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m90 24533-DN

AFFIDAVIT

STATE OF OREGON

County of Klamath

ss.

I, RICHARD FAIRCLO, being first duly sworn, depose and say as follows:

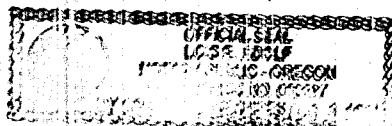
I presently am attorney for the Personal Representatives of the Estate of Otis Osborn and prior to that I was attorney for Otis Osborn for a period of at least 10 years.

Reference is made to that "Agreement" which is recorded in Deed Records of Klamath County at Vol. M75 Page 12917. Said agreement was to be renewed by its terms every five years, and it has not been renewed at any time from 1984 to the present and has expired by its terms, as such anniversary renewal dates included October 11, 1985, and October 11, 1990.

The personal representatives are not aware of any present use being made of such well, which was the subject of the above-referred-to document.

SUBSCRIBED AND SWORN to before me this 27 day of October, 1990.

[Signature]  
Notary Public of Oregon  
My Commission expires:



Return:  
Mountain Title Co.  
attn: Dana

STATE OF OREGON, ss.  
County of Klamath

Filed for record at request of:

Mountain Title Co.

on this 29th day of Oct. A.D., 19 90  
at 3:29 o'clock P.M. and duly recorded  
in Vol. M90 of Deeds Page 21753  
Evelyn Biehn County Clerk

By [Signature] Deputy.

Fee, \$8.00

PROCTOR & FAIRCLO  
ATTORNEYS AT LAW  
280 MAIN STREET  
KLAMATH FALLS, OREGON 97601