHIBIT A

Beginning at a point on the West boundary line of Section Nine (9) a distance of 410.9 feet South of the quarter corner between Section Eight (8) and Nine (9), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN, thence East 530 feet; thence North 110.9 feet, thence East 300 feet, thence South 255 feet, thence East 478 feet to a point on the East boundary line of the Northwest Quarter of the Southwest Quarter of Section 9; thence South on said boundary line a distance of 767.5 feet to the Southeast corner of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 9; thence West along the South boundary of the NW 1/4 SW 1/4 a distance of 1308 feet to the Southwest corner of the NW 1/4 SW 1/4; thence North along the Section line between Sections 8 and 9 a distance of 911.6 feet to the point of beginning, all in the NW 1/4 SW 1/4 of Section Nine (9), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN.

EXCEPTING THEREFROM: Beginning at an iron pipe marking the Southeast corner of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section Nine (9), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN, in Deschutes County, Oregon, thence North $00^{\circ} 26' 46''$ East along the East line of the NW 1/4 SW 1/4 of said Section 9, 762.72 feet to an iron rod marking the Southwest corner of a tract of land conveyed to Edwin I. Shaw by deed recorded in Volume 127, Page 315, Deed Records for said County and State; thence North $89^{\circ} 37' 26''$ West along the South line of said Shaw tract 478.00 feet to an iron rod; thence South $00^{\circ} 26' 46''$ West 765.28 feet to a point on the South line of the NW 1/4 SW 1/4 of said Section 9; thence South $89^{\circ} 55' 52''$ East 478.00 feet to the place of beginning.

ALSO EXCEPTING THEREFROM: That portion of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section Nine (9), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, described as follows:

Beginning at an iron rod which is 762.72 feet North $00^{\circ} 26' 46''$ East and 478.00 feet North $89^{\circ} 37' 26''$ West from the Southeast corner of the NW 1/4 SW 1/4 of said Section 9; thence South $37^{\circ} 05' 14''$ West 338.61 feet to an iron rod; thence South $54^{\circ} 16' 04''$ West 104.91 feet to an iron rod; thence North $82^{\circ} 30' 26''$ West 169.23 feet to an iron rod; thence South $78^{\circ} 28' 41''$ West 380.47 feet to an iron rod on the West line of the SW 1/4 of said Section 9; thence South $00^{\circ} 25' 30''$ West along the West line of the SW 1/4 of said Section 9, a distance of 25.26 feet to the Northwest corner of the West 360.0 feet of the South 360.0 feet of the NW 1/4 SW 1/4 of said Section 9; thence Easterly 360.0 feet to the Northeast corner of the West 360.0 feet of the South 360.0 feet of the NW 1/4 SW 1/4 of said Section 9; thence South $00^{\circ} 25' 30''$ West 360.0 feet to the Southeast corner of the West 360.0 feet of the South 360.0 feet of the NW 1/4 SW 1/4 of said Section 9; thence Easterly along the South line of the NW 1/4 SW 1/4 of said Section 9 to a point which is 478.00 feet Westerly from the Southeast corner of the NW 1/4 SW 1/4 of said Section; thence North $00^{\circ} 26' 46''$ East 765.28 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: The West 360 feet of the South 360 feet of NW 1/4 SW 1/4 of Section Nine (9), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon.

Exhibit A

REG-8845-380135-N12-WP40518

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WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)



Arnold Irrigation District
P.O. Box 9220
Bend, Oregon 97708
PHONE: 541-382-7664 FAX: 541-382-0833

1. **WATER RIGHT**
CERTIFICATE #74197
PRIORITY DATE 02/01/1905 - 04/25/1905
DESCHUTES COUNTY
WATER RIGHT UNDER NAME OF ARNOLD IRRIGATION DISTRICT

2. **APPLICANT**
NAME Central Oregon Investors, LLC
ADDRESS 1750 SW Harbor Way, Suite 310 - Portland, OR 97201
ENCUMBRANCES none

3. **TYPE OF CHANGE:** PERMANENT CHANGE IN PLACE OF USE

4. **LOCATION OF USE**
AUTHORIZED POINT OF DIVERSION _____

LOCATION OF AUTHORIZED PLACE OF USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE
18	12	09	BB	00700	.48	Irrigation

5. **RECIPIENT**
NAME _____
ADDRESS _____

6. **LOCATION OF PROPOSED USE**

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE

7. **EXHIBITS**
A. Map showing the location of the present and proposed irrigated lands.

