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08-20-93P02:12 RCVD

Return to: Weyerhaeuser Company
 Attn: Jake Monfore
 P.O. Box 9
 Klamath Falls, OR
 97601

Vol 193 Page 20944

G93-491

WARRANTY DEED

The GRANTOR, WEYERHAEUSER COMPANY, a Washington corporation, formerly Weyerhaeuser Timber Company, for valuable consideration, receipt of which is hereby acknowledged, conveys and warrants to DIVIDE RESOURCES, INC., an Oregon corporation, GRANTEE, the following described real estate, situated in Klamath County, Oregon:

See EXHIBIT A attached, incorporated by reference herein.

The true and actual consideration for this conveyance, stated in terms of dollars, is One Million Three Hundred Forty-six Thousand (Five Hundred Seventy- and No/100 Dollars (\$ 1,346,571 .00)). (one

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring title to the property should check with the appropriate city or county planning department to verify approved uses.

The property described in this instrument may not be within a fire protection district protecting structures. The property is subject to land use laws and regulations which, in farm or forest zones, may not authorize the construction or siting of a residence. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and existence of fire protection for structures.

DATED this 24th day of June, 1993.

WEYERHAEUSER COMPANY

J. M. Millig
 Acquisitions and Valuation Manager, Timberlands

Pamela M. Admon
 Assistant Secretary

This deed, a duplicate original of which was recorded in Klamath County, Oregon Deed Records in Vol. 193, at Page 16440, has been corrected and initialed by the parties hereto and is re-recorded to include the railroad right of way reservation that was inadvertently omitted, which reservation is set forth on Exhibit C (Reservation of Railroad Right of Way), attached hereto and made a part hereof.

DIVIDE RESOURCES, INC.:

WEYERHAEUSER COMPANY:

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STATE OF WASHINGTON)
) ss.
 COUNTY OF KING)

Personally appeared before me, the undersigned authority in and for said county and state, on this 24th day of June, 1993, within my jurisdiction, the within named J. Whittig and Pamela M. Redmon, who acknowledged that they are Acquisitions and Valuation Manager, Timberlands and Assistant Secretary, of WEYERHAEUSER COMPANY, a Washington corporation, and that for and on behalf of the said corporation, and as its act and deed they executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

G.W. BJERKE
 STATE OF WASHINGTON
 NOTARY --- PUBLIC
 My Commission Expires 3-20-96

G.W. Bjerk
 Notary Public
 My appointment expires: March 20, 1996

Until a change is requested, all tax statements shall be sent to the following address:

Divide Resources, Inc.
 62582 Bowerman Road
 Joseph OR 97846

In KLAMATH COUNTY, OREGON

TOWNSHIP 35 SOUTH, RANGE 12 EAST, W.M.

Section 1: Gov't Lot 6, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Gov't Lot 7
 Section 33: NW $\frac{1}{4}$

TOWNSHIP 35 SOUTH, RANGE 13 EAST, W.M.

Section 31: E $\frac{1}{2}$ NE $\frac{1}{4}$
 Section 32: SW $\frac{1}{4}$

TOWNSHIP 37 SOUTH, RANGE 14 EAST, W.M.

Section 23: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
 Section 26: NE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 27: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
 Section 35: W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

TOWNSHIP 36 SOUTH, RANGE 15 EAST, W.M.

Section 25: SW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 36: NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$

TOWNSHIP 37 SOUTH, RANGE 15 EAST, W.M.

Section 19: SE $\frac{1}{4}$

RESERVATIONS:

(1) To the extent not heretofore conveyed, excepted or reserved, the Grantor hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its successors and assigns, forever, all geothermal steam and heat and all metals, ores and minerals of any nature whatsoever in or upon said land including, but not limited to, coal, lignite, peat, oil and gas, including coal seam gas, together with the right to enter upon said land for the purpose of exploring the same for such geothermal resources, metals, ores and minerals, and drilling, opening, developing and working mines and wells thereon and taking out and removing therefrom, including by surface mining methods, all such geothermal resources, metals, ores and minerals, and to occupy and make use of so much of the surface of said land as may be

reasonably necessary for said purposes; provided, that Grantee and Grantee's heirs, representatives, successors and assigns, shall be paid just and reasonable compensation for any injury or damage to the surface of said land, to the crops or to the improvements thereon caused by the exercise of any rights herein reserved; provided, further, that the exercise of such rights by Grantor shall not be postponed or delayed pending reasonable efforts to agree upon or have determined such just and reasonable compensation.

