



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

A. Individuals

Applicant: Wilber Bros
First Last

Mailing address: 77 W ADAMS ST
Burns OR 97720
City State Zip

Phone: 541-573-3949
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: WILBER BROTHERS

Name and title of person applying: GEORGE WILBER GNL PARTNER

Mailing address of organization: 77 WEST ADAMS ST
BURNS OR 97720
City State Zip

Phone: 541 573 6151
Day Evening

*Fax: 541 573 5605 *E-Mail address: gwilber@opgcpa

* Optional information

For Department Use		
App. No. _____	Permit No. _____	Date _____

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2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

- Yes (Skip to section 3 "Ground water Development.")
- No (Please check the appropriate box below.)
 - I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.
 - 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 irrigated and/or domestic use only (ORS 274.040).

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.

List the names and mailing addresses of all affected landowners.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 1

Name of nearest surface water body: MALheur River

Distance from well(s) to nearest stream or lake: 1) 3/8 mile

2) _____ 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) 12'

2) _____ 3) _____ 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Tim Riley

Address: Hines Burns Oregon 97738

Completion date: 9-14-2007

Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1	14"	14" Steel	60		35'	110'	110'	1 1/2"	270'
	Well was deepened			9-2007					
1	14"	14" Steel	60		35'	110'	110'		510'

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1	slay stone	IRR	896	363,285	900

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 2.0 cfs
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: March 1 - October 31
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 537.8 acres
(This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

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

- Pump (give horsepower and pump type): 50 HP Turbin
- Other means (describe): _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth):
Width 5' Depth 2 1/2'
- Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length):
Diameter _____ Length _____
- Other (describe) _____

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Open ditch For Flooding

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

only use ground water when primary water is UNAVAILABLE

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: 12-31-1889

Proposed date construction will be completed: April 2008

Proposed date beneficial water use will begin: June - 2008

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

The well will be used to supplement the decreed and permitted water from the Malheur River. Priorities are 12-31-1889, 6-17-1912, 7-1-1991, 7-8-1981, 11-8-1940

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8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- 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 canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

 03-31-08

Signature of Applicant (If more than one applicant, all must sign.) Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

WELL I.D. # L 651734
START CARD # 144595

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Well Number _____
Name Wright, Kathleen Wilber
Address HC 61 Box 8
City Juntura State OR Zip 97911

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 270 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
18	0	35	benfonite	0	35	50 sacks
14	35	270				

How was seal placed: Method A B C D E
 Other pooured dry & tamped
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	14	0	60	2.50	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
150	8'		1 hr.

Temperature of water 55° Depth Artesian Flow Found _____
Was a water analysis done? No Yes By whom _____
Did any strata contain water not suitable for intended use? No Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

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(9) LOCATION OF WELL by legal description:
County Harney Latitude _____ Longitude _____
Township 20 S N or S Range 35 E E or W. WM.
Section 25 NE 1/4 NE 1/4
Tax Lot 3700 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) Drousey Valley

(10) STATIC WATER LEVEL:
_____ ft. below land surface. Date 1-20-02
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 22'

From	To	Estimated Flow Rate	SWL
22	28	50	10
110	252	700	8

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
topsoil, silty loam	0	1	
silt brn	1	8	
clay, sand	8	22	
gravel, med	22	28	10
clay, blue	28	70	
clay brn	70	74	
clay grey	74	110	
claystone	110	160	8
clay claystone grey	160	202	8
claystone grey	202	212	
clay grey	212	230	
irregular basalt	230	252	
CHERISHED	252	270	

Date started 1-8-02 Completed 1-20-02

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
WWC Number _____
Signed _____ Date _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 1424
Signed Timothy R. Puff Date 01-20-02

HARN 51401

STATE OF OREGON
WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

WELL I.D. # L 51734
START CARD # 1001615

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER: Well Number _____
Name Wilber Brothers
Address 278 West "F" St
City Burns State OR Zip 97720

(2) TYPE OF WORK:
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 510 ft.
Explosives used Yes No Type _____ Amount _____

HOLE				SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds	
	0	270	EXISTING				
	14	270	510				

How was seal placed: Method A B C D E
 Other EXISTING

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	<u>EXISTING</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Flowing <input type="checkbox"/> Artesian Time
<u>300</u>		<u>510</u>	<u>1 hr.</u>

