

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 SAM MCDANIEL		PHONE (HM)	
PHONE (WK)	CELL (541) 620-0242	FAX	
ADDRESS 27972 LITTLE INDIAN CREEK ROAD			
CITY JOHN DAY	STATE OR	ZIP 97845	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 CK3, LLC		PHONE (541) 889-5411	FAX (541) 889-2074
ADDRESS 368 SW 5 TH AVENUE			CELL
CITY ONTARIO	STATE OR	ZIP 97914	E-MAIL*

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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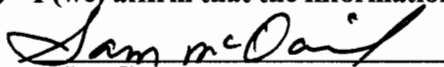
APR 02 2012

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

Sam McDaniel
Print Name and title if applicable

3/29/12
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17545</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*).

NA

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
Blaylock Well #4	Malheur River	1,100 feet	50'

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*).

I believe that the well log for MALH 3061 is the existing well in the SE ¼ of the NE ¼ of Section 21 because I have not found any other wells on the property. I have sent a written statement to Laurie Norton in regards to this.

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SAIFM OREGON

G-17545

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Broken Rock

Total maximum rate requested: 0.38 (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.

9-1754C

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)
Blaylock #4	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MALH 3061	<input type="checkbox"/>	8"	60'		0 TO 60'	22' 2-21-94	Broken Rock	120'	170	90
	<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"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
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	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

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* 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.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 st thru October 31 st	90 AF

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: 30 Acres Supplemental: 0 Acres

List the Permit or Certificate number of the underlying primary water right(s): _____

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 90 AF

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

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): 20 Hp

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Pump ground water into a pipe and go under the road, then into a distribution box and into gated pipe.

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B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) gated pipe

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.

Currently I have gated pipe. But eventually I would like to use wheel lines.

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*).

Reservoir name: NA Acreage inundated by reservoir: NA

Use(s): NA

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

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): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	NA

SECTION 8: PROJECT SCHEDULE

Date construction will begin: 4-1-12

Date construction will be completed: 10-31-13

Date beneficial water use will begin: 3-1-14

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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	
NA	NA	
City	State	Zip
NA	NA	NA

SECTION 10: REMARKS

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

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

9
MALH
3061

OCT - 7 1994

23S/37E/27W
34424

WATER RESOURCES DEPARTMENT (START CARD) #
SALEM, OREGON

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

(1) OWNER: Well Number 4
Name Wayne Blaylock
Address 6285 Reservoir Rd
City Riverside State Or Zip 97917

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

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

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other Stock

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 120 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
14	0	60	Cement	0	60	1134
8	60	120				

How was seal placed: Method A B C D E
 Other

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8	1	60	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 60

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailor Air Flowing Artesian
Yield gal/min 20 Drawdown _____ Drill stem at _____ Time 2hr 1hr

Temperature of water 61 Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Malheur Latitude _____ Longitude _____
Township 23S N or S Range 37W E or W, WM.
Section 27 NW 1/4 NW 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____
Same as Mailing

(10) STATIC WATER LEVEL:
22 ft. below land surface. Date 2-21-94
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 70

From	To	Estimated Flow Rate	SWL
70	120	20	22

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
Brown Clay and Bolders	0	7	
Brown Clay	7	30	
Blue Clay	30	50	
Broken Rock	50	120	22

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Date started 2-21-94 Completed 3-3-94

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
Signed [Signature] WWC Number 082
Date 7-28-94

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
Signed [Signature] WWC Number _____
Date _____

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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

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.

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SALEM, OREGON

WR

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: Sam First McDaniel Last

Mailing Address: 27972 Little Indian Creek Road

John Day City Oregon State 97845 Zip Daytime Phone: (541) 620-0242

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:
23 S	37 E	21	NWSE	700		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
23 S	37 E	21	NESE	700		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" 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:

Malheur

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B. Description of Proposed Use

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SALEM, OREGON

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: 90 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:

Pump water from an existing well to irrigate approximately 30 acres.

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.

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See bottom of Page 3. →

Jerry Sauter

From: Jon Beal <Jon.Beal@malheurco.org>
Sent: Tuesday, April 03, 2012 11:04 AM
To: jerry.k.sauter@state.or.us
Subject: LUCS

Good morning Jerry,

The signature on the McDaniel application is mine. I will make sure that the original signed copy is returned to the applicant for inclusion in the application.

