



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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant: Ben Case, Irrigation Manager  
First Last

Mailing address: \_\_\_\_\_  
 \_\_\_\_\_  
City State Zip

Phone: \_\_\_\_\_  
Home Work Other

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

### B. Organizations

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

Name of organization: Case Ag Properties, LLC

Name and title of person applying: Ben Case, Irrigation Manager

Mailing address of organization: 63136 Wallsinger Road  
Cove Oregon 97824  
City State Zip

Phone: 509-520-2945  
Day Evening

\*Fax: 509-525-4304 \*E-Mail address: benc@ptcww.com

\* Optional information

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

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Last updated: 2/13/2008

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**2. PROPERTY OWNERSHIP**

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.

Case Ag Properties, LLC- 63136 Wallsinger Road, Cove, Oregon, 97824  
 Rodney and Wendy Case, 64099 Case Road, Cove, Oregon, 97824  
 Allen Case, 64066 Booth Lane, La Grande, Oregon, 97850

**3. GROUND WATER DEVELOPMENT**

**A. Well Information**

Number of well(s): Two (2)

Name of nearest surface water body: Grande Ronde River

Distance from well(s) to nearest stream or lake:

1) Approx 2 miles    2) \_\_\_\_\_    3) \_\_\_\_\_    4) \_\_\_\_\_

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head:

1) \_\_\_\_\_    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:

To be determined, probably Stoffel Brothers, Riverside, Beart Longyear...

Mailing Address: TBD

\_\_\_\_\_  
City State Zip

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Completion Date: With in 12-18 months of application approval.

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        | 16"      | 1/4" Steel              | 2000-5000             |  | 2-5k       | UNK                 | UNK                                 | Access Port                             | 2000-5000'       |
|          |          |                         |                       |  |            |                     |                                     |   |                  |
| 2        | 16"      | 1/4" Steel              | 2000-5000             |  | 2-5k       | UNK                 | UNK                                 | Access Port                             | 2000-5000'       |
|          |          |                         |                       |  |            |                     |                                     |   |                  |
|          |          | **See                   | Exhibit C             |  |            |                     |                                     |   |                  |
|          |          |                         |                       |  |            |                     |                                     |   |                  |

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

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

**C. Artesian Flows**

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

**4. WATER USE**

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

**A. Type(s) of Use(s)**

See list of beneficial uses provided in the instructions.

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

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Exhibit C

Clarification of Application

Seeking permit to complete two wells into the basalt aquifer to irrigate approx 640 acres of current dry land ground. The lack of consistent rain fall has limited the crop rotations economically feasible for this tract of land and hampered the effective use of conservation tools like no-till farming. The introduction of reliable irrigation would create more options for crop rotations, conservation methods, use of GPS technology, reduction of soil erosion and better weed control management.

B. Well Characteristics Continued...

Each well will be continuously cased and continuously sealed from land surface to at least 20 feet into competent basalt. We will work with OWRD, Groundwater section to meet all state mandated requirements.

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**B. Amount of Water**

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

| Well No. | Source or aquifer | Type of use | Total rate of water requested (in gpm) | Total annual quantity (in gallons) | Production rate of well (in gpm) |
|----------|-------------------|-------------|--|------------------------------------|----------------------------------|
| 1        | Basalt            | Irrigation  | 3600                                   | 1920ac/ft                          | N/A                              |
| 2        | Basalt            | Irrigation  | 3600                                   | 1920ac/ft                          | N/A                              |
|          |                   |             |  |                                    |                                  |
|          |                   |             |  |                                    |                                  |

**C. Maximum Rate of Use Requested**

What is the maximum, instantaneous rate of water that will be used? 2000 GPM= 4.45 cfs  
 (The fees for your application will be based on this amount.)

**D. Period of Use**

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

**E. Acreage**

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 640 acres at 1/80 cfs / acre=8cfs  
 (This number should be consistent with your application map.)

**5. WATER MANAGEMENT**

**A. Diversion**

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): HP Depends on debth, variable speed type
- 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 12-15" Length 4000-6000'

- other, describe: \_\_\_\_\_

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**C. Application/Distribution Method**

What equipment will you use to apply water to your place of use?

Center Pivot and Low pressure sprinklers with supplemental handline and wheel lines for corners.

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

**E. Conservation**

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

See Attached Exhibit B

**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: with in 12-18 months of application approval.

Proposed date construction will be completed: with in 6 months of beginning date.

