

Application for a Permit to Use Groundwater



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME BUTTER CREEK CATTLE C/O STEVE CURRIN		PHONE (HM) 541-969-0069	
PHONE (WK) 541-969-0069	CELL 541-969-0069	FAX	
ADDRESS 60694 LITTLE BUTTER CREEK RD			
CITY HEPPNER	STATE OR	ZIP 97836	E-MAIL* LISANNECURRIN@GMAIL.COM

Organization

NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL*	

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

AGENT / BUSINESS NAME WILLIAM PORFELY		PHONE 541-561-7259		FAX
ADDRESS P.O. Box 643			CELL	
CITY STANFIELD	STATE OR	ZIP 97875	E-MAIL* WPORFELY@GMAIL.COM	

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Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.



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


Applicant Signature

STEVE CURRIN, partner
Print Name and Title if applicable

Leasee 11/14/23
Date

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Applicant Signature

Print Name and Title if applicable

Date

For Department Use: App. Number: _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- ☒ YES, there are no encumbrances.
- ☒ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- ☐ NO, I have a recorded easement or written authorization permitting access.
- ☐ NO, I do not currently have written authorization or easement permitting access.
- ☐ NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- ☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
WELL #1	LITTLE BUTTER CREEK	.02 MILES	SURFACE WATER IS 13 FT LOWER THEN WELL HEAD
WELL #2	LITTLE BUTTER CREEK	.04 MILES	SURFACE WATER IS 7 FT LOWER THEN WELL HEAD
MORR 1623	LITTLE BUTTER CREEK	.03 MILES	SURFACE WATER IS 9 FT LOWER THEN WELL HEAD

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Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: WELL #1 400 GPM & WELL #2 600 GPM (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL 1	☒	☐		☐	10'	200'	N/A	N/A	N/A YET	BASALT	400'	400	144
WELL 2	☒	☐		☐	12'	200'	N/A	N/A	N/A YET	BASALT	400'	600	513
MORR 1623	☐	☒	MORR 1623	☐	8'	N/A	N/A	109'	9' 2/14/94	BASALT	109'	100	60
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

☒ Yes ☐ No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

☐ Yes ☒ No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing

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recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

☐ Yes ☒ No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

☐ Yes ☒ No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1st – October 31st	657

For irrigation use only:

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (*must match map*).

Primary: 219 Acres

Supplemental: Acres

Nursery Use: Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 657

- If the use is municipal or quasi-municipal, attach Form M

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- If the use is **domestic**, indicate the number of households: (Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*):

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

- ☒ Pump (give horsepower and type): **Well 1 - 25 HP Electrical Submersible pump**
Well 2 - 40 HP Electrical Submersible

☐ Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

Wheel Lines and Hand Lines

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

We are going to apply water to maximize the growth of the crops we plan to grow.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: **one year upon approval of this application for permit**
- Date construction will be completed: **within five years of approval of this application**
- Date beneficial water use will begin: **Within five years of approval of this application**

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- ☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.
 Describe: **The sprinklers will be nozzled to a GPM that will prevent water from running off of the area being irrigated**

- ☐ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation:

- ☐ Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List:

SECTION 9: WITHIN A DISTRICT

- ☐ Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district. **N.A**

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- ☒ SECTION 1: Applicant Information and Signature
- ☒ SECTION 2: Property Ownership
- ☒ SECTION 3: Well Development
- ☒ SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- ☒ SECTION 5: Water Use
- ☒ SECTION 6: Water Management
- ☒ SECTION 7: Project Schedule
- ☒ SECTION 8: Resource Protection
- ☒ SECTION 9: Within a District
- ☒ SECTION 10: Remarks

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Include the following additional items:

- ☒ Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☒ Fees - Amount enclosed: \$ 3410.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ Permanent quality and drawn in ink
 - ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - ☒ North Directional Symbol
 - ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
 - ☒ Reference corner on map
 - ☒ Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

WCS #018

Land Use

Information Form

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

PAID
50.00 dk

Applicant

NAME BUTTER CREEK CATTLE C/O STEVE CURRIN		PHONE (HM) 541-256-0250	
PHONE (WK) 541-256-0250	CELL 541-256-0250	PHONE (WK) 541-256-0250	
ADDRESS 60694 LITTLE BUTTER CREEK RD			
CITY HEPPNER	STATE OR	CITY HEPPNER	STATE OR

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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:
1S	28E	27, 28, 33 & 34		1600		☒ Diverted	☒ Conveyed	☒ Used	Irrigation
2S	28E	2 & 11		400		☒ Diverted	☒ Conveyed	☒ Used	Irrigation

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

Morrow County

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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 Groundwater Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Groundwater ☐ Surface Water (name) _____

Estimated quantity of water needed: 1.33 ☒ 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:

We are proposing to drill two wells to irrigate 219 acres along Little Butter Creek.