Jon Beal
Malheur County Planning Director

G-17545

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):
- 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: Jon D Beal Title: Planning Dir
 Signature: Jon D Beal Phone: 591-475-5185 Date: 3-20-12
 Government Entity: Malheur Co

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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WR / FS

G-17545

After recording return to: (Name, Address, Zip)
Sam McDaniel
757 Juniper Riverside Rd.
Riverside, OR 97917

Until requested otherwise, send all tax statements to:
 (Name, Address, Zip)
Sam McDaniel
757 Juniper Riverside Rd.
Riverside, OR 97917

Inst. No. 2010-520
 I certify that the within Instrument of writing was received for record on the 28 day of January, 2010 at 11:48 O'clock A. M. FEE \$62.00
 STATE OF OREGON, County of Malheur
 DEBORAH R. DeLONG
 County Clerk

By: Sherry L. McDaniel Deputy

SPACE ABOVE RESERVED FOR RECORDER'S USE

2337
601, 1400
700, 1500
800

233727D
400, 5300
600
800
1900
2100
4700
4701
4900

2437
2000
2600
2900

RA# 20 ptn.

(BARGAIN AND SALE DEED)
(Corporate Grantor)

Aloha Creek Development, LLC, Grantor, conveys to Samuel L. McDaniel, individually and Sherry McDaniel, as Trustee of the McDaniel Family Trust, u/a/d November 9, 1999, Grantee, the following described real property situated in Malheur County, State of Oregon, to-wit:

See Attached Legal Description

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (BALLOT MEASURE 49 (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 216.010, 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 SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (BALLOT MEASURE 49 (2007)).

The true and actual consideration for this conveyance is to correct vesting. (Here, comply with the requirements of ORS 93.030.)

Dated this 9 day of Jan, 2010
~~December, 2009.~~

Aloha Creek Development, LLC
 BY: Samuel L. McDaniel
 Samuel L. McDaniel, member of
 Three Sisters Development Co., Inc., which is
 the sole member of Aloha Creek Development

BY: Sherry L. McDaniel
 Sherry L. McDaniel, Trustee under the
 McDaniel Family Trust, member of
 Three Sisters Development Co., Inc., which
 is the sole member of Aloha Creek
 Development

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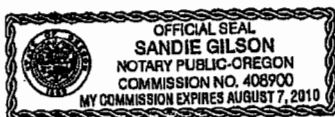
APR 06 2012

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF Oregon }
County of Grant } SS.

This instrument was acknowledged before me on this 9 day of January, 2010
~~December, 2009~~ by Samuel L. McDaniel as member of Three Sisters Development Co., Inc., which is the sole member of Aloha Creek Development.

Before me: Sandie Gilson
Notary Public for Oregon
My commission expires: 8/7/2010



G-17545

STATE OF Oregon }
 } SS.
County of Grant }

This instrument was acknowledged before me on this 12⁹ day of ~~December, 2009~~ January 2010 by Sherry L. McDaniel, Trustee under the McDaniel Family Trust as member of Three Sisters Development Co., Inc., which is the sole member of Aloha Creek Development.

Before me: *Sandie Gilson*
Notary Public for Oregon
My commission expires: 8/7/2010



Legal Description
File No. 0005440

INSTRUMENT NO. 2010-520
Page 3 of 5 Pages

EXHIBIT "A"

601 Land in Malheur County, Oregon, as follows:

In Twp. 23 S., R. 37 E., W.M.:

Sec. 20: NE ¼ SE ¼ lying North of the Malheur River.

Sec. 21: SW ¼ lying North of the Malheur River.

SUBJECT TO the Malheur River.

700 Land in Malheur County, Oregon, as follows:

In Twp. 23 S., R. 37 E., W.M.:

Sec. 21: SE ¼.

Sec. 22: W ¼ SW ¼.

SUBJECT to Reservoir Road and Juntura-Riverside Road rights of way.

800 Land in Malheur County, Oregon, as follows:

In Twp. 23 S., R. 37 E., W.M.:

Sec. 27: W ½ W ½.

Sec. 34: W ½ NW ¼.

SUBJECT to the South Fork Malheur River.

Land in the TOWNSITE OF OUTLOOK, Malheur County, Oregon, according to the Official Plat thereof, as follows:

In Block 3: Lot 6.

In Block 4: Lot 6.

In Block 5: Lot(s) 5 and 6.

In Block 12: Lot(s) 5, 6 and 7.

In Block 13: Lot(s) 1 and 2.

In Block 22: Lot(s) 1, 5, 6, 7 and 8.