Proposed date beneficial water use will begin: with in 6 months of completion date.

**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.*

See Exhibit C

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## 8. MAP REQUIREMENTS

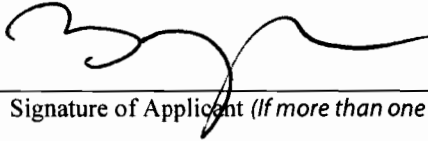
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place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

## 9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

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



7/11/08

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

Before you submit your application be sure you have:

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

WRD on the web:  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

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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: 640 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 Seed [checked] Full season [ ] Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)
2. Wheat [checked] Full season [ ] Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)
3. Potatoes [checked] Full season [ ] Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)
4. Alfalfa [checked] Full season [ ] Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

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

1920 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

[checked] Other, explain: Schedule will be based on crop demands w/ transevaporation rates posted on Agri-net.

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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): UCZPSD.

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<br>(e.g. plan amendments, rezones,<br>conditional-use permits, etc.) | Cite Most Significant, Applicable Plan<br>Policies & Ordinance Section References | Land-Use Approval:   |  |
|---|---|--|--|
|   |   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued<br><input type="checkbox"/> Not being pursued |
|   |   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued<br><input type="checkbox"/> Not being pursued |
|   |   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued<br><input type="checkbox"/> Not being pursued |
|   |   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued<br><input type="checkbox"/> Not being pursued |
|   |   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued<br><input type="checkbox"/> Not being pursued |
|   |   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued<br><input type="checkbox"/> Not being pursued |

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

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Name: Cody Vayra Title: PLANNER  
 Signature: [Signature] Phone: 963-1014 Date: 7-9-08  
 Government Entity: Union 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: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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Last updated 12/22/06 WR

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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: Case Ag Properties, LLC  
Mailing Address: Wallsinger Road  
City: Cove State: OR Zip: 97824 Day Phone: 509-520-2945

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: |
|----------|-------|---------|------|-----------|--|--|--------------------|
| 2        | 39    | 17      | S1/2 | 7000      | AG   | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | AG                 |
| 2        | 39    | 17 & 16 | N1/2 | 6900      | AG   | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | AG                 |
| 2        | 39    | 17 & 16 | N1/2 | 6800      | AG   | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | AG                 |
|          |       |         |      |           |  | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used            |                    |

List all counties and cities where water is proposed to be diverted, conveyed, or used. Union 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: 4.45  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: Two wells basalt aquifer irrigate existing dryland farm ground.

**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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Exhibit A

Description and Specification of proposed wells

Well #1 - Located 50 ft East thence 50 ft North from the North West Corner of the North East ¼ of the South West ¼ of Section 17, Township 2 South, Range 39 East.

Well #2 – Located 290 ft East thence 90 ft North from the South West Corner of the South East ¼ of the South West ¼ of Section 17, Township 2 South, Range 39 East.

Both well locations are subject to results of available water locating techniques, pending water permit approval. The well is estimated to require 15” metal casing through the first basalt layer, possibly 2000-5000 feet. Perforations and Seal depth to be determined by well material samples.

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Legal Description of Land to be irrigated

**Case Ag Properties- Map #02S39 Lot#7000**

The East half of Southwest quarter and the Southeast quarter of Section 17, Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon.

**Rodney Case- Map #02S39 Lot#6800**

Beginning at point on the north line of Section 17, in township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon, 1320 feet east of the northwest corner of said section, and running thence south 880 feet; thence East 3960 feet to the east line of said section 17; thence North 880 feet to the northeast corner of said section; thence West, along the north line of said section, 3960 feet to the point of beginning.

Also the North Half of the Northwest Quarter of Section 16 in township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon.

**Allen W. Case- Map #02S39 Lot#6900**

The South Half of the Northwest Quarter of Section 16 and a tract of land in Section 17 described as:

Beginning at a point 1320 feet East and 880 feet South of the Northwest corner of Section 17, in township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon and running thence South 1760 feet to the Southeast corner of the Southwest Quarter of the Northwest Quarter of said section; thence East 3960 feet to the East line of said section 17; thence North along the East line of said section a distance of 1760 feet; thence West a distance of 3960 feet to the point of beginning.

Applicable Easements, right of way, roads-

-Right of way for Union County Road No 79 (Case County Road) across the west side of all properties.

