



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: Scott & Cindy Barlin (Great Western Farms & Ranches LLC)
First Last

Mailing address: 6062 O'Connor Rd
Klamath Falls OR 97603
City State Zip

Phone: 541-281-7909 Cell
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

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

Name of organization: ~~Great Western Farms & Ranches LLC~~ Great Western LLC

Name and title of person applying: Scott & Cindy Barlin

Mailing address of organization: 6062 O'Connor Rd
Klamath Falls, OR 97603
City State Zip

Phone: 541-281-7909
Day Evening

*Fax: _____ *E-Mail address: _____

* Optional information

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WATER RESOURCES DEPT
SALEM, OREGON

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

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2. PROPERTY OWNERSHIP

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

- Yes (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.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 1

Name of nearest surface water body: Spring Lake (Res.) Irrigation Storage

Distance from well(s) to nearest stream or lake: 1) Klamath Lake = 15-20 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) NA

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: Already Constructed In 2001 on File OWRD

Address: (KLAM 52797) Well Tag 29452

Completion date: _____

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

Tag Log
#29452

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
		Already constructed 01' Adjoining property to add to existing supplemental permit or Well KHAM 52797							

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:

NA

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4. WATER USE

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

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

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

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B. Amount of Water

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

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
29452	KLAM 52797	Ag.	500 448 GPM	1.2 CFS	4,000 GPM
				88.2 Acres	

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 500
~~448~~ GPM
(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: April - Oct
(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: 87.72 Acres
88.2 Acres
(This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

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

- Pump (give horsepower and pump type): 150Hp 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 12" Length 1/2 mile
- Other (describe) _____

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Pressure Boost
Pumps to mainline to wheel-line

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 _____

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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.

1200 GPM - 4500 GPM Variable
Speed Drive on Well Motor - Closed
System To Pressure Pump Station - On Demand
no open discharge from Well

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: Already Completed

Proposed date construction will be completed: "

Proposed date beneficial water use will begin: April - 09'

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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.

Land was purchased and borders
current land under Permit # 615224

Supplying water from current system
will only need 1/2 mile mainline to new
property pump station

8. MAP REQUIREMENTS

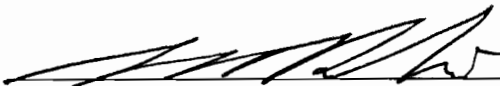


The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place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

	1/30/09
Signature of Applicant (If more than one applicant, all must sign)	Date
 , Scott Balun	2/10/09
 , Cindy L. Balun	2/10/09

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.



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: _____ Acres

Secondary: ~~88.72~~ Acres **88.2** Acres

List the permit or certificate number of the primary water right:

No. Bureau of Reclamation
KID & KBID

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

If primary right BOR Project cannot deliver water

- 1. Alfalfa Full season Partial season (from: _____ to _____)
- 2. Grain Full season Partial season (from: _____ to _____)
- 3. Potato Full season Partial season (from: _____ to _____)
- 4. _____ Full season Partial season (from: _____ to _____)

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

$87.72 \times 3.0 \text{ Acre Ft} = 263.16$ acre-feet
(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

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

- 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: _____

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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: Scott B. In Dba Great Western Farms & Ranches LLC
 Mailing Address: 6062 O'Connor Rd
 City: Klamath Falls State: OR Zip: 97603 Day Phone: 541-281-7904

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:
<u>70</u>	<u>09</u>	<u>13</u>		<u>300</u>	<u>EFU-C</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Ag</u>
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<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. Klamath

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1.2 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: _____

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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 SALEM, OREGON

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): KCLUC Article 54
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

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

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

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**WATER RESOURCES DEPT
SALEM, OREGON**

Name: Alyssa Boles Title: Planner
 Signature: Alyssa Boles Phone: 883-5121 Date: 2/10/09
 Government Entity: Klamath 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: _____

KLAM 52797

G-17178

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STATE OF OREGON WATER SUPPLY WELL REPORT 2001

WELL I.D.# L29452 START CARD # 107317

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

WATER RESOURCES DEPT

(1) OWNER: SALEM, OREGON #1 Name: SCOTT CALIN

Address: 6062 O'CONNOR RD City: KLAMATH FALLS OR 97603

(2) TYPE OF WORK: [X] New Well [] Deepening [] Alteration [] Abandonment

(3) DRILL METHOD: [X] Rotary Air [] Rotary Mud [] Cable [] Auger [] Other

(4) PROPOSED USE: [] Domestic [] Community [] Industrial [X] Irrigation [] Thermal [] Injection [] Livestock [] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 187 ft.

