



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: Kenneth H. Burbank and Fred Cramer (Main Contact)
First Last
Mailing address: 2101 Main Street
Baker City, Oregon 97814
City State Zip
Phone: 541-523-3654
Home Work Other
*Fax: 541-523-3970 *E-Mail address: FrCram@aol.com

B. Organizations

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

Name of organization: N/A
Name and title of person applying: Kenneth H. Burbank and Fred Cramer (Main Contact)
Mailing address of organization: _____

City State Zip
Phone: _____
Day Evening
*Fax: _____ *E-Mail address: _____

* Optional information

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

Last updated: 2/13/2008

Ground Water/1

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2. PROPERTY OWNERSHIP

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

☒ Yes (Please check appropriate box below then skip to section 3 ("Ground water Development"))

☐ There are no encumbrances

☐ This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

☐ 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.

N/A

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): _____ Up to 4 wells

Name of nearest surface water body: Dry River (Intermittent)

Distance from well(s) to nearest stream or lake: 1) Dry River 2.75 miles North of Well #1

2) Dry River < 3.75 miles North of Well #2 3) Dry River 2.5 miles North of Well #3 4) Dry River < 4.75 miles North of Well #4

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

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: Abbas Well Drilling

Address: P.O. Box 2130, Terrebonne, Oregon

541 548-2787

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Completion date: To Be Determined

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*	14-16"	12", steel	20'	20-40'***	18-20'****	300-500'	250-500'	1" Capped pipe	400-600'
2	14-16"	12", steel	20'	20-40'	18-20'	300-500'	250-500'	1" Capped pipe	400-600'
3	14-16"	12", steel	20'	20-40'	18-20'	300-500'	250-500'	1" Capped pipe	400-600'
4	14-16"	12", steel	20'	20-40'	18-20'	300-500'	250-500'	1" Capped pipe	400-600'
See	notes on	Attachment 1							

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:

N/A

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**

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	Volcanic & Sedimentary	Irrigation	1,200	312,795,648*	up to 600
2	Volcanic & Sedimentary	Irrigation	1,200	312,795,648	up to 600
3	Volcanic & Sedimentary	Irrigation	1,200	312,795,648	up to 600
4	Volcanic & Sedimentary	Irrigation	1,200	312,795,648	up to 600

*Based on 3 ac-ft/ac.

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1,200 gpm (2.67cfs) total
(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 01 - 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: 320 acres total
(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): Approx. 125 hp each well @ 600 gpm/well; turbine
- ☐ Other means (describe): _____

B. Transport

How will you transport water to your place of use?

- ☐ Ditch or canal (give average width and depth):
 Width _____ Depth _____
- Is the ditch or canal to be lined? ☐ Yes ☐ No
- ☒ Pipe (give diameter and total length):
 Diameter 8" PVC Length approx. 11,580 feet depending on final well locations
- ☐ Other (describe) _____

Ground Water/4

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C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Wheel lines and
pivot systems; specific make, model and lengths to be determined.

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.

Sprinkler irrigation with pressurized lines was chosen because of appropriateness for
growing hay crops with greater efficiency than flood irrigation.

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: January 2009

Proposed date construction will be completed: April 2009

Proposed date beneficial water use will begin: April 2009

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 nearest intermittent stream was listed on page 4 because there are no perennial
surface water bodies indicated on topographic maps near or surrounding the proposed
project site within a 5 mile radius.

8. MAP REQUIREMENTS

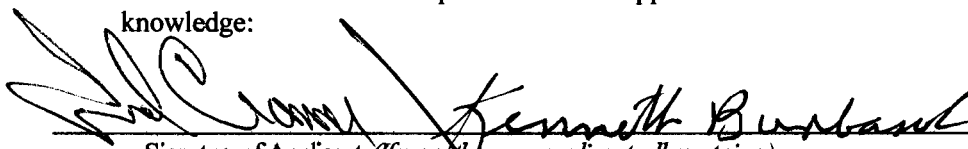
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place 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:


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

May 19, 2008
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.

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ATTACHMENT 1

**Kenneth H. Burbank and Fred Cramer
Groundwater Application**

Well Construction Information For Table on Page 3

*Information is based on well logs within 5 miles and may vary.

**Assuming 12" casing required at depth, pumping rate of 600 gpm/well and intake velocity of 0.1 ft/sec or less, perforation intervals are estimated to range from 20 to 40 feet.

***The minimum standard seal depth is based on lack of shallow groundwater and nearby surface water bodies.

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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: 320 Acres

Secondary: _____ Acres

List the permit or certificate number of the primary water right: No. _____

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

1. Grass Hay ☒ Full season ☐ Partial season (from: _____ to _____)

2. Alfalfa Hay ☒ 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:

960 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: 12 hour watering cycles every 3 to 4 days

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Last revision: October 31, 1996



June 3, 2008
Project No. 1073-101

211
KATHIE TURNER

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: APPLICATION FOR A PERMIT TO USE GROUNDWATER; KENNETH H. BURBANK AND FRED CRAMER, DESCHUTES COUNTY, OREGON.

Dear Water Rights Specialist,

Attached to this letter is an application for a permit to use groundwater submitted by Kenneth H. Burbank and Fred Cramer. Mr. Cramer will be the main contact for the owner, Mr. Burbank, during the application process. Mr. Cramer is applying for a permit to use up to 2.67 cfs (1,200 gpm) from up to 4 wells. In addition to the complete application, The following items are enclosed:

- A check for \$1100 for application fees;
- A permit application map;
- A signed receipt for Land Use Information Form from Deschutes County;
- A completed Form I for irrigation use; and
- A legal description of all property involved with this application.

Please do not hesitate to contact us should you have any questions concerning this application at either (541) 504-9960 ext. 211 or at dnewton@newtonconsultants.com.

Sincerely,

NEWTON CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "David J. Newton", is written over the company name.

David J. Newton, P.E., C.E.G., C.W.R.E.
Principal- CEO

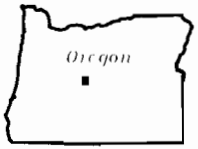
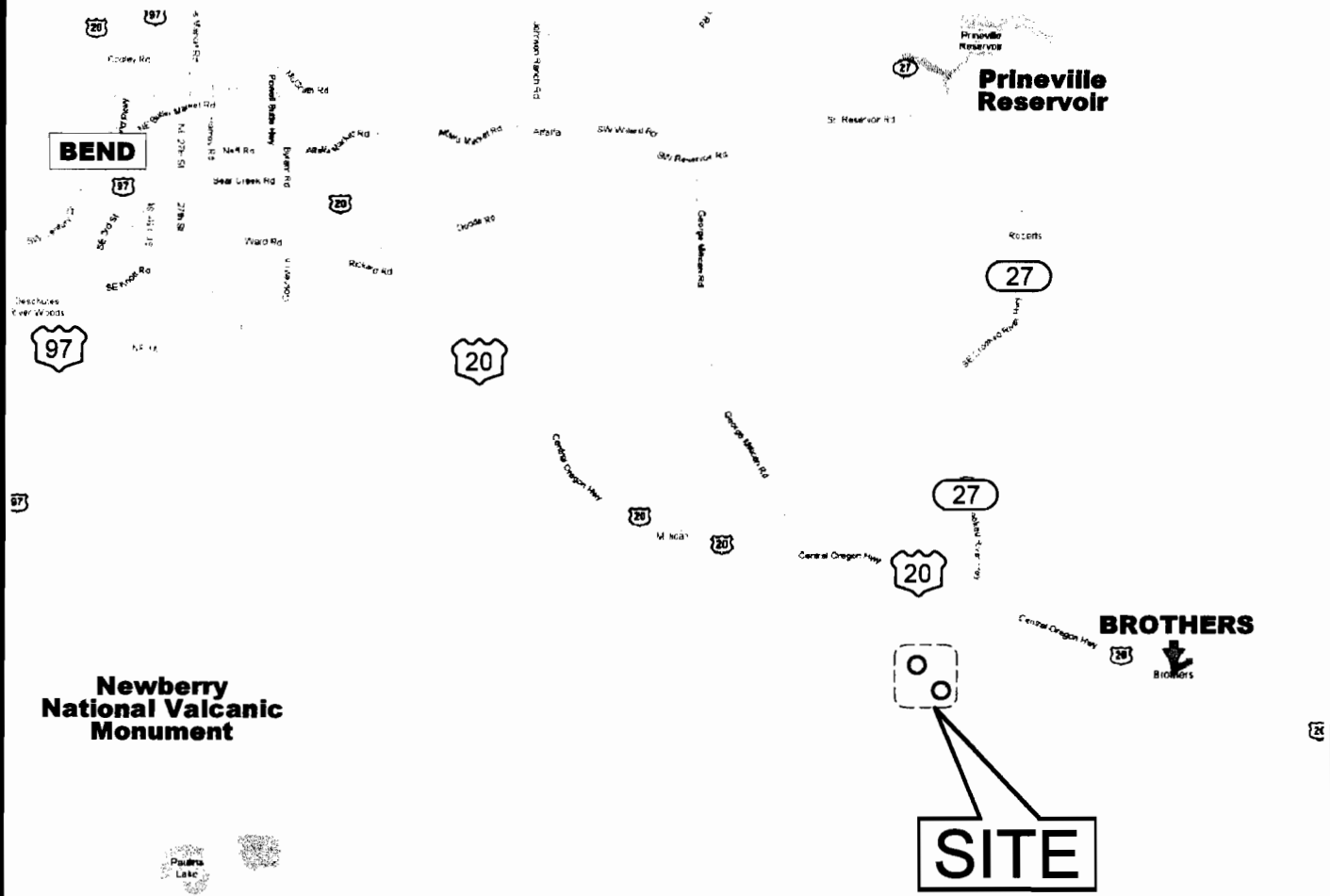
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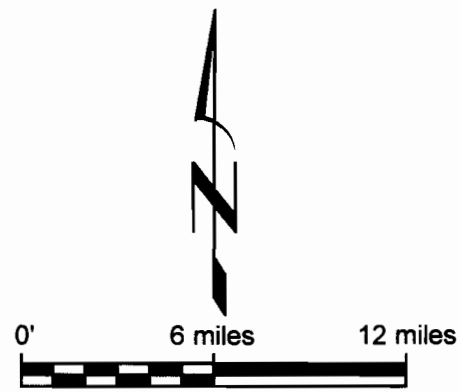


Vicinity Map
Ref: 2008 Google StreetMap

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SCALE: 1" = 6 Miles

NEWTON
CONSULTANTS INC.
Earth, Water and Rock Specialists
Ph: 541 504-9960 Fax: 541 504-9961