-Easement to Construct, Maintain and repair under ground pipelines and/or mains for the purpose of conveying water over , across, through and under a portion of the north half of the northwest quarter of Section 16 including the terms and provisions thereof as conveyed in Book 152, at page 254, recorded December 28, 1965, records of Union County, Oregon. Said easement was reaffirmed by an easement recorded March 3, 1998, as Microfilm Document No. 981408.

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Exhibit B

Conservation Methods, distribution/application method.

Enclosed system, variable speed pump with 3-4 center pivots, low pressure sprinklers, high pressure impact sprinklers for corners and "end gun". Possible drip irrigation for high value crops.

Preferably night time applications, however crop demands will require 24 hour watering through out the season in conjunction with water transeaporation rates posted on Agri-Net.

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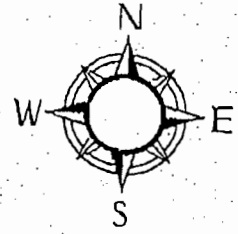
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# EOT

## EASTERN OREGON TITLE, INC.

1601 Adams Avenue  
La Grande, OR 97850

Phone: (541) 963-8561 Fax: (541) 963-2391

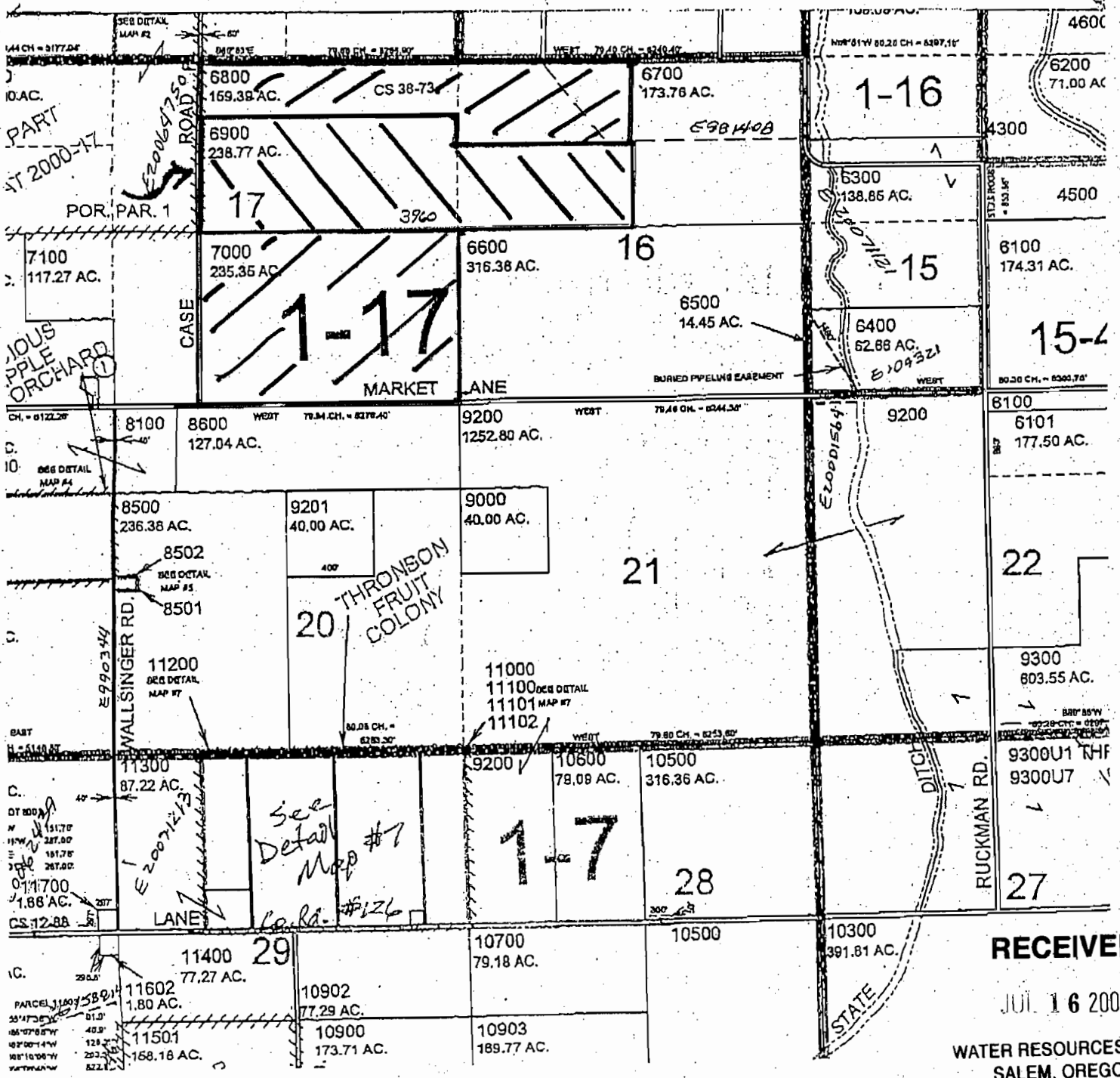


TITLE INSURANCE

ESCROW CLOSING

ESCROW COLLECTION

This map is furnished as a convenience in locating property, the company assumes no liability for any variation as may be disclosed by actual survey.  
ORDER NO. \_\_\_\_\_



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410 11

FORM No. 633 - WARRANTY DEED (Individual or Corporate)

STEVEN HESS LAW PUBLISHING CO., PORTLAND, OR, 97208

1-1-74

25 39 - 6900 WARRANTY DEED

961093

KNOW ALL MEN BY THESE PRESENTS, That ELMER CASE and LUCILLE CASE,  
 husband and wife  
 hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by ALLEN WILLIAM CASE  
 hereinafter called  
 the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and  
 assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or ap-  
 pertaining, situated in the County of Union and State of Oregon, described as follows, to-wit:

The South Half of the Northwest Quarter of Section 16 and a  
 tract of land in Section 17 described as:

6900

Beginning at a point 1320 feet East and 880 feet South  
 of the Northwest corner of said Section 17, and running  
 thence South 1760 feet to the Southeast corner of the  
 Southwest Quarter of the Northwest Quarter of said sec-  