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.

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.

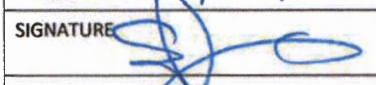
Please check the appropriate box below and provide the requested information

☒ 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): MC20 SECTION 3.010 EXCLUSIVE FROM USE.

☐ 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

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 <u>WRECSIS, STEPHEN</u>	TITLE: <u>ASSOCIATE PLANNER</u>
SIGNATURE 	PHONE: <u>541.922.4624</u>
DATE: <u>09 NOV 23</u>	
GOVERNMENT ENTITY <u>MORROW COUNTY PLANNING DEPARTMENT</u>	

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: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

After Recording, Return to:

Timothy P. O'Rourke
Corey, Byler, Rew, Lorenzen & Hojem, L.L.P.
P.O. Box 218
Pendleton, OR 97801

Lazy K Land, LLC
c/o Steve Currin
60732 Little Butter Creek Rd
Heppner, Oregon 97836

MORROW COUNTY OREGON 2007-19743
D-WD
CIR=1 Str=1 TJ 06/19/2007 02:13:35 PM
\$35.00 \$11.00 \$10.00 \$56.00



00004619200700197430070073
I, Bobbi Childers, County Clerk for Morrow
County, Oregon, certify that the instrument
identified herein was recorded in the Clerk
records.

Bobbi Childers - County Clerk



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WARRANTY DEED

Steve Currin "Grantor," hereby conveys and warrants, to Lazy K Land, LLC, an Oregon Limited Liability Company, "Grantee," all of Grantor's interest in the following real property, free of encumbrances except for matters of public record:

See Exhibit "A" attached hereto and by this reference incorporated herein.

THE LIABILITY AND OBLIGATIONS OF THE GRANTOR TO GRANTEE AND GRANTEE'S HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE EXTENT OF COVERAGE THAT WOULD BE AVAILABLE TO GRANTOR UNDER A STANDARD POLICY OF TITLE INSURANCE CONTAINING EXCEPTIONS FOR MATTERS OF PUBLIC RECORD EXTENDED. IT IS THE INTENTION OF THE GRANTOR TO PRESERVE ANY EXISTING TITLE INSURANCE COVERAGE. THE LIMITATIONS CONTAINED HEREIN EXPRESSLY DO NOT RELIEVE GRANTOR OF ANY LIABILITY OR OBLIGATIONS UNDER THIS INSTRUMENT, BUT MERELY DEFINE THE SCOPE, NATURE, AND AMOUNT OF SUCH LIABILITY OR OBLIGATIONS.

The true and actual consideration for this conveyance is none, this being a contribution by Grantor to the limited liability company, Lazy K Land, LLC, in return for 100% of the ownership interest of the LLC.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES AND 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 197.352.

DATED this 19 day of JUNE, 2007.

Steve Currin

STATE OF OREGON)
) ss
County of UMATILLA)
JUNE 19 , 2007.

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Personally appeared the above named Steve Currin and acknowledged the foregoing instrument to be his voluntary act.

Before me:



Steve Churchill
Notary Public for OREGON
My commission expires: 08-14-2010

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Vinson Place 221 acres
100% interest

Township 2 South, Range 28, E.W.M. Morrow County, Oregon Section 2, The Southeast Quarter; Northeast Quarter of the Southwest Quarter; Section 11, The Northeast Quarter of the Northeast Quarter.

Excepting therefrom:

Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 11, Township 2 South, Range 28, E.W.M., Morrow County State of Oregon.

