



00102045201100061850050058

05/17/2011 11:24:19 AM

Fee: \$57.00

After recording,
this easement shall be delivered to:

Martha Greene
144946 Birchwood Rd.
La Pine, OR 97739

Unless a change is requested, all tax statements
shall be sent to Grantee at the following address:

Martha Greene
144946 Birchwood Rd.
La Pine, OR 97739

Returned @ Counter

WELL AGREEMENT AND WATER DELIVERY EASEMENT

This well agreement and water delivery easement is entered into the _____ day of May, 2011, between Barbara Tucker ("Grantor") and Martha Greene ("Grantee").

The true consideration for this grant is \$0 but other good and valuable consideration, including a mutual agreement for well maintenance by shared expense.

RECITALS

1. Grantor is the owner in fee simple of real property situated in Klamath County at 144952 Birchwood Road, La Pine, Klamath County, Oregon, 97739 ("Servient Parcel"), more particularly described in the attached Exhibit A.
2. Grantee owns a lot adjacent to Servient Parcel, situated in Klamath County at 144946 Birchwood Road, La Pine, Klamath County, Oregon, 97739 ("Appurtenant Parcel"), more particularly described in the attached Exhibit B.
3. The Parties desire to share a well on the Servient Parcel and the right to use a strip of land for the purpose of transferring water by buried pipe on Grantor's real property, referenced in Exhibit A, to Grantee for the beneficial use of Grantee's Appurtenant Parcel referenced as Exhibit B.
4. To accommodate the desired use referenced in Recital 3, Grantor will grant an easement to share the well on Grantor's Servient Parcel and to run a pipe from the Grantor's Parcel to the Grantee's Parcel, to convey the water to the Appurtenant Parcel, and also to share use of a pump and necessary electrical equipment to transfer the water to Grantee's Appurtenant Parcel.

AGREEMENT

Now therefore, incorporating the above recitals as if stated herein, the parties agree as follows:

Barbara Tucker, Grantor, conveys and warrants to Martha Greene, Grantee, the right to share equally in the use of Grantor's well, registered with the State of Oregon as No. 44365 (See Exhibit C, attached and incorporated by this reference), and an easement to pipe well water across Grantor's real property described as follows:

See Exhibit A, attached herein and incorporated by reference

for the benefit of Grantee's real property by specifically granting to Grantee the right to use Grantor's well, well equipment, and a strip of land ten (10) feet in width and approximately 153

feet in length across Grantor's Servient Parcel from the referenced well to a point at the mutual property line 155 feet from Birchwood Road for the purposes of transporting water, by pump and pipe, to Grantee's Appurtenant Parcel.

1. Grantor and Grantee agree that both shall pay equally for the cost of maintenance and repair of the pipe and pump from the well to the mutual property line.
2. Grantee shall have the right to enter upon Grantor's land for purposes of operation, repair, or maintenance of the water delivery system described herein.
3. Grantee shall pay Grantor Twenty Dollars (\$20.00) per month for the cost of pump electricity.
4. Grantee's right to benefit from this easement shall be perpetual, so long as Grantee continues to desire to use water from Grantor's well by this means, and remains legally entitled to do so.

GRANTOR:

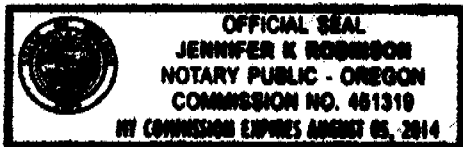
Barbara Tucker
Barbara Tucker
Date: 5/16/2011

GRANTEE:

Martha Greene
Martha Greene
Date: 5/16/11

STATE OF OREGON)
) ss
County of Deschutes)

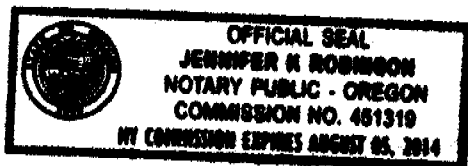
The foregoing instrument was acknowledged before me this 16 day of May, 2011, by Barbara Tucker, Grantor.



Jennifer Robinson
Notary Public for Oregon

STATE OF OREGON)
) ss
County of Deschutes)

The foregoing instrument was acknowledged before me this 16 day of May, 2011, by Martha Greene, Grantee.



Jennifer Robinson
Notary Public for Oregon

EXHIBIT A

Lot 72, Block 1 of SUN FOREST ESTATES, Tract 1060, as shown by Map on file in the office of the County Recorder.

Free and clear of all liens and encumbrances except for restrictions and easements on record and except any lien or encumbrance caused or created by the Lot Vendee.

EXHIBIT B

Lot 73, Block 1, Sun Forest Estates, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

EXHIBIT C

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

KLAM
10638

NOV 18 1992

(START CARD) #

23s/10E/36ca
44365

(1) OWNER: Well Number
Name ALPINE PACIFIC CONSTRUCTION M.

Address PO. BOX 3774
City SUN RIVER State OR Zip 97707

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD:

☐ Rotary Air ☐ Rotary Mud ☒ Cable
☐ Other

(4) PROPOSED USE:

☒ Domestic ☐ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 75 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	To	Material	From	To	sacks or pounds
<u>10"</u>	<u>0</u>	<u>PORTLAND</u>	<u>0</u>	<u>18'</u>	<u>5 SACKS</u>
<u>6"</u>	<u>18'</u>	<u>75'</u>			

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: <u>6"</u>	<u>+1'</u>	<u>75'</u>	<u>.250</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

☒ Perforations Method TORCH CUT
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
<u>64'</u>	<u>74'</u>	<u>12"</u>	<u>20</u>	<u>8"</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
<u>15 gpm</u>	<u>10'</u>		<u>1 hr.</u>

Temperature of Water 55° Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☒ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata: 20'-70'

(9) LOCATION OF WELL by legal description:

County KLAMATH Latitude _____ Longitude _____
Township 23S N or S. Range 10E E or W. WM. _____
Section 36 NE 1/4 SW 1/4
Tax Lot 5400 Lot 72 Block 1 Subdivision SUN FOREST
Street Address of Well (or nearest address) BIRCHWOOD LN.

(10) STATIC WATER LEVEL:

40' ft. below land surface. Date 11/4/92
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SWL
<u>20'</u>	<u>40'</u>	<u>1 gpm</u>	<u>20'</u>
<u>40'</u>	<u>70'</u>	<u>2-3 gpm</u>	<u>40'</u>
<u>70'</u>	<u>75'</u>	<u>15 gpm</u>	<u>40'</u>

(12) WELL LOG:

Material	From	To	SWL
<u>PUMICE</u>	<u>0'</u>	<u>30'</u>	<u>20'</u>
<u>CLAY</u>	<u>30'</u>	<u>50'</u>	<u>40'</u>
<u>SAND</u>	<u>50'</u>	<u>70'</u>	<u>40'</u>
<u>GRAVEL</u>	<u>70'</u>	<u>75'</u>	<u>40'</u>

Date started 10/31/92 Completed 11/4/92

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed Nell L. Wymore WWC Number 1584
Date 11/5/92

ORIGINAL & FIRST COPY - WATER RESOURCES DEPARTMENT

SECOND COPY - CONSTRUCTOR

THIRD COPY - CUSTOMER

9809C 10/91