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SVB\*  
Attn: Jenny

MTC 69778-SH  
WELL AGREEMENT

**M06-02463**  
Klamath County, Oregon  
02/08/2006 11:05:30 AM  
Pages 4 Fee: \$36.00

AGREEMENT, Feb. 7, 2006 between Paul Boersma and Laney Boersma first parties, and Paul Boersma and Laney Boersma, second parties.

WITNESSETH:

First Parties are the owners of the following described real property:

See attached Exhibit "A"

Second Parties are the owners of the following described real property:

See attached Exhibit "A"

Second parties are purchasing a portion of the property previously owned by the First Parties, and First Parties have upon their property a well which the parties wish to allow Second Parties to use for their domestic water supply.

The parties wish to enter into an agreement for the operation, maintenance and repair of said well,

NOW, THEREFORE, in consideration of the premises, the parties covenant and agree to and with each other as follows:

- (1) Each of the parties shall be solely responsible for the maintenance, repair and replacement; of the water lines from the pump to their own premises, but the cost of all future maintenance, replacements and improvements, and electricity for the pump, of the well and casing shall be born equally by the parties and their heirs and assigns.
- (2) First Parties grant to Second Parties, their heirs, grantees and assigns for the benefit of Second Parties' said property, perpetual right and easement in and to

Before me: Stacy N. Howard  
Notary Public for Oregon

## EXHIBIT A

### Parcel 1:

The NE 1/4 of Section 29, Township 39 South, Range 17 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

EXCEPTING THEREFROM a 40 foot strip, being 20 feet wide on each side of the center line of the Rice Lateral, conveyed to the United States of America by Deed recorded June 13, 1927 in Book 78 at page 551, Records of Klamath County, Oregon;

EXCEPTING THEREFROM that portion of NE 1/4 of Section 29 lying Northerly of Keller Road and East Langell Valley Road;

EXCEPTING ALSO a parcel of land located in Klamath County, Oregon, lying in the Northeast quarter of Section 29, Township 39 South, Range 12 East of the Willamette Meridian, described as follows:

Beginning at a point on the East boundary line of said Section 660 feet South of the Northeast corner; thence running South along said Easterly boundary 1980 feet, more or less to the Southeast corner of the Northeast quarter; thence turning at an angle of 90 degrees in a Westerly direction to a point of intersection with the existing right of way boundary of the Langell Valley Irrigation District Canal; thence following this boundary in a Northwesterly direction to a point 660 feet South of the North line of Section 29; thence East to the point of beginning.

ALSO EXCEPTING a parcel of land lying in the Northeast quarter of the Northeast quarter of the Northeast quarter of Section 29, Township 39 South, Range 12 East of the Willamette Meridian, described as follows:

Beginning at the Northeast corner of said Section 29; thence running South on the Easterly boundary of said Section 660 feet; thence turning at an angle of 90 degrees in a Westerly direction to a point of intersection with the existing right of way boundary of the Langell Valley Irrigation District Canal; thence following this boundary in a Northerly direction to a point of intersection with the Northerly boundary of Section 29; thence Easterly following the Section line to the point of beginning.

### Parcel 2:

East 1/2 Southeast 1/4 of Section 20, Township 39, Range 12.0 East of the Willamette Meridian.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

That portion of the SE 1/4 SE 1/4 of Section 20, Township 39 South, Range 12 East, Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point on the East boundary of said Section 20, from which the 1/4 corner of Sections 20 and 21 bears North 0° 12' 26" West 1753.40 feet (see Record of Survey No. 2282 filed at Klamath County For Basis of Bearings); thence West, 666.62 feet; thence South 24° 03' 43" East, 408.38 feet; thence East, 501.47 feet more or less to the East boundary of said Section 20; thence North 0° 12' 26" West, 372.89 feet to the point of beginning.

TOGETHER WITH an easement for access 30 feet in width as granted by Quitclaim Deed recorded March 23, 2005 in Volume M05, page 19308 and corrected and replaced by deed recorded August 22, 2005 in Volume M05, page 62462, Microfilm Records of Klamath County, Oregon; the centerline of said easement being described as follows:

Beginning at a point on the South boundary of said Section 20, from which the Southeast corner of Section 20 bears East, 43.63 feet; thence North 13° 59' 14" West 435.11 feet; thence North 9° 18' 22" West 112.84 feet, more or less, to the South boundary of said 5.00 acre parcel.

AND TOGETHER WITH an easement for utilities 16 feet wide as granted by Quitclaim Deed recorded March 23, 2005 in Volume M05, page 19308 and corrected and replaced by deed recorded August 22, 2005 in Volume M05, page 62462, Microfilm Records of Klamath County, Oregon; the centerline of said easement being described as follows:

Beginning at a point on the South boundary of said Section 20, from which the Southeast corner of Section 20 bears East 171.86 feet; thence North 31° 13' 54" East 128.34 feet; thence North 16° 22' 30" West 184.65 feet; thence North 7° 53' 15" West 294.04 feet, more or less, to the South boundary of said 5.00 acre parcel.