

04 SEP 3 AM 11:00



MTT-66511KR

Vol M04 Page 59152

State of Oregon, County of Klamath
Recorded 09/03/04 11:00 a m
Vol M04 Pg 59152-53
Linda Smith, County Clerk
Fee \$ 26⁰⁰ # of Pgs 2

After recording return to:
Dan Kinsman & Cindy Kinsman

2722 Edison Ave
Klamath Falls, OR 97603

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

JERRY E. BARRETT

5537 Homer Drive
Klamath Falls, OR 97603

Escrow No. MT66511-KR

SPECIAL WARRANTY DEED

KLAMATH BASIN STORAGE, LLC, an Oregon limited liability company, Grantor(s) hereby grant, bargain, sell, warrant and convey to **DAN KINSMAN & CINDY KINSMAN, husband and wife, as to an undivided 1/2 interest and JERRY E. BARRETT and CAROLINE K. BARRETT, husband and wife, as to an undivided 1/2 interest** Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of **KLAMATH** and State of Oregon, to wit:

Parcels 1 & 2 of Land Partition No. 13-03, being a replat of Parcels 2 and 3 of Land Partition 27-00. Lots 1 and 2 of Block 3, Lots 1 and 2 of Block 4, and a portion of Ronald Street (vacated) all located in Bailey Tracts No. 2, situated in the NE1/4 SE1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Tax Account No.: 3909-002DA-02100 & 02002 Key No.: 521643 & 886346

Parcels 2 and 3 of Land Partition 37-99, being a portion of the NE1/4 NW1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon. TOGETHER WITH an easement for ingress, egress and utilities over the East 30 feet of Parcel 1 of Land Partition 37-99.

Parcel 2 of Land Partition 44-02, Records of Klamath County, Oregon, being a portion of Parcel 1 of Land Partition 37-99, situated in the NE1/4 of the NW1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Tax Account No.: 3909-010BA-02401,02402 & 02403 Key No.: 886109, 886110 & 888895

Grantor is lawfully seized in fee simple on the above granted premises and SUBJECT TO: all those items of record, if any, as of the date of this deed and those shown below, if any:


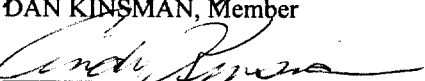
and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor except those claiming under the above described encumbrances.


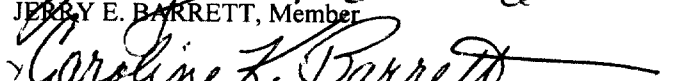
The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

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 FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 30th day of August, 2004.

KLAMATH BASIN STORAGE, LLC, an Oregon limited liability company


DAN KINSMAN, Member

CINDY KINSMAN, Member


JERRY E. BARRETT, Member

CAROLINE K. BARRETT, Member

2600 #

State of Oregon
County of KLAMATH

59153

This instrument was acknowledged before me on ^{Sept. 3} ~~August 31~~, 2004 by DAN KINSMAN and CINDY KINSMAN, Members of Klamath Basin Storage, LLC, an Oregon limited liability company.



Kristi L. Redd
(Notary Public for Oregon)

My commission expires 11/16/2007

State of Oregon
County of Klamath

This instruments was acknowledged before me on August 30, 2004 by JERRY E. BARRETT and CAROLINE K. BARRETT, Members of Klamath Basin Storage, LLC, an Oregon limited liability company.



Kristi L. Redd
(Notary Public for Oregon)

My Commission expires 11/16/2007