 tion; thence East 3960 feet to the East line of said  
 Section 17; thence North along the East line of said  
 section a distance of 1760 feet; thence West a distance  
 of 3960 feet to the point of beginning.

ALL SUBJECT to easements for roads, telephone and electric trans-  
 mission lines as same may now exist or appear of record, and ALL  
 situated in Township 2 South, Range 39 E.W.M. in Union County,  
 Oregon.  
(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that  
 grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances EXCEPT  
 a mortgage given by grantors to Federal Land Bank of Spokane, Washington,  
 dated August 16, 1965, which they shall pay; and obligation on  
 a financing statement given by grantee to Pendleton Production Credit  
 Association, which he shall pay; and that  
 grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims  
 and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$85,000.00.

~~How ever, this deed shall not be construed to constitute a warranty of title or a warranty of quiet enjoyment of the premises hereinafter described, and the grantor shall not be liable for any claims or demands of any person whatsoever, except those claiming under the above described encumbrances.~~  
 In construing this deed and where the context so requires, the singular includes the plural and all grammatical  
 changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 19 day of April, 1978;  
 if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by  
 order of its board of directors.

Elmer Case  
 Elmer Case

Lucille Case  
 Lucille Case

(If executed by a corporation,  
 affix corporate seal)

STATE OF OREGON,  
 County of Union,  
April 19, 1978

STATE OF OREGON, County of \_\_\_\_\_ ss.  
 \_\_\_\_\_, 19\_\_\_\_

Personally appeared the above named  
Elmer Case and Lucille Case

Personally appeared \_\_\_\_\_ and  
 \_\_\_\_\_ who, being duly sworn,  
 each for himself and not one for the other, did say that the former is the  
 president and that the latter is the  
 secretary of \_\_\_\_\_

and acknowledged the foregoing instru-  
 ment to be their voluntary act and deed.

\_\_\_\_\_ a corporation,  
 and that the seal affixed to the foregoing instrument is the corporate seal  
 of said corporation and that said instrument was signed and sealed in be-  
 half of said corporation by authority of its board of directors; and each of  
 them acknowledged said instrument to be its voluntary act and deed.

