



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

RECEIVED

Check all items included with this application. (N/A = Not Applicable)

FEB 04 2019

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 25796**
Please include a separate Part 5 for each water right. (See instructions on page 6)

OWRD

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☒ ☐ N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

___ Application fee not enclosed/insufficient ___ Map not included or incomplete

___ Land Use Form not enclosed or incomplete

___ Additional signature(s) required ___ Part ___ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____ / ____ / ____

FEB 04 2019

Part 2 of 5 – Transfer Application Map Checklist

OWRD

Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- ☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- ☐ ☒ N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale.
- ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- ☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- ☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- ☒ ☐ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- ☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

FEE WORKSHEET for PERMANENT TRANSFER

Part 3 of 5 – Fee Worksheet

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,160
	Types of change proposed: ☒ Place of Use ☐ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b)</u> <i>If only one change, this will be 0</i>	RECEIVED FEB 04 2019 OWRD	
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	930
3	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i> Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☒ No: enter 0 » ☐ Yes: enter \$410 »	4	0
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » ☒ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>0.135 (5a)</u> Subtract 1.0 from the number in 5a above: <u>-0.865 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » » » Subtotal:	6	2090
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	8	2090

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION

1	Base Fee (includes change to one well)	1	\$840.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$410 and enter » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	NA

RECEIVED

FEB 04 2019

Part 4 of 5 – Applicant Information and Signature

Applicant Information

OWRD

APPLICANT/BUSINESS NAME Six Shooter Ranch, LLC			PHONE NO. 715-459-3647	ADDITIONAL CONTACT NO.
ADDRESS 2357 Hillside Road			FAX NO.	
CITY Richfield	STATE WI	ZIP 53076	E-MAIL jere@sixshooterranch.net	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Tenneson Engineering Corp Attn: Larry Toll			PHONE NO. 541-296-9177	ADDITIONAL CONTACT NO.
ADDRESS 3775 Crates Way			FAX NO.	
CITY The Dalles	STATE OR	ZIP 97058	E-MAIL ltoll@tennesoneng.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why: Transfer the water rights to land that are better suited to what we would like to do and get away from crossing the highway.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

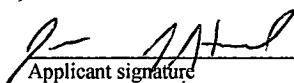
☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: _____.

I (we) affirm that the information contained in this application is true and accurate.


Applicant signature

Jere J Hamel (Manager)
Print Name (and Title if applicable)

1-30-19
Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☐ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

Describe any special ownership circumstances here: _____

- ☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (**Tip: Complete and attach Supplemental Form D.**)

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

- ☐ Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

 To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Wheeler County Planning Department	ADDRESS PO Box 447	
CITY Fossil	STATE OR	ZIP 97830

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED

FEB 04 2019

INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab; toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "Allow only this type of editing in the document: **Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

RECEIVED

FEB 04 2019

OWRD

Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 25796

Description of Water Delivery System

System capacity: 0.22 to 0.33 cubic feet per second (cfs) **OR**

100 to 150 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **The system includes both flood irrigation and sprinkler irrigation. The area east of Highway 207 has a 1 hp pump that can run 6 Rainbird 5000 sprinklers or the equivalent of 30 gpm. The land flood irrigated west of Highway 207 is not measured. The amount of water is usually more dependent on what is in Girds Creek than any other factor. Our estimate is that somewhere near 100 to 150 gpm is spread across that field.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Diversion	☒ Authorized ☐ Proposed		11 S	22 E	4	SE SW	100	326' N & 2240' E from SW cor Sec 4
Spring	☒ Authorized ☐ Proposed		11 S	22 E	9	NW NE	100	140' S & 3110' E from SW cor Sec 4
Additional Diversion	☐ Authorized ☒ Proposed		11 S	22 E	4	SE SW	100	367' N & 1637' E from SW cor Sec 4

Check all type(s) of change(s) proposed below (change “CODES” are provided in parentheses):

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☒ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- ☐ Yes Complete only the Proposed (“to” or “on” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes.
- ☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

RECEIVED

See page 6 for instructions.

Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 25796

List the change proposed for the acreage in each 1/4. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES													PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES												
Twp	Rng	Sec	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POA(s) to be used (from Table 1)	Priority Date	List only that part or portion of the water right that will be changed.				Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POA(s) to be used (from Table 1)	Priority Date	
EXAMPLE																									

[illegible][illegible]

Additional remarks: Along with this transfer we are filing a cancellation affidavit to cancel 1.0 acre of water rights that are under interior roads and under some buildings. There will be a remaining water right of 1.0 acre which falls under Highway 207 which would be under the ownership of Oregon Department of Transportation.

RECEIVED
FEB 04 2019
13118
OWARD

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☐ Yes ☒ No

If YES, list the certificate, water use permit, or ground water registration numbers: _____.



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

RECEIVED

FEB 04 2019

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

OWRD

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

- ☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right

Application for Water Right Transfer Evidence of Use Affidavit



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.
Supporting documentation must be attached.

State of Wisconsin)
) ss

County of Wood)

I, JERE J. HAMEL, in my capacity as RANCH MANAGER,

mailing address 5490 POPLAR LANE, VESPER, WI
54489

telephone number (715) 459-3647, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

☒ Personal observation ☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for
Certificate # ; **OR**

☐ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
25796	11	S	22	E	W	4	SW	SW		4.1
						4	SE	SW		1.7

OR

- ☐ Confirming Certificate # has been issued within the past five years; **OR**
- ☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- ☐ Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # (For Historic POD/POA Transfers)

RECEIVED

FEB 04 2019

OWRD

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): PASTURE, LAWN

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

RECEIVED

FEB 04 2019

OWRD

Signature of Affiant

Date

1-23-19

Signed and sworn to (or affirmed) before me this 23rd day of January 2019.

COURTNEY MANCL
Notary Public
State of Wisconsin

Notary Public for Wisconsin

My Commission Expires: 11/16/2020

Supporting Documents	Examples
☐ Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
☒ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

RECEIVED

FEB 04 2019

OWRD

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is **NOT** required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

RECEIVED

FEB 04 2019

OWRD

Applicant(s): Six Shooter Ranch, LLC

Mailing Address: 2357 Hillside Road

City: Richfield

State: WI

Zip Code: 53076

Daytime Phone: 715-459-3647

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>11 S</u>	<u>22 E</u>	<u>4</u>	<u>S 1/2</u> <u>SW 1/4</u>	<u>100</u>	_____	☒ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>
_____	_____	<u>2</u>	<u>N 1/2</u> <u>NW 1/4</u>	<u>100</u>	_____	☐ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>
_____	_____	<u>2</u>	<u>NE 1/4</u> <u>NW 1/4</u>	<u>100</u>	_____	☒ Diverted	☒ Conveyed	☐ Used	_____
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Wheeler County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☐ Permit to Use or Store Water ☒ Water Right Transfer ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Girds Creek

Estimated quantity of water needed: 0.145 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Moving water rights to some land that will be more usefull to us plus we will not have to cross Hwy 207 to tend irrigation in a major part of the transfer.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

FEB 04 2019

OWRD

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Ordinance No. 80-02, Section 5(3)(a), Section 5(3)(b)
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Matt Davis Title: Planning Director

Signature: [Signature] Phone: (591) 763-2126 Date: 12-26-2018

Government Entity: Wheeler County Planning Department

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: Six Shooter Ranch, LLC

City or County: Wheeler Staff contact: Matt Davis

Signature: [Signature] Phone: (591) 763-2126 Date: 12-26-2018

contact by email

13118

RECEIVED

FEB 04 2019

STATE OF OREGON

COUNTY OF : WHEELER

OWRD

CERTIFICATE OF WATER RIGHT

This Is to Certify, That E. B. SHOWN

of Mitchell, State of Oregon, has a right to the use of
the waters of Spring in NW 1/4 Section 9, T. 11 S., R. 22 E., W. M., and Girds Creek
for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Grant County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 15, at page 461; that the priority of the right thereby
confirmed dates from 1869

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 1/40 cubic foot per
second per acre irrigated to June 1 and 1/80 cubic foot per second per acre there-
after; further limited to one acre-foot per calendar month to June 1 and four acre-
feet per acre during season April 1 to Sept. 30, measured at point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant
(or, if for other purposes, the place where such water is put to beneficial use), is as follows:

5.5 acres in SW 1/4
2.3 acres in SE 1/4
Section 4,
T. 11 S., R. 22 E., W. M.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the State Engineer, affixed

this 1st day of May, 1959.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 25736

13118

FEB 04 2019

OWRD

**AFFIDAVIT FOR THE VOLUNTARY CANCELLATION
OF A PORTION OF A WATER RIGHT CERTIFICATE (ORS 540.621)**

State of Wisconsin)

County of Washington

I/We (or authorized agent), James D. Hamel,
residing at 2357 Hillside Road, Richfield, WI 53076,
telephone number (262) 628-9484, being first duly sworn depose and say:

1. We are the legal and deeded owner(s) of the property described as tax lot number 100, within the S1/2SW1/4, Section 4, Township 11 S, Range 22 E, of the Willamette Meridian, in Wheeler County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit.
2. We wish to cancel the following portion(s) of the water right certificate number 25796 issued to E. R. Shown with a date of priority of 1869.

☒ A place of use, or use.

•For the use of (specify irrigation, domestic, etc.) irrigation

FOR IRRIGATION OR NURSERY USE:

- Total number of acres to be cancelled 1.0
- Location of acres to be cancelled must be clearly identified on a copy of the final proof map.

•In the amount of 1/40 cfs per acre to June 1 and 1/80 cfs per acre after June 1

•From the water source (s) Girds Creek and Spring

3. The appurtenant water right **is not** located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (*if the right is located within a district or reclamation project, name it here:* _____)
4. The portion of the water right being cancelled is **not served** by an irrigation district. The signature of the district manager on the line below indicates the concurrence of the district to the cancellation of the portion of the water right served by the district.

NA _____

Signature of district manager

NA _____

Printed Name

NA _____

Date

5. If the water right is issued in the name of an irrigation district then the affiant must have the concurrence of the district to the cancellation of the portion of the water right. (*Signature of district manager on the line below documents consent of the district.*)

NA

Signature of district manager

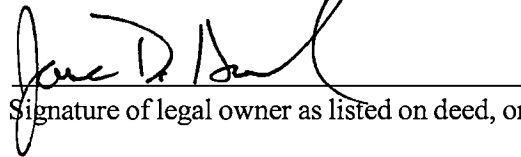
NA

Printed Name

NA

Date

6. We have abandoned any and all interest in the portion of the water right described in Item 2, above, and request that portion of the right be canceled.



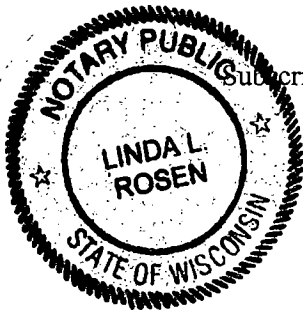
Signature of legal owner as listed on deed, or authorized agent

1-25-19

Date

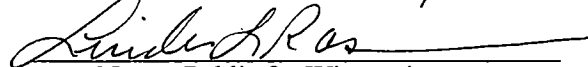
Signature of legal co-owner as listed on deed
(If applicable)

Date



Subscribed and Sworn to Before Me this 25th day of January, 2019.

STATE OF WISCONSIN
MILWAUKEE COUNTY



Notary Public for Wisconsin
LINDA L. ROSEN

My Commission Expires 06.21.2021

PLEASE ATTACH A LEGIBLE COPY OF:

- 1) A deed which lists landowners and includes a legal description of affected lands, and
- 2) A copy of a water right final proof map, or a tax lot map, or an adjudication map with the abandoned portion of the right clearly drawn and identified.
- 3) IF ACTING AS AN AUTHORIZED AGENT, include a copy of Power of Attorney or other documents granting authority to act on behalf of the legal owner(s).