Arnold Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years or the right appurtenant is not subject to forfeiture, and that applicant and recipient hereby authorize the transfer proposed herein.

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 holders.

ARNOLD IRRIGATION DISTRICT AND APPLICANT HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: _____ Date 6-20-08

RECIPIENT: _____ Date _____

FOR DISTRICT: Juanita DeJarnett Name Date June 25, 2008

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APR 08 2009

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2008-30003



\$41.00

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

07/15/2008 04:01:48 PM

BARGAIN AND SALE DEED

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

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

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

Central Oregon Investors, LLC, Grantor, by and through its Member, Brent Keys,
conveys to Arnold Irrigation District, Grantee, the following described real property:

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

** 181209BB00700

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

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON
TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF
ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS
INSTRUMENT DOES NOT ALLOW THE USE OF THE PROPERTY DESCRIBED IN THIS
INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND
REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON
ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED
USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARM OR FOREST
PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF
NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS
2005 (BALLOT MEASURE 37 (2004)).

Signed this 19 day of June, 2008.

RECEIVED

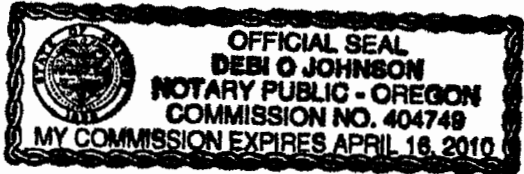
APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

[Signature]
Brent Keys, Member, Central Oregon Investors, LLC

STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 19 day of June, 2008, by Brent Keys, Grantor.



[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires: 4/18/10

ACCEPTANCE

Shawn Gerdes, District Manager, Arnold Irrigation District, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

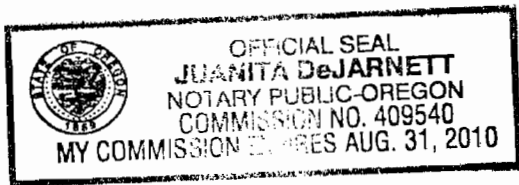
DATED this 1st day of July, 2008.

Arnold Irrigation District

By: [Signature]
Shawn Gerdes, District Manager

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Shawn Gerdes the above-named manager, and acknowledged the foregoing instrument on behalf of Arnold Irrigation District. Before me this 1st day of July, 2008.



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

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APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

Exhibit "A"

Parcel 7:

A portion of Tract Twelve (12) of the unofficial plat of CARROLL ACRES, in the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, described as follows: Beginning at an iron pipe at the Southwest corner of Tract Twelve 912); thence North 0° 44' 43" East for 169.66 feet to an iron pipe; thence South 89° 36' 42" East for 192.00 feet to an iron pipe; thence South 0° 44' 43" West for 169.66 feet to an iron pipe, thence North 89° 36' 42" West for 192.00 feet to the Point of Beginning.

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APR 08 2009

WATER RESOURCES DEPT
SALEM, OREGON

BT 87885 CD 66

THIS SPACE RESERVED FOR RECORDER'S USE



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2008-02340



\$66.00

D-D Cnt=1 Stn=7 PG
\$20.00 \$11.00 \$10.00 \$5.00 \$20.00

01/18/2008 09:32:48 AM

After recording return to:
CENTRAL OREGON INVESTORS, LLC
1750 SW HARBOR WAY, SUITE 310
PORTLAND, OR 97201

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

CENTRAL OREGON INVESTORS, LLC
1750 SW HARBOR WAY, SUITE 310
PORTLAND, OR 97201

new

Escrow No. BT087885CD
Title No. 087885
SWD

STATUTORY WARRANTY DEED

10058
11432
KAYE FRANKLIN AND REGENA P. FRANKLIN, not as tenants in common but with the rights of survivorship, dba E F K R PROPERTIES, Grantor(s) hereby convey and warrant to CENTRAL OREGON INVESTORS, LLC, an Oregon Limited Liability Company, Grantee(s) the following described real property in the County of DESCHUTES and State of Oregon free of encumbrances except as specifically set forth herein:

PARCEL 1:

A portion of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Four (4), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the Southeast corner of the SW1/4 of the SW1/4 of Section 4, Township 18 South, Range 12, E.W.M.; thence North 89°11'47" West, a distance of 744.10 feet along the South line of said SW1/4SW1/4; thence due North, a distance of 15.00 feet; thence South 88°21'02" East, a distance of 744.33 feet to a point on the East boundary of the SW1/4SW1/4, Section 4, Township 18 South, Range 12, E.W.M.; thence South 0°05'25" East, a distance of 4.0 feet to the point of beginning.