Also excepting therefrom:

That portion of the East 660 feet of the Southeast Quarter of the Southeast Quarter of Section 2, Township 2 South, Range 28, East of the Willamette Meridian, in the County of Morrow and State of Oregon which lies Southwesterly of Little Butter Creek Road.

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LAZIK LANDS LLC
 $\frac{1}{3}$ of Home Place (Main Ranch)

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PARCEL II

Home Place
($\frac{1}{3}$ undivided interest)

A parcel of land located in Township 2 South, Range 27, East of the Willamette Meridian in the County of Morrow and State of Oregon, described as follows:

Section 1: All.

Section 2: The East Half of the East Half.

Section 11: The East Half of the East Half.

Section 12: All.

Section 13: All, EXCEPT that part sold by George J. Currin to W.P. Kilkenny containing 20 acres, more or less.

Section 14: The East Half of the Northeast Quarter; the Northeast Quarter of the Southeast Quarter.

A parcel of land located in Township 2 South, Range 28, East of the Willamette Meridian in the County of Morrow and State of Oregon, described as follows:

Section 4: All.

Section 5: All.

Section 6: The West Half of the Northeast Quarter; The South Half; The East Half of the Northwest Quarter.

Section 7: All.

Section 8: All.

Section 9: The North Half of the North Half; the South Half of the Northwest Quarter; North Half of the Southwest Quarter; the Southwest Quarter of the Northeast Quarter; the Northwest Quarter of the Southeast Quarter.

Section 17: The West Half; the Southwest Quarter of the Northeast Quarter; the North Half of the Northeast Quarter; the Northwest Quarter of the Southeast Quarter.

Section 18: All.

A parcel of land located in Township 1 South, Range 28, East of Willamette Meridian in the County of Morrow and State of Oregon, described as follows:

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LAZY K LAND LLC

Section 26: The West Half of the Northwest Quarter, the Southwest Quarter of the Southwest Quarter.

Section 27: All.

Section 28: The West Half, the Southeast Quarter, the South Half of the Northeast Quarter. EXCEPT that portion conveyed in Document recorded in Book 62, Page 162, Morrow County Deed Records.

Section 29: The Southeast Quarter.

Section 32: All.

Section 33: All.

Section 34: The West Half, the Northeast Quarter.

Section 35: The West Half of the Northwest Quarter, the Northeast Quarter of the Northwest Quarter, the Northwest Quarter of the Northeast Quarter.

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PARCEL IV:

*Finch Place
(100% interest)*

LAZY K LANDS LLC

A parcel of land located in Township 1 North, Range 27, East of the Willamette Meridian, in the County of Morrow and State of Oregon, described as follows:

Section 25: The Northwest Quarter of the Northwest Quarter, the South Half of the Northwest Quarter, the Southwest Quarter of the Northeast Quarter and the South Half.

Section 26: The North Half of the Southwest Quarter, the North Half of the Southeast Quarter, the Southeast Quarter of the Southeast Quarter, the Southwest Half of the South Half of the Northeast Quarter, and All that portion of the Southwest Quarter of the Northwest Quarter lying South of the South Fork of Butter Creek.

Section 36: The Northeast Quarter, the North Half of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter and the Southeast Quarter.

A parcel of land located in Township 1 North, Range 28, East of the Willamette Meridian, in the County of Morrow and State of Oregon, described as follows:

Section 30: The South Half of the South Half.

Section 31: All.

LAZY K LAND LLC (Con't)

Section 32: The West Half, the Southwest Quarter of the Northeast Quarter, the West Half of the Southeast Quarter, the Southeast Quarter of the Southeast Quarter.

A parcel of land located in Township 1 South, Range 28, East of the Willamette Meridian, in the County of Morrow and State of Oregon, described as follows:

Section 4: The East Half of the Northeast Quarter and the West Half.

Section 5: The North Half and the North Half of the South Half.

Section 6: The Northeast Quarter and the Northeast Quarter of the Southeast Quarter.

