

G-17198

Herb Mosgar

From: Peggy S. Browne [pegbrowne@eoni.com]

Sent: Wednesday, April 08, 2009 9:52 AM

To: Herb Mosgar

Subject: G-17198 Williams well application

Hi Herbert,

As per our conversation this morning, Jason Williams would like to eliminate well alternative points #2 and #3 from consideration. He wants to retain the original well location and alternate point #1. He will be sending a check for \$270.00 ASAP with application number G-17198 on it.

Jason and I also spoke (4/8/09 at approximately 9:45 am) about myself serving as a representative of the engineering firm that stamped and signed the application, he approved of the arrangement.

Thanks so much for your help on this application, please don't hesitate to call me if you have further questions.

Peggy S. Browne
Browne Consulting, LLC
541-519-4908



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: Jason Williams
First Last

Mailing Address: 48857 Hwy 30
North Powder OR 97867
City State Zip

Phone: 541-898-2405 541-403-1210
Home Work Other

*Fax: 541-898-2376 *Email Address: _____

B. Organizations

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

Name of Organization: Hay Inc.

Name and Title of Person Applying: Same as above

Mailing Address or Organization: _____

Phone : _____
Day Evening

*Fax: _____ *Email Address: _____

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WATER RESOURCES DEPT
SALEM, OREGON

For Department Use	
App. No. <u>G-17198</u>	Permit No. _____ Date _____

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.

Empty rectangular box for listing names and mailing addresses of affected landowners.

3. GROUND WATER DEVELOPMENT

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A. Well Information

Number of well(s): 1

Name of nearest surface water body: Warm Springs Creek

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

1) 1.1 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:

Tentative: Stoffel Bros Drilling Co. (will be finalized when permit issued)

Mailing Address: PO Box 549

Enterprise OR 97828
City State Zip

Completion Date: Within 5 years of permit issuance

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	10-12"	Steel 10-12"	Upto 1000'	below seal	50-100'				Approx. 1000'

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:

If water well is flowing artesian, then applicant will direct water into a pipeline. A pump will be used for irrigation.

4. WATER USE

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

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

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

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B. Amount of Water

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

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1	Bedrock/basalt	Irrigation	1500 gpm	75 Million gal	to be determined

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1500 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: March 1 to 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: 1399.6 acres
 (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): ~~1~~ 100 Hp line shaft 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" Length Depends on final location

other, describe: Pipe will be connected to existing distribution system of approx. 4 miles of 6", 8", 10", #12" PVC pipe. See attached "Water Management Plan".

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C. Application/Distribution Method

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

Center pivot and hand lines

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

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.

The applicant's irrigated property has erodible soils and hilly topography, like most of eastern Oregon. A center pivot is the most efficient system in the basin. Hand lines with efficient nozzles are more cost effective than adding corner arms to pivots. The hand lines are moved every 12 hours to avoid soil erosion.

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: Permit issuance to 5 years

Proposed date construction will be completed: to be determined

Proposed date beneficial water use will begin: when well complete

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.

Three alternative points for Well #1 have been chosen in addition to Well #1 point location. These additional points are to ensure that at least one location will be granted the water right. The four proposed locations are in similar terrain but slightly different elevation. All points can be easily connected to the existing mainlines. See the attached "Water Management Plan" to view the proposed well locations and existing mainlines overlaid on an aerial photo.

8. MAP REQUIREMENTS

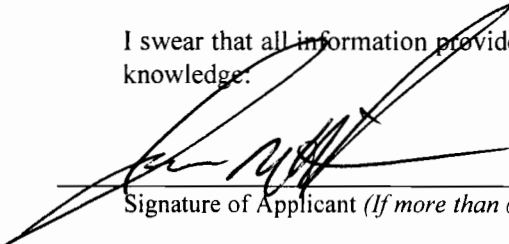
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place 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, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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.)


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.

WRD on the web:
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

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

MAR 30 2009

Primary: _____ Acres

WATER RESOURCES DEPT
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Secondary: 1399.6 Acres

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

No. C-74002, C-74001, C-1525, C-36834, C-52745, C-53300, C-65136, C-72429.