RECEIVED

FEB 04 2019

OWRD



After recording return to:

Six Shooter Ranch I LLCc/o Neil R. Bryant 591 SW Mill View WayBend, OR 97702Until a change is requested all tax statements
shall be sent to the following address:Six Shooter Ranch I LLCc/o Neil R. Bryant 591 SW Mill View WayBend, OR 97702Escrow No. WC3673Title No. 0003673

SWD r.020212

WHEELER COUNTY, OREGON

2014-0238

D-WD

Cnt=1 Pgs=11 BARBS 08/28/2014 03:58:22 PM

\$55.00 \$11.00 \$20.00 \$10.00

Total: \$96.00



00002983201400002380110114

I, Barbara S. Sitton, County Clerk for Wheeler County,
Oregon certify that the instrument identified herein was
recorded in the Clerk records.

Barbara S. Sitton - County Clerk

RECEIVED

FEB 04 2019

OWRD

STATUTORY WARRANTY DEED

Thomas G. Atwood,

Grantor(s), hereby convey and warrant to

Six Shooter Ranch I LLC, an Oregon Limited Liability Company, as to Tract(s) I-V; Six Shooter Ranch II LLC, an Oregon Limited Liability Company, as to Tract VI; Six Shooter Ranch III LLC, an Oregon Limited Liability Company, as to Tract VII; Six Shooter Ranch IV LLC, an Oregon Limited Liability Company, as to Tract VIII and Six Shooter Ranch V LLC, an Oregon Limited Liability Company, as to Tract IX,

Grantee(s), the following described real property in the County of Wheeler and State of Oregon free of encumbrances except as specifically set forth herein:

SEE EXHIBIT "A" WHICH IS MADE A PART HEREOF BY THIS REFERENCE

The true and actual consideration for this conveyance is PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

The above-described property is free of encumbrances except as set forth in attached exhibit "B" attached hereto and made a part hereof, as of the date of this deed and those shown below, if any:

SEE EXHIBIT "B" WHICH IS MADE A PART HEREOF BY THIS REFERENCE

2014-2015 Real Property Taxes a lien not yet due and payable.

AMERITITLE

WC3673AH

13118

11

RECEIVED

FEB 04 2019

OWRD

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 26TH day of AUGUST, 2014

Thomas G. Atwood

BY: Thomas G. Atwood

Thomas G. Atwood, Exchangor

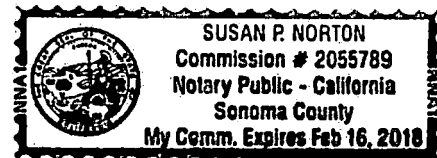
STATE OF CALIFORNIA

COUNTY OF SONOMA^{SS.}

On AUG 26, 2014 before me, SUSAN P. NORTON NOTARY PUBLIC personally appeared Thomas G. Atwood personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Susan P. Norton



13118

FEB 04 2019

EXHIBIT "A"

Located in WHEELER COUNTY, OREGON:

OWRD

TRACT I

Township 10 South, Range 22 East of the Willamette Meridian:

- Section 23: SE1/4, SAVE AND EXCEPT a tract described as follows: Beginning at the Northwest corner of the NW1/4SE1/4, running thence South 1/8 mile; thence Northeasterly to the Northeast corner of said forty; thence West 1/4 mile to the place of beginning.
- Section 24: All.
- Section 25: All, EXCEPT SE1/4NW1/4.
- Section 26: NE1/4NE1/4.
- Section 36: All.

Township 10 South, Range 23 East of the Willamette Meridian:

- Section 17: SW1/4; W1/2SE1/4.
- Section 18: E1/2SW1/4; SE1/4.
- Section 19: All, (fractional).
- Section 20: W1/2; W1/2NE1/4.
- Section 29: N1/2NW1/4; SE1/4NW1/4; NW1/4NE1/4; SW1/4; W1/2SE1/4.
- Section 30: All, (fractional).
- Section 31: All, (fractional).
- Section 32: NW1/4; W1/2SW1/4.

Township 11 South, Range 22 East of the Willamette Meridian:

- Section 1: Lot 1; SE1/4NE1/4; E1/2SE1/4; SW1/4SW1/4.
- Section 11: The East 660 feet thereof, Except the NE1/4NE1/4.
- Section 12: W1/2; W1/2E1/2.
- Section 14: SE1/4NE1/4; E1/2SE1/4.
- Section 23: The East 660 feet of the N1/2.