Vicinity Map
Kenneth Burbank & Fred Cramer
Water Rights Permit Application
Deschutes County, Oregon

DESIGNED BY: K.Turner	DRAWN BY: S.Schenck	DATE: May 2008	PROJECT NO. 1073-101	FIGURE 1
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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): OCC 18.16

☐ 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:	
		☐ 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: Uziel Groves Title: SR Planner
Signature: [Signature] Phone: 388-6518 Date: 5/22/08
Government Entity: Deschutes 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

Applicant name: KENNETH BURBANK

City or County: DESCHUTES Staff contact: _____
Signature: [Signature] Phone: 388-6552 Date: 5/23/08

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LAND USE INFORMATION FORM

Kenneth H. Burbank and Fred Cramer 1073.101

A. Land and Location

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation	Water to be:	Proposed Land Use:
20S	16E	26	NE-NE	2400	EFU	☒ Diverted ☒ Conveyed ☐ Used	N/A
20S	16E	25	SE-NE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	SW-NE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	NW-SE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	NE-SE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	SW-SE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	NW-SW	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	NE-SW	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	SE-SW	2400	EFU	☒ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	SE-NW	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	SW-NW	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	24	SW-SW	2400	EFU	☒ Diverted ☒ Conveyed ☐ Used	N/A
20S	16E	23	NE-SW	2100	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	23	SE-SW	2100	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	23	NW-SE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	23	NE-SE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	23	SE-SE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	23	SW-SE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	23	SE-NE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	23	SW-NE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	36	SW-SE	3200	EFU	☒ Diverted ☒ Conveyed ☐ Used	N/A

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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: Kenneth H. Burbank and Fred Cramer (Main Contact)
Mailing Address: 2101 Main Street
City: Baker City State: OR Zip: 97814 Day Phone: 541-523-3654

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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
						☐ Diverted ☐ Conveyed ☐ Used	
See Attached Table						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Brothers, Deschutes 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 ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

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

Estimated quantity of water needed: 1,200 Total ☐ 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: Drill up to four new wells as points of appropriation for irrigation of lands for hay and alfalfa production. See attached map for proposed location of Wells #1, #2, #3 and #4, and place of use.

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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First American Title Insurance Company of Oregon

An assumed business name of TITLE INSURANCE COMPANY OF OREGON

Deschutes Division

1330 S.W. Highland Avenue • Redmond, OR 97756
(541) 923-3014 • Fax: (541) 548-2816

Deschutes County's Oldest Title Company
Title Insurance and Escrows

April 06, 1998

KENNETH H. BURBANK
9475 McBETH ROAD
MONMOUTH, OR 97361

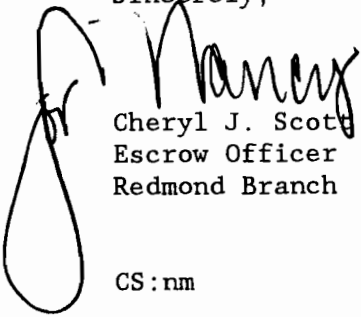
Re: Escrow No. 9820130

The above referenced escrow has been established to accommodate your purchase of property at 55985 MOFFITT ROAD @ MILE POST 34 / HWY 20 E, BROTHERS, OR. **97712**

Enclosed is the Supplemental Preliminary Title Report and copies of all exceptions of record, for your review.

I will contact you when we have the necessary documents for closing. Please do not hesitate to call me should you have any questions.

Sincerely,



Cheryl J. Scott
Escrow Officer
Redmond Branch

CS:nm

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SALEM, OREGON**



First American Title Insurance Company of Oregon

An assumed business name of TITLE INSURANCE COMPANY OF OREGON

Deschutes Division

1330 S.W. Highland Avenue • Redmond, OR 97756

(541) 923-3014 • Fax: (541) 548-2816

Deschutes County's Oldest Title Company

Title Insurance and Escrows

ESCROW INFORMATION FORM (BUYER)

Re: Escrow No. 9820130

SELLER: PATRICIA A. NIPPERT / BUYER: KENNETH H. BURBANK

PROPERTY: 55985 MOFFITT ROAD @ MILE POST 34 / HWY 20 E, BROTHERS, OR

At closing you will need to provide escrow with the following items:

☒ CASHIER'S CHECK OR WIRE TRANSFER (amount to be provided prior to closing)

☐ EVIDENCE OF FIRE INSURANCE COVERAGE

Company: _____

Agent: _____

Address: _____

Phone No: _____

☐ If you are obtaining a new loan on the property you are purchasing, please provide us with the following:

Lender or Mortgage Broker: _____

Loan Officer: _____

Address: _____

Phone No: _____

☒ Exact name in which documents should be prepared: _____

☒ DAYTIME PHONE () _____

☒ Dated this: _____ day of _____, _____

☒ _____ SS# _____
KENNETH H. BURBANK

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SALEM, OREGON

385
36/325

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THE DAY AND YEAR
EAST ABOVE WRITTEN.

(NOTARIAL SEAL)

LOUIS BENNETT, NOTARY PUBLIC FOR OREGON.
MY COMMISSION EXPIRES MAR. 30, 1926.

7B 4480

THE UNITED STATES

FILED OCTOBER 19TH., A.D. 1925.

TO

1:30 O'CLOCK P.M.

STANLEY SMITH

J.H. HANER, COUNTY CLERK.
GWEN IRWIN, DEPUTY.

THE DALLES 017688.

THE UNITED STATES OF AMERICA.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING: WHEREAS, A CERTIFICATE OF THE REGISTER
OF THE LAND OFFICE AT THE DALLES, OREGON, HAS BEEN DEPOSITED IN THE GENERAL LAND OFFICE,
WHEREBY IT APPEARS THAT, PURSUANT TO THE ACT OF CONGRESS OF MAY 20, 1902, "TO SECURE
HOMESTEADS TO ACTUAL SETTLERS ON THE PUBLIC DOMAIN," AND THE ACTS SUPPLEMENTAL THERETO, THE
CLAIM OF STANLEY SMITH HAS BEEN ESTABLISHED AND DULY CONSUMMATED, IN CONFORMITY TO LAW, FOR
THE LOTS THREE AND FOUR, THE EAST HALF OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER
OF SECTION THIRTY IN TOWNSHIP TWENTY SOUTH OF RANGE SIXTEEN EAST OF THE WILLAMETTE MERIDIAN,
OREGON, CONTAINING THREE HUNDRED EIGHTEEN ACRES,
ACCORDING TO THE OFFICIAL PLAT AND THE SURVEY OF THE SAID LAND, RETURNED TO THE GENERAL LAND
OFFICE, BY THE SURVEYOR-GENERAL:

NOW KNOW YE, THAT THERE IS, THEREFORE, GRANTED BY THE UNITED STATES, AND THE SAID

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WATER RESOURCES DEPT
SALEM, OREGON

OF SECTION THIRTY IN TOWNSHIP TWENTY SOUTH OF RANGE SIXTEEN EAST OF THE WILLAMETTE MERIDIAN,
OREGON, CONTAINING THREE HUNDRED EIGHTEEN ACRES.

ACCORDING TO THE OFFICIAL PLAT AND THE SURVEY OF THE SAID LAND, RETURNED TO THE GENERAL LAND
OFFICE, BY THE SURVEYOR-GENERAL:

NOW KNOW YE, THAT THERE IS, THEREFORE, GRANTED BY THE UNITED STATES UNTO THE SAID
CLAIMANT THE TRACT OF LAND ABOVE DESCRIBED: TO HAVE AND TO HOLD, THE SAID TRACT OF LAND,
WITH THE APPURTENANCES THEREOF, UNTO THE SAID CLAIMANT AND TO THE HEIRS AND ASSIGNS OF
THE SAID CLAIMANT FOREVER, SUBJECT TO ANY VESTED AND ACCRUED WATER RIGHTS FOR MINING, AGRICULTURAL,
MANUFACTURING, OR OTHER PURPOSES, AND RIGHTS TO DITCHES AND RESERVOIRS USED IN
CONNECTION WITH SUCH WATER RIGHTS, AS MAY BE RECOGNIZED BY THE LOCAL CUSTOMS, LAWS, AND
DECISIONS OF COURTS; AND THERE IS RESERVED FROM THE LANDS HEREBY GRANTED, A RIGHT OF WAY
THEREOF, FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES. EXCEPTING
AND RESERVING, HOWEVER, TO THE UNITED STATES ALL THE COAL AND OTHER MINERALS IN THE LANDS
SO ENTERED AND PATENTED, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE, AND REMOVE THE
SAME PURSUANT TO THE PROVISIONS AND LIMITATIONS OF THE ACT OF DECEMBER 29, 1916, (39 STAT., 862)
IN TESTIMONY WHEREOF, I, CALVIN COOLIDGE, PRESIDENT OF THE UNITED STATES OF AMERICA,
HAVE CAUSED THESE LETTERS TO BE MADE PATENT, AND THE SEAL OF THE GENERAL LAND OFFICE TO BE
HEREUNTO AFFIXED.

GIVEN UNDER MY HAND, AT THE CITY OF WASHINGTON, THE SECOND DAY OF OCTOBER, IN THE YEAR
OF OUR LORD ONE THOUSAND NINE HUNDRED AND TWENTY THREE AND OF THE INDEPENDENCE OF THE
UNITED STATES THE ONE HUNDRED AND FORTY-EIGHTH.

BY THE PRESIDENT: CALVIN COOLIDGE.

(U.S. GENERAL LAND OFFICE SEAL) BY: VIOLA B. PUGH, SECRETARY.

W.P. LEROY,

RECORDER OF THE GENERAL LAND OFFICE.

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SALEM, OREGON

RECORDED: PATENT NUMBER 919057.

X B 5749

THE UNITED STATES,

TO

FRANK PERCIVAL.

THE DALLES 017879

FILED FEB. 11TH. A.D. 1924.

10:30 O'CLOCK A.M.

