

## GEOTHERMAL WELL AGREEMENT

Grantor  
Terry Edwards & Betty Edwards

Grantee  
M. Virginia Jones

After recording return to:  
Grantor

Terry Edwards & Betty Edwards  
HC 30, Box 141  
Chemult, OR 97731

97 JUL -3 AUG 38

DATE : This agreement dated this 3 day of <sup>July</sup>~~June~~ 1997 between Terry Edwards and Betty Edwards, husband and wife, and M. Virginia Jones, widow, hereinafter referred to as "The Parties".

PARTIES : Terry Edwards and Betty Edwards, are the owners of Lot 17 Block 13 Hillside addition to the City of Klamath Falls, Oregon; commonly known as 1405 North Eldorado Avenue, Klamath Falls, Oregon.

M. Virginia Jones, is the owner of Lot 18 in Block 13 of Hillside Addition to the City of Klamath Falls, Oregon; commonly known as 1931 Painter, Klamath Falls, Oregon.

RECITALS : Whereas, Terry Edwards and Betty Edwards have agreed to let M. Virginia Jones hook up to their geothermal well located on the premises of 1405 North Eldorado, Klamath Falls, Oregon and access the geothermal well in order for her to heat her home.

NOW, THEREFORE:

M. Virginia Jones has the right to install, use and maintain a hot water loop and further to install the necessary well accessories to hook to up the geothermal well located on the premises of 1405 North Eldorado, Klamath Falls, Oregon.

M. Virginia Jones shall pay all costs associated with the installation of the hot water loop lines and necessary well accessories to hook up to up the geothermal well located on the premises of 1405 North Eldorado, Klamath Falls, Oregon.

Terry Edwards and Betty Edwards and M. Virginia Jones further agree to equally share in the maintenance costs of the core geothermal heating system, including the well casings.

Terry Edwards and Betty Edwards agree to pay all costs incurred to maintain the hot water loop and supply lines running from the geothermal well to their dwelling house along with all other repairs necessary for the maintenance of the system at 1405 North Eldorado, Klamath Falls, Oregon, not part of the core geothermal heating system.

M. Virginia Jones agrees to pay all costs incurred to maintain the hot water loop and supply lines running from the geothermal well to her dwelling house along with any other repairs necessary for the maintenance of the system at 1931 Painter, Klamath Falls, Oregon.

Terry Edwards and Betty Edwards and M. Virginia Jones will be responsible for the purchase and maintenance of their own pump on the said geothermal well and will therefore each be responsible for their own utility expense incurred in the operation of said pump.

Terry Edwards and Betty Edwards and M. Virginia Jones grant to each other necessary easements across their respective premises for the construction and maintenance of the distribution system to and from the well-head to the respective premises, together with the right of ingress and egress to construct and maintain the same, conditioned upon restoring the premises to its original condition. This easement shall run with the land and shall be binding upon heirs, successors and assigns of each of these parties.

Terry Edwards and Betty Edwards and M. Virginia Jones agree that in the event anyone of them may, at a later date, desire to sell an interest in this geothermal well to a third party, not a party to this agreement, that before said person shall be authorized to enter into a sale of an interest in the well, that a majority of these parties must first consent in writing to any such sale and unless a majority is first had, no sale to a third party, not a member of this agreement, maybe had.

In case suit or action is instituted to enforce this agreement or any provision thereof, the prevailing party in said suit or action shall be entitled to their reasonable costs and attorney fees whether on trial or on appeal.

In witness whereof, the Parties hereto have set their hand thereon the day and year first

above written.

Terry Edwards  
Terry Edwards

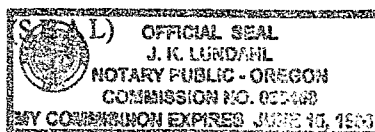
M. Virginia Jones  
M. Virginia Jones

Betty Edwards  
Betty Edwards

RECEIVED 4500<sup>00</sup> For interest in  
WELL 7/3/97. PAID in Full  
FROM VIRGINIA JONES CK # 4936  
WESTERN BANK. K FALLS. TS  
1/9.

STATE OF OREGON, County of Klamath)ss.

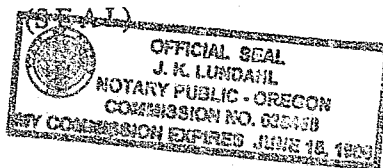
Personally appeared the above named Terry Edwards and Betty Edwards and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me: J.K. Lundahl  
Notary Public for Oregon  
My Commissioner Expires: 6-15-99

STATE OF OREGON, County of Klamath)ss.

Personally appeared the above named M. Virginia Jones and acknowledged the foregoing instrument to be her voluntary act and deed.



Before me: J.K. Lundahl  
Notary Public for Oregon  
My Commissioner Expires: 6-15-99

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Terry Edwards the 3rd day  
of July A.D., 19 97 at 10:38 o'clock A. M., and duly recorded in Vol. M97  
of Deeds on Page 20779

FEE \$40.00

By Bernetha G. Letsch County Clerk  
Ran