

Application for a Permit to Use Ground Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME ANDY ROOT		PHONE (HM)	
PHONE (WK) 541-573-3615	CELL		FAX
ADDRESS 524 HWY 20 N			
CITY HINES	STATE OR	ZIP 97738	E-MAIL*

Organization Information

NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL*	

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME SCOTT MONTGOMERY/ALL POINTS ENGR & SURVEYING INC		PHONE 541-548-5833	FAX 541-585-4602
ADDRESS PO BOX 767			CELL 541-420-0401
CITY TERREBONNE	STATE OR	ZIP 97760	E-MAIL* SCOTT@APEANDS.COM

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

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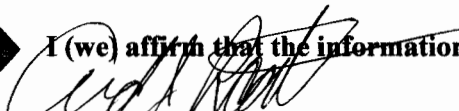
MAR 28 2012

WATER RESOURCES DEPT
SALEM, OREGON

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.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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 cancelled.
- 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 (we) affirm that the information contained in this application is true and accurate.


Applicant Signature

Andy Root
Print Name and title if applicable

3-26-12
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17542</u>	Permit No.	Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- 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 irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

Andy Root, 524 Hwy 20 N, Hines, OR 97720

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
2	Poison Cr. Slough	2400'	< 20'
3	Poison Cr. Slough	2100'	< 20'
6	Poison Cr. Slough		
7	Poison Cr. Slough		
8	Poison Cr. Slough		

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (*attach additional sheets if necessary*).

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SALEM, OREGON

G-17547

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Poison Cr. Slough Basin

Total maximum rate requested: 1/80 cfs/ac (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

2541-5

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARN 601	<input type="checkbox"/>	8"	95'	50-155'		15'	Gravel/Sand/Basalt	191'	1/80cfs/acre	3.0 AF/acre
3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARN 607	<input type="checkbox"/>	12"	115'	50-160'		15'	Gravel/Sand/Basalt	240'	1/80cfs/acre	3.0 AF/acre
6	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARN 606	<input type="checkbox"/>	12"	90'	18-77'		12'	Gravel/Sand/Basalt	212'	1/80cfs/acre	3.0 AF/acre
7	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARN5182 2/L107661	<input type="checkbox"/>	14"	160'			40'	Gravel/Sand/Basalt	650'	1/80cfs/acre	3.0 AF/acre
8	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARN 615	<input type="checkbox"/>	12"	224'	90-200'		30'	Gravel/Sand/Basalt	224'	1/80cfs/acre	3.0 AF/acre
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	Mar 1 to Oct 31	3.0 AF/acre

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).
 Primary: _____ Acres Supplemental: 102.5 Acres
 List the Permit or Certificate number of the underlying primary water right(s): 27522 & V.1, P.231 Silvies River
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 3.0 AF/acre

- If the use is **municipal or quasi-municipal**, attach **Form M**
 - If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): Submersible and turbine pumps w/ 25-150 hp motors
- Other means (describe): closed 6 & 8 inch buried conduit and existing open canals

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Existing wells are to be plumbed to one new pivot for primary irrigation and an existing pivot for supplemental irrigation.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Low pressure center pivot sprinklers

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.
Water will be applied only to the seeded lands with low pressure application to minimize scouring and spillover.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

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Reservoir name: _____ Acreage inundated by reservoir: _____

Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Spring 2012

Date construction will be completed: Spring 2012

Date beneficial water use will begin: Spring 2012

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SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (attach additional sheets if necessary).

G-17542

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

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**WATER RESOURCES DEPT
SALEM, OREGON**

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.

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) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

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.

G-17542

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: Andy Root
First Last

Mailing Address: 524 Hwy 20 N

Hines OR 97720 Daytime Phone: 541-573-3615
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	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
23S	32E	29	SW-SW	5000	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
23S	32E	33	NW	5300	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
						<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:

Harney 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 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License Allocation of Conserved Water Exchange of Water

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

Estimated quantity of water needed: 1.3 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:

Existing wells are to be used to pump water to a new pivot and to an existing pivot for supplemental irrigation.

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.

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): ECOU-2 3.020

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: Brandon McMiller Title: Director, Planning Dept
 Signature: [Signature] Phone: (541) 573-6655 Date: 3/21/2012
 Government Entity: Harney County

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

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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WATER RESOURCES DEPT
SALEM, OREGON

Primary

STATE OF OREGON
COUNTY OF Harney
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **TREFFLE JOSEPH DUHAIME. BESSIE DUHAIME & ROY ALBERT DUHAIME**
of **Burns**, State of **Oregon**, has made proof to the satisfaction of the **STATE ENGINEER** of Oregon, of a right to the use of the waters of **Poison Creek and Foley Slough** a tributary of _____ for the purpose of **irrigation of 160 acres**

under Permit No. **20533** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **April 30, 1951**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **2.0 cubic feet per second,**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, T. 23 S., R. 32 E., W.M.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-eightieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **2 $\frac{1}{2}$ acre feet per acre** for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

40 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 29
T. 23 S., R. 32 E., W.M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. **SEPTEMBER 23 1960**

.....**LEWIS A. STANLEY**.....