Temperature of water 55° Depth Artesian Flow Found _____
Was a water analysis done? No Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Harnock Latitude _____ Longitude _____
Township 20 S N or S Range 35 E E or W. WM.
Section 25 NE 1/4 NE 1/4
Tax Lot 3700 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) Pipewey valley

(10) STATIC WATER LEVEL:
8 ft. below land surface. Date 9-14-07
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found EXISTING

From	To	Estimated Flow Rate	SWL
<u>270</u>	<u>510</u>	<u>400</u>	<u>8</u>

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
<u>SWL prior to deepening</u>			<u>8</u>
<u>existing</u>	<u>0</u>	<u>270</u>	
<u>Claystone / clay grey</u>	<u>270</u>	<u>300</u>	
<u>rock blk basalt</u>	<u>300</u>	<u>450</u>	
<u>shale blk</u>	<u>450</u>	<u>470</u>	
<u>claystone / pumice</u>	<u>470</u>	<u>475</u>	
<u>claystone / shale, rky grey</u>	<u>475</u>	<u>510</u>	<u>8</u>

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Date started 9-12-07 Completed 9-14-07
(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
Signed _____ WWC Number _____ Date _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
Signed [Signature] WWC Number 1424 Date 9-20-07



Oregon Water Resources Department

FORM I

FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 86.4 Acres Cert - 60643
Secondary: 451.4 Acres Cert - 52032
5-51626

List the permit or certificate number of the primary water right: Cert - 50450 No. J-4647

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. ALFALFA - Pasture Full season Partial season (from: 3-1 to 10-31)
- 2. Full season Partial season (from: to)
- 3. Full season Partial season (from: to)
- 4. Full season Partial season (from: to)

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

1613 acre-feet
(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours Daily during nighttime hours
- Two or three times weekly during daytime Two or three times weekly during nighttime
- Weekly, during daytime hours Weekly, during nighttime hours

Other, explain: ONLY when crop needs water

Last revision: October 31, 1996

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WATER RESOURCES DEPT SALEM, OREGON

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): RFDW - 1.

Land uses to be served by 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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> 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: Brandon McMullen Title: Planning Director
 Signature: [Signature] Phone: 541-573-6605 Date: 4/29/08
 Government Entity: Harney County

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

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Applicant name: _____

MAY 01 2008

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

**WATER RESOURCES DEPT
SALEM, OREGON**



Oregon Water Resources Department
Land Use Information Form

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) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: WILBER BROTHERS
Mailing Address: 77 WEST ADAMS ST
City: BURNS State: OR Zip: 97720 Day Phone: 541 573 6151

This application is related to a Measure 37 claim. [] Yes [] No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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.

Table with columns: Township, Range, Section, 1/4 1/4, Tax Lot #, Plan Designation (e.g. Rural Residential/RR-5), Water to be: (Diverted, Conveyed, Used), Proposed Land Use: (RR). Rows include tax lots 20.5 35 SE 25 NE 3700, 20.5 36 E 30 W 1/2 2300, 20.5 36 E 31 NW 2300, 20.5 36 E 31-32 SE 2400, and 21.5 36 N 5-6 NW.

List all counties and cities where water is proposed to be diverted, conveyed, or used. HARNEY

B. Description of Proposed Use

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

- [X] Permit to Use or Store Water [] Water-Right Transfer [] Exchange of Water
[] Allocation of Conserved Water [] Limited Water Use License
[] Permit Amendment or Ground Water Registration Modification

Source of water: [] Reservoir/Pond [X] Ground Water [] Surface Water (name) _____

Estimated quantity of water needed: 2.0 cubic feet per second [] gallons per minute [] acre-feet

Intended use of water: [X] Irrigation [] Commercial [] Industrial [] Domestic for _____ household(s)
[] Municipal [] Quasi-municipal [] Instream [] Other _____

Briefly describe: Pump water into a ditch to convey to the fields

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

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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20070948

After recording return to:

Don G. Carter
McEwen Gisvold LLP
1100 SW Sixth Avenue, Suite 1600
Portland, Oregon 97204

Until a change is requested,
send tax statements to:

Wilber Bros.
c/o George W. Wilber, Jr.
77 W. Adams
Burns, Oregon 97720

STATUTORY WARRANTY DEED

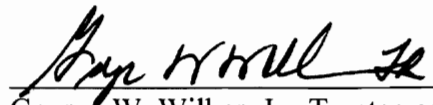
George W. Wilber, Jr., as Trustee of the G. Wright Wilber Revocable Living Trust U/T/A dated December 16, 2000, Grantor, hereby conveys and warrants to WILBER BROS., an Oregon partnership consisting of George W. Wilber, Jr., Mary Ann Wilber, William N. Wilber, Patricia A. Wilber, Patrick J. Wilber, and Judy L. Wilber, Grantee, the real property described on the attached Exhibit "A", free of encumbrances except encumbrances of record, and subject to that Lease Agreement dated March 5, 1998, between Wright Wilber and Williams Communications, Inc.

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, 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.

The true consideration for this conveyance is in consummation of an exchange under § 1031 of the Internal Revenue Code.

WITNESS the hand of said Grantor this 26 day of April, 2007.

GRANTOR:



George W. Wilber, Jr., Trustee of the G. Wright
Wilber Revocable Living Trust U/T/A dated
December 16, 2000

1 - STATUTORY WARRANTY DEED

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SALEM, OREGON

20070948

STATE OF OREGON)
) ss.
County of Harney)

This instrument was acknowledged before me on April 20th, 2007, by George W. Wilber, Jr., as Trustee of the G. Wright Wilber Revocable Living Trust U/T/A dated December 16, 2000.



Corissa Lea Wright
Notary Public - State of Oregon
My commission expires: Feb. 24, 2008

STATE OF OREGON }
County of Harney } ss
I certify that the within instrument was received
for record on the 30 day of April,
2007 at 3:36 o'clock P.M. and
recorded Microfilm number 20070948
Deed Records of said County.
Maria Iturriaga, County Clerk
By D. Robinson Deputy

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20070948

**EXHIBIT A
(DESCRIPTION OF REAL PROPERTY)**

The NE $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ of Section 25, and all of Section 36 in Township 20 South, Range 35 East W.M.

Also, the S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ of Section 30; and

All of that portion of the W $\frac{1}{2}$ of Section 31 lying north of the right-of-way of the Central Oregon Highway in Township 20 South, Range 36 East W.M.

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SALEM, OREGON**

*unrecorded to
correct legal Desc.*

20051354

20051390

After recording return to:

Until a change is requested,
send tax statements to:

Don G. Carter
McEwen Gisvold LLP
1100 S.W. Sixth Avenue, Suite 1600
Portland, Oregon 97204

Wilber Bros.
c/o George W. Wilber, Jr.
77 W. Adams
Burns, OR 97720

STATUTORY WARRANTY DEED

Patrick Joseph Wilber, Grantor, hereby conveys and warrants to Wilber Bros., an Oregon partnership, consisting of George W. Wilber, Jr., Mary Ann Wilber, William N. Wilber, Patricia A. Wilber, Patrick J. Wilber, and Judy L. Wilber, Grantee, the real property described on the attached Exhibit "A," free of encumbrances except those encumbrances set forth on the attached Exhibit "B."

THIS INSTRUMENT DESCRIBED IN THE LAWS AND REGULATIONS OF THIS STATE, TO CHECK WITH THE COUNTY RECORDS TO VERIFY APPROPRIATE PRACTICES AGAINST FARMING

*PAT WILBER
D.F.R.
South of
Highway 20*

FOR THE PROTECTION OF THE PROPERTY AND THE OPERATION OF APPLICABLE LAND USE REGULATIONS, NO GRANTOR SHALL BE HELD RESPONSIBLE FOR OBTAINING OR ACCEPTING THIS DEED TITLE TO THE PROPERTY SHOULD BE REVIEWED BY THE COUNTY PLANNING DEPARTMENT TO DETERMINE ANY LIMITS ON LAWSUITS OR OTHER PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance consists of other value given or promised, which was the whole consideration.

WITNESS the hand of said Grantor this 19 day of May, 2005.

GRANTOR:

Patrick Joseph Wilber
Patrick Joseph Wilber

COPY
*ORIGINAL IN GW
SAFE ALPORET BOX*

RECEIVED

MAY 01 2008

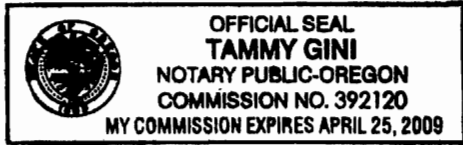
**WATER RESOURCES DEPT
SALEM, OREGON**

INST. #2005 1390

INST. #2005 1391

STATE OF OREGON)
) ss.
County of Harney)

This instrument was acknowledged before me on May 19, 2005, by Patrick Joseph Wilber.