Also that certain parcel of land, more particularly described by metes and bounds as beginning at the Northeast corner of the West Half of the Northwest Quarter (W1/2NW1/4) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian; thence South along the East line of said W1/2NW1/4 of said Section, Township, and Range, 326.46 feet; thence Westerly 338.24 feet; thence Northerly 69 feet; thence Westerly 407 feet; thence Northerly 250.69 feet to a point in the line between Sections 4 and 9 of said Township and Range; thence Easterly along said Section line for a distance of 744.10 feet to the place of beginning, said tract being a part of the Northwest Quarter Northwest Quarter (NW1/4NW1/4) of Section 9, Township 18 South, Range 12, E.W.M., D.C.O.

Excepting therefrom the following:

Beginning at a point on the line between Sections 4 and 9, which point is located North 89°11'47" West, a distance of 744.10 feet from the Southeast corner of the SW1/4SW1/4 of Section 4, Township 18 South, Range 12, E.W.M.; thence South 0°44'43" West, a distance of 225.69 feet; thence South 89°36'42" East, a distance of 365.00 feet; thence North 0°44'43" East, a distance of 232.66 feet; thence North 88°21'02" West, a distance of 365.15 feet; thence due South for 15.00 feet to the point of beginning.

PARCEL 2:

A portion of Tract Fourteen (14), CARROLL ACRES, Deschutes County, Oregon, described as follows:

Beginning at a point on the line between Sections Four (4) and Nine (9), which point is located North 89°11'47" West, a distance of 744.10 feet from the Southeast corner of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Four (4), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian; thence South 0°44'43" West, a distance of 225.69 feet; thence South 89°36'42" East, a distance of 365.00 feet; thence North 0°44'43" East, a distance of 232.66 feet;

After recording, return to
AmeriTitle
45 OREGON AVENUE, BEND

WATER RESOURCES DEPT
SALEM, OREGON
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thence North $88^{\circ}21'02''$ West, a distance of 365.15 feet; thence due South for 15.00 feet to the point of beginning.

PARCEL 3:

That part of the West Half of the Northwest Quarter (W1/2NW1/4) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the Northeast corner of the W1/2NW1/4 of Section 9, Township 18 South, Range 12, E.W.M.; thence Southerly 326.46 feet along the Easterly boundary line of Tract Fourteen (14) of Carroll Acres to the Northeast corner of Tract Thirteen (13), Carroll Acres, being the point of beginning of the tract to be conveyed; thence Westerly along the North line of said Tract 13, a distance of 275 feet; thence Southerly on a line parallel with the East line of said Tract 13 to a point on the South line thereof; thence Easterly along the South line of said Tract 13, a distance of 275 feet to the Southeast corner thereof; thence Northerly along the East line of said Tract 13, a distance of 292.09 feet to the point of beginning.

PARCEL 4:

That part of the West Half of the Northwest Quarter (W1/2NW1/4) of Section Nine (9) Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, as described as follows:

Beginning at the Northeast corner of the W1/2NW1/4 of Section 9, Township 18 South, Range 12, E.W.M.; thence Southerly 326.46 feet along the Easterly boundary line of Tract 14 of Carroll Acres to the Southeast corner of said Tract 14; thence 275 feet Westerly along the Southerly boundary line of Tract 14 of Carroll Acres to the point of beginning; thence 63.24 feet Westerly along the Southerly boundary line of Tract 14 of Carroll Acres; thence 69 feet North; thence 232.02 feet Westerly to a point, which point measures as follows: From the Southwest corner of Tract 14; thence Easterly along the Southerly boundary of Tract 14, 175 feet and North from that point 75.8 feet, said point being the Northeast corner of the Berry Tract; thence 88.8 feet South; thence 175 feet West to the Westerly boundary of Tract 13; thence Southerly 279.2 feet along the Westerly boundary line of Tract 13 to the Southwest corner of said Tract 13; thence Easterly along the Southerly boundary of Tract 13 of Carroll Acres, 471.25 feet; thence North to the point of beginning, being a part of Tracts 13 and 14 of Carroll Acres.

