

27687

## GRANT OF INTEREST IN WATER RIGHTS

WHEREAS, CAROLYN F. PEACORE of Klamath County, Oregon, Grantor, owner of the premises described as Parcel 1 on the Exhibit "A" attached and made a part hereof, in consideration of the sum of Ten and no/100 Dollars (\$10.00), receipt of which is acknowledged, hereby grants to LARRY E. PEACORE, Grantee, owner of the premises described as Parcel 2 on said Exhibit "A", his successors or assigns the perpetual right to the use of the water on such premises and to convey such water across parcel 1.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That this grant is of water rights only and shall not be construed as granting any other rights or privileges whatsoever except as hereinafter stated.

This conveyance is made on the condition that Larry E. Peacore hereby share one-half ( $\frac{1}{2}$ ) of all expenses connected with the operation of said pump and engine and keeping the same in good repair and of all the expenses connected with the maintenance of said well and all things accessory thereto.

This conveyance is made on condition that Grantee, Carolyn F. Peacore, her heirs and assigns shall keep and maintain the tank, pipe and ditch in good order so that there will be no leakage or seepage or any other effects that may cause injury to the land or premises of Larry E. Peacore.

All expenses incurred in making connections to such system of pipes and transferring such water to the above described land, including cost of all tanks, measuring devices, or meters, if any, for measuring such water, shall be at the sole cost and expense of Carolyn F. Peacore.

Larry E. Peacore reserves the right and privilege to remodel, change and reconstruct Grantors' system of water pipes at any time at Grantor's option.

To have and to hold said right and easement to take water and to store and conduct same on, over, through and across the land of Carolyn F. Peacore subject to the above conditions. It is understood herein that in the event the grantee, his heirs or assigns, drills his own well that said party will release this easement of water right to the grantee, her heirs or assigns.

Carolyn F. Peacore  
Carolyn F. Peacore

Larry E. Peacore  
Larry E. Peacore

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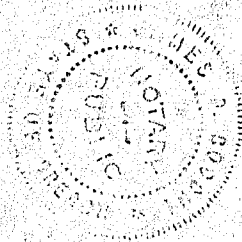


5710

STATE OF OREGON }  
COUNTY OF KLAMATH) ss.

This is to certify that on this 4th day of April, 1977,  
before me, the undersigned a Notary Public in and for said county and state, personally  
appeared the within named Larry E. Peacore and Carolyn F. Peacore  
to me personally known to be the identical individual named in and who executed the  
foregoing instrument and acknowledged to me that they executed the same freely and  
voluntarily for the uses and purposes therein expressed.

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



*James D. Bouché*  
Notary Public for Oregon

My commission expires: 10-25-78

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## PARCEL 1

A parcel of land situated in the SW $\frac{1}{4}$  of Section 9, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon being more particularly described as follows:

Beginning at a  $\frac{1}{2}$  inch iron pin marking the southwest corner of the West  $\frac{1}{2}$  East  $\frac{1}{2}$  NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 9; thence North 0° 14' 19" East, 446.60 feet to a  $\frac{1}{2}$  inch iron pin; thence North 0° 10' 38" East 273.23 feet to a  $\frac{1}{2}$  inch iron pin; thence South 89° 27' 29" East, 328.50 feet to a  $\frac{1}{2}$  inch iron pin on the east line of said West  $\frac{1}{2}$  East  $\frac{1}{2}$  NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence South 0° 6' 40" West along said east line West  $\frac{1}{2}$  East  $\frac{1}{2}$  NE $\frac{1}{4}$ SW $\frac{1}{4}$ , 717.87 feet to a  $\frac{1}{2}$  inch iron pin marking the southeast corner of said West  $\frac{1}{2}$  East  $\frac{1}{2}$  NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence North 89° 48' West along the south line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ , 329.80 feet to the point of beginning containing, together with; An easement for roadway purposed 30.00 feet in width across the westerly portion of the West  $\frac{1}{2}$  East  $\frac{1}{2}$  NE $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 9, being adjacent to and easterly of the west line thereof and beginning at the north line of said West  $\frac{1}{2}$  East  $\frac{1}{2}$  NE $\frac{1}{4}$ SW $\frac{1}{4}$  and terminating at the north line of the above described parcel. Also together with: An easement for power line maintenance 20.00 feet in width across the southerly portion to the East  $\frac{1}{2}$  East  $\frac{1}{2}$  NE $\frac{1}{4}$ SW $\frac{1}{4}$ , being adjacent to and northerly of the south line thereof; said easement beginning at the westerly right-of-way line of Pine Grove Road, a country road, and terminating at the east line of the above described parcel. Subject to an easement for roadway purposes 30.00 feet in width across the westerly portion of the above described parcel, being adjacent to and easterly of the west line thereof, also subject to, use by sellers of existing well, pump, and facilities for a period of one year from the date hereof. Sellers to maintain same in such conditions as they now are, at their own expense. Also subject to a 10 foot easement along the west side of the easterly edge of the property of the above mentioned 30 foot easement for utility purposes to provide pipe access to irrigation ditch running on the Southerly portion of said property in accordance with agreement between the parties recorded herewith.

## PARCEL 2

A parcel of land situated in the SW $\frac{1}{4}$  of Section 9, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon being more particularly described as follows:

Beginning at a  $\frac{1}{2}$  inch iron pin marking the northeast corner of said SW $\frac{1}{4}$ ; thence South along the east line of said SW $\frac{1}{4}$ , 1268.97 feet to a  $\frac{1}{2}$  inch iron pin on the westerly right-of-way of Pine Grove Road, a country road; thence southwesterly along said right-of-way line (long chord - South 14° 37' 27" West, 64.82 feet) to a  $\frac{1}{2}$  inch iron pin at the intersection of said right-of-way line with the south line of the NE $\frac{1}{4}$  of said SW $\frac{1}{4}$ ; thence North 89° 48' West along said south line of NE $\frac{1}{4}$ SW $\frac{1}{4}$ , 313.44 feet to a  $\frac{1}{2}$  inch iron pin marking the southwest corner of the East  $\frac{1}{2}$  East  $\frac{1}{2}$  of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence North 0° 6' 40" East along the west line of said East  $\frac{1}{2}$  East  $\frac{1}{2}$  NE $\frac{1}{4}$ SW $\frac{1}{4}$ , 1335.70 feet to a  $\frac{1}{2}$  inch iron pin marking the northwest corner of said East  $\frac{1}{2}$  East  $\frac{1}{2}$  NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence South 89° 6' 22" East along the north line of said SW $\frac{1}{4}$ , 327.25 feet to the point of beginning, together with an easement for roadway purposes 30.00 feet in width across the northerly portion of the West  $\frac{1}{2}$  East  $\frac{1}{2}$  NE $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 9, being adjacent to the southerly of the north line thereof. Subject to: An easement for roadway purposes 30.00 feet in width across the northerly portion of the above described parcel, being adjacent to and southerly of the north line thereof. Also subject to: An easement for power line maintenance 20.00 feet in width across the southerly portion of the above described parcel, being adjacent to and northerly of the south line thereof.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of MOUNTAIN TITLE CO.

this 5th day of APRIL A. D. 1977 at 4:07 o'clock PM, in and

duly recorded in Vol. M77, of WATER RIGHTS on Page 5709

FEE \$ 9.00

Wm D. MILNE County Clerk

*Wm D. Milne*

6Pch  
MTC