J. H. HANER, COUNTY CLERK.

GIVEN IN WITNESS WHEREOF,

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, A CERTIFICATE OF THE REGISTER OF THE LAND OFFICE AT THE DALLES, OREGON, HAS BEEN DEPOSITED IN THE GENERAL LAND OFFICE, WHEREBY IT APPEARS THAT, PURSUANT TO THE ACT OF CONGRESS OF MAY 20, 1862, "TO SECURE HOMESTEADS TO ACTUAL SETTLERS ON THE PUBLIC DOMAIN," AND THE ACTS SUPPLEMENTAL THERETO, THE CLAIM OF FRANK PERCIVAL HAS BEEN ESTABLISHED AND DULY CONSUMMATED, IN CONFORMITY TO LAW, FOR THE SOUTHWEST QUARTER OF SECTION TWENTY-SIX AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE WEST HALF OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION THIRTY-FIVE IN TOWNSHIP TWENTY SOUTH OF RANGE SIXTEEN EAST OF THE WILLAMETTE MERIDIAN, OREGON, CONTAINING THREE HUNDRED TWENTY ACRES.

ACCORDING TO THE OFFICIAL PLAT OF THE SURVEY OF THE SAID LAND, RETURNED TO THE GENERAL LAND OFFICE BY THE SURVEYOR-GENERAL:

NOW KNOW YE, THAT THERE IS, THEREFORE, GRANTED BY THE UNITED STATES UNTO THE SAID CLAIMANT THE TRACT OF LAND ABOVE DESCRIBED; TO HAVE AND TO HOLD THE SAID TRACT OF LAND, WITH THE APPURTENANCES THEREOF, UNTO THE SAID CLAIMANT AND TO THE HEIRS AND ASSIGNS OF THE SAID CLAIMANT FOREVER; SUBJECT TO ANY VESTED AND ACCRUED WATER RIGHTS FOR MINING, AGRICULTURAL, MANUFACTURING, OR OTHER PURPOSES, AND RIGHTS TO DITCHES AND RESERVOIRS USED IN CONNECTION WITH SUCH WATER RIGHTS, AS MAY BE RECOGNIZED AND ACKNOWLEDGED BY THE LOCAL CUSTOMS, LAWS, AND DECISIONS OF COURTS; AND THERE IS RESERVED FROM THE LANDS HEREBY GRANTED, A RIGHT OF

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WATER RESOURCES DEPT
SALEM, OREGON

BEEN DEPOSITED IN THE GENERAL LAND OFFICE, WHEREBY IT APPEARS THAT, PURSUANT TO THE ACT OF CONGRESS OF MAY 20, 1862, TO SECURE HOMESTEADS TO ACTUAL SETTLERS ON THE PUBLIC DOMAIN, AND THE ACTS SUPPLEMENTAL THERETO, THE CLAIM OF FRANK PERCIVAL HAS BEEN ESTABLISHED AND DULY CONSUMMATED, IN CONFORMITY TO LAW, FOR THE SOUTHWEST QUARTER OF SECTION TWENTY-SIX AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE WEST HALF OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION THIRTY-FIVE IN TOWNSHIP TWENTY SOUTH OF RANGE SIXTEEN EAST OF THE WILLAMETTE MERIDIAN, OREGON, CONTAINING THREE HUNDRED TWENTY ACRES.

ACCORDING TO THE OFFICIAL PLAT OF THE SURVEY OF THE SAID LAND, RETURNED TO THE GENERAL LAND OFFICE BY THE SURVEYOR-GENERAL.

NOW KNOW YE, THAT THERE IS, THEREFORE, GRANTED BY THE UNITED STATES UNTO THE SAID CLAIMANT THE TRACT OF LAND ABOVE DESCRIBED; TO HAVE AND TO HOLD THE SAID TRACT OF LAND, WITH THE APPURTENANCES THEREOF, UNTO THE SAID CLAIMANT AND TO THE HEIRS AND ASSIGNS OF THE SAID CLAIMANT FOREVER; SUBJECT TO ANY VESTED AND ACCRUED WATER RIGHTS FOR MINING, AGRICULTURAL, MANUFACTURING, OR OTHER PURPOSES, AND RIGHTS TO DITCHES AND RESERVOIRS USED IN CONNECTION WITH SUCH WATER RIGHTS, AS MAY BE RECOGNIZED AND ACKNOWLEDGED BY THE LOCAL CUSTOMS, LAWS, AND DECISIONS OF COURTS; AND THERE IS RESERVED FROM THE LANDS HEREBY GRANTED, A RIGHT OF WAY THEREON FOR DITCHES OR CANALS, CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES. EXCEPTING AND RESERVING, HOWEVER, TO THE UNITED STATES ALL THE COAL AND OTHER MINERALS IN THE LANDS SO ENTERED AND PATENTED, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE, AND REMOVE THE SAME PURSUANT TO THE PROVISIONS AND LIMITATIONS OF THE ACT OF DECEMBER 29, 1916 (39 STAT., 862) IN TESTIMONY WHEREOF, I, CALVIN COOLIDGE, PRESIDENT OF THE UNITED STATES OF AMERICA, HAVE CAUSED THESE LETTERS TO BE MADE PATENT, AND THE SEAL OF THE GENERAL LAND OFFICE TO BE HEREUNTO AFFIXED.

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WATER RESOURCES DEPT
SALEM, OREGON

The United States of America,

Gilbert G. Daughenbaugh.

Lakeview 09677

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come. Greeting.

WHEREAS, a Certificate of the Register of the Land Office at Lakeview, Oregon, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Gilbert G. Daughenbaugh has been established and duly consummated, in conformity to law, for the Lots one, two, three and four, the north half of the southeast quarter and the northeast quarter of the southwest quarter of Section one and the Lot one of Section two in Township twenty-one south of Range sixteen east and the Lots four and five of Section six in Township twenty-one south of Range seventeen east of the Willamette Meridian, Oregon, containing three hundred seventeen acres and eighty-three hundredths of an acre.

According to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection

Filed June 16th., A.D. 1926.

2:00 o'clock P.M.

J. H. Haner, County Clerk.

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WATER RESOURCES DEPT
SALEM, OREGON

of the Willamette Meridian, Oregon, containing three hundred seventeen acres and eighty-three hundredths of an acre,

according to the Official Plat of the Survey of the said land, returned to the GENERAL LAND

OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described: TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

IN TESTIMONY WHEREOF, I, Calvin Coolidge, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed. GIVEN under my hand, at the City of Washington, the TENTH day of MAY in the year of our Lord one thousand nine hundred and TWENTY-SIX and of the Independence of the United States the one hundred and FIFTIETH.

(U.S. General Land Office Seal)
By the President: Calvin Coolidge.
By Viola B. Pugh, Secretary.
M. P. LeRoy.

Recorder of the General Land Office.

RECORDED: Patent Number 978953.

X D 176

H. C. Dodds et ux,

Filed June 16th., A.D. 1926.

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SALEM, OREGON

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WARRANTY DEED

WATER RESOURCES DEPT
SALEM, OREGON

KNOW ALL MEN BY THESE PRESENTS, That G. N. BARCLAY and MARIE BARCLAY, husband and wife, Grantors, in consideration of SIXTY-FOUR THOUSAND and no/100 DOLLARS to us paid by OMAR L. MOFFITT and BETTY MOFFITT, husband and wife, Grantees, do hereby grant, bargain, sell and convey unto the said grantees, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Deschutes and State of Oregon, bounded and described as follows, to-wit:

The South Half of the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (S1/2 NW1/4 SW1/4 NE1/4), the South Half of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter (S1/2 NE1/4 SE1/4 NW1/4), the Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW1/4 SW1/4 NE1/4), the South Half of the Southwest Quarter of the Southeast Quarter of the Northeast Quarter (S1/2 SW1/4 SE1/4 NE1/4), the East Half of the Northeast Quarter of the Southwest Quarter (E1/2 NE1/4 SW1/4), the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4), the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (SE1/4 SE1/4 NW1/4), the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW1/4 SE1/4 SE1/4), all being in Section Thirty-five (35) Township Twenty (20) South, Range Fifteen (15) East of the Willamette Meridian;

All of Section Thirty-six (36) Township Twenty (20) South, Range Fifteen (15) East of the Willamette Meridian;

The West Half of the Northwest Quarter (W1/2 NW1/4) of Section Fourteen (14), the Northeast Quarter (NE1/4), the North Half of the Southeast Quarter (N1/2 SE1/4) of Section Fifteen (15), the North Half of the Northwest Quarter (N1/2 NW1/4), the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4), the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4), the South Half of the Northeast Quarter (S1/2 NE1/4), the Southeast Quarter (SE1/4) of Section Twenty-one (21), the South Half of the Northwest Quarter (S1/2 NW1/4), the Southwest Quarter (SW1/4), the South Half of the Southeast Quarter (S1/2 SE1/4) of Section Twenty-two (22), the East Half (E1/2) of Section Twenty-three (23), the North Half (N1/2), the Southwest Quarter (SW1/4) of Section Twenty-four (24), All of Section Twenty-five (25), All of Section Twenty-six (26), the North Half of the Northwest Quarter (N1/2 NW1/4), the East Half (E1/2) of Section Twenty-seven (27), the Southwest Quarter (SW1/4) of Section Twenty-eight (28), the South Half (S1/2) of Section Twenty-nine (29), the South Half (S1/2) of Section Thirty (30), the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4), the West Half of the East Half (W1/2 E1/2), the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4), the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section Thirty-two (32), the North Half of the North Half (N1/2 N1/2) of Section Thirty-three (33), the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4), the North Half of the Northeast Quarter (N1/2 NE1/4), the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Thirty-five (35), the Southwest Quarter (SW1/4) of Section Thirty-six (36), All being in Township Twenty (20) South, Range Fifteen (15) East of the Willamette Meridian;

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The West Half (W1/2) of Section Nineteen (19), the South Half (S1/2) of Section Twenty (20), the West Half (W1/2) of Section Thirty (30), the Northwest Quarter (NW1/4), the West Half of the Northeast Quarter (W1/2 NE1/4), the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) of Section Thirty-two (32), All being in Township Twenty (20) South, Range Seventeen (17) East of the Willamette Meridian;

The North Half of the Southwest Quarter (N1/2 SW1/4), the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section Two (2), the East Half of the East Half (E1/2 E1/2) of Section Ten (10), the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section Eleven (11), All being in Township Twenty-one (21) South, Range Fifteen (15) East of the Willamette Meridian;

Lots numbered One (1), Two (2), Three (3) and Four (4), the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4), the North Half of the Southeast Quarter (N1/2 SE1/4) of Section One (1), Lot numbered One (1) in Section Two (2), All being in Township Twenty-one (21) South, Range Sixteen (16) East of the Willamette Meridian;

Lots numbered Four (4) and Five (5) in Section Six (6) Township Twenty-one (21) South, Range Seventeen (17) East of the Willamette Meridian.

Subject to reservations contained in State Deed to said premises, and reserving unto Grantors one-half (1/2) of all gas, oil and mineral rights.