S. R. Charles R. Carter  
 (OFFICIAL SEAL)  
 Notary Public for Oregon.  
 My commission expires: 1-31-82

Belore me:  
 \_\_\_\_\_ (OFFICIAL SEAL)  
 Notary Public for Oregon  
 My commission expires:

GRANTOR'S NAME AND ADDRESS  
 \_\_\_\_\_  
 GRANTEE'S NAME AND ADDRESS  
 \_\_\_\_\_  
 NAME, ADDRESS, ZIP  
 \_\_\_\_\_  
 Until a change is requested all tax statements shall be sent to the following address:  
 \_\_\_\_\_  
 NAME, ADDRESS, ZIP  
 \_\_\_\_\_

STATE OF OREGON }  
 County of Union } SS  
 I certify that this instrument was  
 received and recorded in the book of  
 records of said county.  
 R. NELLIE BOGUE HIBBERT,  
 Union County Clerk  
 by: \_\_\_\_\_ Deputy.  
 DOC#: 961093  
 RCPT: 113480 30.00  
 3/19/96 3:18 PM

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 JUL 16 2008  
 WATER RESOURCES DEPT  
 SALEM, OREGON

**EXHIBIT A  
TO  
CASE/CASE WARRANTY DEED**

Beginning at a point on the north line of Section 17, in township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon 1320 feet east of the northwest corner of said section, and running thence south 880 feet; thence East 3960 feet to the east line of said section 17; thence North 880 feet to the northeast corner of said section; thence West, along the north line of said section, 3960 feet to the point of beginning.

ALSO, the north half of northwest quarter of section 16, in Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon.

**EXCEPTING THEREFROM THE FOLLOWING EXCEPTIONS:**

1. Taxes for 1998-99: \$1522.07 Total; with a discount of \$45.66; if paid by 11/15/98.  
(Account No. 02S39-6800; Code 117; Ref. #7280)
2. Right-of-way for Union County Road No. 79 (Case County Road) across the West side of this property.
3. Easement to Construct, Maintain, and repair underground pipelines and/or mains for the purpose of conveying water over, across, through and under a portion of the north half of the northwest quarter of Section 16 including the terms and provisions thereof as conveyed in Book 152, at page 254, recorded December 28, 1965, Records of Union County, Oregon. Said easement was reaffirmed by an easement recorded March 3, 1998, as Microfilm Document No. 981408.

STATE OF OREGON

County of Union

} SS

I certify that this instrument was received and recorded in the book of records of said county.

R. NELLIE BOGUE HIBBERT,  
Union County Clerk

by: A. Nelson Deputy.

DOC#: 991241

RCPT: 25275

3/05/99 2:10 PM

35.00

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JUL 16 2008

WATER RESOURCES DEPT  
SALEM, OREGON



20 59 - 6300

991241

**WARRANTY DEED<sup>1</sup>**

ARLINE CASE, aka ARLENE CASE, Grantor, conveys and warrants to RODNEY R. CASE and WENDY ANNE CASE, husband and wife, with right of survivorship, Grantees, the following described real property free of encumbrances except as specifically set forth herein situated in Union County, Oregon, to-wit:

**SEE ATTACHED EXHIBIT A**

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICE AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$240,000.00.

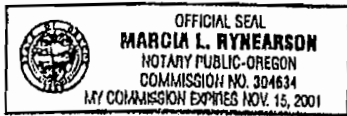
DATED this 18 day of November, 1998.

Arline Case  
ARLINE CASE

STATE OF OREGON )  
County of Union )  
November 18, 1998

PERSONALLY APPEARED the above named ARLINE CASE, and acknowledged the foregoing instrument to be her voluntary act and deed.

Margia L. Ryneason  
Notary Public for Oregon  
My commission expires: 11-15-2001



<sup>1</sup> Until a change is requested, all tax statements shall be sent to the following address:

Rodney R. Case  
Wendy Anne Case  
63559 Wallsinger Road  
Cove, Oregon 97824

After recording, return to:

Eastern Oregon Title, Inc.  
P.O. Box 1084  
La Grande, Oregon 97850

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JUL 16 2008

WATER RESOURCES DEPT  
SALEM, OREGON

Send Tax Statements To:  
Case Ag Properties LLC  
63136 Wallsinger Road  
Cove, Oregon 97823

20027394

After Recording Return To:  
D. Charles Mauritz  
Davis Wright Tremaine LLP  
1300 S.W. Fifth Avenue, Suite 2300  
Portland, Oregon 97201

**WARRANTY DEED**

Homer Case Union Properties, Grantor, convey and warrant to Case Ag Properties LLC, an Oregon limited liability company, Grantee, the real property free of encumbrances except as specifically set forth below, situated in Union County, Oregon, and described on Exhibit A attached hereto.

This property is subject to all restrictions, easements, encumbrances, liens and obligations of record as of the date hereof; provided, however, the liability and obligations of Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the amount, nature and terms of any indemnification available to Grantor under any title insurance policy. The limitations contained herein expressly do not relieve Grantor of any liability or obligations under this instrument, but merely define the scope, nature and amount of such liability or obligations.