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2007 5210246

After Recording, Return to:

Timothy P. O'Rourke
Corey, Byler, Rew, Lorenzen & Hojem, L.L.P.
P.O. Box 218
Pendleton, OR 97801
Send tax statements to:
Birch Creek Land, LLC
c/o Lisanne Currin
60732 Little Butter Creek Rd
Heppner, Oregon 97836



2007-5210246 1 of 7

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JUN 19 2007

UMATILLA COUNTY
RECORDS

2007-19742
06/19/2007 02:13:20 PM
\$51.00



Birch Creek Land, LLC
County Clerk for Morrow
County, Oregon, certifies that the instrument
identified herein was recorded in the Clerk
records

BODEN CHINNERS - County Clerk



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WARRANTY DEED

Lisanne Currin "Grantor," hereby conveys and warrants, to Birch Creek Land, LLC, an Oregon Limited Liability Company, "Grantee," all of Grantor's interest in the following real property, free of encumbrances except for matters of public record:

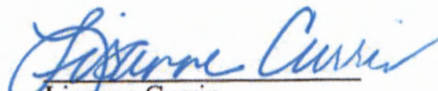
See Exhibit "A" attached hereto and by this reference incorporated herein.

THE LIABILITY AND OBLIGATIONS OF THE GRANTOR TO GRANTEE AND GRANTEE'S HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE EXTENT OF COVERAGE THAT WOULD BE AVAILABLE TO GRANTOR UNDER A STANDARD POLICY OF TITLE INSURANCE CONTAINING EXCEPTIONS FOR MATTERS OF PUBLIC RECORD EXTENDED. IT IS THE INTENTION OF THE GRANTOR TO PRESERVE ANY EXISTING TITLE INSURANCE COVERAGE. THE LIMITATIONS CONTAINED HEREIN EXPRESSLY DO NOT RELIEVE GRANTOR OF ANY LIABILITY OR OBLIGATIONS UNDER THIS INSTRUMENT, BUT MERELY DEFINE THE SCOPE, NATURE, AND AMOUNT OF SUCH LIABILITY OR OBLIGATIONS.

The true and actual consideration for this conveyance is none, this being a contribution by Grantor to the limited liability company, Birch Creek Land, LLC, in return for 100% of the ownership interest of the LLC.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES AND 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 197.352.

DATED this 18th day of June, 2007.


Lisanne Currin

STATE OF OREGON)
) ss
County of Morrow)

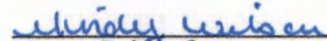


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June 18th, 2007.

Personally appeared the above named Lisanne Currin and acknowledged the foregoing instrument to be her voluntary act.

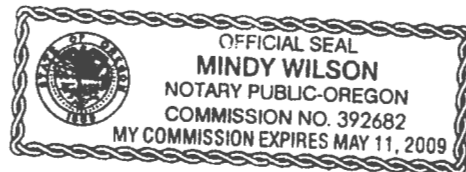
Before me:


Notary Public for Oregon
My commission expires: 5/11/09

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THIRTY ONE (31) LLS

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EXHIBIT "A"

PARCEL I

100% interest

A parcel of land located in Township 1 North, Range 28, East of the Willamette Meridian in the County of Morrow and State of Oregon, described as follows:

Section 22: The South Half of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter.

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Section 23: The South Half of the Southwest Quarter.

Section 25: All that portion of the West Half of the West Half of the East Half and the West Half, lying South of the Center of the current of Butter Creek, and that portion, if any, lying West of the County Highway bridge, and West of the County Highway.

Section 26: The Southeast Quarter and the North Half of the Southwest Quarter and the North Half, **EXCEPTING** that portion thereof which may lie North of the Center of the current of Butter Creek, and that portion, if any, lying North and East of the County Highway after the same crosses Butter Creek.

Section 27: All.

A parcel of land located in Township 1 South, Range 29, East of the Willamette Meridian in the County of Morrow and State of Oregon, described as follows:

Section 5: All.

Section 6: All.

Section 7: All.

Section 8: The North Half, the Southwest Quarter, the North Half of the Southeast Quarter, and the Southwest Quarter of the Southeast Quarter.

Section 16: The West Half.

Section 17: All.

Section 18: All.

Section 20: The North Half of the North Half of the North Half.

A parcel of land located in Township 1 South, Range 28, East of the Willamette Meridian, in the County of Morrow and State of Oregon, described as follows:

Section 1: The East Half.



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PARCEL II

Home Place
($\frac{1}{3}$ undivided interest)

(Undivided $\frac{1}{3}$ interest)

A parcel of land located in Township 2 South, Range 27, East of the Willamette Meridian in the County of Morrow and State of Oregon, described as follows:

Section 1: All.