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

- | | | |
|--------------------|---|--|
| 1. <u>Potatoes</u> | <input checked="" type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |
| 2. <u>Wheat</u> | <input type="checkbox"/> Full season | <input checked="" type="checkbox"/> Partial season (from: <u>March 1</u> to <u>Aug 1</u>) |
| 3. <u>Alfalfa</u> | <input checked="" type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |
| 4. _____ | <input type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |

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

+ 230 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?

- | | |
|---|---|
| <input type="checkbox"/> Daily during daytime hours | <input checked="" type="checkbox"/> Daily during nighttime hours |
| <input type="checkbox"/> Two or three times weekly during daytime | <input type="checkbox"/> Two or three times weekly during nighttime |
| <input type="checkbox"/> Weekly, during daytime hours | <input type="checkbox"/> Weekly, during nighttime hours |
| <input type="checkbox"/> Other, explain: _____ | |



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: Jason Williams
 Mailing Address: 48857 Hwy 30
 City: North Powder State: OR Zip: 97867 Day Phone: 541 898 2405

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:
6S	39E	34/35		2300 & 3300	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irr
7S	39E	2/3		300 & 400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irr
7S	39E	4/3 & 9/10		701	EFU	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irr
6S	39E	34		101 & 200	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irr

List all counties and cities where water is proposed to be diverted, conveyed, or used. Baker 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: 1500 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: New application for a new well on TL 701 to be used for irrigation on TL 701, 400, 300, 2300, 3300, 101 & 200.

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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WATER RESOURCES DEPT
SALEM, OREGON

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): BC20 301 ____.

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"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued

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

Name: Tara Andrews Title: Planning Tech
 Signature: Tara Andrews Phone: 541-523-8219 Date: 3/24/09
 Government Entity: Baker County Planning Department

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

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Applicant name: _____ MAR 30 2009

City or County: _____ Staff contact: _____ WATER RESOURCES DEPT
SALEM, OREGON

Signature: _____ Phone: _____ Date: _____

G-17198

B09 07 0241

DEED FOR:

TC 39E

TL 701

After recording return to:

Until a change is requested,
send tax statements to:

Return To: Elkhorn Title Company
1725 Main Street
Baker City, OR 97814

Jason & Rosemarie Williams
PO Box 171
Haines OR 97833

SPECIAL WARRANTY DEED

JOHN C. SKILES and BARBARA S. SKILES, individually, and JOHN C. SKILES and BARBARA S. SKILES, Trustees of the John and Barbara Skiles Family Trust, Grantors, convey and warrant to JASON M. WILLIAMS and ROSEMARIE B. WILLIAMS, husband and wife, Grantees, the real property described on Exhibit A attached hereto and incorporated herein by reference, free of encumbrances created or suffered thereon by the Grantor except as specifically set forth herein.

The true consideration for this conveyance is \$665,000.00

Ref. No. 2508 739 701 17086

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging to or otherwise appertaining.

SUBJECT TO reservations, restrictions, encumbrances, easements and rights of way of record or visible thereon and shortages in acreage and boundary disputes which a true and accurate survey would reveal.

SUBJECT TO rights of the public in and to any portion of the above described premises lying within the boundaries of roads or highways, including but not limited to U.S. Highway 30.

SUBJECT TO statutory powers including easements and assessments, if any, of Powder Valley Water Control District and the Pilcher Creek Subdistrict thereof, as disclosed by order recorded July 22, 1980 in Deeds 80 30 628.

SUBJECT TO additional taxes, penalties and interest, if any are imposed in the event of declassification of the property from its present classification as farm or forest land which Grantee assumes and agrees to pay and hold Grantor harmless therefrom unless the condition requiring the declassification is the result of action taken by the Grantor in which case the Grantor shall be liable for such additional taxes, penalties and interest.

SUBJECT TO discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.