TO HAVE AND TO HOLD the above described and granted premises unto

the said Grantees, their heirs and assigns forever.

And we, the Grantors, do covenant that we are lawfully seized in fee simple of the above granted premises free from all encumbrances, excepting taxes payable on and for said premises for the tax year 1958-59, and mortgage to Federal Land Bank of Spokane, dated June 6, 1956, and recorded June 15, 1956, in Vol. 99 of Mortgages of said County at page 330, upon which remains owing and unpaid the sum of \$14,531.28, with interest thereon at the rate of 4% per annum from May 1, 1958, which grantees assume and agree to pay; and that we will, and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

WITNESS our hands and seals this 15th day of October, 1958.

G. N. Barclay (SEAL)
Marie Barclay (SEAL)

STATE OF OREGON) ss.
County of Deschutes)

On this 15th day of October, 1958, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named G. N. Barclay and Marie Barclay, husband and wife, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

M. G. Cunningham
Notary Public for Oregon
My Commission expires July 7, 1960

VOL 131 PAGE 181

Form 4-1243
(August 1959)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

GRANT OF EASEMENT AND RIGHT-OF-WAY

L:

Omar Moffitt and Betty Moffitt, husband and wife, grantor, to the United States of America,
Department of the Interior, Bureau of Land Management, grantee:

WITNESSETH, That for and in consideration of the agreement by the grantee pursuant to the Acts of June 23, 1934 as amended (43 USC 315, et seq.), April 27, 1935 (16 USC 590e), and July 14, 1952 (56 Stat. 597) to construct the following improvements:

Cattleguard on County road.

the grantor does hereby grant, bargain, convey, and confirm unto the United States of America, an easement and right-of-way over the tract, lot, piece, or parcel of land situate, lying and being in the County of Deschutes, State of Oregon, more particularly described as follows:

SE¼NE¼ Sec. 27, T. 20 S., R. 16 E., W.M.

The easement and right-of-way hereby granted is for the full, free, unrestricted and quiet use and enjoyment by the grantee of the land of the grantor occupied by the said improvements for any and all purposes deemed necessary or beneficial for, or in connection with, the control, administration, or use of the public land surrounding or adjacent to the land herein described, which may be properly grazed from, serviced by or used in connection with the said land and improvements, including the right of ingress and egress to, from, and over the land of the grantor by the grantee, its officers, agents, permittees, allottees, and licensees for the purpose of repairing, renewing, or using the said improvements, or for other business pertaining to the use and maintenance thereof, and shall be appurtenant to said public land.

This grant shall be effective so long as the easement shall be actually used for the aforesaid purposes, and all rights hereunder shall revert to the grantor when and in the event the use thereof shall be discontinued or abandoned by the grantee of which due notice shall be given to the grantor by the grantee. Upon termination or abandonment of this easement, the grantee may at its option and within a reasonable time, remove any improvements constructed by it on the land hereunder.

IN WITNESS WHEREOF, the grantor has hereunto set our hand and seal, this 18th day of May, 1962.

Omar L. Moffitt Betty L. Moffitt
(Grantor) (Grantor)

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oregon)
COUNTY OF Deschutes) ss:

On the 18th day of May, 1962, personally came before me, a notary public in and for said County and State, the within-named Omar Moffitt and Betty Moffitt to me personally known to be the identical persons described in and who executed the within and foregoing instrument and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

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WATER RESOURCES DEPT
SALEM, OREGON

Jay A. Moberly
Notary Public in and for the
State of Oregon
Residence at Prineville

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Omar L. Moffitt and Betty Moffitt, husband and wife, for a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto CENTRAL ELECTRIC COOPERATIVE, INC., a cooperative corporation, whose postoffice address is Redmond, Oregon, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Deschutes, State of Oregon, and more particularly described as follows:

The West half ($W\frac{1}{2}$) of Section 24;
 The East half ($E\frac{1}{2}$) of Section 23;
 The East half ($E\frac{1}{2}$) of Section 27;
 All of Section 26;
 All in Township 20 South, Range 16

East of the Willamette Meridian, and to construct, operate and maintain on the above-described lands and/or in or upon all streets, roads or highways abutting said lands, an electric transmission or distribution line or system, and to cut and trim trees and shrubbery to the extent necessary to keep them clear of said electric line or system and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

The undersigned covenant that they are the owner of the above-described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following:
 Buying property from G. N. and Marie Barclay on contract.

IN WITNESS WHEREOF, the undersigned have set their hand and seal this 26th day of July, 1962.

Omar L. Moffitt (SEAL)
Betty Moffitt (SEAL)

STATE OF OREGON

County of Deschutes

} SS

BE IT REMEMBERED, That on this 26th day of July A.D. 1962 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Omar L. Moffitt and Betty Moffitt who are known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

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Donald D. Thomas
 Notary Public For Oregon
 My Commission expires Jan. 24, 1964

WATER RESOURCES DEPT

13747

Tract No. AFM-104-A-1

CONTRACT AND GRANT OF EASEMENT
(Transmission Line)

THIS AGREEMENT made this 8th day of May, 1981, between
EVERETT P. DECKER AND VERA L. DECKER, husband and wife,

(the Grantor), whether one or more, and the UNITED STATES OF AMERICA, Department of the Interior, Bonneville Power Administration, pursuant to the Bonneville Project Act, Act of August 20, 1937, Ch. 720, 50 Stat. 731, as amended, 16 U.S.C. 832 (1970), and the Federal Columbia River Transmission System Act, Act of October 18, 1974, P.L. 93-454 88 Stat. 1376, 16 U.S.C. 838 (Supp IV).

WITNESSETH:

That the parties hereto covenant and agree as follows:

1. The Grantor, for and in consideration of the sum of SIX HUNDRED DOLLARS (\$600.00) and the provisions contained in this agreement, does hereby grant and convey to the United States of America, and its assigns, a perpetual easement and right-of-way for electric power transmission purposes in, upon, over and under the following described land, to wit: As described in Exhibit A attached hereto and by this reference made a part hereof.

2. The grant shall include the right to enter and to locate, construct, operate, maintain, repair, rebuild, upgrade, remove and patrol one line of structures and appurtenances thereto, supporting conductors of one electric circuit of 500-kV together with the present and future right to clear the right-of-way and to keep the same clear of all structures, trees, brush, and any other vegetation, and fire hazards, provided, however, that vegetation and fire hazards shall not include agricultural crops.

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Tract No AFM-104-A-1

JUN 16 2008

DESCHUTES COUNTY TITLE CO.
P. O. BOX 323
BEND, OREGON 97703WATER RESOURCES DEPT
BEND, OREGON

All such trees, brush, vegetation, structures and fire hazards presently on the right-of-way shall become the property of the United States on the date of acceptance hereof, and may be disposed of by the United States in any manner it deems suitable. Title to trees and merchantable timber hereafter growing within the right-of-way shall be and remain in the United States.

3. Notice of acceptance of this instrument by the United States shall be given to the Grantor at his last known address within six months from the date hereof, or this offer shall be void. Upon the issuance of such notice, the United States shall have the right to immediately exercise the rights granted herein.

4. The rights granted herein are subject to easements of record and mineral rights of third parties.

5. In addition to the consideration recited herein, the United States shall repair or compensate the Grantor for damage to agricultural crops, fences and irrigation and drainage systems within the transmission line right-of-way that occurs as a result of and during the construction, reconstruction, removal or maintenance of the transmission lines. Payment for such damage shall be made on the basis of an appraisal approved by the United States.

6. The Grantor agrees to satisfy of record such encumbrances, including taxes and assessments, as may be required by the United States, and obtain such curative evidence of title as may be requested by the United States.

7. The United States shall pay all costs incidental to the preparation and recordation of this instrument, and for the procurement of the title evidence.

8. The Grantor covenants to and with the United States that the Grantor is lawfully seized and possessed of the land aforesaid; has a good and lawful right and power to sell and convey the same; that the same is free and clear of encumbrances, except as herein provided; and the Grantor will forever warrant and defend the title to said easement and the quiet possession thereof against the lawful claims and demands of all persons whomsoever.

9. The provisions hereof shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the Grantor, and the assigns of the United States.

10. Future expenditures to be made by the United States as provided herein are subject to the availability of funds therefor.

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A2

Tract No AFM-104-A-1

JUN 05 2008

AFM-104-A-1

A strip of land 77.5 feet wide over and across the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 30, Township 20 South, Range 16 East, Willamette Meridian, Deschutes County, Oregon. The westerly boundary of said strip of land lies 150 feet easterly of and parallel with the easterly boundary of the existing Bonneville Power Administration Grizzly-Malin No. 1 transmission line right-of-way as described in easement deed recorded February 23, 1966 in Book 147, Page 333, deed records, said county, and said westerly boundary is also coincident with the easterly boundary of the existing Portland General Electric transmission line right-of-way.

The above-described strip of land contains 4.6 acres, more or less.

AFM-104-A-1

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WATER RESOURCES DEPT
SALEM, OREGON**EXHIBIT A**

STATE of OREGON }
COUNTY of MULTNOMAH } ss.

On this 8th day of MAY, 19 81,
personally appeared Glen Downs,
personally known to me to be the same person who was a subscribing witness
to the foregoing instrument, who, being sworn, stated that he/she resides
at 141 NW Portland Ave. Bend, Oregon,
and that he/she knew the person(s) described in and who executed the foregoing
instrument and he/she/~~they~~ acknowledged said instrument to be his/~~her~~/their
voluntary act.



[Signature]
Notary Public for Oregon

My commission expires 11-3-83

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2008

WATER RESOURCES DEPT
SALEM, OREGON

11. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to or share any part of this agreement, or to any benefits that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation or company for its general benefit.

Glen Down
Witness

Everett F. Decker
Grantor

Accepted for the
UNITED STATES OF AMERICA 5/29/81
By: (Date)

Donald H. Munro
Grantor

Vera L. Decker
Grantor

Grantor

Grantor

STATE OF OREGON)
COUNTY OF MULTNOMAH) ss.

On the 29th day of May, 1981, personally came before me, a notary public in and for said County and State, the within-named Donald H. Munro, Acting Chief, Acquisition Branch, Division of Land, Bonneville Power Administration to me personally known to be the identical person described in and who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.