PARCEL 5:

Tract Twelve (12) of Carroll Acres, being more particularly described as follows:

Beginning at a point 618.55 feet South of the Northeast corner of the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon; thence South on the East line of said NW1/4NW1/4 for a distance of 291.66 feet; thence West (N. $89^{\circ}36'42''$ W.) for 747.26 feet; thence North (N. $0^{\circ}44'43''$ E.) for 291.66 feet; thence East (S. $89^{\circ}36'42''$ E) for 746.25 feet.

Excepting therefrom a tract in the Southwest corner of said Tract Twelve (12), more particularly described as follows:

Beginning at an iron pipe at the Southwest corner of the above described Tract 12; thence North $0^{\circ}44'43''$ East for 169.66 feet to an iron pipe; thence South $89^{\circ}36'42''$ East for 192.00 feet to an iron pipe; thence South $0^{\circ}44'43''$ West for 169.66 feet to an iron pipe; thence North $89^{\circ}36'42''$ West for 192.00 feet to the point of beginning.

PARCEL 6:

A triangular parcel of land lying Southeasterly of the right of way of the Central Oregon Irrigation Company's Canal, the same being situate in the Southeasterly corner of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Four (4), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon.

Except a portion of the SW1/4 of the SW1/4 of Section 4, Township 18 South, Range 12, E.W.M., described as follows:

WATER RESOURCES DEPT
SALEM, OREGON

APR 08 2009

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Beginning at the Southeast corner of the SW1/4SW1/4 of Section 4, Township 18 South, Range 12, E.W.M.; thence North 89°11'47" West, a distance of 744.10 feet along the South line of said SW1/4SW1/4; thence due North, a distance of 15.00 feet; thence South 88°21'02" East, a distance of 744.33 feet to a point on the East boundary of the SW1/4SW1/4 of Section 4, Township 18 South, Range 12, E.W.M.; thence South 0°05'25" East, a distance of 4.0 feet to the point of beginning.

Also except that part of the SW1/4SW1/4 described as follows:

Beginning at a point located 380.0 feet North 0°05'25" West of the West 1/16 corner of Sections Four (4) and Nine (9); thence North 90° West 361.23 feet to the Easterly right-of-way line of the Central Oregon Canal; thence Northerly and Easterly along said Central Oregon Canal right-of-way to a point that is 611.06 feet North 0°05'25" West of said West 1/16 corner; thence South 0°05'25" East 231.06 feet to the point of beginning.

Except that portion lying Westerly of Alstrup Road.

PARCEL 7:

A portion of Tract Twelve (12) of the unofficial plat of CARROLL ACRES, in the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, described as follows: Beginning at an iron pipe at the Southwest corner of Tract Twelve (12); thence North 0°44'43" East for 169.66 feet to an iron pipe; thence South 89°36'42" East for 192.00 feet to an iron pipe; thence South 0°44'43" West for 169.66 feet to an iron pipe; thence North 89°36'42" West for 192.00 feet to the Point of Beginning.

PARCEL 8:

A tract of land located in the Northwest Quarter (NW1/4) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, and being part of Tract 1 of Carroll Acres and being more fully described as follows:

Beginning at a point 284.97 feet East and South 03°58' East, 710.2 feet from the Northwest corner of Section 9, Township 18 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon, and running thence South 03°58' East, 82.53 feet to the North line of the Brosterhous Road; thence along the North right of way line of said Brosterhous Road, South 45°58'35" East, 42.70 feet; thence around a 389.25 foot radius curve right, 44.93 feet to the true point of beginning, long chord bears South 42°40'07" East, 44.91 feet;

thence around a 389.25 foot radius curve right, 139.66 feet, long chord bears South 29°05'00" East, 138.91 feet; thence South 18°48'17" East, 43.84 feet; thence East, 22.39 feet to the West right of way line of the Alstrup Road; thence along the West right of way line of said Alstrup Road, North 01°01'43" East, 207.70 feet; thence South 67°26'48" West, 116.69 feet to the true point of beginning.