(2) Grantor reserves, in perpetuity, the right to use for all road purposes, for access to and from lands and timber now owned or hereafter acquired by Grantor, those roads over and across the following described lands located approximately as shown on the attached Exhibit B:

<u>Description</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.,</u>	<u>W.M.</u>
W $\frac{1}{2}$	23	37S	14E	
SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$	27	37S	14E	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	25	36S	15E	
NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$	36	36S	15E	

SUBJECT TO:

(1) Easements for public roads and highways, for public utilities, and for railroads and pipe lines and any other easements and rights of way of record or acquired by prescription, and to all matters which a prudent inspection of the premises would disclose, and

(2) Document: Easement
 Date: April 3, 1992
 Grantor: Weyerhaeuser Company
 Grantee: Wayne Skiles et al
 Recording No.: Vol. M92, pg. 13546
 Purpose: Road easement
 Affects: Fr.E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec.1-T35S-R12E

(3) Reservation of all subsurface rights, except water, as disclosed in:
 Document: Patent
 Date: September 3, 1957
 Grantor: U. S. Bureau of Land Management
 Grantee: Weyerhaeuser Timber Company
 Recording No.: Vol. 294, pg. 602, AF# 22945
 Affects: Fr.SE $\frac{1}{4}$ Sec.1-T35S-R12E

(4) Document: Easement for Buried Cable
 Date: September 5, 1984
 Grantor: Weyerhaeuser Company
 Grantee: Telephone Utilities of Eastern Oregon, Inc.
 Recording No.: Vol. M84, pg. 1649
 Purpose: Buried cable easement
 Affects: NW $\frac{1}{4}$ Sec.33-T35S-R12E

- (5) Document: Easement
 Date: May 23, 1962
 Grantor: Weyerhaeuser Company
 Grantee: U. S. Department of the Interior
 Recording No.: Vol. 13, Pg. 594
 Purpose: Road easement
 Affects: NW $\frac{1}{4}$ Sec.33-T35S-R12E
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.31-T35S-R13E
- (6) Reservation of all oil, gas and minerals, as disclosed in:
 Document: Deed to Restricted Indian Land
 Date: December 15, 1955
 Grantor: George A. DuFault
 Grantee: Weyerhaeuser Timber Company
 Recording No.: Vol. 283, pg. 137, AF# 10057
 Affects: NW $\frac{1}{4}$ Sec.33-T35S-R12E
- (7) Document: Transmission Line Easement
 Date: January 20, 1966
 Grantor: Weyerhaeuser Company
 Grantee: Portland General Electric Company
 Recording No.: Vol. M66, pg. 2852
 Purpose: Transmission Line Easement
 Affects: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.31-T35S-R13E
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.32-T35S-R13E
- (8) Document: Easement
 Date: April 3, 1981
 Grantor: Weyerhaeuser Company
 Grantee: Pacific Power & Light. Company
 Recording No.: Vol. M81, pg. 8778
 Purpose: Easement for electric transmission line
 Affects: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.32-T35S-R13E
- (9) Document: Transmission Line Easement
 Date: January 20, 1966
 Grantor: Weyerhaeuser Company
 Grantee: Portland General Electric Company
 Recording No.: Vol. M66, pg. 1391
 Purpose: Transmission Line Easement
 Affects: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.32-T35S-R13E
- (10) Document: Easement
 Date: September 21, 1970
 Grantor: Weyerhaeuser Company
 Grantee: U. S. Forest Service
 Recording No.: Vol. M71, pg. 2951, AF# 12050
 Purpose: Road easement
 Affects: N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.23-T37S-R14E
 SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.27-T37S-R14E
 NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec.25-T36S-R15E
- (11) Reservation of all oil, gas and minerals, as disclosed in:
 Document: Patent
 Date: February 29, 1956
 Grantor: U. S. Bureau of Land Management
 Grantee: Weyerhaeuser Timber Company
 Recording No.: Vol. 283, pg. 149, AF# 10063
 Affects: E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec.31-T35S-R13E

