

mtc

1396 -10979

After recording, return to:
Agent: Tami Minnick
1095 Alandale Avenue SW
Albany, OR 97321

2012-012338

Klamath County, Oregon

11/06/2012 01:13:18 PM

Fee: \$52.00

STATUTORY BARGAIN AND SALE DEED

James E. Lynes, located at 5936 Shawn Drive, Helena, MT 59602, hereinafter called grantor, does hereby grant, bargain, sell, and convey unto **The Diamond Meadows Tract #1384 Homeowner's Association, Inc.** located at P.O. Box 1098, Crescent Lake, OR 97733, hereinafter called grantee, unto grantee's heirs, successors and assigns, all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

85/100 acre (0.85 acre) of surface water right with priority date September 1, 1898 under State of Oregon Certificate of Water Right No. 86855 (Exhibit A) currently appurtenant to real property described as the North half of the North half of the Southwest quarter of the Northeast quarter (N1/2 N1/2 SW1/4 NE1/4) of Section 20, Township 24S, Range 7E, Willamette Meridian, Klamath County, Oregon, a portion of Tax Lot 500 (Exhibit B) subject to the terms and conditions of that most recently dated and signed Purchase and Sale Agreement for Water Rights between grantor and grantee.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration for this conveyance is \$1 and other valuable consideration.

In construing this deed and where the context so requires, the singular includes plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 2 day of November, 2012.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR

52 AMT

AMERITITLE, has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

X James S Lynes
Signature

STATE OF Montana, County of Lewis & Clark) ss.

This instrument was acknowledged before me on November 2nd, 2012, by

James Lynes

Notary Public for Montana Wells Fargo Bank N.A.

My commission expires: 10-25-15



NIKI ORR
NOTARY PUBLIC for the
State of Montana
Residing at Helena, Montana
My Commission Expires
October 25, 2015

[Signature]

11-2-12

STATE OF OREGON
COUNTY OF KLAMATH
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

H P. HOEY
KLAMATH FALLS, OR 97601

confirms the right to use the waters of BIG MARSH CREEK, a tributary to CRESCENT CREEK, for IRRIGATION.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 9, at Page 362. The date of priority is SEPTEMBER 1, 1898.

The amount of water to which this right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purpose and shall not exceed 4 acre-feet per acre, measured at the point of diversion from the stream, which may be diverted at a rate not to exceed One-Fortieth of one cubic foot per second per acre from May 23 to August 20 and One-Eighth of one cubic foot per second per acre from April 1 to May 23 and August 20 to November 1.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	7 E	WM	20	SW NE	30.00

This certificate describes that portion of the water right confirmed by Certificate 13628, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 28 2011, approving Transfer Application T-10672.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed FEB 28 2011

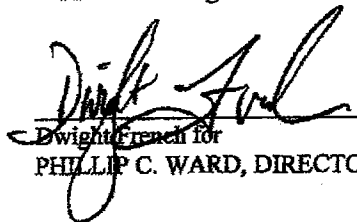

Dwight French for
PHILLIP C. WARD, DIRECTOR

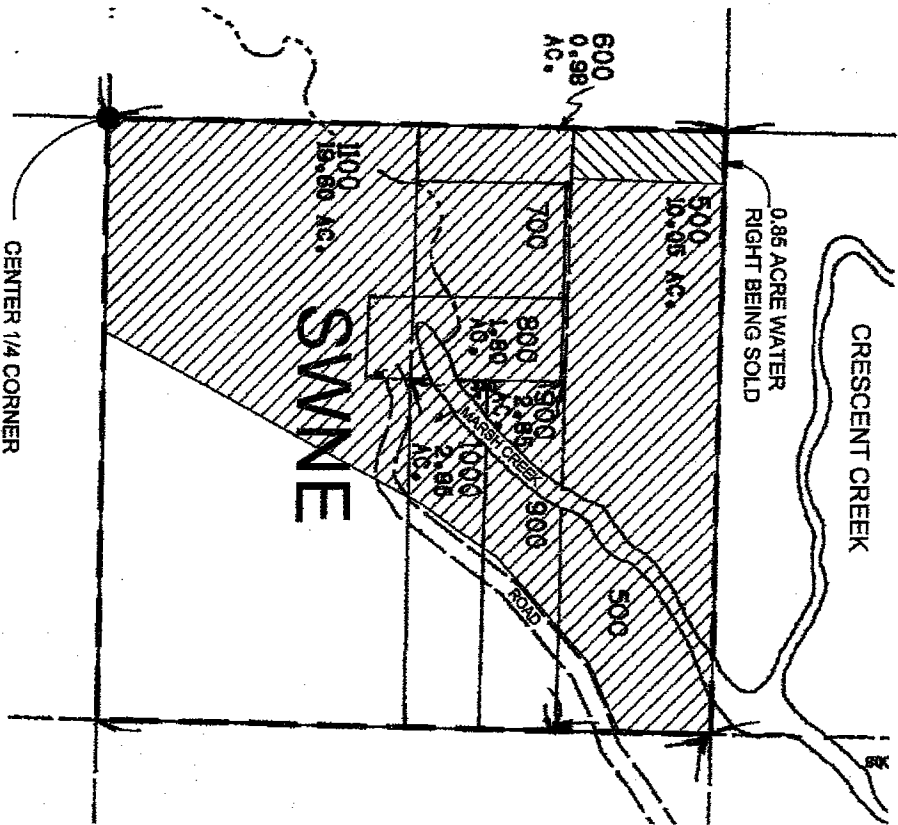
Exhibit A





1" = 400'

NOTE: THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

KLAMATH COUNTY, OREGON
TOWNSHIP 24 SOUTH
RANGE 7 EAST,
WILLAMETTE MERIDIAN
SECTION 20 (TAX LOT 500)
SW 1/4 NE 1/4
PORTION OF CERTIFICATE 86855



 PORTION OF CERT 86855
BEING SOLD
 REMAINING PORTION OF
CERT 86855

! QUARTER QUARTER
L- BOUNDARY

TITLE			
MAP for WATER RIGHT PURCHASE by THE DIAMOND MEADOWS TRACT #1384 HOA			
WATER RIGHT SERVICES, LLC		WWW.OREGONWATER.US	
P.O. BOX 1830, BEND OR 97709		(541) 389-2837 CCB# 197121	
DATE			
OCT 9, 2012	JOHNSHORT@USA.COM	EXHIBIT B	