Northey L. Brown
Notary Public in and for the
State of Oregon
Residing at Milwaukee

My Commission expires: 9-4-84

HW:2-5-81
1/79

A3

Tract No AFM-104-A-1

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WATER RESOURCES DEPT

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WATER RESOURCES DEPT
ORLEM OREGON

13747

STATE OF OREGON

County of Deschutes

I hereby certify that the within and
recd. of writing was received for Recd. 1

the 5 day of June A.D. 19 82

at 3:38 o'clock P. M. and recorded

in Book 352 on Page 579 Records

of Deeds

ROSEMARY PATTERSON

County Clerk

By Rhonda Lamy Deputy



First American Title Insurance Company of Oregon

An assumed business name of TITLE INSURANCE COMPANY OF OREGON

DESCHUTES DIVISION

141 N.W. Greenwood, P. O. Box 323, Bend OR 97709
Phone: (541)382-4201 Title Fax: (541)385-9932 Escrow Fax: (541)389-5431

Your Copy

OUR 81ST YEAR

March 18, 1998

Order No. 145674-JM
Reference No. 9820130

Escrow Department
CHERYL SCOTT
1330 SW Highland Ave
PO Box 1195
Redmond, Oregon 97756
Phone: (541) 923-3014
FAX: (541) 548-2816

Preliminary Title Report

ALTA Owners Stand. Cov.	725,000.00	Premium \$	1,693.00
ALTA Owners Ext. Cov.		Premium \$	
ALTA Lenders Stand. Cov.		Premium \$	
ALTA Lenders Ext. Cov.		Premium \$	
Indorsements		Premium \$	
Other	Govt. Service Fee	Cost \$	25.00

A consolidated statement of all charges and advances in connection with this order will be provided at closing.

We are prepared to issue First American Title Insurance Company Title Insurance Policy in usual form on the following described property to wit:

SEE LEGAL DESCRIPTION ATTACHED

Showing the title on March 12, 1998 at 8:00 A. M.

Vested of Record In: OMAR L. MOFFITT and BETTY L. MOFFITT, an estate in fee simple, as tenants by the entirety.

Subject to usual conditions, stipulations, and

NOTE: Taxes assessed under Serial No. 143191

Account No. : 5-015 20 15 00 00 02100
1997-98 Taxes : \$.86, PAID IN FULL.

NOTE: Taxes assessed under Serial No. 143189

Account No. : 5-015 20 15 00 00 02400
1997-98 Taxes : \$5.22, PAID IN FULL.

NOTE: Taxes assessed under Serial No. 143209

Account No. : 5-015 20 16 00 00 02400
1997-98 Taxes : \$195.96, PAID IN FULL.
(contains other property)

NOTE: Taxes assessed under Serial No. 187892

Account No. : 5-015 20 16 00 00 02601
1997-98 Taxes : \$7.52, PAID IN FULL.

NOTE: Taxes assessed under Serial No. 143207

Account No. : 5-015 20 16 00 00 03100
1997-98 Taxes : \$5.22, PAID IN FULL.

NOTE: Taxes assessed under Serial No. 143218

Account No. : 5-015 20 17 00 00 01400
1997-98 Taxes : \$5.32, PAID IN FULL.
(contains other property)

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WATER RESOURCES DEPT
SALEM, OREGON

Page 2
March 18, 1998
Order No. 145674-JM
Reference No. 9820130

NOTE: Taxes assessed under Serial No. 143217
Account No. : 5-015 20 17 00 00 01500
1997-98 Taxes : \$2.61, PAID IN FULL.

NOTE: Taxes assessed under Serial No. 143228
Account No. : 5-015 20 17 00 00 03300
1997-98 Taxes : \$2.29, PAID IN FULL.

NOTE: Taxes assessed under Serial No. 112791
Account No. : 1-004 21 15 00 00 00200
1997-98 Taxes : \$2.97, PAID IN FULL.

NOTE: Taxes assessed under Serial No. 143438
Account No. : 5-015 21 16 00 00 00100
1997-98 Taxes : \$2.13, PAID IN FULL.

NOTE: Taxes assessed under Serial No. 143456
Account No. : 5-015 21 17 00 00 00300
1997-98 Taxes : \$.45, PAID IN FULL.

1. As disclosed by the tax roll, the premises herein 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 and interest thereon.
2. The rights of the public in and to that portion of the premises herein described lying within the limits of public roads.
3. Mineral reservation as contained in Deed/Patent,
Recorded : October 19, 1923 in Book 36 Page 385
From : The United States of America
To : Stanley Smith
Which states in part as follows: "Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine and remove the same pursuant to the provisions and limitations of the act of December 29, 1916 (39 Stat. 862)."
4. Easement for ingress and egress above and below the surface of the land as implied by reservation of mineral rights in deed,
Recorded : October 19, 1923 in Book 36 Page 385
From : The United States of America
To : Stanley Smith
5. Mineral reservation as contained in Deed/Patent,
Recorded : February 11, 1924 in Book 37 Page 120
From : The United States of America
To : Frank Percival
Which states in part as follows: "Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine and remove the same pursuant to the provisions and limitations of the act of December 29, 1916 (39 Stat. 862)."

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SALEM, OREGON

6. Easement for Ingress and egress above and below the surface of the land as implied by reservation of mineral rights in deed,
Recorded : February 11, 1924 in Book 37 Page 120
From : The United States of America
To : Frank Percival
7. Mineral reservation as contained in Deed/Patent,
Recorded : June 16, 1926 in Book 42 Page 18
From : The United States of America
To : Gilbert G. Daughenbaugh
Which states in part as follows: "Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat. 862)."
8. Easement for ingress and egress above and below the surface of the land as implied by reservation of mineral rights in deed,
Recorded : June 16, 1926 in Book 42 Page 18
From : The United States of America
To : Gilbert G. Daughenbaugh
9. Mineral reservation as contained in Deed,
Recorded : November 1, 1968 in Book 161 Page 596
From : G. N. Barclay and Marle Barclay, husband and wife
To : Omar L. Moffitt and Betty Moffitt, husband and wife
Which states in part as follows: "Reserving unto grantors one-half (1/2) of all gas, oil and mineral rights."
10. Easement for Ingress and egress above and below the surface of the land as implied by reservation of mineral rights in deed,
Recorded : November 1, 1968 in Book 161 Page 596
From : G. N. Barclay and Marle Barclay, husband and wife
To : Omar L. Moffitt and Betty Moffitt, husband and wife
11. An easement created by Instrument, including the terms and provisions thereof,
Recorded : May 24, 1962 in Book 131 Page 181
In Favor of : United States of America
For : right of way
(Affects SE 1/4 NE 1/4 27-20-16)
12. An easement created by Instrument, including the terms and provisions thereof,
Recorded : September 18, 1962 in Book 132 Page 412
In Favor of : Central Electric Cooperative, Inc., a cooperative corporation
For : right of way
(Affects portions in Section 23, 24, 26 and 27, Township 20 South, Range 16 East)
13. An easement created by Instrument, including the terms and provisions thereof,
Recorded : January 5, 1982 in Book 352 Page 579
In Favor of : United States of America, Department of the Interior, Bonneville Power Administration
For : electric power transmission purposes

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SALEM, OREGON

14. We find no apparent means of recorded Ingress or egress to or from the above property.

NOTE: The above exception will be removed upon satisfactory evidence that there actually is a means of ingress and egress to and from the said property.

(affects Tax Lots 2100 & 2400 T20 R15 EWM, Tax Lots 2600 & 3100 T20 R16 EWM, Tax Lot 3300 T20 R17 EWM, Tax Lot 200 T21 R15 EWM, Tax Lot 100 T21 R16 EWM and Tax Lot 300 T21 R17 EWM)

15. Any Improvement located upon the insured property, which is described or defined as a mobile home under the provisions of Chapter 820, Oregon Revised Statutes, is subject to registration as therein provided.
16. Real Estate Contract, including the terms and provisions thereof, a memorandum of which was,
Dated : December 28, 1994
Recorded : December 29, 1994 in Book 362 Page 0544
Vendor : Omar L. Moffitt and Betty L. Moffitt, husband and wife
Vendee : Harold Nippert and Patricia A. Nippert, husband and wife
(contains other property)

The vendee's Interest of Patricia A. Nippert in said Assignment of Contract was assigned and conveyed by Instrument,

Dated : June 21, 1995
Recorded : December 26, 1996 in Book 433 Page 1371
To : Harold Nippert

Said Real Estate Contract was subsequently Rerecorded March 25, 1997 in Book 442 Page 318.

The vendee's Interest in said Real Estate Contract was assigned and conveyed by Assignment of Contract,

Dated : June 21, 1995
Recorded : December 26, 1996 in Book 433 Page 1372
To : H & P Cattle Company, an Oregon corporation

Said Real Estate Contract was subsequently Rerecorded March 25, 1997 in Book 442 Page 320.

17. Proof of Authority for Patricia A. Nippert to sign on behalf of Harold Nippert, the assignment of contract recorded December 26, 1996 in Book 433 Page 1372, and Re-recorded March 25, 1997 in Book 442 Page 320, as shown in exception No. 16 above.

NOTE: No liability is assumed if a financing statement is filed in the office of the County Clerk (Recorder) or the office of the Secretary of State, covering growing crops or fixtures wherein the land is described other than by metes and bounds, the rectangular survey system or by recorded lot and block.

NOTE: An inquiry of the Corporation Department of the State of Oregon reveals that as of March 17, 1998, H & P Cattle Company is an active Oregon Corporation.

President : Patricia A. Nippert
Secretary : Lisa Judd

NOTE: We have checked H & P CATTLE COMPANY and KENNETH H. BURBANK for liens and judgments and find NONE.

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WATER RESOURCES DEPT
SALEM, OREGON

Page 5
March 18, 1998
Order No. 145674-JM
Reference No. 9820130

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON



JULIE L. MYERS
Title Officer
Bend Office

JLM:dd
CC:

LAFRANCHI REAL ESTATE - BEND
ATTN MILTON LAFRANCHI

REMAX/MANZANITA PROPERTIES - BEND
ATTN JACK JONES

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WATER RESOURCES DEPT
SALEM, OREGON

LEGAL DESCRIPTION

IN TOWNSHIP TWENTY (20) SOUTH, RANGE FIFTEEN (15) EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon.

Section 35: S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$
S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$
S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$
E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 36: All.

IN TOWNSHIP 20 SOUTH, RANGE 16 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon.

