



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: Roy & Holly Kelher
First Last

Mailing Address: 2181 N. OTT Rd.
Hermiston Ore. 97838
City State Zip

Phone: 541-564-4477 541-564-7482 541-561-2849
Home Work Other

*Fax: _____ *Email Address: _____

B. Organizations

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

Name of Organization: _____

Name and Title of Person Applying: _____

Mailing Address or Organization: _____

City State Zip

Phone : _____
Day Evening

*Fax: _____ *Email Address: _____

*Optional

For Department Use		
App. No. <u>G-17316</u>	Permit No. _____	Date _____

Last Updated: 3/31/2009

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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.

Empty rectangular box for listing affected landowners.

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3. GROUND WATER DEVELOPMENT

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A. Well Information

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Number of well(s): 1

Name of nearest surface water body: Columbia River Stanfield Drain

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

- Approximately 1) 3 miles 2) 5286 Feet 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:

Empty rectangular box for well construction details.

Mailing Address: 2181 N. OTT Rd.
Hermiston City One State 97838 Zip

NOTICE TO WATER WELL CONTRACTOR
 The original and first copy
 of this report are to be
 filed with the
 STATE ENGINEER, SALEM 10, OREGON
 within 30 days from the date
 of well completion.

WATER WELL REPORT
 STATE OF OREGON
 (Please type or print)

UMAT
 1708

FEB 22 1963

State Well No. 4N/28-1H
 State Permit No. _____

(1) OWNER:
 Name Jacob Ray
 Address et al, Box 771
Hermiston, Oregon

(2) LOCATION OF WELL:
 County Umatilla Driller's well number _____
SE 1/4 NE 1/4 Section 1 T. 4N R. 28E W.M.
 Bearing and distance from section or subdivision corner _____

(3) TYPE OF WORK (check):
 New Well Deepening Reconditioning Abandon
 Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):
 Domestic Industrial Municipal
 Irrigation Test Well Other

(5) TYPE OF WELL:
 Rotary Driven
 Cable Jetted
 Dug Bored

(6) CASING INSTALLED:
 Threaded Welded
6 7/8 Diam. from 00 ft. to 101 ft. Gage 2.50
 " Diam. from _____ ft. to _____ ft. Gage _____
 " Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS:
 Perforated? Yes No
 Type of perforator used _____
 Size of perforations in. by in.
 _____ perforations from _____ ft. to _____ ft.
 _____ perforations from _____ ft. to _____ ft.
 _____ perforations from _____ ft. to _____ ft.
 _____ perforations from _____ ft. to _____ ft.

(8) SCREENS:
 Well screen installed Yes No
 Manufacturer's Name _____ Model No. _____
 _____ Slot size _____ Set from _____ ft. to _____ ft.
 Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:
 Well seal—Material used in seal Bentonite
 Depth of seal _____ ft. Was a packer used? no
 Diameter of well bore to bottom of seal _____ in.
 Were any loose strata cemented off? Yes No Depth _____
 Was a drive shoe used? Yes No
 Was well gravel packed? Yes No Size of gravel: _____
 Gravel placed from _____ ft. to _____ ft.
 Did any strata contain unusable water? Yes No
 Type of water? _____ Depth of strata _____
 Method of sealing strata off _____

(10) WATER LEVELS:
 Static level 15 ft. below land surface Date 1-7-63
 Artesian pressure _____ lbs. per square inch Date _____

(11) WELL TESTS: Drawdown is amount water level is lowered below static level
 Was a pump test made? Yes No If yes, by whom?
 Yield: gal./min. with ft. drawdown after hrs.
 " " " " "
 " " " " "
 " " " " "
 Bailer test 25 gal./min. with 35 ft. drawdown after 1 hrs.
 Artesian flow _____ g.p.m. Date _____
 Temperature of water 53 Was a chemical analysis made? Yes No

(12) WELL LOG: Diameter of well below casing _____
 Depth drilled 101 ft. Depth of completed well 101 ft.
 Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
<u>Pure sand</u>	<u>00</u>	<u>98</u>
<u>Water sand & gravel</u>	<u>98</u>	<u>101</u>

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Work started 1-3 1963 Completed 1-7 1963
 Date well drilling machine moved off of well 1-9 1963

(13) PUMP:
 Manufacturer's Name _____
 Type: _____ H.P. _____

Water Well Contractor's Certification:
 This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
 NAME H. R. Ible & Co.
 (Person, firm or corporation) (Type or print)
 Address _____
 Drilling Machine Operator's License No. 181
 [Signed] Frank Ible
 (Water Well Contractor)
 Contractor's License No. 136 Date 1-8, 1963

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Completion Date: 1-9-1963

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
UMAT 1708	6 5/8	Steel casing 6 5/8" welded	101 FT.	No perforations	N/A	15 FT.	99 FT.	Use of plumb bob in casing	101 FT.

