

97 AUG -7 10:35

Grant of Easement and Irrigation Well Agreement

This Agreement is made this 7 Day of August, 1997 between Bradley D. Bennett, Rhoda ~~M.~~ H. Bennett Husband and Wife, their Heirs, Successors and Assigns, and James H. Connelly and Mary Helen Connelly, Husband and Wife, individually and as Trustees under the Connelly Loving Trust dated May 29, 1990, their Heirs successors and assigns for the purpose of creating a Grant of easement and an Irrigation Well Agreement.

There is a Irrigation Well located at the SE1/4 NE1/4 Section 4, T39S, R11E, W.M.; 1420 Feet South and 1200 Feet West From the NE Corner of Section 4, Township 39 South, Range 11 East, W.M.

The Water Resource Department of the State of Oregon Application Number is G-12955 and Permit Number G-12457 and use of this Irrigation Well shall be under the guidelines of the said Water Resource Department State of Oregon.

The Perpetual Right of Ingress and Egress to the Irrigation well is hereby Granted to both parties, their Heirs, Successors, and Assigns.

Delivery of Water from this Irrigation Well to the Connelly Property will be through the existing Irrigation Ditch.

If the Irrigation Well is used for Supplemental Source of Water for both Parties and to the Benefit of both Parties, then the costs of Power and Maintenance will be shared equally.

For Short Term Use or periodic Usage, defined by this Agreement as usage of One Day up to One Week, by one Party the cost of Power will be the responsibility of the Party using the Irrigation Well for this Short term. maintenance costs will be Shared Equally for this Short Term Usage. Long Term Use, defined by this Agreement as Continual Usage for more then One Week or All Season (Summer) long, the costs for Power and Maintenance will be the Responsibility of the Party using the Irrigation Well for this Long term Usage.

Aspen Title Escrow # 46450

In construing this Agreement and easement and where the context so requires, words in the singular include the plural; the masculine includes the feminine and the neuter; and generally, all changes made or implied so that this instrument shall apply both to individuals and to corporations.

IN WITNESS WHEREOF, the grantors have executed this agreement this 7th day of August, 1997; if a corporate grantor it has caused its name to be signed and its seal, if any affixed by an officer or other duly authorized to do so by order of its board of directors.

Bradley D. Bennett

Bradley D. Bennett

Rhoda H. Bennett

Rhoda H. H. Bennett

James H. Connelly Trustee

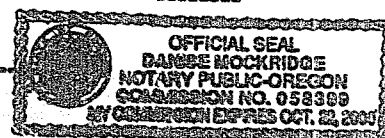
James H. Connelly, individually and as Trustee of the Connelly Loving Trust dated May 29, 1990

Mary Helen Connelly, Trustee

Mary Helen Connelly, individually and as Trustee of the Connelly Loving Trust dated May 29, 1990

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on August, 1997 by the above mentioned named Bradley D. Bennett and Rhoda M. H. Bennett, husband and wife, James H. Connelly and Mary Helen Connelly, husband and wife, individually and as Trustees for the Connelly Loving Trust dated May 29, 1990, and acknowledged the foregoing instrument to be their voluntary act and deed. Danise Mockridge
Notary Public for the State of Oregon
My Commission Expires: 10-22-00



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 7th day of August A.D., 1997 at 10:35 o'clock A. M., and duly recorded in Vol. 197 of Deeds on Page 25958.

FEE \$35.00

By Bernetha G. Letsch, County Clerk
Ruth Ann Ross