Table with columns: Diameter, From, To, Material, Seal, Sections or posts. Includes handwritten entries like 22 0 25, 16 25 167, 12 1/2 167 187.

How was seal placed: Method [] A [] B [X] C [] D [] E Backfill placed from ft. to ft. Material

Table for casing/liner with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Includes handwritten entry 16 1/2 25 250.

(7) PERFORATIONS/SCREENS: [] Perforations [] Screens Method Type Material

Table for perforations/screens with columns: From, To, Std size, Number, Diameter, Tubing size, Casing, Liner.

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

Table for well tests with columns: Yield/gal/min, Drawdown, Drill stem at, Flowing Artesian, Time. Includes handwritten entry 0500, 5 hrs.

Temperature of water 71°F Depth Artesian Flow Found Was a water analysis done? [] Yes [X] No

(9) LOCATION OF WELL by legal description: County Klamath Latitude Longitude Township 40S N or S Range 9E E or W. WM. Section 13 SE 1/4 SW 1/4

Street Address of Well (or nearest address) 6062 O'CONNOR RD KLAMATH FALLS, OR

(10) STATIC WATER LEVEL: 39 ft. below land surface. Date 6/19/01

(11) WATER BEARING ZONES: Depth at which water was first found 48 FF

Table for water bearing zones with columns: From, To, Estimated Flow Rate, SWL. Includes handwritten entry 48, 187, 2000, 39.

(12) WELL LOG: JUL 1 2 2001

Table for well log with columns: Material, SALEM, OREGON, SWL. Includes handwritten entries like TOPSOIL, YELLOW CHALK, DECON, 10500 LAVA, etc.

Date started JUNE 6, 2001 Completed JUL 28 19 01

(Unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards.

(Bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction phase reported above.

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR THIRD COPY-CUSTOMER

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WATER RESOURCES DEPT SALEM, OREGON

626#46 \$55-



Phone: (503) 988-2200
Fax: (503) 378-4381

Articles of Organization—Limited Liability Company

Secretary of State
Corporation Division
255 Capitol St. NE, Suite 161
Salem, OR 97310-1327
FilingInOregon.com

FILED

FEB 06 2009

OREGON
SECRETARY OF STATE

REGISTRY NUMBER: 577570-99

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record.
We must release this information to all parties upon request and it will be posted on our website.

For office use only

Please Type or Print Legibly in Black Ink. Attach Additional Sheet if Necessary.

1) NAME (Must contain the words "Limited Liability Company" or the abbreviations "LLC" or "L.L.C.")

GREAT WESTERN FARM & RANCHES LLC

2) DURATION (Please check one.)

Latest date upon which the Limited Liability Company is to dissolve is _____

Duration shall be perpetual.

3) NAME OF THE INITIAL REGISTERED AGENT

SCOTT BALIN

4) ADDRESS OF THE INITIAL REGISTERED AGENT

(Must be an OREGON Street Address, which is identical to the registered agent's business office.)

6062 O CONNER RD

KLAMATH FALLS, OR 97603

5) ADDRESS WHERE THE DIVISION MAY MAIL NOTICES

6062 O CONNER RD

KLAMATH FALLS, OR 97603

6) NAME AND ADDRESS OF EACH ORGANIZER

MARSHA SIHA

10943 MAYFIELD RD

HOUSTON, TX 77043

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SALEM, OREGON

7) IF THIS LIMITED LIABILITY COMPANY IS NOT MEMBER MANAGED, CHECK ONE BOX BELOW.