Land in Malheur County, Oregon, as follows:

In Twp. 24 S., R. 37 E., W.M.:

Sec. 20: S ½ SW ¼, SW ¼ SE ¼.

Sec. 29: W ½ NE ¼, NW ¼, NE ¼ SW ¼, NW ¼ SE ¼.

Sec. 30: SE ¼ NE ¼.

SUBJECT to road right of way of the South Fork Malheur Road.

(Continued)

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SALEM, OREGON

01-17545

EXHIBIT "A" - Continued

ALSO the following described parcels situated in Malheur County, Oregon, as follows:

All that portion of Wyoming and Colorado Railroad Company, Inc.'s Vale to Burns, Oregon Branch Line right of way, now discontinued, varying in width on each side of said Railroad Company's Main Track centerline, as originally located and constructed upon, over and across the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section 23, the Northwest quarter of Section 26, the Southeast quarter of the Northeast quarter and the Southeast quarter of Section 27, the West half of the Northeast quarter, the East half of the Northwest quarter and the Southwest quarter of Section 34, Township 23 South, Range 37 East and Lot 4 of Section 3, Township 24 South, Range 37 East of the Willamette Meridian, Malheur County, Oregon, hereinafter designated as Parcel No. 1, Parcel No. 2, Parcel No. 3, Parcel No. 4, Parcel No. 5, Parcel No. 6 and Parcel No. 7, more particularly described as follows:

Parcel No. 1:

All that portion of said Railroad Company's 200 foot wide Branch line right of way, being 200 feet wide on each side of said Main Track centerline, located in the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of said Section 23 and the North half of the Northwest quarter of said Section 26, bounded on the Northerly side by the centerline of the Malheur River in said Southwest quarter of the Southeast quarter of Section 23 and bounded on the South by the South line of said North half of the Northwest quarter of Section 26.

Parcel No. 2:

All that portion of said Railroad Company's 100 foot wide Branch line right of way, being 50 feet wide on each side of said Main Track centerline, located in the Southwest quarter of the Northwest quarter of said Section 26 and the Southeast quarter of the Northeast quarter of said Section 27, bounded on the North by the North line of said Southwest quarter of the Northwest quarter of Section 26 and bounded on the South by the South line of said Southeast quarter of the Northeast quarter of Section 27.

Parcel No. 3:

All that portion of said Railroad Company's 300 foot wide Branch line right of way, being 200 foot wide on the Westerly side and 100 feet wide on the Easterly side of said Main Track centerline, located in the Southeast quarter of said Section 27 and the West half of the Northeast quarter of said Section 34, bounded on the North by the North line of said Southeast quarter of Section 27 and bounded on the West by the West line of said West half of the Northeast quarter of Section 34.

Parcel No. 4:

All that portion of said Railroad Company's 200 foot wide Branch line right of way, being 100 feet wide on each side of said Main Track centerline, located in the East half of the Northwest quarter and the Northeast quarter of the Southwest quarter of said Section 34, bounded on the East by the East line of said East half of the Northwest quarter of Section 34 and bounded on the South by the South line of said Northeast quarter of the Southwest quarter of Section 34.

(Continued)

EXHIBIT "A" - Continued

Parcel No. 5:

All that portion of said Railroad Company's 100 foot wide Branch line right of way, being 50 feet wide on each side of said Main Track centerline, located in the Southwest quarter of the Southwest quarter of said Section 34, bounded on the East and South by the East and South lines of said Southwest quarter of the Southwest quarter of Section 34.

Parcel No. 6:

An additional 50 foot wide strip of land, lying immediately adjacent to and on the Westerly side of hereinabove described Parcel No. 5 and extending from the East line of said Southwest quarter of the Southwest quarter of Section 34 to a line drawn perpendicular to said Main Track centerline through a point 400 feet Southwesterly, as measured along said Main Track centerline from its intersection with the East line of said Southwest quarter of the Southwest quarter of Section 34.

Parcel No. 7:

All that portion of Wyoming and Colorado Railroad Company, Inc.'s 150 foot wide Vale to Burns, Oregon Branch line right of way, now discontinued, being 75 feet wide on each side of said Railroad Company's Main Track centerline, as originally located and constructed upon, over and across Lot 4 of Section 3, Township 24 South, Range 37 East of the Willamette Meridian, Malheur County, Oregon, bounded on the North and South by the North and South lines of said Lot 4 of Section 3.

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