SUBJECT TO zoning ordinances, building and use restrictions, reservations in federal patents, easements of record, including but not limited to:

(a) Rights of way reserved in deeds from the Oregon Railway and Navigation Company:

- (1) Recorded February 17, 1906 in Deed Book 61, Page 480;
- (2) Recorded February 20, 1903 in Deed Book 53, Page 469; and,
- (3) Recorded August 11, 1905 in Deed Book 60, Page 528.

(b) Any and all matters including elements and assessments relating to the Van Patten Lake Reservoir as disclosed by deed recorded September 15, 1944 in Deed Book 135, Page 409.

(c) Ditch easements contained in Partition Agreement including the terms and provisions thereof recorded May 23, 1901, in Deed Book 42, Page 193.

(d) Ditch easement disclosed by instrument recorded July 25, 1916 in Deed Book 85, Page 87.

(e) Telephone line easements granted to Pacific Telephone and Telegraph Company by instruments recorded as follows:

- (1) Recorded April 2, 1924 in Deed Book 101, Page 228; and,

ETC 18281

2508 739 701 #17086

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(2) Recorded February 6, 1930 in Deed Book 113, Page 492.

(f) Irrigation Contract for Pilcher Ditch Reservoir Storage including the terms and provisions thereof between Powder Valley Water Control District and J. LaRon Zundell and Kathleen T. Zundell, recorded February 25, 1983 in Deeds 83 05 079.

(g) Irrigation Contract for Pilcher Creek Reservoir Storage, including the terms and provisions thereof, between Powder Valley Water Control District and Carol M. Holmes and Penny Holmes, recorded February 25, 1983 in Deeds 83 08 094.

Assignment of Contract wherein Louis E. Marks and Marie Y. Marks assign and convey their interest in the above contract to Gary Kramer, aka Gary L. Kramer and Elizabeth A. Kramer, recorded May 20, 1999 in Book 99 21 036.

(h) Electric power line easements granted to Oregon Trail Electric Consumer Cooperative, a corporation, as follows:

- (1) Recorded May 7, 1990 in Deeds 90 19 037;
- (2) Recorded April 3, 1991 in Deeds 91 14 086; and,
- (3) Recorded February 13, 1995 in Deeds 95 07 084.

(i) Easement between Louis B. Marks and Marie Y. Marks, and Gary L. Kramer and Elizabeth A. Kramer, granted by instrument recorded May 20, 1999 in Book 99 21 039.

(j) Pipeline easement, including the terms and provisions thereof, granted by Louis E. Marks and Marie Y. Marks by instrument recorded May 20, 1999 in Book 00 21 039.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.305. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352

DATED this 12 day of Feb, 2009.

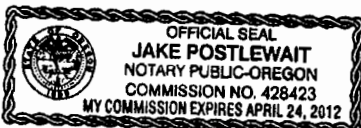
John C. Skiles
John C. Skiles, individually and as Trustee
of the John and Barbara Skiles Family Trust

Barbara S. Skiles
Barbara S. Skiles, individually and as
Trustee of the John and Barbara Skiles
Family Trust

STATE OF OREGON)
 :ss.
County of Lincoln)

Personally appeared the above named JOHN. C. SKILES and BARBARA S. SKILES, individually and as Trustees of the John and Barbara Skiles Family Trust, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME this 12 day of FEBRUARY, 2009.



Jake Postlewait
Notary Public for Oregon
My Commission expires: April 24, 2012

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SALEM, OREGON

A tract of land situate in the Southwest quarter of Section 3, the East half of the Southeast quarter of Section 4, the East half of the Northeast quarter of Section 9, and the Northwest quarter of Section 10, all in Township 7 South, Range 39 East of the Willamette Meridian, County of Baker and State of Oregon, more particularly described as follows:

Beginning at the South quarter corner of said Section 3;
thence North 0°12'43" West along the East line of the Southwest quarter of said Section 3, a distance of 1151.77 feet;
thence South 89°47'17" West a distance of 40.00 feet to the West right of way line of U.S. Highway No. 30 (Old Oregon Trail Highway);
thence North 24°10'33" West a distance of 722.39 feet;
thence North 51°03'10" West a distance of 590.24 feet;
thence North 79°14'59" West a distance of 655.26 feet;
thence South 72°17'53" West a distance of 592.86 feet;
thence South 89°32'20" West a distance of 658.34 feet;
thence North 5°38'37" West a distance of 286.94 feet;
thence South 79°44'20" West a distance of 821.10 feet formerly described as South 79°41'40" West 821.35 feet);
thence North 84°10'34" West a distance of 449.55 feet (formerly described as North 84°06'02" West 449.30 feet), more or less, to the West line of the East half of the Southeast quarter of said Section 4;
thence South along said West line, and along the West line of the East half of the Northeast quarter of said Section 9, a distance of 4990 feet, more or less, to the Southwest corner of the East half of the Northeast quarter of said Section 9;
thence East along the South line of the East half of the Northeast quarter of said Section 9, a distance of 1320 feet, more or less, to the quarter corner common to Section 9 and 10;
thence East along the South line of the Northwest quarter of said Section 10, a distance of 2640 feet, more or less, to the Southeast corner of the Northwest quarter of said Section 10;
thence North along the East line of said Northwest quarter, a distance of 2640 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM that portion lying with the right of way of U.S. Highway No. 30 (Old Oregon Trail Highway).

This legal description was created prior to January 1, 2008.

STATE OF OREGON)
COUNTY OF BAKER)
I CERTIFY THAT THIS
INSTRUMENT WAS RECEIVED
AND RECORDED IN THE BOOK
OF RECORDS OF SAID COUNTY
TAMARA J. GREEN, BAKER CO. CLERK
BY *Taren Phillips* DEPUTY
DOC#: 09070241B
2/19/2009 10:45 AM
REFUND: .00 36.00

RECEIVED
MAR 30 2009
WATER RESOURCES DEPT
SALEM, OREGON

G-17190
DEED FOR:
7S 39E 400

After recording return to:
Elkhorn Title Company
1725 Main Street
Baker City, OR 97814

Until a change is requested,
send tax statements to:
Jason M. Williams & Rosemarie B. Williams
48857 Old Hwy 30
North Powder OR 97867

QUITCLAIM DEED

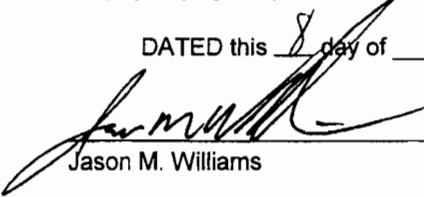
JASON M. WILLIAMS and ROSEMARIE B. WILLIAMS, husband and wife,
Grantor, releases and quitclaims to WILLIAMS LAND LLC, Grantee, all right, title and
interest in and to the real property described on Exhibit A attached hereto.

Ref. No. ~~10405~~ & 10406

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE
PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE
PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS
2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT
ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT
IN VIOLATION OF APPLICABLE LAND USE LAWS AND
REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS
INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE
PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR
COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES,
TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR
FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE
ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF
ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE
37(2004)).

The true consideration for this conveyance is \$0-good and valuable consideration.

DATED this 8 day of May, 2006.

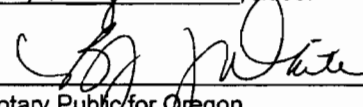

Jason M. Williams

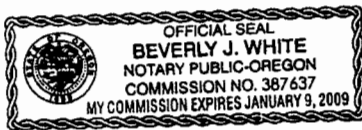

Rosemarie B. Williams

STATE OF OREGON)
 : ss.
County of Baker)

Personally appeared the above named JASON M. WILLIAMS and ROSEMARIE B.
WILLIAMS, husband and wife, and acknowledged the foregoing instrument to be their
voluntary act and deed.

BEFORE ME this 8 day of May, 2006.


