84-19681 EASEMENT

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KNOW ALL MEN BY THESE PRESENTS, that CENTRAL OREGON IRRIGATION DISTRICT, a municipal corporation, Grantor, for valuable consideration, does hereby grant and convey unto Avion Water Company———, Grantee, its successors and assigns, the following easement, to-wit: Cross under A Lateral and A-6 Sub Lateral of the Central Oregon Canal at their intersection with Ecor Creek Road, Deschutes County, Oregon, within the Southeast Quarter (SEM) of the Southwest Quarter (SEM) of Section 35, T.17 S.. R.12 EWM., with a six-Inch (6") diamater nomestic water line encased within a seven inch (7") diamoter steel casing burried a minimum of twofeet (2') below the inverts of each lateral and with markers installed at each crossing point to identify the location of each crossing. All installation work shall be to the specifications of Grantor, -Together with the right of ingress and egress for the purpose of constructing and/or domestic water line provided, however, that such crossing, right of ingress and egress and the maintenance thereof, shall not interfere with the operation of said Canal by Grantor. It is understood and agreed that Grantee shall pay all costs and fees incurred by the granting of this easement. IT IS EXPRESSLY UNDERSTOOD AND AGREED That the Grantor does not claim to be the owner in fee of said tract. The acceptance of this grant shall constitute an agreement on the part of the Grantee to indemnify and save harmless the Central Oregon Irrigation District, its successors and assigns, from any and all damages or claims for damages that may result from the construction and/or operation of said____damestic over said described Canal. DATED This 6th day of November OREGON IRRIGATION DISTRICT SECRETARY STATE OF OREGON County of Deschutes Personally appeared Hal Meyers who, being duly sworn, each for himself and not one for the other, did say that the former is the President and the letter is the Secretary of Central Oregon Irrigation District, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of seid corporation by authority of its Board of Directors; and each of them acknowledged said instrument to be Before me: NOTARY PUBLIC FOR OREGON JENDRETH M. SIMPSON NOTARY PUBLIC - DREGON My Commission Express 7/26/86 MY COMMISSION EXPIRES: _____

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STATE OF OREGON) SS.

I, MARY SUE PENHOLLOW, COUNTY CLERX AND RECORDER OF CONVEYANCES, IN AND FOR SAID COUNTY, DO HERERY CERTIFY THAT THE WITHIN INSTRUMENT WAS RECORDED THIS DAY:

1984 1197 19 Fil 1: 25 MARY SHE FLISHMELOW COUNTY CLERK

NO. 84-19651 FEE 5DESCRIPTION OFFICIAL RECORDS