PARCEL 9:

That part of the West Half of the Northwest Quarter (W1/2NW1/4) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, described as follows, to wit:

Beginning at the Northeast corner of said West Half of the Northwest Quarter (W1/2NW1/4) and running thence Westerly 744.10 feet along the North line of Tract 14 Carroll Acres; thence South 250.69 feet to the actual point of beginning of this description; thence South 94 feet; thence East 175.0 feet; thence North 88.8 feet; thence Westerly along the line fence 175.2 feet to point of beginning.

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

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

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE

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WATER RESOURCES DEPT
SALEM, OREGON

ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Dated this 17 day of January, 2008

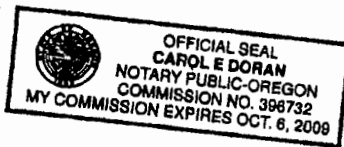
Kaye Franklin
KAYE FRANKLIN
Regena P. Franklin
REGENA P. FRANKLIN

State of Oregon
County of DESCHUTES

This instrument was acknowledged before me on January 17, 2008 by KAYE FRANKLIN, REGENA P. FRANKLIN and.

Carol E. Doran
(Notary Public for Oregon)

My commission expires 10-6-2009



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SALEM, OREGON

District Internal
Notice # _____

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)



Arnold Irrigation District
P.O. Box 9220
Bend, Oregon 97708
PHONE: 541-382-7664 FAX: 541-382-0833

1. WATER RIGHT

CERTIFICATE #74197
PRIORITY DATE 02/01/1905 - 04/25/1905
DESCHUTES COUNTY
WATER RIGHT UNDER NAME OF ARNOLD IRRIGATION DISTRICT

2. APPLICANT

NAME: John & Alice Cymbala
ADDRESS: Property Address: 19490 Calico Rd., Bend, OR, 97702
Mailing Address: 1110 Catalina Dr., Unit #102, Lake Havasu City, AZ 96403
ENCUMBRANCES _____

3. TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE

4. LOCATION OF USE

AUTHORIZED POINT OF DIVERSION _____

LOCATION OF AUTHORIZED PLACE OF USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE
18	11	24	SW NE	03300	1.10	

5. RECIPIENT

NAME _____
ADDRESS _____

6. LOCATION OF PROPOSED USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE

7. EXHIBITS

A. Map showing the location of the present and proposed irrigated lands.

Arnold Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years or the right appurtenant is not subject to forfeiture, and that applicant and recipient hereby authorize the transfer proposed herein.

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 holders.

ARNOLD IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT:

John Cymbala
Alice Cymbala

APPLICANT:

Alice Cymbala

RECIPIENT:

Shawn Cierdes
Name *Shawn Cierdes, Manager*

FOR DISTRICT:

Name _____

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Date 2-2-07

APR 18

Date 2-2-07

WATER RESOURCES DEPT
SALEM, OREGON

Date

Date

94-06991

329 - 2504

RECORDED BY STATUTORY WARRANTY DEED

RESIGNED FILE & ESCROW BY

11234-SP

RUTNAM A. MERRIAM Grantor, conveys and warrants to JOHN W. CYMBALA and ALICE M. CYMBALA, husband and wife, Grantees.

The following described real property free of liens and encumbrances, except as specifically set forth herein:

SEE ATTACHED EXHIBIT 'A'

Record No. 18-11-24-3390, SERIAL NO. 110922, CODE 1-1

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 AGREEMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

This property is free of liens and encumbrances, EXCEPT: The existence of roads, railroads, irrigation ditches & canals, telephones, telegraph & power transmission facilities; easement as shown on Deschutes County Assessor's Map; Easements of Record; Right of Way Easement of record.

The gross consideration for this conveyance is \$ 58,000.00

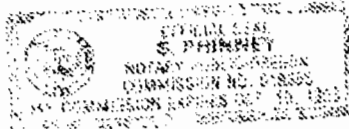
WAS on this 21st day of February, 1994.

Rutnam A. Merriam

STATE OF OREGON)
) SS
County of Deschutes)

The foregoing instrument was acknowledged before me this 21st day of February, 1994 by RUTNAM A. MERRIAM.