Section 2: The East Half of the East Half.

Section 11: The East Half of the East Half.

Section 12: All.

Section 13: All, EXCEPT that part sold by George J. Currin to W.P. Kilkenny containing 20 acres, more or less.

Section 14: The East Half of the Northeast Quarter; the Northeast Quarter of the Southeast Quarter.

A parcel of land located in Township 2 South, Range 28, East of the Willamette Meridian in the County of Morrow and State of Oregon, described as follows:

Section 4: All.

Section 5: All.

Section 6: The West Half of the Northeast Quarter; The South Half; The East Half of the Northwest Quarter.

Section 7: All.

Section 8: All.

Section 9: The North Half of the North Half; the South Half of the Northwest Quarter; North Half of the Southwest Quarter; the Southwest Quarter of the Northeast Quarter; the Northwest Quarter of the Southeast Quarter.

Section 17: The West Half; the Southwest Quarter of the Northeast Quarter; the North Half of the Northeast Quarter; the Northwest Quarter of the Southeast Quarter.

Section 18: All.

A parcel of land located in Township 1 South, Range 28, East of Willamette Meridian in the County of Morrow and State of Oregon, described as follows:

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BIRCH CREEK LAND LLC

Section 26: The West Half of the Northwest Quarter; the Southwest Quarter of the Southwest Quarter.

Section 27: All.

Section 28: The West Half; the Southeast Quarter; the South Half of the Northeast Quarter. EXCEPT that portion conveyed in Document recorded in Book 62, Page 162, Morrow County Deed Records.

Section 29: The Southeast Quarter.

Section 32: All.

Section 33: All.

Section 34: The West Half; the Northeast Quarter.

Section 35: The West Half of the Northwest Quarter; the Northeast Quarter of the Northwest Quarter; the Northwest Quarter of the Northeast Quarter.



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BIRCH CREEK LAND, LLC

TRACT I:

Birch Creek
(Undivided $\frac{2}{3}$ interest)

(Undivided $\frac{2}{3}$ interest)

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TOWNSHIP 2 SOUTH, RANGE 33, E.W.M.

Section 13: Lots 5, 7 and 8; Southwest Quarter; Northwest Quarter of Southeast Quarter and South Half of Southeast Quarter;

Section 14: Lots 6, 7, 8, 9 and 10; Southeast Quarter of Northeast Quarter; South Half;

Section 15: East Half of Southeast Quarter;

Section 22: Northeast Quarter of Northeast Quarter;

Section 23: North Half of North Half;

Section 24: Northeast Quarter; North Half of Northwest Quarter; North Half of Southeast Quarter; Southeast Quarter of Southeast Quarter;

Section 25: Northeast Quarter of Northeast Quarter;

All Being East, Willamette Meridian, County of Umatilla, State of Oregon;

Excepting therefrom that portion lying within County Road No. 1069 and 1378.

TOWNSHIP 2 SOUTH, RANGE 34, E.W.M.;

Section 19: Lots 1, 2 and 3; Southeast Quarter of Northwest Quarter; Southwest Quarter of Northeast Quarter; East Half of Southwest Quarter;

Section 30: All that portion of Lot 1, lying North of Northerly right of way line of County Road as the same existed and was located on December 11, 1945.

All Being East, Willamette Meridian, County of Umatilla, State of Oregon;

EXCEPTING THEREFROM that portion lying within County Road No. 1069 and 1378.

TRACT II:

Open Place
100% interest

The South Half of Section 31, Township 1 North, Range 29, East, Willamette Meridian, County of Umatilla, State of Oregon.

TRACT III:

Open Place
100% interest (Barrick)

All that portion of Lot 4, aka Southwest Quarter of Southwest Quarter of Section 18, Township 2 South, Range 34, lying Southwesterly of County Road No. 500, all being East, Willamette Meridian, County of Umatilla, State of Oregon.

EXCEPTING THEREFROM any portion lying within County Road No. 500.



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State of Oregon)
County of Umatilla)

This instrument was received
and recorded on

08-19-07 at 2:45

in the record of instrument
code type DE-ND

Instrument Number 2007-5210246
Fee 55.00

Office of County Records


Records Officer

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