

*pt*  
**IRRIGATION CONTRACT TO SUSPEND  
 FROM KLAMATH BASIN IMPROVEMENT DISTRICT  
 AND RELEASE OF WATER RIGHTS**

This agreement is by and between KLAMATH BASIN IMPROVEMENT DISTRICT, referred to herein as KBID and Patrick G. and Kathleen Ward  
 referred to herein as Owner.

**WHEREAS:**

Owner owns land more particularly described in Exhibit "A" attached hereto, in Klamath County, Oregon, referred to as Klamath County Tax Lot: 3910-08DB-01900  
 Situs Address: 3848 Collier Lane, Klamath Falls, Oregon

Owner or Owner's predecessors in interest agreed to be included within the KBID for the purposes of receiving services, including delivery of water pursuant to the contracts that KBID has with the United States of America by and through the Bureau of Reclamation, Klamath Irrigation District and other districts located within the Klamath Project. KBID is obligated by contract to the following district or districts, hereinafter referred to as Delivery Districts, regarding water delivery to Owner's land:  
Pine Grove Irrigation District

Owner no longer desires to receive water deliveries and pay the costs thereof.

**IT IS THEREFORE AGREED:**

**CONDITIONS**

This agreement is conditioned upon Delivery Districts forgiving payments owed by KBID associated with such real property by reason of contractual obligation between KBID and Delivery Districts. It is agreed that KBID will cooperate with Owner as Owner makes such requests upon Delivery Districts.

This agreement is further conditioned upon all mortgage and lienholders consenting and agreeing with this agreement, and such mortgage and lienholders subordinating their interest to KBID herein.

This agreement is further conditioned upon all construction charges owed to the United States, acting by and through the Bureau of Reclamation have been paid in full.

A further condition of this agreement is approval of this agreement, and approval of resolution exempting the subject real property from assessments, by the Board of Directors of KBID.

KBID agrees as follows:

1. Upon properly execution of this agreement by all parties, including Delivery Districts, Mortgage and lienholders, and Owner, and upon conditions to this agreement being met, KBID releases Owner from KBID assessments, lien, collection and foreclosure rights KBID has under Oregon law.

OWNER agrees and represents as follows:

41V



KLAMATH BASIN IMPROVEMENT DISTRICT, by:

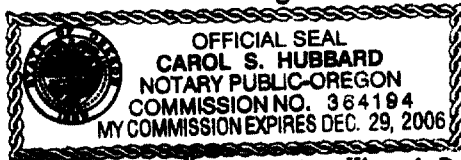
Warren Haught Sandy E Cherry

STATE OF OREGON

] ss.  
]

County of Klamath

On this 15<sup>th</sup> day of April, 2003, personally appeared WARREN HAUGHT and CINDY E CHERRY, who, being duly sworn, each for himself and not one for the other, did say that the former is the PRESIDENT and that latter is the secretary of Klamath Basin Improvement District and that said instrument was signed and sealed in behalf of said district by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed. Before me:



Carol S. Hubbard  
Notary Public for Oregon  
My Commission expires: 12-29-06

After recording return to: Klamath Basin Improvement District 6640 KID Lane, Klamath Falls, Oregon, 97603

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the \_\_\_\_\_ day  
of \_\_\_\_\_ A.D., 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_ M., and duly recorded in Vol. \_\_\_\_\_,  
of \_\_\_\_\_ on Page \_\_\_\_\_.

FEE \$ \_\_\_\_\_

County Clerk

By \_\_\_\_\_

## SUBORDINATION AGREEMENT

The undersigned owner or holder of a trust deed, mortgage, contract of sale or other lien upon the lands described in the foregoing agreement, in consideration of the exemption of said lands from future assessments of KBID, do hereby subordinate such interest and liens to the terms and conditions of the Agreement to which this is attached and agree they shall be bound by the same.

Washington Mutual Bank  
by: Michelle Abbott

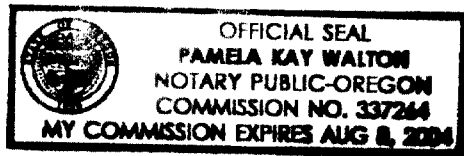
STATE OF OREGON

] ss.  
 ]

County of Klamath

On this 27<sup>th</sup> day of MARCH, 2003, personally appeared Michelle Abbott ~~we and~~, who, being duly sworn, ~~each~~ ~~for himself and not one for the other~~, did say that the former is the Asst. Manager ~~and that~~ ~~he is the secretary of~~ Washington Mutual Bank and that said instrument was signed and sealed in behalf of said district by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed. Before me:

Pamela Kay Walton  
 Notary Public for Oregon  
 My Commission expires:



24991

EXHIBIT "A"

3910-08DB-01900:

State of Oregon

County of Klamath

Collier Lane Tract 1278, Lot 14