Notary Public for Oregon
My Commission expires: _____



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WATER RESOURCES DEPT
SALEM, OREGON

Elkhorn Title Company #16202
Various parcels

EXHIBIT "A"

PARCEL I

In TOWNSHIP 6 SOUTH, RANGE 39 EAST, of the Willamette Meridian in the County of Baker and State of Oregon:

Section 34: The Northeast quarter, and the Southeast quarter; EXCEPTING THEREFROM a strip on the South side thereof, of approximately two acres.

Section 35: That portion of the Northwest quarter lying West of the portion awarded to State of Oregon, by and through its State Highway Commission by Final Judgment entered July 17, 1972, Case No. L-3421, Court 72 29 064.

Those portions of the Southwest quarter and the West half of the Southeast quarter lying West of that portion awarded to State of Oregon, by and through its State Highway Commission by Final Judgment entered July 29, 1971, Case No. L-3438, Court 71 30 326.

PARCEL II

IN TOWNSHIP 7 SOUTH, RANGE 39 EAST of the Willamette Meridian, in the County of Baker and State of Oregon:

Section 2: The West half of Lot 2 of the Northwest quarter (the Northwest quarter of the Northwest quarter);

All that portion of the West half of Lot 1 of the Northwest quarter (the Southwest quarter of the Northwest quarter) lying Northwesterly of the James Dalton Ditch;

the Southwest quarter of the Southwest quarter; the West half of the Northwest quarter of the Southwest quarter, and the West half of the East half of the Northwest quarter of the Southwest quarter.

Section 3: Lots 1 and 2 of the Northeast quarter (the Northeast quarter), and the Southeast quarter.

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WATER RESOURCES DEPT
SALEM, OREGON

806 20 0017

STATE OF OREGON

County of Baker

} SS

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

Tamara J. Green
Baker County Clerk

by: *Tamara Phillips* Deputy.

DOC#: 06200015B

RCPT: 92890 36.00

5/11/2006 3:00 PM

REFUND: ETC CHG .00

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WATER RESOURCES DEPT
SALEM, OREGON

DEED FOR:
7S 39E 300

After recording return to:
Elkhorn Title Company
1725 Main Street
Baker City, OR 97814

Until a change is requested,
send tax statements to:
Jason M. Williams & Rosemarie B. Williams
48857 Old Hwy 30
North Powder, OR 97867

QUITCLAIM DEED

L. BRENT KERNS and MARY D. JOHNSON, husband and wife, Grantor, releases and quitclaims to WILLIAMS LAND LLC, Grantee, all right, title and interest in and to the real property described on Exhibit A attached hereto.

Ref. No. 10405 & 10406

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37(2004)).

The true consideration for this conveyance is \$0-good and valuable consideration.

DATED this 11 day of May, 2006.

L. Brent Kerns
L. Brent Kerns

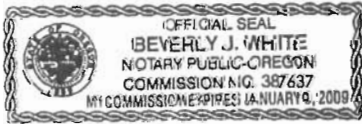
Mary D. Johnson
Mary D. Johnson

STATE OF OREGON)
) ss.
County of Baker)

Personally appeared the above named L. BRENT KERNS and MARY D. JOHNSON, husband and wife and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME this 11 day of May, 2006.

Beverly J. White
Notary Public for Oregon
My Commission expires: _____



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MAR 30 2009

WATER RESOURCES DEPT
SALEM, OREGON

Elkhorn Title Company #16202
Various parcels

EXHIBIT A

PARCEL II

IN TOWNSHIP 7 SOUTH, RANGE 39 EAST of the Willamette Meridian, in the County of Baker and State of Oregon:

Section 2: The West half of Lot 2 of the Northwest quarter (the Northwest quarter of the Northwest quarter);

All that portion of the West half of Lot 1 of the Northwest quarter (the Southwest quarter of the Northwest quarter) lying Northwesterly of the James Dalton Ditch;

the Southwest quarter of the Southwest quarter; the West half of the Northwest quarter of the Southwest quarter, and the West half of the East half of the Northwest quarter of the Southwest quarter.

Section 3: Lots 1 and 2 of the Northeast quarter (the Northeast quarter), and the Southeast quarter.