This limited liability company is managed by a single manager.

This limited liability company is managed by multiple manager(s).

8) IF RENDERING A PROFESSIONAL SERVICE OR SERVICES, DESCRIBE THE SERVICE(S) BEING RENDERED.

9) OPTIONAL PROVISIONS (Attach a separate sheet if necessary.)

10) EXECUTION (The title for each signer must be "Organizer.")
Signature

Marsha Siha

Printed Name

MARSHA SIHA

Title

Organizer

Organizer

Organizer

11) CONTACT NAME (To resolve questions with this filing.)

MARSHA SIHA

DAYTIME PHONE NUMBER (include area code.)

888-462-3453, EXT 533

FEEES

Required Processing Fee \$50 - Confirmation Copy (Optional) \$5
Processing Fees are nonrefundable.

Please make check payable to "Corporation Division."

NOTE:

Fees may be paid with VISA or MasterCard. The card number and expiration date should be submitted on a separate sheet for your protection.



Secretary of State
Corporation Division
255 Capitol Street NE, Suite 151
Salem, OR 97310-1327

Phone:(503)986-2200
Fax:(503)378-4381
www.filinginoregon.com

Registry Number: 577570-99
Type: DOMESTIC LIMITED LIABILITY COMPANY

Next Renewal Date: 02/08/2010

SCOTT BALIN
6062 O CONNER RD
KLAMATH FALLS OR 97603

Acknowledgment Letter

The document you submitted was recorded as shown below. Please review and verify the information listed for accuracy.

If you have any questions regarding this acknowledgement, contact the Secretary of State, Corporation Division at (503)986-2200. Please refer to the registration number listed above. A copy of the filed documentation may be ordered for a fee of \$5.00. Submit your request to the address listed above or call (503)986-2317 with your Visa or MasterCard number.

Document

ARTICLES OF ORGANIZATION

Filed On
02/06/2009

Jurisdiction
OREGON

Name

GREAT WESTERN FARM & RANCHES LLC

Registered Agent

SCOTT BALIN
6062 O CONNER RD
KLAMATH FALLS OR 97603

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WATER RESOURCES DEPT
SALEM, OREGON

Escrow Officer: Kristi Redd
 Email: kristir@ameri-title.com
 Direct Line: (541) 883-7949

Title Officer: Billy Breedlove
 Email: billyb@ameri-title.com
 Direct Line: (541) 883-7949



NORTHWEST FARM CREDIT SERVICES
 300 KLAMATH AVENUE, SUITE 201
 KLAMATH FALLS, OR 97601

Date: January 15, 2009
 Escrow Number: MT84207-KR
 Escrow Officer: KRISTI REDD
 Title Number: 0084207
 Title Officer: BILLY BREEDLOVE

Attn: MITCH

PRELIMINARY TITLE REPORT FOR:
BALIN, SCOTT AND CINDY LEE
6062 O'CONNOR ROAD
KLAMATH FALLS, OREGON 97603

REPORT NO. 1

Policy or Policies to be issued:
STANDARD LENDER'S POLICY

Liability

Premium

(Government Service Fee \$15.00 per tax lot, per district)

We are prepared to issue ALTA (6/17/06) title insurance policy (ies) of *Chicago Title Insurance Company of Oregon* in the usual form and amounts above, insuring the title to the land described as follows:

PLEASE SEE ATTACHED EXHIBIT "A"

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And dated as of January 5, 2009 at 8:00 A.M., title is vested in:

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**SCOTT BALIN AND CINDY LEE BALIN,
 AS TENANTS BY THE ENTIRETY, AS TO PARCEL 1**

WATER RESOURCES DEPT
 SALEM, OREGON

DUANE GRIEB, AS TO PARCEL 2

The estate or interest in the land described or referred to in this Commitment and covered herein is:

FEE SIMPLE

This report is preliminary to the issuance of title insurance and shall become null and void unless a policy is issued and the full premium therefore paid.