Tammy Gini
Notary Public - State of Oregon
My commission expires: 4/25/2009

STATE OF OREGON }
County of Harney } ss
I certify that the ~~within~~ instrument was received
for record on the 12 day of July
2005 at 2:46 o'clock P.M. and
recorded Microfilm number 20057391
Deed.....Records of said County.
Maria Iturriaga, County Clerk
By D. Rabman.....Deputy

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SALEM, OREGON

**EXHIBIT A
(DESCRIPTION OF REAL PROPERTY)
(CORRECTED)**

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**WATER RESOURCES DEPT
SALEM, OREGON**

Land in Harney County, Oregon, as follows:

In Twp. 20 S., R. 36 E., W.M.:

Sec. 31: S $\frac{1}{2}$ SE $\frac{1}{4}$, that portion of Lot 4 and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31 lying South of the South right of way line of U.S. Highway No. 20, as located in Sec. 31 as of September 27, 1961, and a tract in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, more particularly described as follows:

Beginning at the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31;
thence West 758 feet to the South right of way line of U.S. Highway No. 20 as located in Sec. 31 as of September 27, 1961;
thence Northeasterly along the South right of way line of said highway 820 feet to the East line of NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31;
thence South 303 feet to the point of beginning.

Sec. 32: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SAVE AND EXCEPT 0.69 acres, given by deeds recorded in Book 38, Pages 459 and 460, Deed Records.

Sec. 33: SW $\frac{1}{4}$ SE $\frac{1}{4}$.

In Twp. 21 S., R. 35 E., W.M.:

Sec. 36: SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,NW $\frac{1}{4}$ NW $\frac{1}{4}$.

In Twp. 21 S., R. 36 E., W.M.:

Sec. 4: Lot 3.

Sec. 5: Lots 1, 2, 3 and 4, N $\frac{1}{2}$ S $\frac{1}{2}$,S $\frac{1}{2}$ SW $\frac{1}{4}$. SAVE AND EXCEPT a parcel of land situated in the N $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 5, more particularly described as follows:

Beginning at the Southeast corner of the said N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 5;
thence N. 00° 52' 05" E., 821.94 feet, along the East boundary of said Section 5;
thence S. 89° 57' 41" W., 1,324.71 feet;
thence S. 00° 52' 05" W., 821.94 feet, to the South boundary of the said N $\frac{1}{2}$ SE $\frac{1}{4}$;
thence N. 89° 57' 41" E. 1,324.74 feet, along the said South boundary to the point of beginning.

TOGETHER WITH a tract of land situated in the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 5, T 21 S, R 36 E, W.M., Harney County, Oregon, as more particularly described as follows:

Beginning at the northwest corner of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 5, thence N 89° 57' 41" E along the north boundary of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 5 1,324.71 feet, thence S 00° 42' 42" W 821.94 feet, thence S 89° 57' 41" W 1,324.71 feet to the north-south center of Section 5. thence N 00° 42' 42" E along the north-south center line of Section 5, 821.94 feet to the point of beginning.

INST. #2005 1390

- Sec. 6: Lots 1, 2, 3, 4, 5 and 6, E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$. SAVE & EXCEPT that portion of Lot 4 as described in Judgment No. 82-1-8128, filed March 28, 1983, Harney County, Circuit Court.
- Sec. 7: Lot 1, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.
- Sec. 8: W $\frac{1}{2}$.

In Twp. 22 S., R. 35 E., W.M.:

- Sec. 13: SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.
- Sec. 14: SE $\frac{1}{4}$.
- Sec. 24: E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
- Sec. 25: E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$.
- Sec. 26: S $\frac{1}{2}$.
- Sec. 27: SE $\frac{1}{4}$ SE $\frac{1}{4}$.
- Sec. 36: E $\frac{1}{2}$ W $\frac{1}{2}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

In Twp. 22 S., R. 36 E., W.M.:

- Sec. 18: Lots 3 and 4.
- Sec. 19: Lots 1 and 2.

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SALEM, OREGON**