STATE OF OREGON

County of Baker

SS

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

Tamara J. Green
Baker County Clerk

by: *[Signature]* Deputy.

DOC#: 06200011B

RCPT: 92888 31.00

5/11/2006 3:00 PM

REFUND: ETC CHG .00

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MAR 30 2009

WATER RESOURCES DEPT
SALEM, OREGON

G-17199

(4)

DEED FOR:
65 39E 2300
3300
65 39E 34 101
200

B06 20 0018

After recording return to:
Elkhorn Title Company
1725 Main Street
Baker City, OR 97814

Until a change is requested,
send tax statements to:
Williams Land LLC
48857 Old Hwy 30
North Powder, OR 97867

WARRANTY DEED

DOUGLAS R. STANFORD and SHARON R. STANFORD, as tenants by the entirety, Grantor, conveys and warrants to WILLIAMS LAND LLC, an Oregon limited liability company, Grantee, the real property described on Exhibit A attached hereto and incorporated herein by reference, free of encumbrances except as specifically set forth herein.

Ref. Nos. 10379, 10391, 17272 & 10390

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging to or otherwise appertaining.

SUBJECT TO reservations, restrictions, encumbrances, easements and rights of way of record or visible thereon and shortages in acreage and boundary disputes which a true and accurate survey would reveal, including but not limited to those listed on Exhibit B attached hereto and incorporated herein by reference.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37(2004)).

The true consideration for this conveyance is \$ 629,299.52

DATED this 9 day of May, 2006.

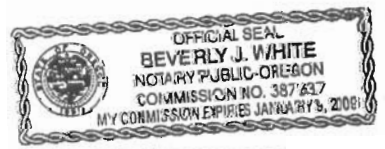
Douglas R. Stanford
Douglas R. Stanford

Sharon R. Stanford
Sharon R. Stanford

STATE OF OREGON)
)ss.
County of Baker)

Personally appeared the above named DOUGLAS R. STANFORD and SHARON R. STANFORD and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME this 9 day of May, 2006



B. J. White
Notary Public for Oregon
My Commission expires: _____

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MAR 30 2009

WATER RESOURCES DEPT
SALEM, OREGON

Elkhorn Title Company #16202
Various parcels

B06 20 0019

EXHIBIT A

PARCEL I

In TOWNSHIP 6 SOUTH, RANGE 39 EAST, of the Willamette Meridian in the County of Baker and State of Oregon:

Section 34: The Northeast quarter, and the Southeast quarter, EXCEPTING THEREFROM a strip on the South side thereof, of approximately two acres.

Section 35: That portion of the Northwest quarter lying West of the portion awarded to State of Oregon, by and through its State Highway Commission by Final Judgment entered July 17, 1972, Case No. L-3421, Court 72 29 064.

Those portions of the Southwest quarter and the West half of the Southeast quarter lying West of that portion awarded to State of Oregon, by and through its State Highway Commission by Final Judgment entered July 29, 1971, Case No. L-3438, Court 71 30 326.

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WATER RESOURCES DEPT
SALEM, OREGON

Any and all matters, including easements and assessments, if any, pertaining to the creeks crossing said property.

Rights of the public in and to any portion of the herein described premises lying within the boundaries of roads or highways.

Statutory powers, including easements and assessments if any, of Powder Valley Water Control District and the North Powder Rock Creek Subdistrict thereof, as disclosed by Order recorded December 27, 1983, in Deeds 83 52 015.

Any and all matters, including easements and assessments, if any, pertaining to the Tanner McPhee and Smith Ditch and the Tanner Smith Ditch, as disclosed by deed recorded April 1, 1901, in Deed Book 39, page 213, and in other documents of record.

Power line easements granted to Eastern Oregon Development Company by the following instruments, including the terms and provisions thereof:

- (a) Recorded August 26, 1927, in Deed Book 108, page 473, over the W 1/2 NW 1/4 of Section 35, T. 6 S., R. 39 E. W.M.
- (b) Recorded September 13, 1927, in Deed Book 108, page 549, over the West 1/2 SW 1/4 of Section 35, T. 6 S., R. 39 E. W.M.