- (12) Reservation of all subsurface rights, except water, as disclosed in:
Document: Deed to Restricted Indian Land
Date: November 28, 1956
Grantor: Clarice George Lotches, et vir
Grantee: Weyerhaeuser Timber Company
Recording No.: Vol. 289, pg. 213
Affects: SW $\frac{1}{4}$ Sec.32-T35S-R13E
- (13) Document: Easement Exchange
Date: August 16, 1988
Grantor: Weyerhaeuser Company
Grantee: Beth Lowenbach
Recording No.: Vol. M90, pg. 21049
Purpose: Road easement
Affects: N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.23-T37S-14E
- (14) Document: Permit
Date: June 1, 1990
Grantor: Weyerhaeuser Company
Grantee: Diamond Newman et al
Recording No.: Unrecorded/Unknown
Purpose: Water storage reservoir
Affects: NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.27-T37S-R14E
- (15) Document: Right of Way Easement
Date: January 31, 1951
Grantor: Weyerhaeuser Timber Company
Grantee: Walter R. Campbell et al
Recording No.: Unknown
Purpose: Right of way for ditch and water course
Affects: S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec.25-T36S-R15E
- (16) Document: Easement
Date: April 1, 1980
Grantor: Weyerhaeuser Company
Grantee: U. S. Forest Service
Recording No.: Vol. M80, pg. 9722
Purpose: Road easement
Affects: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.25-T36S-R15E
- (17) Document: Permit
Date: November 9, 1971
Grantor: Weyerhaeuser Company
Grantee: William R. Owens
Recording No.: Unrecorded
Purpose: Use & maintenance of drift fence
Affects: SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec.25-T36S-R15E
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.36-T36S-R15E