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 1:

The SW1/4 of Section 13, Township 40 South, Range 09 East of the Willamette Meridian, Klamath County, Oregon, SAVING AND EXCEPTING that portion within the U.S.B.R. "C" Canal.

Parcel 2:

The SW1/4 of the NW1/4, the SE1/4 of the NW1/4, the S1/2 of the S1/2 of the NE1/4 of the NW1/4, the S1/2 of the S1/2 of the NW1/4 of the NW1/4 of Section 13, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING THEREFROM that portion conveyed to the United States of America by deed dated December 7, 1949, recorded November 2, 1951 in Volume 250, page 618, Deed Records of Klamath County, Oregon.

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SALEM, OREGON

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1-29-08

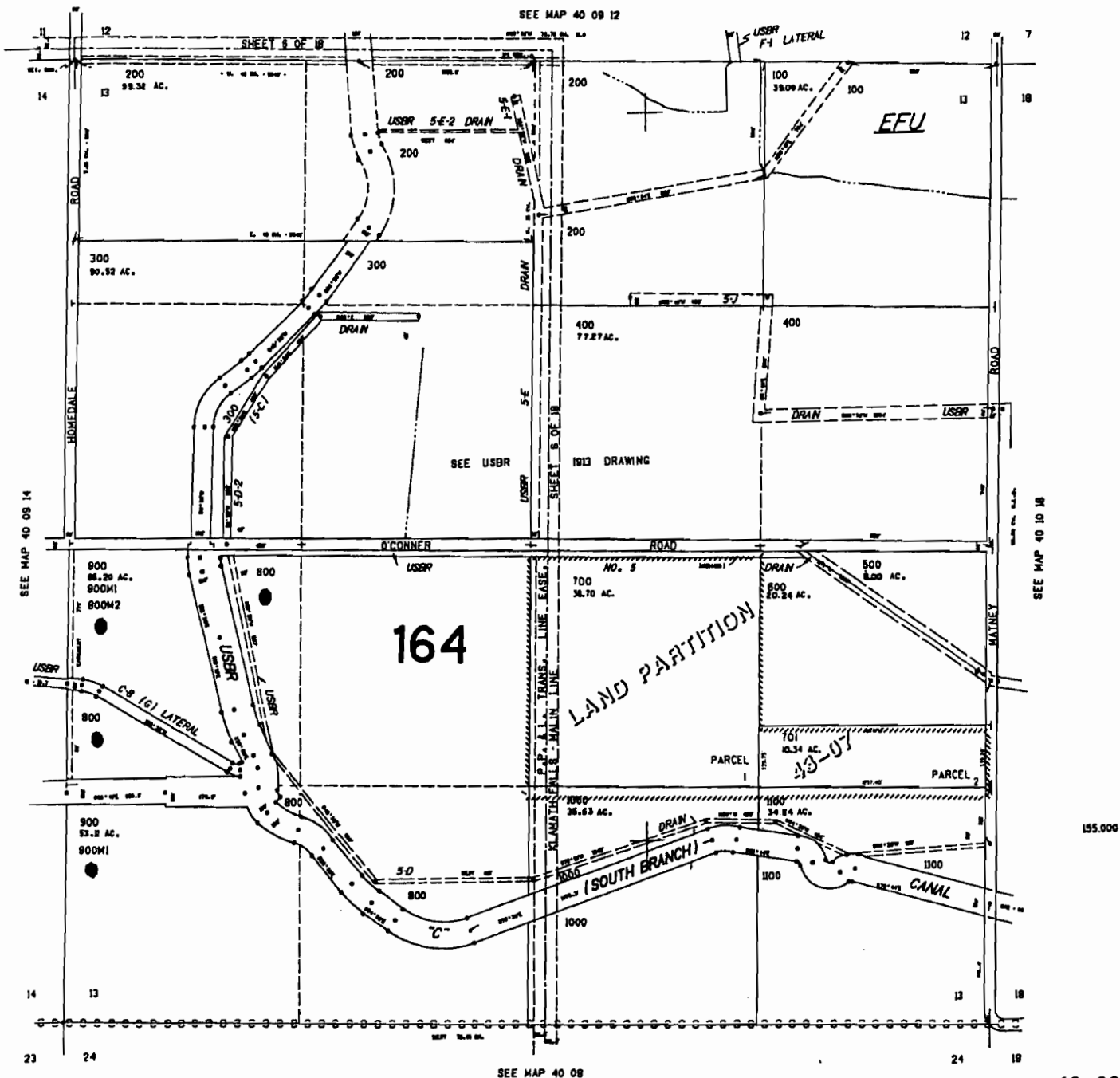
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 13 T.40S. R.09E. W.M. KLAMATH COUNTY

