

Return to:

Klamath Basin  
Improvement District  
6640 KID Lane  
Klamath Falls OR 97603

2014-012955

Klamath County, Oregon



00162788201400129550040042

12/16/2014 09:50:14 AM

Fee: \$57.00

IRRIGATION CONTRACT TO SUSPEND  
FROM KLAMATH BASIN IMPROVEMENT DISTRICT  
AND RELEASE OF WATER RIGHTS

This agreement is by and between KLAMATH BASIN IMPROVEMENT DISTRICT, referred to herein as KBID and Loyal and Nancy R Rookhuyzen, Rookhuyzen Family Trust 14270 Hill Rd Klamath Falls OR 97603 referred to herein as Owner.

WHEREAS:

Owner owns land more particularly described in Exhibit "A" attached hereto, in Klamath County, Oregon, referred to as Klamath County Tax Lot: .25 Acres R-4010-01700-0020E Situs: 14270 Hill Rd Klamath Falls OR 97603

Owner or Owner's predecessors in interest agreed to be included within the KBID for the purposes of receiving services, including delivery of water pursuant to the contracts that KBID has with the United States of America by and through the Bureau of Reclamation, Klamath Irrigation District and other districts located within the Klamath Project. KBID is obligated by contract to the following district or districts, hereinafter referred to as Delivery Districts, regarding water delivery to Owner's land:

Klamath Irrigation District

Owner no longer desires to receive water deliveries and pay the costs thereof.

IT IS THEREFORE AGREED:

CONDITIONS

This agreement is conditioned upon Delivery Districts forgiving payments owed by KBID associated with such real property by reason of contractual obligation between KBID and Delivery Districts. It is agreed that KBID will cooperate with Owner as Owner makes such requests upon Delivery Districts.

This agreement is further conditioned upon all mortgage and lienholders consenting and agreeing with this agreement, and such mortgage and lienholders subordinating their interest to KBID herein.

This agreement is further conditioned upon all construction charges owed to the United States, acting by and through the Bureau of Reclamation have been paid in full.

A further condition of this agreement is approval of this agreement, and approval of resolution exempting the subject real property from assessments, by the Board of Directors of KBID.

KBID agrees as follows:

1. Upon proper execution of this agreement by all parties, including Delivery Districts, Mortgage and lienholders, and Owner, and upon conditions to this agreement being met, KBID releases Owner from KBID assessments, lien, collection and foreclosure rights KBID has under Oregon law.

OWNER agrees and represents as follows:

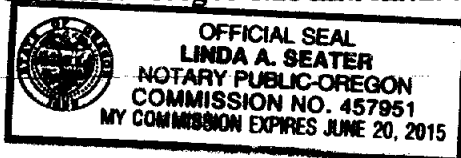


KLAMATH BASIN IMPROVEMENT DISTRICT, by:

George N. Baynus      Rachelle M. Gates  
STATE OF OREGON      ]

County of Klamath      ] ss.

On this 11th day of December, 2014, personally appeared George N. Baynus and Rachelle M. Gates, who, being duly sworn, each for himself and not one for the other, did say that the former is the Vice-President and that latter is the secretary of Klamath Basin Improvement District and that said instrument was signed and sealed in behalf of said district by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed. Before me:



Linda A. Seater  
Notary Public for Oregon

My Commission expires June 20, 2015

After recording return to: Klamath Basin Improvement District 6640 KID Lane, Klamath Falls, Oregon, 97603

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the \_\_\_\_\_ day  
of \_\_\_\_\_ A.D., 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_ M., and duly recorded in Vol. \_\_\_\_\_  
of \_\_\_\_\_ on Page \_\_\_\_\_.

FEE \$ \_\_\_\_\_

County Clerk

By \_\_\_\_\_

EXHIBIT "A"

Map and Tax Lot #4010-01700-0020E

State Of Oregon

County of Klamath

TWP 40 RNGE 10, BLOCK SEC 17, TRAC POR LOT 10 LESS  
DITCH & RR, ACRES 3.00, POTENTIAL ADDITIONAL TAX  
LIABILITY