

1 THIS INDENTURE WITNESSETH, That Susan J. McAuliffe and Ambrose McAuliffe,  
2 her husband, First Parties, for and in consideration of the sum of Ten Dollars  
3 and other valuable considerations to them in hand paid by Orville Elliott, a  
4 single man, and Harry O. Elliott and Alma M. Elliott, husband and wife, Second  
5 Parties, do hereby give and grant unto Second Parties, their heirs, grantees  
6 and assigns, a perpetual easement and right of way for an irrigation ditch over  
7 and across the following described premises, to-wit:

8 The S½NE¼ and  
9 Lot 10 of Section 3, Twp. 34 S. R. 7½ E.W.M., Klamath County, Oregon.

10 Said easement and right of way is fifty feet in width and runs on a course which  
11 shall be surveyed by William L. Wales, Jr., Registered Professional Engineer,  
12 and which must be approved by first parties before said ditch is constructed,  
13 from a point on Wood River near the Drainage Meadows / District Dam to the point on the  
14 Northerly boundary of the SE¼ of said Section 3 where it intersects and joins  
15 the strip of land heretofore conveyed unto Second Parties by Martha H. Nelson  
16 by deed recorded in Vol. 323 at page 371 of Klamath County, Oregon Deed Records.

17 TOGETHER WITH the right of ingress and egress to and from said easement on  
18 presently existing roads on first parties' lands for the purpose of construct-  
19 ing, maintaining and repairing the irrigation ditch on said right of way. First  
20 Parties reserve unto themselves, their heirs, grantees and assigns forever, the  
21 right to construct bridges and crossings across said right of way and also the  
22 joint right to use the ditch to be constructed thereon for the purpose of irriga-  
23 ting and/or draining their premises.

24 Said easement and right of way shall forever be appurtenant to and for the  
25 benefit of the following described premises of Second Parties and each part and  
26 parcel thereof, to-wit:

27 The Crooked Creek Ranch in Klamath County, Oregon, owned by Second Parties,  
28 and more particularly described as follows:

29 All of the following is in Twp. 34 S.R. 7½ E.W.M., Klamath County, Oregon:

30 In Section 1  
All of the North half of the Southwest quarter, except the portion re-  
31 served by the grantor in deed dated August 10, 1938, and recorded Oct.  
31, 1938, in Vol. 118, page 361 of Klamath County Deed Records.

32 In Section 2:  
All of the South half of the Northeast quarter of the Southeast quarter

ret.  
GANDON & GORDON  
ATTORNEYS AT LAW  
KLAMATH FALLS, ORE.

1 lying North and East of the Dalles-California Highway as more particu 2730  
2 larly described in deed dated January 12, 1938, and recorded June 6, 1939,  
3 in Vol. 122 at page 439.

4 In Section 10  
5 Lot 4, except for one acre being exchanged with State Game Commission,  
6 and Lots 5, 6 and 7, the Northeast quarter of Northwest quarter and the  
7 Northeast quarter;

8 In Section 11  
9 The North half, the North half of the South half, and Lot 2,

10 In Section 12  
11 All of the Northwest quarter except that portion conveyed to State of  
12 Oregon by deed dated March 21, 1933, recorded March 29, 1933, in Vol.  
13 99 at page 513 of Klamath County Deed Records;

14 The North half of the Southwest quarter;

15 All of Northwest quarter of Southeast quarter except 0.83 acres conveyed  
16 to State of Oregon by deed dated Sept. 30, 1938, recorded Jan. 23, 1939,  
17 in Vol. 120, page 101 of Klamath County Deed Records;

18 All of the Southeast quarter of Southeast quarter except 3.25 acres con-  
19 veyed to State of Oregon by deed dated Sept. 30, 1938, recorded Jan. 23, 1939,  
20 in Vol. 120 at page 101 of Klamath County, Oregon Deed Records, and except  
21 13.70 acres conveyed to State of Oregon by deed dated Oct. 1, 1938,  
22 recorded Jan. 28, 1939, in Vol. 120 at page 149 of Klamath County Deed  
23 Records, and except 3.7 acres conveyed to State of Oregon by deed dated  
24 Aug. 23, 1927, recorded Sept. 6, 1927 in Vol. 76 at page 390 of Klamath  
25 County, Oregon Deed Records.

26 Said irrigation ditch shall be installed and maintained by Second Parties,  
27 their heirs, grantees and assigns without expense to the First Parties and their  
28 heirs, grantees and assigns.

29 TO HAVE AND TO HOLD the same unto Second Parties, their heirs, grantees and  
30 assigns, forever.

31 IN WITNESS WHEREOF, First Parties have hereunto set their hands and seals  
32 this 29th day of March, 1965.

*Susan J. McAuliffe* (SEAL)  
*Ambrose McAuliffe* (SEAL)

33 California  
34 STATE OF OREGON )  
35 County of Klamath ) ss March 24, 1965

36 Personally appeared the above named Susan J. McAuliffe and Ambrose  
37 McAuliffe, her husband, and acknowledged the foregoing instrument to be their  
38 voluntary act and deed. Before me:

*A. G. Green Jr.*  
Notary Public for Oregon  
My Commission expires: *Sept 9, 1969*  
Cottonwood, California

39 STATE OF OREGON; COUNTY OF KLAMATH; ss:

40 Filed for record at request of Ganong, Ganong & Gordon  
41 this 29 day of March 1966 3:46 o'clock PM., and  
42 duly recorded in Vol. M-66 of Deeds on Page 2729

Fee \$3.00

GANONG & GANONG  
ATTORNEYS AT LAW  
KLAMATH FALLS, ORE.

Easement - Page 2

By *Dorothy Rogers*  
DOROTHY ROGERS, County Clerk