1"=400'

G-17178

40 09 13



40 09 13

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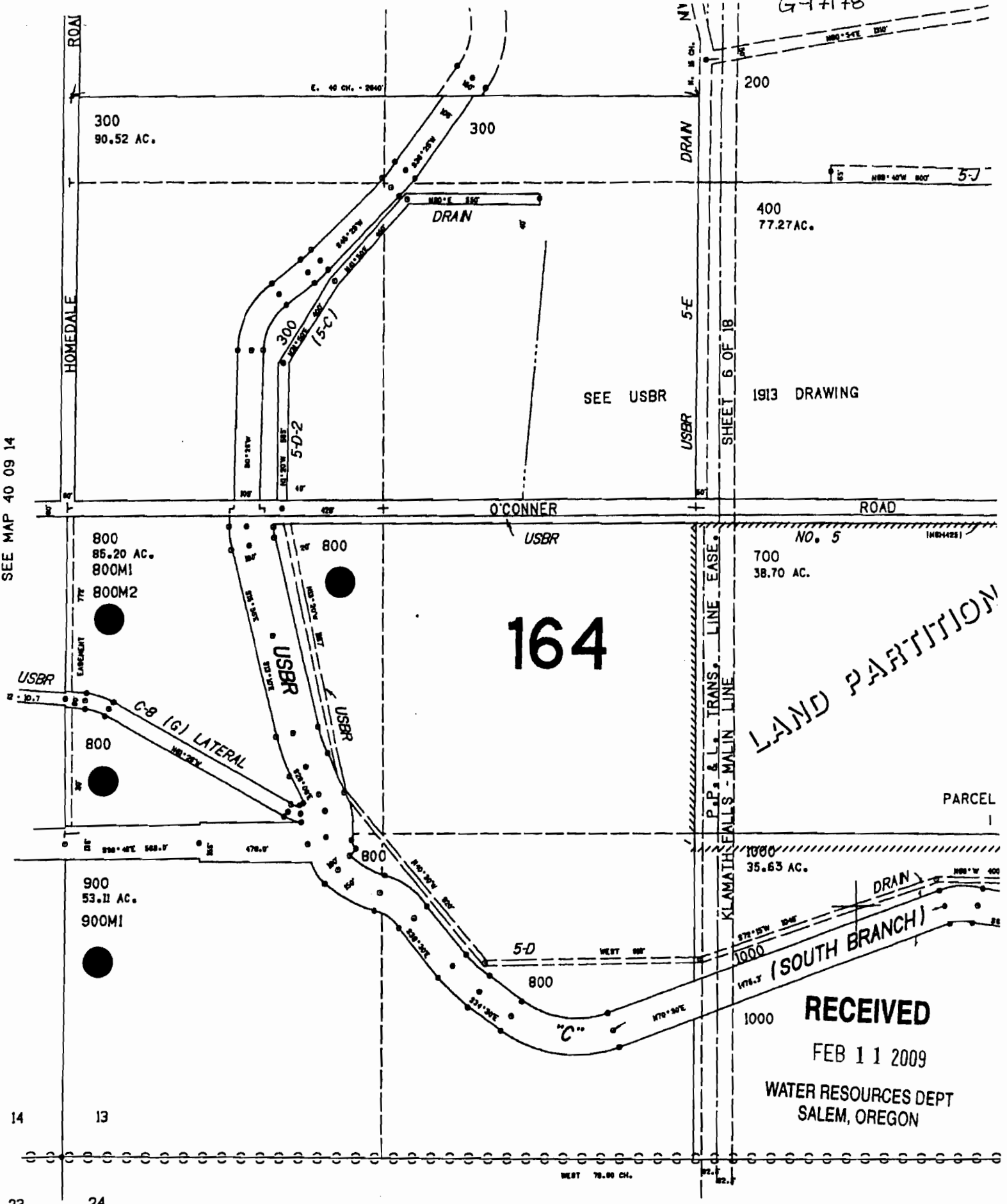
Attention

