

DEED OF INTEREST IN WELL.

This instrument entered in to this ---- of August 1988, between GARY L. GUGGENMOS and SALLY L. GUGGENMOS, husband and wife, herein referred to as Grantors, and ELDON GUGGENMOS and ROSEMARY GUGGENMOS, husband and wife, herein referred to as Grantee;

WITNESSETH:

WHEREAS, The Grantors are the owner of a tract of land described as Lot 3 Block 8, Yonna Woods, situate in Section 33, Township 37 South, Range 11 East of Willamette Meridian, Klamath County, Oregon; and

WHEREAS, Grantee, ELDON GUGGENMOS and ROSEMARY GUGGENMOS, Are the owners of Lot 5, Block 8, Yonna Woods; and

WHEREAS, The Parties have drilled a well approximately 600 feet deep on the Grantors' Lot 3 of Block 8, Yonna Woods, and have shared the costs and expenses of constructing a well and installing and casing, pump and motor used in connection therewith; and

WHEREAS, The parties desire a written agreement as to the future use of said well, casing, pump and motor; Now Therefore,

Grantors, in consideration of the sums heretofore expended by the Grantees, and subject to the conditions set forth in this instrument, do hereby grant, sell and convey unto Grantees ELDON GUGGENMOS and ROSEMARY GUGGENMOS, an undivided one half interest in and to the above-mentioned well, casing, pump, and motor and the right to take one-half of the water from the well and to store such water from the well to the Grantees' above-described tract of land by pipe; and

Grantors further grant to Grantee for the use and purpose of conveying such water as above described, an easement over and across a strip of land 6 feet in with, the center line of such strip of land beginning at the well and extending in the general South-westerly direction to the lands of Grantees Guggenmos.

This conveyance is made on the further condition that the Grantees, their heirs and assigns shall bear one-half of all expenses incurred in the operation of above-described pump and motor, and one-half of all expenses for the maintenance of the well and accessories thereto, and that the Grantees, their heirs and assigns, shall maintain all pipes in good order so that there shall be no leakage or seepage therefrom that may cause injury to the land and premises of the Grantors.

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It is understood and agreed that the respective lots of the Grantors and the Grantees are in a subdivision and that each of the parties agrees that they will not further subdivide their respective lots without permission of the other parties and that it is understood and agreed that this agreement for the ownership and use of the well is limited to the Grantors and the Grantees, their heirs and assigns.

TO HAVE AND TO HOLD RIGHT AND EASEMENT TO TAKE WATER AND TO TRANSFER on to and across the land of the Grantors subject to the above conditions, to Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, The Grantors have hereunto set their hands on the date hereinabove written.

Gary L. Guggenmos
GARY GUGGENMOS

Sally L. Guggenmos
SALLY L. GUGGENMOS

State of Oregon
County of Klamath

This instrument was acknowledged before me on September 15, 1988 by Gary Guggenmos and Sally L. Guggenmos.

James L. Heath
Notary Public for Oregon
My commission expires 9/15/91



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of _____ Sept. _____ A.D., 19 88 at 4:03 o'clock _____ P. M., and duly recorded in Vol. _____ M88
of _____ Deeds _____ on Page 15585.

FEE \$13.00

Return: Gary & Sally Guggenmos
Rt. 1, Box 564, Bonanza, Or. 97623

Evelyn Biehn County Clerk

By *Pauline Mullendar*