Township 11 South, Range 23 East of the Willamette Meridian:

- Section 5: W1/2W1/2.
- Section 6: All, (fractional).

TRACT II

Township 10 South, Range 23 East of the Willamette Meridian:

- Section 10: That part of the SW1/4 lying West of the centerline of the Richmond County Road No. 4.
- Section 14: That part of the SW1/4 lying West of the centerline of the Richmond County Road No. 4.
- Section 15: That part of the W1/2 lying West of the centerline of the Richmond County Road No. 4.
- Section 16: SE1/4; SW1/4NE1/4.
- Section 17: SE1/4SE1/4.
- Section 20: E1/2NE1/4; SE1/4.
- Section 21: All.
- Section 22: All.
- Section 23: That part lying West of the centerline of the Richmond County Road No. 4.

FEB 04 2019

OWRD

TRACT II (Cont.)

- Section 24: S1/2SW1/4, SAVE AND EXCEPT a tract described as follows: Beginning at the Northeast corner of said S1/2SW1/4; thence South 55 degrees West a distance of 1436.00 feet, more or less to the centerline of the Richmond County Road No. 4, thence Northwesterly along said centerline to the North line of said S1/2SW1/4; thence East along said North line to the point of beginning.
- Section 25: W1/2W1/2; Those parts of the NE1/4SW1/4 and the SE1/4NW1/4 and of the S1/2S1/2NE1/4NW1/4 lying West of the centerline of the Richmond County Road No. 4; N1/2S1/2NE1/4NW1/4; N1/2NE1/4NW1/4.
- Section 26: All, EXCEPT SE1/4NW1/4.
- Section 27: All.
- Section 28: N1/2; N1/2SW1/4; SW1/4SW1/4; E1/2SE1/4.
- Section 29: S1/2NE1/4; E1/2SE1/4.
- Section 32: NE1/4; E1/2SW1/4; NW1/4SE1/4; SE1/4SE1/4.
- Section 33: SW1/4NW1/4; SE1/4NE1/4; S1/2SW1/4; SW1/4SE1/4.
- Section 34: All.
- Section 35: All.
- Section 36: That part lying West of the centerline of the Richmond County Road No. 4.

Township 11 South, Range 22 East of the Willamette Meridian:

- Section 12: E1/2E1/2.
- Section 13: All.
- Section 24: N1/2.

Township 11 South, Range 23 East of the Willamette Meridian:

- Section 1: That part lying West of the centerline of the Richmond County Road No. 4.
- Section 2: All, (fractional).
- Section 3: All, (fractional).
- Section 4: All, (fractional), EXCEPT SE1/4NE1/4.
- Section 5: Lots 1, 2 and 3: SE1/4NW1/4; SE1/4NE1/4; E1/2SW1/4; SE1/4.
- Section 7: All, (fractional), EXCEPT Lot 4.
- Section 8: All.
- Section 9: N1/2; N1/2S1/2; SW1/4SW1/4.
- Section 10: N1/2; N1/2S1/2.
- Section 11: N1/2; N1/2SE1/4.
- Section 12: That part of the NW1/4NW1/4 lying West of the centerline of the Richmond County Road No. 4.
- Section 17: NW1/4NW1/4; S1/2NW1/4; NE1/4NE1/4; SW1/4NE1/4; N1/2SW1/4; NW1/4SE1/4.
- Section 18: Lots 1, 2, 3 and 4; E1/2NW1/4; NE1/4; E1/2SW1/4; N1/2SE1/4.
- Section 19: NE1/4NW1/4.

TRACT III**Township 10 South, Range 23 East of the Willamette Meridian:**

- Section 28: W1/2SE1/4; SE1/4SW1/4.
- Section 32: NE1/4SE1/4.
- Section 33: N1/2N1/2; SW1/4NE1/4; SE1/4NW1/4; N1/2S1/2.

RECEIVED
FEB 04 2019
OWRD

TRACT IV

Township 10 South, Range 23 East of the Willamette Meridian:
Section 16: E1/2NE1/4.

