

AGREEMENT

K-34610

KNOW ALL MEN BY THESE PRESENTS, that ROBERT T. MORRIS AND JACQUELINE L. MORRIS, Husband and wife, Grantors, in consideration of the sum of Ten and no/100ths (\$10.00) Dollars per acre per year paid by ARZA LEO HOBBS AND YVONNE ANNETTE HOBBS, husband and wife, Grantees, of Klamath County, State of Oregon, have bargained and sold and by these presents do grant, bargain and convey unto said ARZA LEO HOBBS and YVONNE ANNETTE HOBBS, husband and wife, water rights only and shall not be construed as granting any other rights or privileges whatsoever as hereinafter stated.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we ROBERT T. MORRIS and JACQUELINE L. MORRIS, husband and wife, hereby grant to ARZA LEO HOBBS and YVONNE ANNETTE HOBBS the use of that certain Well No. 1 located on the Morris Round Lake Ranch which well is more particularly described as being located 1250 feet North and 750 feet East of the South 1/4 corner of Section 6, Township 39, Range 8 E. of the Willamette Meridian in the County of Klamath, for the purpose of an easement to divert and convey water to and upon the property of ARZA LEO HOBBS and YVONNE ANNETTE HOBBS, husband wife, known as the S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 39, Range 8 E.W.M. described as approximately 40 acres for the purpose of irrigating pasture.

In consideration of the mutual premises contained in this agreement, Grantees herein agree to pay an annual fee for the use of the water from said well. Grantors herein agree to bill Grantees each year for said use.

It is specifically hereby agreed between Grantors and Grantees that this perpetual right to the use of the water is specifically limited to the property that ARZA LEO HOBBS and YVONNE ANNETTE HOBBS, husband and wife, presently own as of the date of this agreement and none other. Said rights shall not be granted to Grantees to cover any additional property not listed in this agreement.

This conveyance is made on the condition that Grantees, ARZA LEO HOBBS and YVONNE ANETTE HOBBS, husband and wife, their heirs and assigns, shall keep and maintain their own pipe and irrigation equipment 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 ROBERT T. MORRIS and JACQUELINE L. MORRIS,

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husband and wife, and that the Grantor has agreed to maintain the pump and ditches to the Grantees property.

To have and to hold said right of the grantee to enter upon the land of the grantors in the event he fails to maintain the ditch and pumping equipment and easement to take water from Well No. 1 through the present irrigation ditch, subject to the above conditions, and the heirs, successors and assigns of all parties hereto shall be bound hereto forever.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures hereon.

DATED this 28th day of September 1981.

[Signature]
ROBERT T. MORRIS

[Signature]
JACQUELINE L. MORRIS

Return to RCTC

[Signature]
ARZA LEO HOBBS

STATE OF OREGON,

County of Deschutes

ss. [Signature]
YVONNE ANNETTE HOBBS

BE IT REMEMBERED, That on this 6th day of October, 1981, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Robert T. Morris & Jacqueline L. Morris (all)

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

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

[Signature]
Notary Public for Oregon
My Commission expires 8-4-84

State of OREGON: COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the

27th day of October A.D., 1981 at 3:13 o'clock P.M., and duly recorded in Vol M81 of Deeds on page 18744.

Fee \$ 8.00

EVELYN BIEHN
COUNTY CLERK
By [Signature] deputy