Section 21: N $\frac{1}{2}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
S $\frac{1}{2}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$

Section 28: SW $\frac{1}{4}$

Section 30: S $\frac{1}{2}$

Section 32: NE $\frac{1}{4}$ SW $\frac{1}{4}$
W $\frac{1}{2}$ E $\frac{1}{2}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 33: N $\frac{1}{2}$ N $\frac{1}{2}$

Section 35: NE $\frac{1}{4}$ NW $\frac{1}{4}$
N $\frac{1}{2}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 36: SW $\frac{1}{4}$

IN TOWNSHIP 20 SOUTH, RANGE 17 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon:

Section 19: W $\frac{1}{2}$

Section 20: S $\frac{1}{2}$

Section 30: W $\frac{1}{2}$

Section 32: NW $\frac{1}{4}$
W $\frac{1}{2}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$

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WATER RESOURCES DEPT
SALEM, OREGON

LEGAL DESCRIPTION, continued

IN TOWNSHIP 21 SOUTH, RANGE 15 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon:

Section 2: N $\frac{1}{2}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 10: E $\frac{1}{2}$ E $\frac{1}{2}$

Section 11: NW $\frac{1}{4}$ NW $\frac{1}{4}$

IN TOWNSHIP 21 SOUTH, RANGE 16 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon:

Section 1: Lots 1, 2, 3, 4
NE $\frac{1}{4}$ SW $\frac{1}{4}$
N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 2: Lot 1

IN TOWNSHIP 21 SOUTH, RANGE 17 EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon:

Section 6: Lots 4, 5

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SALEM, OREGON



First American Title Insurance Company of Oregon
SCHEDULE OF EXCLUSIONS FROM COVERAGE

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**WATER RESOURCES DEPT
SALEM, OREGON**

ALTA LOAN POLICY (10/17/92)

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material or the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy); or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (i) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or
 - (ii) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or
 - (iii) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (a) to timely record the instrument of transfer; or
 - (b) of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

ALTA OWNER'S POLICY (10/17/92)

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (a) to timely record the instrument of transfer; or
 - (b) of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

SCHEDULE OF STANDARD EXCEPTIONS

The ALTA standard policy form will contain in Schedule B the following standard exceptions to coverage:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, encumbrances, or claims thereof, not shown by the public records; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose.

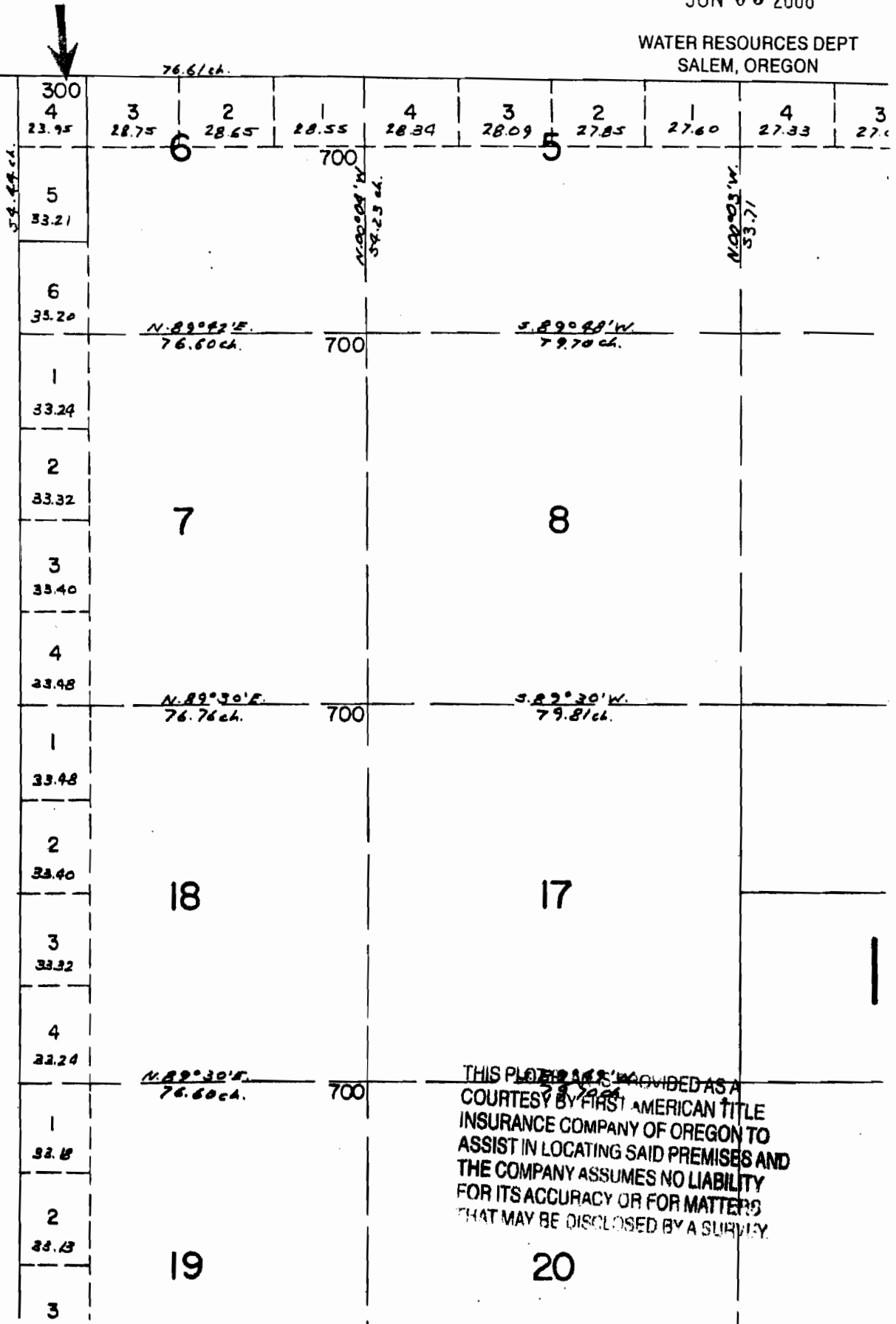
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SALEM, OREGON

See Map 21 16



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quality services in a cost-effective manner

Deschutes County



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Account: 143209 Map/TL: R 5-015 201600 00 02400

* * * CURRENT Ownership Information ONLY

BURBANK, KENNETH H
PO BOX 115 HWY 20
BROTHERS OR 97712

POTENTIAL ADDITIONAL TAX LIABILITY
Type: EXCLUSIVE FARM USE POTENTIAL ADDITIONAL TAX
LIABILITY

Site Address: 55995 MOFFITT RD BROTHERS 97712

Assessor Property Description
Lot: Block:

Prop Cls:551 MA:3 VA:33 NH 000
Asmt Zone:EFU CDD Zone:FP (FLOOD PLAIN)
" :WA (WILDLIFE AREA COMBINING ZONE)
" :SBMH (SENSITIVE BIRD & MAMMAL HABITAT COMBINING)
" :EFUHR (EXCLUSIVE FARM USE - HORSE RIDGE SUBZONE)

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SALEM, OREGON

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Account: 143210 Map/TL: R 5-015 201600 00 02100

* * * CURRENT Ownership Information ONLY

BURBANK, KENNETH H
PO BOX 115 HWY 20
BROTHERS OR 97712

POTENTIAL ADDITIONAL TAX LIABILITY
Type: EXCLUSIVE FARM USE POTENTIAL ADDITIONAL TAX
LIABILITY

Assessor Property Description
Lot: Block:

Prop Cls:550 MA:3 VA:33 NH 000 Vol-Page:1998-4951231
Asmt Zone:EFU CDD Zone:WA (WILDLIFE AREA COMBINING ZONE)
" :EFUHR (EXCLUSIVE FARM USE - HORSE RIDGE SUBZONE)

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SALEM, OREGON

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Account: 152026 Map/TL: R 5-015 201600 00 03200

* * * CURRENT Ownership Information ONLY

USA

Assessor Property Description

Lot: Block:

Prop Cls:970 MA:3 VA:33 NH 000

Asmt Zone:EFU CDD Zone:WA (WILDLIFE AREA COMBINING ZONE)

" :EFUHR (EXCLUSIVE FARM USE - HORSE RIDGE SUBZONE)

N O N - A S S E S S A B L E

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WATER RESOURCES DEPT
SALEM, OREGON



September 30, 2009
Project No. 1073-101

Kerry Kavanagh
Oregon Water Resources Department
725 Summer St. NE, Suite. A
Salem, OR 97303

**KENNETH BURBANK/FRED CRAMER GROUNDWATER APPLICATION
G-17065; AMENDMENT TO APPLICATION DATED JUNE 5, 2008**

Dear Ms. Kavanagh,

This letter requests that permit application G-17065 be removed from the administrative hold status. This letter also requests an amendment of permit application G-17065 based on information presented with this letter and our prior discussion with you regarding amendment feasibility and information needs to complete the amendment. The requested amendments apply to locations of proposed wells and a perimeter adjustment in proposed place of water use.

The original permit application was accepted by the Oregon Water Resources Department (OWRD) on June 5, 2008, establishing the date of priority. The application requests appropriation of ground water from up to 4 proposed wells at a maximum rate of 2.67 cfs. The water will be used to irrigate 320 acres of land for growing grass and alfalfa hay.

The Initial Review was completed by the OWRD on October 17, 2008 and concluded that mitigation is required based on locations of the 4 proposed wells within the Deschutes Basin Ground Water Study Area (the Study Area) and requirements of the Deschutes Ground Water Mitigation Rules (OAR 690-505-0500 through 0630). Discussion of this conclusion with the Applicants resulted in their decision to relocate the proposed wells. Although the original proposed well locations were selected according to irrigation water distribution considerations, the Applicants elected to relocate proposed wells to property they own that is outside the Study Area boundary.

This proposal was discussed with Mr. Lite, Hydrogeologist, of the OWRD Southwest Region office in Bend. Mr. Lite confirmed that mitigation under the Mitigation Rules would not apply to the proposed appropriations if they are outside the Study Area. Following this discussion and finding, we evaluated available well logs and geologic information and find no firm reasons that wells at the proposed new sites will withdraw water from a different and separate aquifer system than for wells at the original proposed sites.