The true consideration for this conveyance is none.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

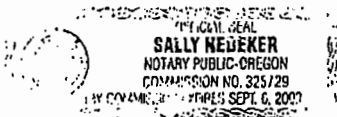
Dated this 26 day of Dec., 2002.

HOMER CASE UNION PROPERTIES

By Dale L. Case  
Dale L. Case, General Partner

STATE OF OREGON )  
                          ) ss.  
County of Union )

Acknowledged before me on 12-26-, 2002 by Dale L. Case.



Sally Hecker  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: Sept. 6, 2003

C:\WarrantyDeed[1].doc

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WATER RESOURCES DEPT  
SALEM, OREGON

EXHIBIT "A"

Tract A:

IN TOWNSHIP 2 SOUTH, RANGE 38 EAST OF THE WILLAMETTE MERIDIAN,  
IN UNION COUNTY, OREGON

Section 25:

That portion of the West half of Southeast quarter and of the Southwest quarter lying Southeasterly of the right-of-way of the O-W.R.R.&N Co. railroad;

Section 36:

The entire North half.

Tract B:

The East half of Southwest quarter and the Southeast quarter of Section 17, Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon.

← TL 7000  
2S 39

STATE OF OREGON

County of Union

} SS

I certify that this instrument was received and recorded in the book of records of said county.

R. NELLIE BOGUE HIBBERT,  
Union County Clerk

by: R. Chura Deputy.