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

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

C. Artesian Flows

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

4. WATER USE

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

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

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

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B. Amount of Water

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

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
UMAT 1708	Sand and gravel	irrigation	8.4 gpm	1,466,329.5 gallons	25 gpm

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? _____ per/min.
 (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: 1 1/2 Acre.

(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 hp. submersible Feel pump
- 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): Trench will be 24 inches deep. After pipe is installed the trench will be covered up.
 Diameter 1 1/4 inch. Length Approximately 1000 Ft. of pipe (PVC)

- other, describe: _____

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C. Application/Distribution Method

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

Sprinklers, Pump from well house. 1 hp. pump.

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: high rise sprinklers to water @ 8.4 gpm

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.

Sprinkler irrigation with heads regulated with nozzles to not go over 8.4 gpm. Turn off valves will be installed on each riser.

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: As soon as permit is received for water resources.

Proposed date construction will be completed: 3 months after permit is received.

Proposed date beneficial water use will begin: 3 months after permit is received

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) Yes No

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.

[Empty box for remarks]

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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, 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.)

2-24-10
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:
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Oregon Water Resources Department Land Use Information Form

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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: Roy & Holly Ke Vher
First Last

Mailing Address: 2181 N. OTT Rd.

Hermiston Ore. 97838 Daytime Phone: 541-564-4477
City State Zip

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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	¼¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
4N	28E	1A	NE NE	600	FU-10	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigation
						<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, and/or used or developed:

umatilla county. Hermiston, Ore. 97838

B. Description of Proposed Use

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

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Permit to Use or Store Water | <input type="checkbox"/> Water Right Transfer | <input type="checkbox"/> Permit Amendment or Ground Water Registration Modification |
| <input type="checkbox"/> Limited Water Use License | <input type="checkbox"/> Allocation of Conserved Water | <input type="checkbox"/> Exchange of Water |

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

Estimated quantity of water needed: 8.4 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:

Irrigate 1 acre pasture grass and ½ acre lawn, fruit trees and etc.

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

G-17316



Oregon

Theodore R. Kulongoski, Governor

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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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For Local Government Use Only

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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): IS 2-336 (A)(1)

Land uses to be served by the 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

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: Richard Jennings Title: Planner
 Signature: [Signature] Phone: 278-6249 Date: 2-26-10
 Government Entity: Umatilla

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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Oregon Water Resources Department

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FORM I

MAR 02 2010

FOR IRRIGATION WATER USE

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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

Supplemental: _____ 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. Pasture Grass/ lawn, fruit trees, etc. Full Season Partial Season (from: March 1 to Oct 31)
- 2. _____ Full Season Partial Season (from: _____ to _____)
- 3. _____ Full Season Partial Season (from: _____ to _____)
- 4. _____ Full Season Partial Season (from: _____ to _____)

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

4.5 Acre Feet acre-feet

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

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

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

Other, explain: Morning or Night depending on weather and temperature.

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EOB 2009 5550452 PART OF ANY S



M OF State of Oregon)
County of Umatilla)

Roy Keller & Holly Keller 2009-5550452 1 of 2

2181 N. Ott Rd
Hermiston OR 97838

Roy Keller
2181 N. Ott Rd
Hermiston OR 97838

Roy Keller & Holly Keller
2181 N. Ott Rd
Hermiston OR 97838

Roy Keller
2181 N. Ott Rd
Hermiston OR 97838

OF This instrument was received and recorded on

I cert 08-20-09 at 4:05

received for in the record of instrument

at book/reel/v

and/or as f

No. Instrument Number 2009-5550452

Fee 31.00

Office of County Records

SPACE RESERVED FOR RECORDER'S USE

RECEIVED

AUG 20 2009

UMATILLA COUNTY RECORDS

Jean Hamill
Records Officer

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Roy Keller

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Roy Keller & Holly Keller, husband & wife, as tenants by the entirety, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Umatilla County, State of Oregon, described as follows, to-wit:

See attached Legal Description

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole (indicate which) consideration. (The sentence between the symbols ®, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on August 20th 2009; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Roy Keller

STATE OF OREGON, County of Umatilla ss.

This instrument was acknowledged before me on August 20th 2009

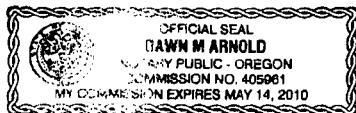
by Roy Keller

This instrument was acknowledged before me on

by

as

of



Dawn M. Arnold
Notary Public for Oregon
My commission expires May 14, 2010

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TRACT I:

The North 390 feet of the East 224 feet of Southwest Quarter of Northeast Quarter of Northeast Quarter of Section 1, Township 4 North, Range 28, East, Willamette Meridian, County of Umatilla, State of Oregon;

Subject to any and all water rights of way and roads.

TRACT II:

An easement for ingress, egress and incidental purposes, over and across the East 25 feet of the Southwest Quarter of Northeast Quarter of Northeast Quarter of Section 1, Township 4 North, Range 28, East, Willamette Meridian, County of Umatilla, State of Oregon;

EXCEPTING THEREFROM the North 390 feet of the East 224 feet thereof.

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