TRACT V

Township 11 South, Range 23 East of the Willamette Meridian:
Section 9: SE1/4SW1/4; S1/2SE1/4.
Section 10: S1/2S1/2.
Section 11: N1/2SW1/4.
Section 19: Lot 1; that part of Lot 2 lying North and West of a diagonal line running from the Northeast corner to the Southwest corner of said Lot 2 and indicated on the ground by a fence.

TRACT VI

Township 11 South, Range 23 East of the Willamette Meridian:
Section 17: SW1/4SW1/4.
Section 18: S1/2SE1/4.

TRACT VII

Township 10 South, Range 23 East of the Willamette Meridian:
Section 32: SW1/4SE1/4.
Section 33: SE1/4SE1/4.

Township 11 South, Range 23 East of the Willamette Meridian:
Section 4: SE1/4NE1/4.
Section 5: SW1/4NE1/4.

TRACT VIII

Township 11 South, Range 23 East of the Willamette Meridian:
Section 7: Lot 4.
Section 17: NE1/4NW1/4; NW1/4NE1/4.

TRACT IX

Township 11 South, Range 21 East of the Willamette Meridian:
Section 13: That part lying East of Oregon State Highway No. 207.
Section 24: That part lying East of Oregon State Highway No. 207.
Section 25: All.
Section 26: That part lying East of Oregon State Highway No. 207.
Section 35: That part of the NE1/4 lying East of Oregon State Highway No. 207.
Section 36: That part of the N1/2 lying East of Oregon State Highway No. 207.

FEB 04 2019

OWRD

TRACT IX (Cont.)

Township 11 South, Range 22 East of the Willamette Meridian:

Section 4: S1/2SW1/4; SW1/4SE1/4.

Section 8: S1/2SE1/4; and that portion of the S1/2SW1/4 lying Southerly of the right of way of the Service Creek-Mitchell Highway as the same existed prior to June 4, 1948; and all that portion of the N1/2SE1/4 lying South and East of the Service Creek-Mitchell Highway.

Section 9: All.

Section 10: S1/2N1/2; S1/2.

Section 11: S1/2N1/2, EXCEPT the East 660 feet thereof; S1/2, EXCEPT the East 660 feet thereof.

Section 14: All, EXCEPT SB1/4NE1/4; E1/2SE1/4.

Section 15: All.

Section 16: All.

Section 17: That part lying South of Oregon State Highway No. 207.

Section 18: That part lying South of Oregon State Highway No. 207.

Section 19: All, (fractional).

Section 20: All.

Section 21: All.

Section 22: All.

Section 23: All, EXCEPT the East 660 feet of the N½ thereof.

Section 26: NW1/4NW1/4.

Section 27: All, EXCEPT the 4 acre tract conveyed by deed recorded November 25, 1919, in Wheeler County Deed Book 14, page 610.

Section 28: All.

Section 29: All.

Section 30: All, (fractional).

Section 31: All, EXCEPT Lot 4, ALSO EXCEPTING W½W½W½SE½SW¼.

Section 33: N1/2N1/2.

RECEIVED

FEB 04 2019

OWRD

EXHIBIT "B"

1. The 2014-2015 Taxes: A lien not yet due or payable.
2. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use the property will be subject to additional taxes or penalties and interest.
3. The assessment roll and the tax roll disclose that the premises herein described were specially assessed as Forest Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land use assessment.
4. Any improvement located on the insured property, which is described or defined as a mobile home under the provisions of Chapters 446.561 through 446.646, Oregon Revised Statutes, and is subject to registration as provided therein.
5. Existing rights of way for roads, highways, irrigation ditches, canals, and pole lines.
6. Reservations contained in Patents from the United States of America and in Deeds from the State of Oregon and the Dalles Military Road Company and/or its successors in interest.
7. Access of restriction which purport to limit or prohibit access from the adjacent lands to, through, over or upon the relocated Ochoco Highway and relocated Service Creek-Mitchell Highway.
8. Any adverse claim based upon the assertion that:

Rights of the public and governmental bodies in and to any portion of the premises herein described lying below the high water mark of any bodies of water, streams and rivers, including any ownership rights which may be claimed by the State of Oregon below the high water line.
9. The property described herein consists of many sections and portions of sections, many of which are contiguous. Access to much of the property may be through these adjoining tracts. Rights of access to the property is limited to those public roads which abut or pass through the property described herein and no representation is made that all sections and/or parts thereof have independent rights of access.
10. An Easement created by instrument, subject to the terms and provisions thereof:
Dated: November 12, 1941
Recorded: September 25, 1945
Book-Page No.: 24-616 (Records of Wheeler County, Oregon)
Grantor: E. R. Shoun.
In Favor of: State of Oregon for the use of the Oregon State Board of Forestry

RECEIVED

FEB 04 2019

OWRD

11. Reservation as set out in deed:

From: Arthur R. Munkwitz, individually and as Trustee and Martha C. Munkwitz, his wife
To: F. M. Crawford
Recorded: October 8, 1946
Book-Page No.: 25-297 (Records of Wheeler County, Oregon)

The interest excepted above has not been examined and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title report.

12. Reservation as set out in deeds:

Recorded: August 19, 1947
Book-Page No.: 25-585 and 25-587 (Records of Wheeler County, Oregon)

The interest excepted above has not been examined and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title report.

13. Reservation of all oil gas, mines and minerals as set out in deed:

From: H. K. Schmitt and Amy I. Schmitt
To: Pansy Owens
Recorded: June 9, 1948
Book-Page No.: 26-198 (Records of Wheeler County, Oregon)

The interest excepted above has not been examined and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title report.

14. Reservation of oil and minerals as set out in deed:

From: W. L. Jackson, Audrey Jackson and Elmer J. Jackson
To: E. R. Shown
Recorded: August 30, 1950
Book-Page No.: 27-28 (Records of Wheeler County, Oregon)

The interest excepted above has not been examined and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title report.

15. A Right of Way Deed created by instrument, subject to the terms and provisions thereof:

Dated: April 23, 1952
Recorded: November 24, 1952
Book-Page No.: 27-603 (Records of Wheeler County, Oregon)
Grantor: Pansy Owens
In Favor of: Hudspeth Pine, an Oregon corporation

16. Reservation of Certain Rights, including the terms and provisions thereof, recorded October 17, 1960, as Book-Page No. 30-50 (Records of Crook County, Oregon).

RECEIVED

FEB 04 2019

OWRD

17. Easements created by instrument, subject to the terms and provisions thereof:
Dated: December 3, 1963
Recorded: December 11, 1963
Book-Page No.: 30-566 (Records of Wheeler County, Oregon)
Grantor: Hudspeth Sawmill Company and others
In Favor of: Hudspeth Pine, Inc.
18. A Non Exclusive Road Easement created by instrument, subject to the terms and provisions thereof:
Dated: November 7, 1973
Recorded: April 22, 1974
Microfilm No.: M-34-149 (Records of Wheeler County, Oregon)
Grantor: Central Oregon Fabricators, Inc., an Oregon corporation
Grantee: United States of America
19. A Telephone Line Right of Way Easement created by instrument, subject to the terms and provisions thereof:
Dated: July 6, 1981
Recorded: December 3, 1981
Microfilm No.: M-36-192 (Records of Wheeler County, Oregon)
Grantor: Francis C. Cherry and Lorraine D. Cherry, husband and wife
In Favor of: Telephone Utilities, Inc.
Affected Property: A strip of land 20 feet in width in the SE ¼ of Section 27, Township 11 South, Range 22 East of the Willamette Meridian.
20. A Telephone Line Right of Way Easement created by instrument, subject to the terms and provisions thereof:
Dated: June 21, 1983
Recorded: September 12, 1983
Microfilm No.: M-36-746 (Records of Wheeler County, Oregon)
Grantor: F. C. Cherry and L. D. Cherry
In Favor of: Telephone Utilities of Eastern Oregon, Inc.
Affected Property: S1/2SW1/4 and SW1/4SE1/4 of Section 4 in Township 11 South, Range 22 East of the Willamette Meridian.
21. Reservation of minerals, mineral rights and related rights of way, geothermal resources and rights of way for ditches and canals, including the terms and provisions contained therein, in deed from United States of America:
Recorded: February 3, 1989
As Microfilm No.: M-38-468 (Records of Wheeler County, Oregon)

The current ownership of said interest and matters affecting said interest are not shown herein.