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More specifically, the new adjusted well sites are shifted eastward from the original proposed well sites at distances between about 0.6 miles and 1.5 miles. One of the adjusted new sites is changed from a ridge area to the relatively flat basin terrain of the other original and adjusted well sites. A geologic map from the Department of Geology and Mineral Industries (DOGAMI), Oregon Geologic Data Compilation (OGDC) (<http://ogdc.geos.pdx.edu>) was reviewed to assist in our evaluation of geologic information. A map based on this reference is attached as Figure 3. Two of the original proposed well sites were in an area mapped as "Quaternary Surficial Deposits" and two sites were located in an area mapped as "High Lava Plains Volcanics". Available well log data suggests that the "High Lava Plains Volcanics" unit is shallow and was penetrated by wells to ground water at greater depth. Three of the adjusted new sites are in the area mapped as "High Lava Plains Volcanics" and one is located in the "Quaternary Surficial Deposits" map area. Although the adjusted sites add one well in the "High Lava Plains Volcanics" map area (an apparent surficial and near-surface unit), there is no evidence to suggest that wells at the adjusted new sites will withdraw water from a different and separate aquifer system than for wells at the original proposed well sites. Accordingly, the original Water Right Application Map was revised to show the new proposed well sites. Well construction is anticipated to be as presented in the original application.

The proposed place of water use identified in the original application for Section 25 will remain the same. Some adjustment is proposed for the perimeter around the place of water use in Section 23. The place of use will include the entire SE quarter of Section 23. The Water Right Application Map (Figure 2a) is also revised to reflect this perimeter adjustment.

The new proposed well locations require that the pipeline for water supply to irrigated land in Section 23 crosses Moffitt Road. This road passes through rural ranch lands, open space and lands owned by the Bureau of Land Management. The proposed road crossing was discussed with the Deschutes County Road Department. These discussions concluded that Moffitt Road is made of gravel and a permit would need to be obtained from the County. A county staff worker stated that there would not be a problem as long as the work was conducted by a licensed and bonded contractor. This work will be done in accordance with County requirements.

A new Land Use Information Form with the amended well locations was submitted to the Deschutes County Planning Department for review. The revised form and signed receipt are included as Attachment C.

The following items are enclosed to account for the amendments to the permit application:

- Revised Water Right Application Map (Figure 2a) showing new proposed well sites.
- Site Geology (Figure 3) from DOGAMI's Oregon Geologic Data Compilation

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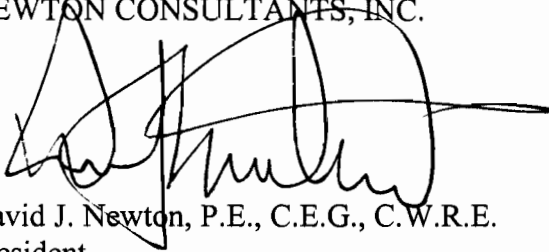
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- Deschutes County tax lot map (Attachment A) identifying the Applicant's additional property on which wells are proposed.
- Deschutes County Assessors Office documentation showing ownership of the lands on which wells will be located (Attachment B).
- New Land Use Information Form and signed receipt from the Deschutes County Planning Department (Attachment C).
- A check for the fee to amend four well locations.

If you have additional questions regarding the information contained in this letter, please feel free to contact me at (541) 504-9960, ext. 211 or dnewton@newtonconsultants.com. You may also contact Katie Turner at (541) 504-9960, ext. 210 or kturner@newtonconsultants.com.

Sincerely,

NEWTON CONSULTANTS, INC.



David J. Newton, P.E., C.E.G., C.W.R.E.
President

Enclosures: Figure 2a: Water Rights Application Map (Revised)
Figure 3: Site Geology
Attachment A: Tax Lot Map
Attachment B: Deschutes County Assessor Information Showing
Ownership
Attachment C: Land Use Information Form

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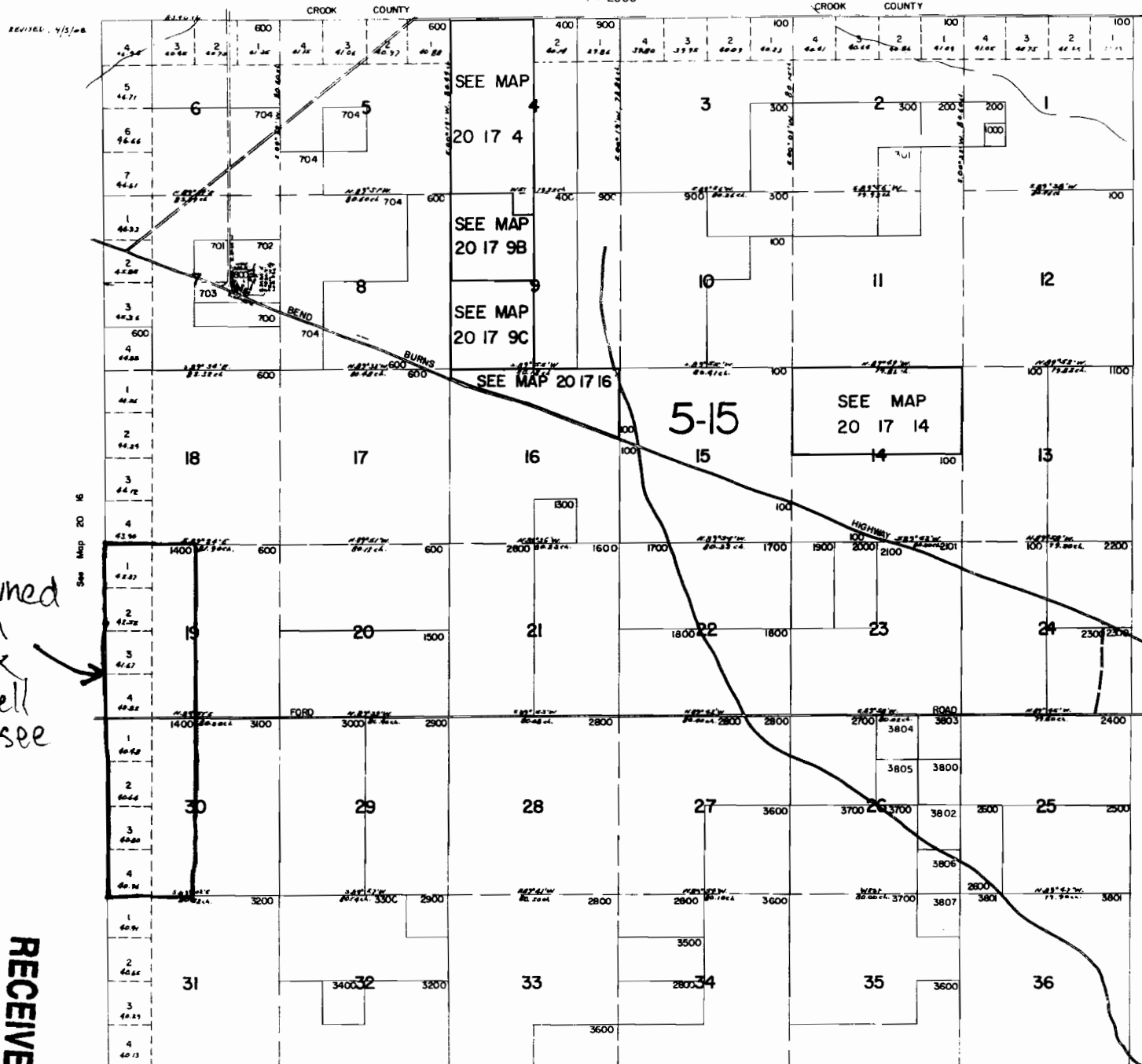
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T.20S. R.17E.W.M.
DESCHUTES COUNTY
1" = 2000'

Deed Numbers 500 thru 531
1200 thru 1230
2801 thru 2816

20 17



Property owned
by Kenneth
Burbank
- For new well
locations, see
Figure 2a

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Attachment A

App G-17065

See Map 21 17

20 17



Oregon Water Resources Department
Land Use Information Form

App G-17065

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: Kenneth H. Burbank and Fred Cramer (Main Contact)
Mailing Address: 2101 Main Street, Suite # 111
City: Baker City State: OR Zip: 97814 Day Phone: 541-523-3654

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.

Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
						☐ Diverted ☐ Conveyed ☐ Used	
See Attached Table						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Brothers, Deschutes 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 ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

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

Estimated quantity of water needed: 1,200 Total ☐ 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: Drill up to four new wells as points of appropriation for irrigation of lands for hay and alfalfa production. See attached map for proposed location of Wells #1, #2, #3 and #4 (Amended Locations), and place of use.

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



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

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 jurisdictions 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.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for 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.

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For Local Government Use Only

App G-17065

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): _____.
- ☐ 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:	
		☐ 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: _____ Title: _____
Signature: _____ Phone: _____ Date: _____
Government Entity: _____

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: Kenneth Burbank & Fred Cramer
City or County: Aschcroft Staff contact: Ed Pecoraro
Signature: [Signature] Phone: 541-308-6551 Date: 10-9-09

Last updated 12/22/06 WR

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LAND USE INFORMATION FORM (REVISED JANUARY 2009)

Kenneth H. Burbank and Fred Cramer 1073.101

A. Land and Location

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation	Water to be:	Proposed Land Use:
20S	16E	25	SE-NE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	SW-NE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	NW-SE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	NE-SE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	SW-SE	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	NW-SW	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	NE-SW	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	SE-SW	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	SE-NW	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	25	SW-NW	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	16E	23	SE ¼	2400	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
20S	17E	19	SW-NW	1400	EFU	☒ Diverted ☒ Conveyed ☐ Used	N/A
20S	17E	19	SW-SW	1400	EFU	☒ Diverted ☒ Conveyed ☐ Used	N/A
20S	17E	30	SW-NW	1400	EFU	☒ Diverted ☒ Conveyed ☐ Used	N/A
20S	17E	30	SW-SW	1400	EFU	☒ Diverted ☒ Conveyed ☐ Used	N/A

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Account(s) on Record for BURBANK,KENNETH H

SELECT	Account	Property ID	Address	St
[00001]	112791	R10042115000000200	,	A
[00002]	143189	R50152015000002400	,	A
[00003]	143191	R50152015000002100	,	A
[00004]	143207	R50152016000003100	,	A
[00005]	143209	R50152016000002400	55995 MOFFITT RD, BROTHERS 12	A
[00006]	143210	R50152016000002100	,	A
[00007]	143214	R50152016000001400	56255 MOFFITT RD, BROTHERS 12	A
[00008]	143217	R50152017000001500	,	A
[00009]	143218	R50152017000001400	,	A
[00010]	143228	R50152017000003300	,	A
[00011]	143438	R50152116000000100	,	A
[00012]	143456	R50152117000000300	,	A
[00013]	179320	R50152016000002401	,	A
[00014]	187892	R50152016000002601	,	A
[00015]	213418	M501503816	,	
[00016]	213775		,	
[00017]	213776	M5015205745	,	

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Account: 143218 Map/TL: R 5-015 201700 00 01400

* * * CURRENT Ownership Information ONLY

BURBANK, KENNETH H
PO BOX 115 HWY 20
BROTHERS OR 97712

POTENTIAL ADDITIONAL TAX LIABILITY
Type: EXCLUSIVE FARM USE POTENTIAL ADDITIONAL TAX
LIABILITY

Assessor Property Description

Lot: Block:

Prop Cls:550 MA:3 VA:33 NH 000 Vol-Page:1998-4951231
Asmt Zone:EFU CDD Zone:WA (WILDLIFE AREA COMBINING ZONE)
" :EFUHR (EXCLUSIVE FARM USE - HORSE RIDGE SUBZONE)

*** Land Values ***

Asmt type	Acres	R.M.V.
P7 EXCLUSIVE FARM USE ZONED	648.84	161,070 DEFERRED

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***** Values shown below are as of the Assessment Date, January 1 of each year *****

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	-----2008-----		-----2007-----		-----2006-----	
	Total	Taxable	Total	Taxable	Total	Taxabl
	RMV	A.V.	RMV	A.V.	RMV	A.V.
LND:	161,070	648	161,070	648	108,100	64

 ***** Real Property Tax Lot Record *****

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Tax Lot Record prior to July 2003

For Tax Lot Records prior to 1995 please call our office at (541)388-6508

20 17 00 0 0 01400 Code 5-015 Current Acres 648.84

*** Filed Tax Lot Card has been REVIEWED ***

This description is for tax purposes ONLY and can not be
 attached to any legal document.