THIS MAP IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING CERTAIN PREMISES AND NO LIABILITY IS INCURRED FOR VARIATIONS IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED



SEE MAP 40 09 14

G-7778



164

LAND PARTITION

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SALEM, OREGON

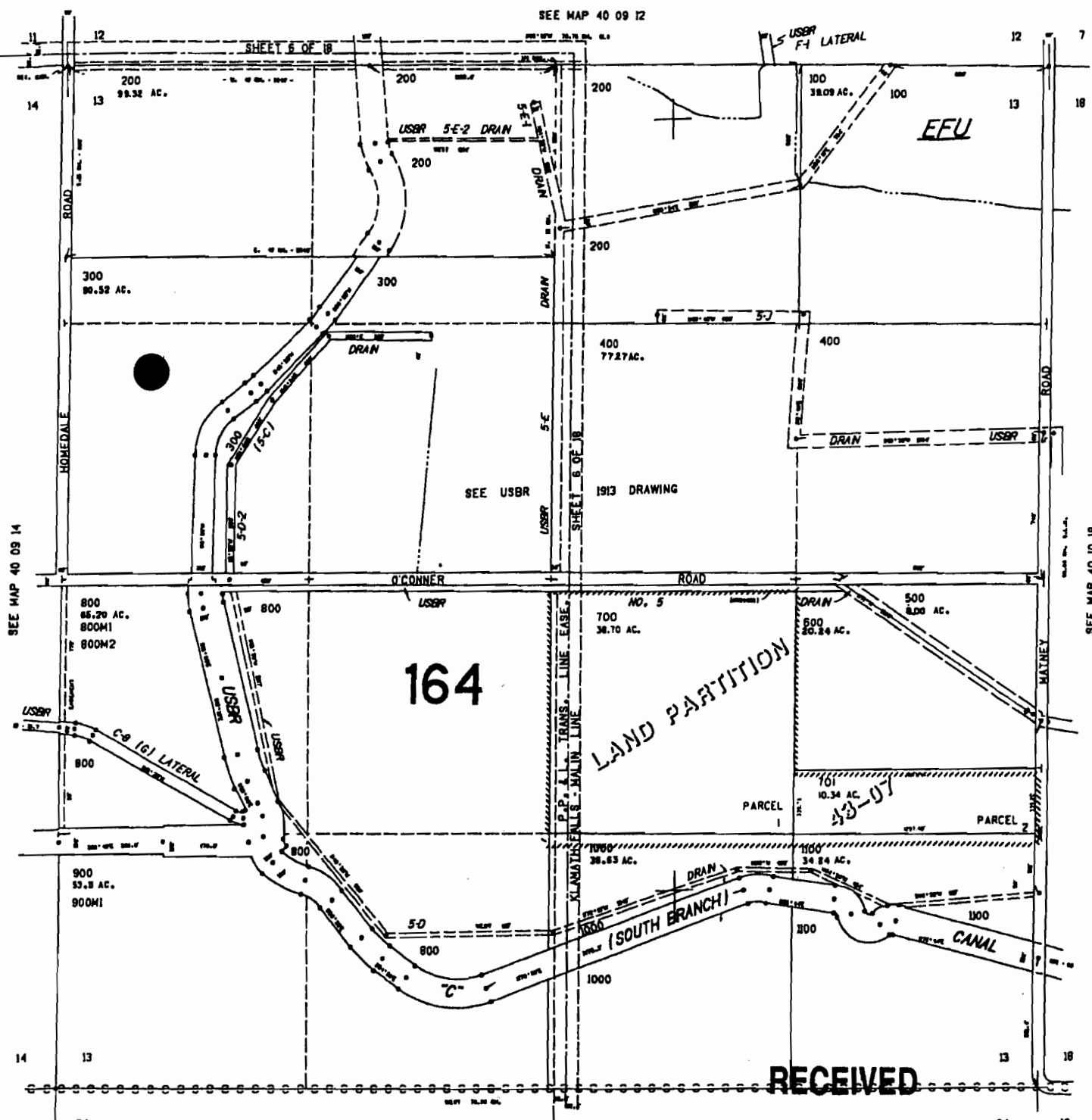
SEE MAP 40-09-14

THIS SKETCH IS MADE SOLELY FOR THE
PURPOSE OF ASSISTING IN LOCATING
CERTAIN PREMISES AND NO LIABILITY IS
ASSUMED FOR VARIATIONS IF ANY, IN

REVISED
1-29-08
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 13 T.40S. R.09E. W.M.
KLAMATH COUNTY

1"=400'



