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08/28/2009 10:27:40 AM

Fee: \$36.00

Space above this line for Recorder's use.

After recording, return to:

Oregon Water Resources Department

Send tax statements to:

(no change)725 Summer Street NE, Suite ASalem, OR 97301**EASEMENT (in Gross)
STREAM GAGING STATION**

JWTR, LLC, Grantor, grants to the State of Oregon, acting through the Oregon Water Resources Department, Grantee, a permanent easement in gross for the construction, maintenance, and operation of a stream gaging station for monitoring stream levels, to be housed in a covered structure (a "gage house"), together with orifice lines and outside staff gage (the "Station"), to be located upon the following real property of Grantor, together with a right of ingress and egress to the Station for the purpose of construction, operation and maintenance of the Station only:

Real property of Grantor located in the SW ¼ of the SW ¼ of
Section 20, Township 39 S, Range 7 E, WM, Klamath County,
Oregon (Tax Lot 200)

Grantee shall locate the Station on a concrete foundation on the east bank of Spencer Creek, with orifice lines running from the gage house down the bank in a shallow trench to the stream, and shall maintain the Station in a good, safe, and workmanlike manner. Grantee may locate a bank operated cableway system near the gage house for the purpose of measuring high stream flows and fencing if needed to protect the Station. The cableway system includes a cable running across the stream to steel posts on concrete pads. Grantee may locate a staff gage in the creek. To the extent permitted by Article XI, Section 7 of the Oregon Constitution, and subject to the limits of the Oregon Tort Claims Act, ORS 30.260 through 30.300, Grantee shall indemnify and hold Grantor harmless from any damages or claims arising from Grantee's use of the easement and operation of the Station on Grantor's property.

The Station and all equipment and tools for its maintenance and use placed upon Grantor's property are the property of Grantee and may be removed by Grantee at its cost and expense. Upon removal or relocation of the Station Grantee shall

restore Grantor's property to as near as possible the same state and condition existing prior to installation of the Station.

This easement runs with the land and is binding upon the successors and transferees of Grantor and the successors, assignees and transferees of Grantee.

This easement is granted subject to all prior easements or encumbrances of record on the above described property.

The true consideration for this conveyance is other value given.

Given this 4th day of August, 2009.

GRANTOR:

Chris Sokol

Name: CHRIS SOKOL

State of Oregon)
County of klamath) ss.

This instrument was acknowledged before me on August 4, 2009, by Chris Sokol.



Catherine Gray
Notary Public for Oregon
My commission expires: 5/7/2012

**CERTIFICATE OF APPROVAL OF CONVEYANCE
(ORS 93.808)**

The STATE OF OREGON, acting through its Water Resources Department and pursuant to ORS 93.808, hereby approves and accepts the conveyance from JWR LLC of an easement in gross for the placement, operation and maintenance of a stream gaging station on the real property described in the instrument to which this Certificate is attached.

This Certificate may be affixed to, and recorded with, the easement described above.

DATED this 17 day of August, 2009.

State of Oregon, acting through its
Water Resources Department

By: Tracy Louder

Name: Tracy Louder

Title: Administrator ASD

STATE OF OREGON)

) ss.

County of Marion)

This instrument was acknowledged before me on this 17th day of August, 2009, by Tracy Louder as the Administrator, ASD and authorized representative of the Oregon Water Resources Department.



Brandi Elmer

Notary Public for Oregon

My Commission expires: 2/20/10