Pipeline easements granted to Salt Lake Pipe Line company, a Nevada corporation, by instruments, including the terms and provisions thereof:

- (a) Recorded October 26, 1949, in Deed Book 151, page 495, over the South half of Section 34, T. 6 S., R. 39 E. W.M.
(EXACT LOCATION NOT GIVEN)
- (b) Recorded October 26, 1949, in Deed Book 151, page 497, over the Northeast quarter of Section 34, T. 6 S., R. 39 E. W.M.
(EXACT LOCATION NOT GIVEN)

Power line easement granted to Eastern Oregon Light and Power Company, a corporation, by instruments, including the terms and provisions thereof, recorded August 24, 1945, in Deed Book 137, page 362, over a parcel starting at a point approximately 30 feet East and 485 feet South of the Northwest corner of the Northwest quarter of the Southeast quarter of Section 34, T. 6 S., R. 39 E. W.M., and extending 30 feet in an Easterly direction to a point approximately 59 feet East and 477 feet South of said corner.

Pipeline easement granted to Northwest Pipeline Corporation by instrument, including the terms and provisions thereof, recorded January 3, 1956, in Deed Book 165, page 207, as amended June 16, 1980, in Deeds 80 25 023, over the South half of Section 34, T. 6 S., R. 39 E. W.M., and other properties.

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SALEM, OREGON

B06 20 0021

Limited access in the following Final Judgments entered in the Circuit Court of the State of Oregon for the County of Baker, which provides that no right or easement of right of access to, from or across the State Highway shall attach to the abutting property other than expressly therein provided for:

- (a) Final Judgment entered July 17, 1972, in Case No. L-3421, as to the Northwest quarter of Section 35, T. 6 S., R. 39 E. W.M.
- (b) Judgment Order entered July 29, 1971, in Case No. L-3438, as to the South half of Section 35, T. 6 S., R. 39 E. W.M.

Easements for drainage and irrigation facilities, set forth in Final Judgment filed July 17, 1972, Court Volume 72 29 064, in Case No. L-3421 in the Circuit Court of the State of Oregon for the County of Baker.

Communication system easement granted to Worldcom Network Services, Inc., by instrument, including the terms and provisions thereof, recorded September 9, 1996, in Deeds 96 37 098, over a strip of land 10 feet in width and parallel and adjacent to the existing Salt Lake Pipeline Company's right of way as it now exists across the herein described property.

Option and easement granted to Level 3 Communications, LLC, by instrument, including the terms and provisions thereof, recorded August 9, 1999, in Book 99 32 170. (AFFECTS PARCEL I)

Any adverse claim arising due to the uncertainty of that portion of the legal description in the Southeast quarter of Section 34, T. 6 R. 39 E. W.M., which excepts "A strip on the South side thereof, of approximately two acres."

Easements as set forth in Minor Land Partition recorded April 20, 2001, in Book 01 17 0092, as follows:

"Subject to easements and rights of way for storage of water, ditches, canals, pipelines and headgates used for valid subsisting water rights as they presently exist and appertain to properties downstream from the above described property. The easements for said ditches and other conveyances shall be thirty (30) feet in width, fifteen (15) feet on either side of the banks of the ditch or the center of the pipeline and are for the purposes of regulating water flow, repair and maintenance. With regard to storage facilities and headgates, the easement shall be large enough to allow ingress and egress of heavy equipment to repair and maintain the structures. The servient estate owner shall have reasonable control over access to the easements granted herein."

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WATER RESOURCES DEPT
SALEM, OREGON

B06 20 0022

RECEIVED

MAR 30 2009

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

County of Baker

} SS

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

Tamara J. Green
Baker County Clerk

by: *Tamara J. Green* Deputy.

DOC#: 06200018B

RCPT: 92891 46.00

5/11/2006 3:00 PM

REFUND: *ETC CHG* .00