Assessor Property Description:

SE FILED TAX LOT CARD

RC950001 03/16/95

| Posted on 03/16/95 by PATF
 |
 | ** Text:
 | Code Change From 1501 To 0515
 |
 | Source: MASS CODE CHGS FOR 15-01

1994-50329 12/29/94 362-544 | DEED: Memorandum of Contract
 | Posted on 05/22/95 by GREGBA
 |
 | Clerk Recording Remarks:
 | SEE DOCUMENT FOR COMPLETE LEGAL
 |
 | Clerk Recording Grantor:

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MOFFITT,OMAR L
MOFFITT,BETTY L
Clerk Recording Grantee:
NIPPERT,HAROLD
NIPPERT,PATRICIA A

RC970420 03/04/97
Posted on 03/04/97 by EILEENW
** Text:
REF ONLY - INCORRECT DESC (DEED REF INCORRECT)
GRANTOR: NIPPERT,PATRICIA A
GRANTEE: NIPPERT,HAROLD
Source: ASSIGN CONT 433/1371 (96-47304) REC
12-26-96

RC970421 03/04/97
Posted on 03/04/97 by EILEENW
** Text:
REF ONLY - INCORRECT DESC (DEED REF INCORRECT)
GRANTOR: NIPPERT,HAROLD (BY NIPPERT,PATRICIA A
HIS ATTY-IN-FACT)
GRANTEE: H & P CATTLE COMPANY
Source: ASSIGN CONT 433/1372 (96-47305) REC
12-26-96

1997-9801 03/25/97 442-0318 DEED: Assign/Reassignment of Contract
Posted on 06/18/97 by JUDYM
Clerk Recording Remarks:
ASSIGNMENT RERECORDED TO CORRECT THE BOOK
REFERENCE; ORIGINAL ASSIGNMENT RECORDED
BK433 PG1371 12/26/96; CONTRACT RECORDED
BK362 PG544 DATED 12/28/94
Clerk Recording Grantor:
NIPPERT,PATRICIA A
Clerk Recording Grantee:
NIPPERT,HAROLD
Fee Vested as husband and wife
** Text:
REMOVES CLERK RECORDING GRANTOR FROM CONT INT
NIPPER,HAROLD WILL NOW HAVE FULL CONT INT
EXISTING FEE OWNERS:
MOFFITT,OMAR L & MOFFITT,BETTY L

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1997-9802 03/25/97 442-0320 | DEED: Assign/Reassignment of Contract
| Posted on 06/18/97 by JUDYM
|
| Clerk Recording Remarks:
| ASSIGNMENT RERECORDED TO CORRECT THE BOOK
| REFERENCE; ORIGINAL ASSIGNMENT RECORDED
| BK433 PG1372 12/26/96; CONTRACT RECORDED
| BK362 PG544 DATED 12/28/94
|
| Clerk Recording Grantor:
| NIPPERT,HAROLD
| NIPPERT,PATRICIA A ATTY IN FACT
|
| Clerk Recording Grantee:
| H & P CATTLE COMPANY
|
| ** Text:
| ONE ASSIGNOR/GRANTOR: NIPPERT,HAROLD
| (NIPPERT,PATRICIA A EXECUTING
| AS ATTY IN FACT FOR NIPPERT,HAROLD)
| TRANSFERS CONT INT
|
| EXISTING FEE OWNERS:
| MOFFITT,OMAR L & MOFFITT,BETTY L

1998-22232 05/28/98 495-1224 | Deed
| Posted on 08/05/98 by JIMC
|
| Clerk Recording Remarks:
| S1 T21 R16 LOTS 1,2,3,4; S2 T21 R16 LOT 1;
| S6 T21 R17 LOTS 4,5; SPECIAL WARRANTY DEED;
| SEE DOCUMENT FOR COMPLETE LEGAL
|
| Clerk Recording Grantor:
| MOFFITT,OMAR L
| MOFFITT,BETTY L
|
| Clerk Recording Grantee:
| NIPPERT,HAROLD
| NIPPERT,PATRICIA A
|
| Fee Vested as husband and wife

RC981275 08/05/98 |
| Posted on 08/05/98 by JIMC
|
| ** Text:
| GRANTEE ACQUIRED TITLE PER ASSIGNMENT OF
| CONTRACT IN BK442 PG320

1998-22233 05/28/98 495-1231 | Deed
| Posted on 08/05/98 by JIMC
|

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| Clerk Recording Remarks:
| S1 T21 R16 LOTS 1,2,3,4; S2 T21 R16 LOT 1;
| S6 T21 R17 LOTS 4,5; WARRANTY DEED; SEE
| DOCUMENT FOR COMPLETE LEGAL

|
| Clerk Recording Grantor:
| H & P CATTLE COMPANY

| Clerk Recording Grantee:
| BURBANK, KENNETH H

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Account: 143214 Map/TL: R 5-015 201600 00 01400

* * * CURRENT Ownership Information ONLY

BURBANK, KENNETH H
PO BOX 115 HWY 20
BROTHERS OR 97712

Site Address: 56255 MOFFITT RD BROTHERS 97712

Assessor Property Description
Lot: Block:

Prop Cls:501 MA:3 VA:33 NH 000 Vol-Page: 2001-24305
Asmt Zone:EFU CDD Zone:WA (WILDLIFE AREA COMBINING ZONE)
" :EFUHR (EXCLUSIVE FARM USE - HORSE RIDGE SUBZONE)

*** Land Values ***

Asmt type	Acres	R.M.V.
RURAL LOT	400.00	211,010
SD		3,000
*Total	400.00	214,010

*** Improvement Values ***

FB	\$ R.M.V.	BLT %GD
300	390	100

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SALEM, OREGON

***** Values shown below are as of the Assessment Date, January 1 of each year *****

***	-----2008-----		-----2007-----		-----2006-----	
	Total RMV	Taxable A.V.	Total RMV	Taxable A.V.	Total RMV	Taxabl A.V.
LND:	214,010		214,010		144,620	
IMP:	390		410		390	
TOT:	214,400	45,260	214,420	43,950	145,010	42,67

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Tax Lot Record prior to July 2003

For Tax Lot Records prior to 1995 please call our office at (541)388-6508

20 16 00 0 0 01400 Code 5-015 Current Acres 400.00

*** Filed Tax Lot Card has been REVIEWED ***

This description is for tax purposes ONLY and can not be
 attached to any legal document.

Assessor Property Description:

SEC 14 - W1/2NW1/4

SEC 15 - NE1/4; SE1/4;

400.0 AC

RC950001 03/16/95

| Posted on 03/16/95 by PATF

| ** Text:

| Code Change From 1501 To 0515

| Source: MASS CODE CHGS FOR 15-01

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1996-24916 07/09/96 415-1831 | Deed
| Posted on 07/24/96 by EILEENW
|
| Clerk Recording Remarks:
| QUITCLAIM DEED; SEE DOC FOR COMPLETE LEGAL
|
| Clerk Recording Grantor:
| CARAVELLO, JAMES G
|
| Clerk Recording Grantee:
| FIRCHAU, AGNES C
| CARAVELLO, AGNES C
|
| ** Text:
| GRANTEE ON DEED: FIRCHAU, AGNES C FKA CARAVELLO,
| AGNES C
| REMOVES: CARAVELLO, JAMES G
| REMAINING: CARAVELLO, AGNES C

RC970052 01/09/97 |
| Posted on 01/09/97 by JUDYM
|
| ** Text:
| REF ONLY - INCORR DESC
| GRANTOR: FIRCHAU, AGNES C FKA CARAVELLO, AGNES C
| GRANTEES: NICHOLS, WAYNE E & NICHOLS, REBECCA K
|
| Source: W.D. VOL 415 PG 1832 (96-24917)
| REC 7-9-96; CORRECTED BY VOL 434 PG 1191 (97
| 00306) REC 1-6-97

1997-306 01/06/97 434-1191 | Deed
| Posted on 01/09/97 by JUDYM
|
| Clerk Recording Remarks:
| SEE DOCUMENT FOR COMPLETE LEGAL; RERECORDED
| TO CORRECT LEGAL PREVIOUSLY RECORDED IN
| VOL415 PG1832
|
| Clerk Recording Grantor:
| FIRCHAU, AGNES C
| CARAVELLO, AGNES C
|
| Clerk Recording Grantee:
| NICHOLS, WAYNE E
| NICHOLS, REBECCA K
|
| Fee Vested as husband and wife
|
| ** Text:
| ONLY ONE GRANTOR ON DEED:
| FIRCHAU, AGNES C FKA CARAVELLO, AGNES C

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OCT 13 2009
WATER RESOURCES DEPT
SALEM, OREGON

2001-24305 05/23/01

| Deed
| Posted on 06/14/01 by EILEENW
|
| Clerk Recording Remarks:
| SEE DOCUMENT FOR COMPLETE LEGAL
|
|
| Clerk Recording Grantor:
| NICHOLS, WAYNE E
| NICHOLS, REBECCA K
|
| Clerk Recording Grantee:
| BURBANK, KENNETH H

RECEIVED

OCT 13 2009

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SALEM, OREGON**