

AFFIDAVIT OF DECLARATION  
FOR APPROVAL OF  
LAND PARTITION 47-05

"LAND PARTITION 47-05", BEING A REPLAT OF PARCEL 2 OF "LAND PARTITION 3-04", SITUATED IN THE S1/2 NW1/4 OF SECTION 7, T39S, R10EWM, KLAMATH COUNTY, OREGON.

SOUTH VALLEY BANK AND TRUST, DEPOSE AND SAY THAT WE ARE THE TRUST DEED HOLDERS GIVEN TO SECURE AN INDEBTEDNESS DESCRIBED IN VOLUME M05, AT PAGE 19141, MICROFILM RECORDS OF KLAMATH COUNTY, OREGON, DATED MARCH 18, 2005 AND RECORDED MARCH 23, 2005, EXECUTED BY RUSSELL K. OVGARD AND ELIZABETH K. OVGARD, HUSBAND AND WIFE. THE UNDERSIGNED DO HEREBY APPROVE OF THE TERMS SET FORTH IN SAID PARTITION, INCLUDING THE EASEMENTS FOR PUBLIC UTILITIES.

DATED THIS 31 DAY OF October, 2005.

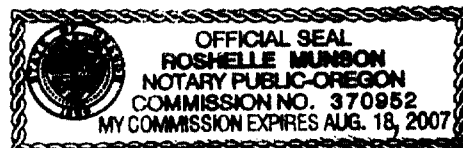
SOUTH VALLEY BANK AND TRUST

BY: Neil B Drew

WITNESSED BEFORE ME ON THIS 31st DAY OF October, 2005.

BY Neil B Drew AS VP/Real Estate Loans OF  
SOUTH VALLEY BANK AND TRUST AS THEIR VOLUNARY ACT AND DEED.

Roshelle Munson  
NOTARY PUBLIC FOR THE STATE OF OREGON



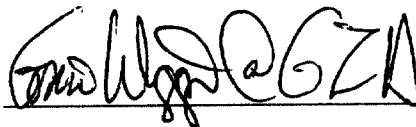
AFTER RECORDING RETURN TO:  
SOUTH VALLEY BANK AND TRUST

State of Oregon  
County of Klamath

OCTOBER 27, 2005

STATE OF OREGON  
COUNTY OF KLAMATH SS

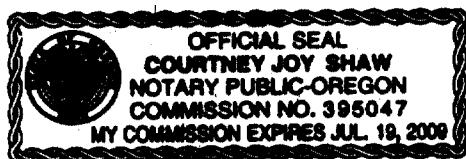
I, ERNIE WIGGET, MANAGER OF ENTERPRISE IRRIGATION DISTRICT, BEING DULY SWORN DEPOSE AND SAY THAT ENTERPRISE IRRIGATION DISTRICT IS RELINQUISHING THE 16' WIDE EASEMENT GRANTED TO US ACROSS PARCEL 2 OF "LAND PARTITION 3-04" A DULY RECORDED LAND PARTITION. ENTERPRISE IRRIGATION DISTRICT UNDERSTANDS THAT A NEW EASMENT WILL BE GRANTED WHERE THE NEW PIPELINE HAS BEEN CONSTRUCTED ALONG THE WEST LINE OF PARCEL 1 OF "LAND PARTITION 47-05" WHEN SAID PARTITION IS FILED FOR RECORD.

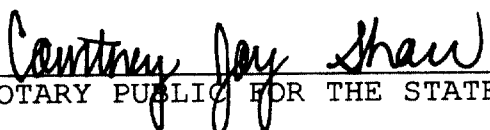


ERNIE WIGGET  
(MANAGER OF ENTERPRISE IRRIGATION DISTRICT)

STATE OF OREGON  
COUNTY OF KLAMATH SS

BE IT REMEMBERED THAT ON THIS 31<sup>st</sup> DAY OF OCTOBER, 2005, PERSONALLY APPEARED BEFORE ME ERNIE WIGGET, MANAGER OF ENTERPRISE IRRIGATION DISTRICT, AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE ABOVE INSTRUMENT ON BEHALF OF THE ENTERPRISE IRRIGATION DISTRICT BOARD OF DIRECTORS.



  
NOTARY PUBLIC FOR THE STATE OF OREGON

MY COMMISSION EXPIRES: Jul. 19, 2009