State Engineer

Recorded in State Record of Water Right Certificates, Volume **19**, page **27622**

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Mo. G 1474 WATER RESOURCES DEPT.
SALEM, OREGON

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SALEM, OREGON

980027

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.

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

IN WITNESS WHEREOF, the grantor corporation has executed this instrument this 5th day of January, 1998, and 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.

LITTLE COW CREEK CO.
By Richard Temple
Richard Temple, president
By George R. Duncan, Jr.
George R. Duncan, Jr., secretary

STATE OF OREGON)
County of Harney) ss.

This instrument was acknowledged before me on January 5, 1998 by Richard Temple, as president of Little Cow Creek Co., an Oregon corporation:



Karey Boyd
Notary Public for Oregon.
My commission expires: June 7, 2001

STATE OF OREGON)
County of Harney) ss.

This instrument was acknowledged before me on January 5, 1998 by George R. Duncan, Jr., as secretary of Little Cow Creek Co., an Oregon corporation.



Karey Boyd
Notary Public for Oregon.
My commission expires: June 7, 2001

STATE OF OREGON)
County of Harney)
I certify that the within instrument was received for record on this 20 day of January, 1998 at 11:23 o'clock AM, and recorded in Book 1474, page 27 of said County.
By Denise [Signature] Deputy

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Title Order: H13060, RA 48
Title Officer: SEAN T. RUPE

SUBJECT TO THE FOLLOWING STANDARD EXCEPTIONS APPLYING THERETO:

1. a. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
b. proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. a. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
b. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose and which are not shown by the public records.
4. a. Unpatented mining claims;
b. Reservations or exceptions in patents or in Acts authorizing the issuance thereof;
c. Water rights, claims or title to water;

Whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
5. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: 1996-97 TAXES, in the amount of \$67.28 have been paid in full.

CODE: 1-2 MAP NO.: 21S 32VE TAX LOT: 1200 REP. NO.: 5635

NOTE: 1996-97 TAXES, in the amount of \$209.37 have been paid in full.

CODE: 1-2 MAP NO.: 22S 32VE TAX LOT: 200 REP. NO.: 5644

NOTE: 1996-97 TAXES, in the amount of \$723.76 have been paid in full.

CODE: 1-2 MAP NO.: 22S 32VE TAX LOT: 201 REP. NO.: 6999

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SALEM, OREGON

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Title Order: H13060, RA 48

NOTE: 1996-97 TAXES, in the amount of \$675.82 have been paid in full.

CODE: 1-2 MAP NO.: 22S 32VE TAX LOT: 2701 REF. NO.: 6998

NOTE: 1996-97 TAXES, in the amount of \$15.83 have been paid in full.

CODE: 1-2 MAP NO.: 22S 33E TAX LOT: 1000 REF. NO.: 5876

NOTE: 1996-97 TAXES, in the amount of \$41.56 have been paid in full.

CODE: 1-2 MAP NO.: 22S 33E TAX LOT: 1800 REF. NO.: 5877

6. AS DISCLOSED by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.

7. THIS REPORT does not include a search for financing statements or agricultural services, liens which are filed in the Office of the Secretary of State, and any matters which would be disclosed, thereby are expressly excluded from coverage herein.

8. ANY IMPROVEMENT located upon the insured property which is described or defined as a mobile home under the provisions of Chapters 803 and 820, OREGON REVISED STATUTES and is subject to registration as provided therein.

9. RIGHTS OF THE PUBLIC in streets, roads and highways.

10. NOTWITHSTANDING Paragraph 4 of the insuring clauses of the policy or policies to be issued, the policy or policies will not insure against loss arising by reason of any lack of a right of access to and from the land. (Affects all except the E $\frac{1}{4}$ of Sec. 36, Twp. 22 S., R. 32 $\frac{1}{4}$ E. W.M.)

11. EASEMENT, including the terms and provisions thereof, for Harney Valley Improvement Company, a corporation, recorded June 6, 1917, in Book "2", Page 383, Deeds, along the West side of Sec. 36, Twp. 22 S., R. 32 $\frac{1}{4}$ E., W.M.

12. MINERALS RESERVED by The Union Central Life Insurance Company, a corporation, as to undivided one-half interest therein, in Deed recorded Jan. 25, 1939, in Book 38, Page 333 of Deeds, and all rights of said Union Central Life Insurance Company, a corporation, and its successors in interest, as owners thereof.

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Exhibit A

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WATER RESOURCES DEPT.
SALEM, OREGON

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Title Order: H13060, Ra 48

NOTE: The mineral interest reserved or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.

13. MINERALS RESERVED by State of Oregon, as to full interest therein, in Deed recorded Feb. 19, 1944, in Book 41, Page 57 of Deeds, and all rights of said State of Oregon, and its successors in interest, as owners thereof.
(Affects the E $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, of Sec. 36, Twp. 22 S., R. 32 $\frac{1}{2}$ E., W.M.)