DOC#: 20027394  
RCPT: 53524 27.00  
12/30/2002 12:18 PM

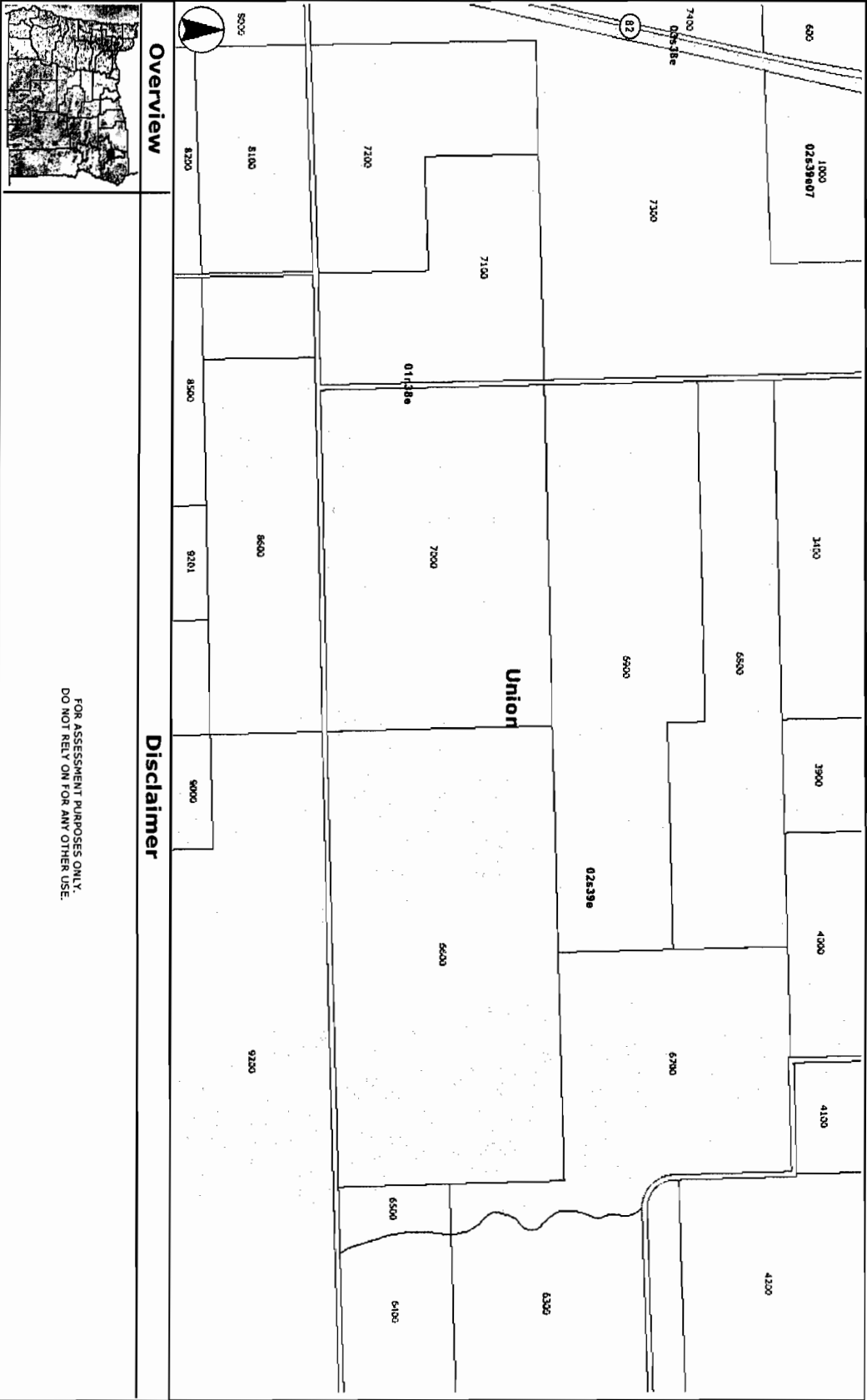
02-13819

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WATER RESOURCES DEPT  
SALEM, OREGON

**ORMAP**



**Overview**



**Disclaimer**

FOR ASSESSMENT PURPOSES ONLY.  
DO NOT RELY ON FOR ANY OTHER USE.

**Legend**

- Counties
- Taxlots
- Highways
- Maps
- 01m 10k
- 02s 10k
- 02s 30k07
- 02s 30k

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WATER RESOURCES DEPT  
SALEM, OREGON

5/19/08

VV

10:24 POTENTIAL LIABILITY REAL PROPERTY INQUIRY A10100

REF # 2008 R 7283

MAP# LOT# A NUM CODE PCL MCL AP VA ZONE PAR# %.xxxx REAL# PR  
02S39 7000 117 551 501 3 UC-A1

OWNER CASE AG PROPERTIES LLC

ET ALS

CNTRCT Pg 1

ADDR

63136 WALLSINGER RD

CTY/ST COVE OR 97824

SC DEF - SITUS: COUNTY

SITUS: 63647 CASE RD

L/LE/X/EM:

ACTION CODES

YR AP 2004 APPR RO ROB OSTERMANN

SPECIALLY ASSESSED

ACRES 235.35 SPC ASM

RMV M5 VALUE AV

LAND 457,990 135,220

NOTES

IMPROV 191,110 191,110

SUBTOT 649,100 326,330

LESS EXEMPTIONS: 0

LESS VET EXEMPT:

NET VALUES: 326,330

5/19/08

VV

10:24 POTENTIAL LIABILITY TAX HISTORY T10200

REF# 7283 REAL MAP/LOT 02S39 7000 CODE 117

OWNER CASE AG PROPERTIES LLC

C/O FEES DUE .00

ADDR 63136 WALLSINGER RD TOTAL DUE .00

1 CTY/ST COVE OR 97824 INTEREST DATE (CMD-22 TO CHANGE) 051908

YR M JV ASD VAL TAX AMT - TAX PD = TAX DUE + INT/-DISC = BAL DUE

07 264966 2699.38 2699.38

06 256762 2665.02 2665.02

05 247742 2568.69 2568.69

04 247527 2565.38 2565.38

03 240573 2479.49 2479.49

02 233567 2373.36 2373.36

01 226766 2350.20 2350.20

00 217641 2171.83 2171.83

99 217910 2222.92 2222.92

98 211570 2166.91 2166.91

97 205420 2026.59 2026.59

96 278730 2597.79 2597.79

TOTALS 36460.41 36460.41

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WATER RESOURCES DEPT  
SALEM, OREGON

5/19/08

VV

11:16 POTENTIAL LIABILITY REAL PROPERTY INQUIRY A10100  
REF # 2008 R 7280

MAP# LOT# A NUM CODE PCL MCL AP VA ZONE PAR# % .xxxx REAL# PR  
02S39 6800 117 551 501 3 UC-A1

OWNER CASE, RODNEY R ETAL

ET ALS

CNTRCT Pg 1 CASE, WENDY ANNE OR SURV

ADDR

64099 CASE RD

CTY/ST COVE OR 97824

SC DEF - SITUS: COUNTY

SITUS: 64099 CASE RD

L/LE/X/EM:

ACTION CODES

YR AP 2004 APPR RO ROB OSTERMANN

SPECIALLY ASSESSED

ACRES 159.39 SPC ASM

RMV M5 VALUE AV

LAND 356,790 93,120

NOTES

IMPROV 140,710 140,710

SUBTOT 497,500 233,830

LESS EXEMPTIONS: 0

LESS VET EXEMPT:

NET VALUES: 233,830

5/19/08

VV

11:16 POTENTIAL LIABILITY TAX HISTORY T10200

REF# 7280 REAL MAP/LOT 02S39 6800 CODE 117

OWNER CASE, RODNEY R ETAL

C/O COM FEES DUE .00

ADDR 64099 CASE RD TOTAL DUE .00

1 CTY/ST COVE OR 97824 INTEREST DATE (CMD-22 TO CHANGE) 051908

YR M JV ASD VAL TAX AMT - TAX PD = TAX DUE + INT/-DISC = BAL DUE

07 189644 1932.01 1932.01

06 183543 1905.05 1905.05

05 175689 1816.99 1816.99

04 174010 1809.52 1809.52

03 168943 1741.23 1741.23

02 164023 1666.70 1666.70

01 159248 1650.45 1650.45

00 152981 1541.73 1541.73

99 153050 1561.30 1561.30

98 148610 1522.07 1522.07

97 144260 1423.21 1423.21

96 194960 1817.05 1817.05

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WATER RESOURCES DEPT  
SALEM, OREGON

TOTALS 25704.94 25704.94

3/27/08

Z0

1:00 POTENTIAL LIABILITY

REAL PROPERTY

INQUIRY

A10100

REF # 2008 R 7282

| MAP#  | LOT# | A | NUM | CODE | PCL | MCL | AP | VA | ZONE  | PAR# | % .xxxx | REAL# | PR |
|-------|------|---|-----|------|-----|-----|----|----|-------|------|---------|-------|----|
| 02S39 | 6900 |   |     | 117  | 551 | 501 | 3  |    | UC-A1 |      |         |       |    |

OWNER CASE, ALLEN WILLIAM

ET ALS

CNTRCT

Pg 1

ADDR

64066 BOOTH LN

CTY/ST LA GRANDE OR 97850

SC DEF - SITUS: COUNTY

SITUS: 64067 CASE RD

L/LE/X/EM:

YR AP 2006 APPR MM MIKE MILLER

ACTION CODES  
SPECIALLY ASSESSED

ACRES 238.77 SPC ASM

|                  | RMV     | M5 VALUE | AV |
|------------------|---------|----------|----|
| LAND             | 546,940 | 135,800  |    |
| IMPROV           | 21,410  | 21,410   |    |
| SUBTOT           | 568,350 | 157,210  |    |
| LESS EXEMPTIONS: |         | 0        |    |
| LESS VET EXEMPT: |         |          |    |
| NET VALUES:      |         | 157,210  |    |

NOTES

3/27/08

Z0

1:01 POTENTIAL LIABILITY

TAX HISTORY

T10200

REF# 7282 REAL MAP/LOT 02S39 6900 CODE 117

OWNER CASE, ALLEN WILLIAM

C/O

FEES DUE .00

ADDR 64066 BOOTH LN

TOTAL DUE .00

1 CTY/ST LA GRANDE OR 97850 INTEREST DATE (CMD-22 TO CHANGE) 032708

| YR | M | JV | ASD VAL | TAX AMT - | TAX PD = | TAX DUE + | INT/-DISC = | BAL DUE |
|----|---|----|---------|-----------|----------|-----------|-------------|---------|
| 07 |   |    | 115067  | 1172.26   | 1172.26  |           |             |         |
| 06 |   |    | 112344  | 1166.06   | 1166.06  |           |             |         |
| 05 |   |    | 110085  | 1143.47   | 1143.47  |           |             |         |
| 04 |   |    | 107505  | 1124.22   | 1124.22  |           |             |         |
| 03 |   |    | 99618   | 1026.72   | 1026.72  |           |             |         |
| 02 |   |    | 97184   | 987.52    | 987.52   |           |             |         |
| 01 |   |    | 94822   | 982.73    | 982.73   |           |             |         |
| 00 |   |    | 86150   | 844.76    | 844.76   |           |             |         |
| 99 |   |    | 90300   | 921.16    | 921.16   |           |             |         |
| 98 |   |    | 94910   | 972.06    | 972.06   |           |             |         |
| 97 |   |    | 92150   | 909.11    | 909.11   |           |             |         |
| 96 |   |    | 135600  | 1263.80   | 1263.80  |           |             |         |

TOTALS 16121.68 16121.68

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