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MTC 31460-KR Vol M93 Page 30760

EASEMENT

This agreement is made by and between BYRON L. GRIM, hereinafter referred to as "Grim" and ENTERPRISE IRRIGATION DISTRICT, an Irrigation District organized according to the laws of the State of Oregon, Grantee, hereinafter referred to as "District."

Grim hereby grants to District, an easement and right of way for drainage or irrigation facilities and for access road, across that real property described in Exhibit "A" attached hereto. Said easement shall be for the use, construction, maintenance of access road and drainage ditch and related purposes

The uses of such easement to District shall include, but not be limited to, the uses of drainage, passage over, deposit of excavated earth, and storage of material and equipment as may be necessary or useful for the construction, maintenance, burying pipe or culverts, cleaning, and repair of such drain and access road.

District hereby grants to Grim, an easement and right of way for an access road, across that real property described in Exhibit "A" attached hereto. Said easement shall be for the use, construction, maintenance of access road and related purposes.

The uses of such easement to Grim shall include the right to construct and maintain such access road; provided, however, that such construction, maintenance and use shall not interfere with the drainage or irrigation facilities that District may from time to time construct or operate thereon. Grim shall obtain prior approval from District for Grim's construction; District will not unreasonably withhold such consent.

To the extent that there exists joint usage between the parties for access, then maintenance and construction shall be prorated between the parties on the basis of percentage of such actual usage or benefit.

In the event that a dispute arises as regards such prorates, the parties agree to submit such dispute to arbitration where each party appoints one arbitrator and those two arbitrators choose a third. The three arbitrators shall decide the resolution of said dispute, and the parties shall be bound thereby. The costs of arbitration shall be borne equally by the parties.

If suit or action is instituted to enforce any of the provisions of this Agreement, the party prevailing therein shall be entitled to recover from the other such sum as the Court may adjudge reasonable as attorney's fees therein, including any appeal thereof.

This grant of easement shall bind and inure to the benefit of the parties hereto, and to their heirs, successors and assigns. It is understood that the rights herein are not personal to the parties herein but shall run with the land.

BYRON L. GRIM:

ENTERPRISE IRRIGATION DISTRICT:

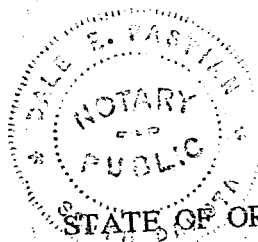
Byron L. Grim

by: Joan F. Rifer

STATE OF ~~OREGON~~ ^{SOUTH DAKOTA} }
County of ~~KLAMATH~~ ^{GREGORY} } ss.

The foregoing instrument was acknowledged before me this 12TH day of NOVEMBER, 1993, by Byron L. Grim.

Dale E. Pashin
Notary Public ~~for Oregon~~ ^{SOUTH DAKOTA}
My Commission expires: 2-16-97


STATE OF OREGON }
County of KLAMATH } ss.

The foregoing instrument was acknowledged before me this 17TH day of NOV, 1993, by JOAN F. RIFER, who is Secretary of the Board of Directors of Enterprise Irrigation District.

Pamela J. Spencer
Notary Public for Oregon
My Commission expires: 8/16/96



(2) Grimm

30762

Beginning at the most Southerly corner of Tract
1085 Country Green, a duly recorded subdivision
in Klamath County, Oregon; thence North 23° 24' 16"
West 30.00 feet, thence South 66° 35' 44" West
167.85 feet to the westerly line of that tract
of land described in Volume M-87 page 20074 Klamath
County Deed Records; thence South 00° 18' 23" West
32.77 feet, thence North 66° 35' 44" East 181.03
feet to the point of beginning.

Exhibit "A"

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Company the 22nd day
of November A.D., 19 93 at 9:05 o'clock A M. and duly recorded in Vol. 193
of Deeds on Page 30760
Evelyn Biehn County Clerk

FEE \$40.00

By Annette Mueller