22. Subject to those rights for road and lookout tower purposes granted to the State of Oregon Department of Forestry, its successors and assigns, by right-of-way No. OR 42102, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761) as to the NE1/4NE1/4; SW1/4NE1/4; N1/2SE1/4; N1/2SW1/4 of Section 33 in Township 10 South, Range 23 East of the Willamette Meridian as disclosed by Patent:
Recorded: February 3, 1989
Microfilm No.: M-38-468 (Records of Wheeler County, Oregon)
23. Subject to those rights for communication site purposes granted to Blue Mountain TV Cable Co., or its successors and/or assigns, by right of way No. OR 7015, pursuant to the Act of March 4, 1911, as amended (43 U.S.C. 961) as to the SE1/4NW1/4 and NE1/4SW1/4 of Section 33 in Township 10 South, Range 23 East of the Willamette Meridian as disclosed by Patent:
Recorded: February 3, 1989
Microfilm No.: M-38-468 (Records of Wheeler County, Oregon)
24. A Right of Way Easement and Agreement created by instrument, subject to the terms and provisions thereof:
Dated: October 15, 1991
Recorded: November 4, 1991
Microfilm No.: M-39-145 (Records of Wheeler County, Oregon)
Grantor: Francis C. Cherry and Lorraine D. Cherry, husband and wife
In Favor of: Telephone Utilities of Eastern Oregon
Affected Property: A portion of Section 31, Township 11 South, Range 22 East of the Willamette Meridian South of Oregon State Highway No. 26.
25. Rights of tenants under existing leases or tenancies.
26. Reservation of oil, gas, minerals, or other natural resources, including the terms and provisions contained therein, in deed from the State of Oregon, acting by and through the Department of State Lands.
Recorded: March 6, 2006
Microfilm No.: 060101 (Records of Wheeler County, Oregon)
- The interest excepted above has not been examined and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title report.
27. Reservation of oil, gas, minerals, or other natural resources, including the terms and provisions contained therein, in deed from N.R.L.L. East, LLC, a Florida limited liability company.
Recorded: December 7, 2006
Microfilm No.: 060503 (Records of Wheeler County, Oregon)
- The interest excepted above has not been examined and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title report.

RECEIVED

FEB 04 2019

OWRD

28. We are unable to ascertain from the records if the premises herein described have a means of ingress and egress to and from a legally dedicated road or highway and for this reason such rights cannot be insured.
29. Reservation of minerals and geothermal resources, including the terms and provisions contained therein, in deed from The State of Oregon, acting by and through the Department of State Lands.

Recorded: March 6, 2006

Microfilm No: 060102 (Records of Wheeler County, Oregon)

The interest excepted above has not been examined and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title report.

**Oregon Water Resources Department**
Transfer Fee Calculation for Permanent (Non-District) Transfer[Main](#) [Help](#)
[Return](#) [Contact Us](#)

Today's Date: Tuesday, February 5, 2019	Fee Calculation
Base Fee (includes one type of change to one water right for up to 1 cfs)	\$1,160.00
Fill in information below-- Check each box that applies.	
Types of Change Proposed:	
☒ Place of Use	
☒ Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD	
☐ Character of Use	\$930.00
Enter total number of water rights included in transfer. 1	\$0.00
☐ Check this box if you propose to add or change a well, or change from a surface water POD to a well.	
☐ Check this box if you propose to change the place of use or character of use for a NON-irrigation right.	
☐ Check this box if you propose to change the place of use or character of use for an irrigation right.	
Total Transfer CFS(rounded up to the next whole cfs):	
Subtotal:	\$2,090.00
Check each box that applies.	
☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.	
☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.	
Discount:	
Transfer Fee:	\$2,090.00
Return to Edit Clear	