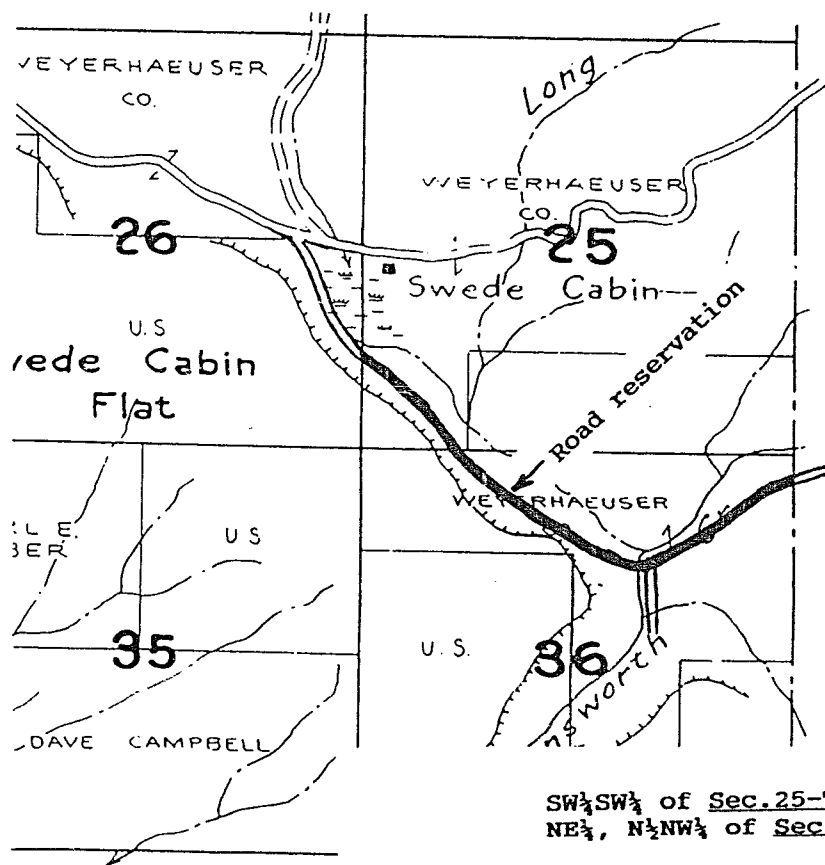
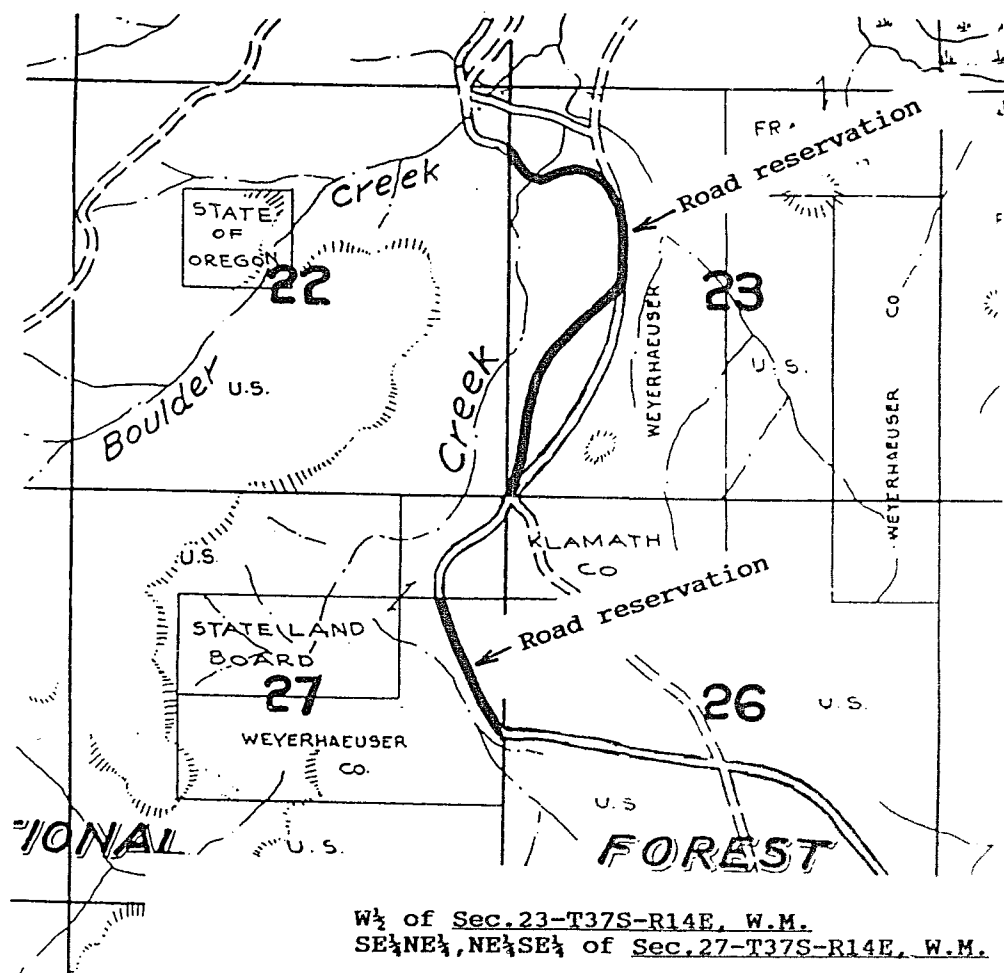


EXHIBIT C (Reservation of Railroad Right of Way)

(3) Grantor reserves the right to use for railroad, recreational trail and other transportation purposes the existing railroad right of way over and across the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 35 South, Range 13 East, W.M. Such use shall include the right to enter into a rail banking agreement with the State of Oregon.

Divide Resources, Inc.: *[Signature]*

Weyerhaeuser Company: *[Signature]*

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 20th day
of Aug. A.D., 19 93 at 2:12 o'clock P.M., and duly recorded in Vol. M93
of _____ Deeds on Page 20944.

FEE \$65.00

Evelyn Biehn - County Clerk

By *Pauline M. Winters*