NOTE: The mineral interest reserved or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.

14. RESERVATION in Deed from Harnsey County, Oregon, recorded Dec. 6, 1946, in Book 44, Page 567, Deed Records, reserving a right for a right of way for county roads.
(Affects the E $\frac{1}{4}$ W $\frac{1}{4}$ of Sec. 19 and Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 30, Twp. 22 S., R. 33 E., W.M.)

15. MINERALS RESERVED by The Pacific Land and Livestock Company, Inc., an Oregon corporation, as to an undivided one-half interest therein, in Deed recorded Oct. 24, 1961, in Book 70, Page 279 of Deeds, and all rights of said The Pacific Land and Livestock Company, Inc., an Oregon corporation, and its successors in interest, as owners thereof.
(Affects the E $\frac{1}{4}$ W $\frac{1}{4}$ of Sec. 19, Twp. 22 S., R. 33 E., W.M.)

NOTE: The mineral interest reserved or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.

16. POWER LINE EASEMENT, including the terms and provisions thereof, to Idaho Power Company, a corporation, recorded March 12, 1962, in Book 71, Page 61, Deed Records, over and across the S $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36, Twp. 22 S., R. 32 $\frac{1}{2}$ E., W.M.

17. MINERALS RESERVED by Kenneth A. Johnson and Clarice O. Johnson, husband and wife, as to full interest therein, in Deed recorded March 15, 1963, in Book 73, Page 13 of Deeds, and all rights of said Kenneth A. Johnson and Clarice O. Johnson, husband and wife, and their successors in interest, as owners thereof.

NOTE: The mineral interest reserved or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.

4-7265

(con't on next page)

Exhibit A

Page 3

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APR 26 2010

WATER RESOURCES DEPT.
SALEM, OREGON

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WATER RESOURCES DEPT.
SALEM, OREGON

Page 5

980027

Title Order: M13060, RA 4B

18. MORTGAGE, including the terms and provisions thereof, executed by Little Cow Creek Co., a corporation to Gordon A. Catterson and Margy A. Catterson, or survivor thereof, dated November 15, 1979, recorded December 20, 1979, in Book "A-27", Page 15, Mortgage Records, securing the payment of \$262,500.00 as therein provided.

19. RIGHT OF WAY EASEMENT, including the terms and provisions thereof, to the Pacific Power & Light Company, a corporation, recorded March 27, 1980, in Book 112, Page 10, Deed Records. (Affects the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11, SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12, Twp. 22 S., R. 32 $\frac{1}{2}$ E., W.M. and SW $\frac{1}{4}$ of Sec. 13, Twp. 22 S., R. 33 E., W.M.)

20. RIGHT FOR ROAD USE, including the terms and provisions thereof, to the Pacific Power & Light Company, a corporation, recorded October 30, 1981, in Book 115, Page 621, Deed Records. (Affects Sec. 11, 12, 13 and 24 of Twp. 22 S., R. 32 $\frac{1}{2}$ E., W.M.)

~~Q-17365~~

Exhibit A

Page 4

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Q-17542

EXHIBIT A

(Cow Creek)

Land in Harney County, Oregon, as follows:

In Twp. 21 S., R. 32½ E., W.M.:

Sec. 35: N½SW¼, S½S½.

Sec. 36: N½N½, SE¼NE¼, SE¼NW¼, NE¼SW¼, SW¼SW¼, S½SE¼, NE¼SE¼.

In Twp. 22 S., R. 32½ E., W.M.:

Sec. 2: Lots 3 and 4, SW¼NE¼, SE¼NW¼, E¼SW¼, W½SE¼, SE¼SE¼.

Sec. 11: NE¼, NE¼NW¼, E¼SE¼.

Sec. 12: SW¼SW¼, S½SE¼.

Sec. 13: N½N½, SW¼NE¼, S½NW¼, E¼SW¼.

Sec. 24: W½

Sec. 36: E½, EXCEPTING THEREFROM right of way over the S½SE¼ conveyed to the State of Oregon, by deeds recorded March 20, 1937, in Book 37, Page 447, Deed Records, and recorded January 30, 1937, in Book 37, Page 398, Deed Records.

In Twp. 22 S., R. 33 E., W.M.:

Sec. 19: E½W½.

Sec. 30: Lots 3 and 4, E½SW¼.

In Twp. 23 S., R. 33 E., W.M.:

Sec. 18: Government Lots 3 and 4, SE¼SW¼, SE¼, NE¼SW¼.

Sec. 20: NE¼NE¼, S½NE¼, NW¼NE¼.

Sec. 32: W½NE¼.

Together with an easement from John L. Toelle, Donald G. Toelle and Shirley M. Toelle to Rattlesnake Creek Land & Cattle Company, LLC recorded February 21, 2003 as Microfilm No. 20030324, Records of Harney County, Oregon.