SEE MAP 40 09 14

SEE MAP 40 10 18

164

LAND PARTITION

RECEIVED

FEB 11 2009

SEE MAP 40 09

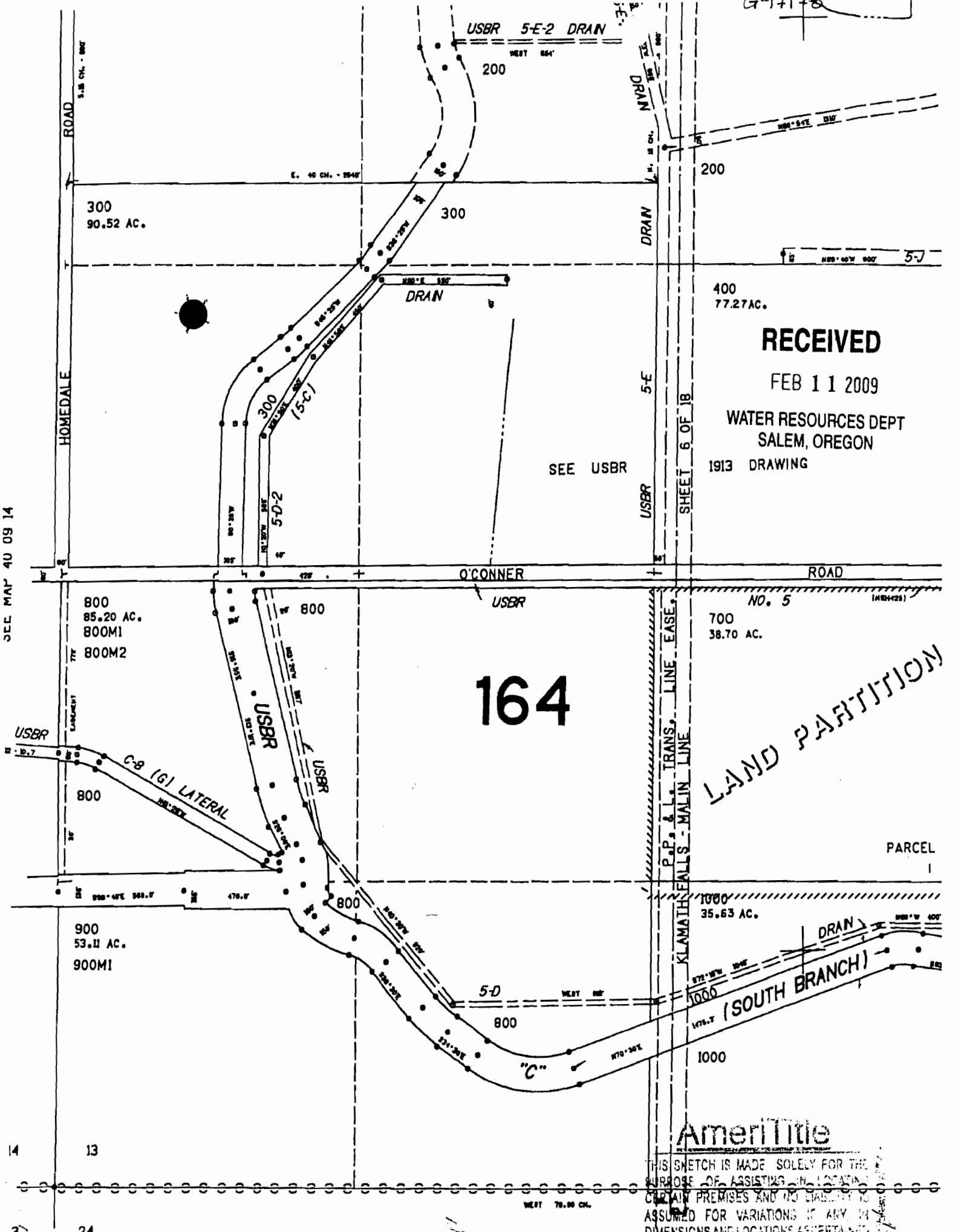
155.0K

WATER RESOURCES DEPT
SALEM, OREGON

AmeriTitle

THIS SKETCH IS MADE SOLELY FOR THE
PURPOSE OF ASSISTING IN LOCATING
CERTAIN PREMISES AND NO LIABILITY IS
ASSUMED FOR VARIATIONS IF ANY IN
DIMENSIONS AND LOCATIONS ASCERTAINED

G-17178



RECEIVED

FEB 11 2009

WATER RESOURCES DEPT
SALEM, OREGON
1913 DRAWING

164

LAND PARTITION

AmeriTitle

THIS SKETCH IS MADE SOLELY FOR THE
PURPOSE OF ASSISTING IN LOCATING
CERTAIN PREMISES AND NO LIABILITY IS
ASSUMED FOR VARIATIONS IF ANY IN
DIMENSIONS AND LOCATIONS ASCERTAINED

SEE MAP 40 09 14

14
13
24

WEST 70.00 CH.

RIGHT OF FIRST REFUSAL

Owner: Duane Grieb
Grantee: Maniscalco Properties, LLC

After Recording return to:

pt ok

Michael L. Spencer

RECEIVED

FEB 11 2009

WATER RESOURCES DEPT
SALEM, OREGON

DATE: May 15, 2006

("Effective Date")

PARTIES: Duane Grieb
Maniscalco Properties, LLC

("Owner")

("Grantee")

RECITALS

- A. Owner is the owner of a certain parcel of real property located in Klamath County, Oregon, as described in Exhibit A attached to and made a part of this Agreement (the "Property").
- B. Grantee is interested in acquiring the Property from Owner, but Owner is unwilling to sell it at the present time.
- C. Owner is willing to grant to Grantee the right to purchase the Property before offering the Property for sale to third parties. Owner and Grantee desire to evidence their agreement regarding this purchase right.

AGREEMENT

Therefore, in consideration of Grantee's purchase of other property of Owner and other good and valuable consideration to Owner, the receipt and sufficiency of which is here acknowledged, Owner and Grantee agree as follows:

1. **Right of First Refusal.** Owner agrees not to sell, transfer, exchange, grant an option to purchase, lease, or otherwise dispose of the Property or any part of, or interest in, the Property without first offering the Property to Grantee on the terms and conditions set forth in this Agreement. As used in this Agreement, the term sell includes a ground lease of the Property with primary and renewal terms of more than 15 years in the aggregate.

B. When Grantee receives the Notice and a copy of the Offer, Grantee shall have the prior and preferential right to purchase the Property (or the part of or interest in the Property covered by the Offer, as the case may be) at the same price and on the same terms and conditions as are contained