Notary Public for Oregon
My Commission Expires: 12-10-03



Record No. 11/239-01

THIS SPACE RESERVED FOR ADDITIONAL DEED

After Recording Return To:

JOHN W. CYMBALA
60.08 CINDER BUTTE ROAD
BEND, OR 97702

Tax Statements To Be Made To:

JOHN W. CYMBALA
6018 CINDER BUTTE ROAD
BEND, OR 97702

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WATER RESOURCES DEPT

STATE OF OREGON

329 - 7505

Order No. 117234-SF

EXHIBIT "A"

The East Half (E1/2) of a portion of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Twenty-four (24), Township Eighteen (18) South, Range Eleven (11) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at a point from which the southwest corner of Section 24 bears South 50° 25' 39" West, 5169.94 feet; thence South 0° 14' 34" West, 827.00 feet; thence South 89° 37' 11" West, 1297.66 feet; thence North 0° 11' 03" East, 618.03 feet; thence North 89° 38' 38" East, 1297.12 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying in roads, streets or highways.

STATE OF OREGON)
COUNTY OF DESCHUTES) SS.

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

APR 17 10 31 AM

MARY SUE PENNINGLOW
COUNTY CLERK

Mary Sue Penninglow
94-05891
DESCHUTES COUNTY OFFICIAL RECORDS

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APR 08 2009

WATER RESOURCES DEPT



BARGAIN AND SALE DEED

4
Please Return to:
Juanita DeJarnett
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

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

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

John & Alice Cymbala, Grantors, conveys to ARNOLD IRRIGATION DISTRICT, Grantee, the following described real property: See Exhibit "A"

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

**18-11-24-00-03300

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW THE USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARM OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

DATED this 25th day of January, 2007.

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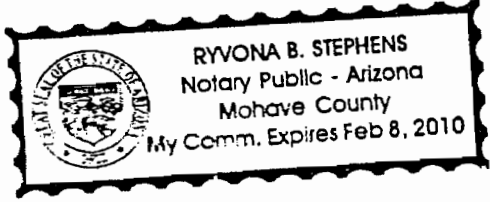
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WATER RESOURCES DEPT
SALEM, OREGON

[Handwritten Signature]
John Cymbala, Grantor

Arizona Mohave
STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 2nd day of FEBRUARY, 2007, by John
Cymbala, Grantor.

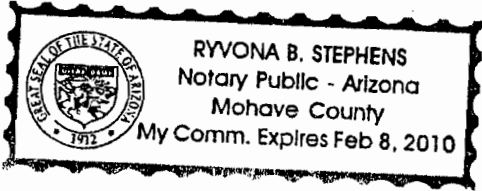


[Handwritten Signature]
NOTARY PUBLIC FOR OREGON Arizona
My commission expires: Feb 08, 2010

[Handwritten Signature]
Alice Cymbala, Grantor

Arizona Mohave
STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 2nd day of FEBRUARY, 2007, by Alice
Cymbala, Grantor.



[Handwritten Signature]
NOTARY PUBLIC FOR OREGON Arizona
My commission expires: Feb 08, 2010

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SALEM, OREGON

ACCEPTANCE

Shawn Gerdes, District Manager, Arnold Irrigation District, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

DATED this 20 day of May, 2008.

Arnold Irrigation District

By: Shawn Gerdes
Shawn Gerdes, District Manager

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Shawn Gerdes the above-named manager, and acknowledged the foregoing instrument on behalf of Arnold Irrigation District. Before me this 20th day of May, 2008.



Betty E. Jaqua
Notary Public for Oregon
My Commission Expires: 05/15/2010

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WATER RESOURCES DEPT
SALEM, OREGON

Exhibit "A"

The East Half (E ½) of a portion of the Southwest Quarter of the Northeast Quarter, (SW ¼ NE ¼) of Section Twenty-four (24), Township Eighteen (18) South, Range Eleven (11) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at a point from which the Southwest corner of Section 24 bears South 50° 25' 39" West, 5169.94 feet; thence South 0° 14' 34" West, 627.00 feet; thence South 89° 37' 11" West, 1297.66 feet; thence North 0° 11' 03" East, 618.03 feet; thence North 89° 38' 38" East, 1297.12 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying in roads, streets or highways.

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APR 03 2009

WATER RESOURCES DEPT
SALEM, OREGON