

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

RECEIVED

APR 13 2012

WATER RESOURCES DEPT
SALEM, OREGON

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME N/A		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS			
CITY	STATE	ZIP	E-MAIL*

Organization Information

NAME VIRTUE FINANCIAL SOLUTIONS LLC		PHONE 541-524-9935	FAX
ADDRESS P.O. BOX 477			CELL
CITY BAKER CITY	STATE OR	ZIP 97814	E-MAIL* DFLEMING@Q.COM

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

AGENT / BUSINESS NAME <i>J. Richard Fleming</i>		PHONE 541-524-9935	FAX
ADDRESS P.O. BOX 477			CELL
CITY BAKER CITY	STATE OR	ZIP 97814	E-MAIL* DFLEMING@Q.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.)

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.


J. Richard Fleming

J. Richard Fleming, Manager Virtue Financial Solutions LLC.
4-11-2012

Applicant Signature

Print Name and title if applicable

Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>Gr-7557</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: The only encumbrance on this parcel is a Mortgage the LLC owes to the Fleming Loving Trust which is managed by mother and sister.

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.

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

None

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
#1	Second Creek	713	80 feet up
#2	Second Creek	1188	115 feet up

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*).

The wells are as shown on the well logs. The proposed water right is to supplement the surface water right for late season survival of the orchard, berry patch and garden I hope to plant. This location is about six miles from the power grid, so pumping capacity is limited to generator or solar systems.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Supplemental irrigation	March 1 through November 30	1594.6

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: 55.6 Acres

List the Permit or Certificate number of the underlying primary water right(s): 51735

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 1594.6

- 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: _____

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): less than 10 Horsepower, type to be determined

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. 2" pvc pipe from the wells to the irrigated area

B. Application Method

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

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.

I am planning to replace the existing ditch with a pipe because much of the water soaks into the ditch. The existing wells will supplement the surface water during the late season using plastic pipe with drilled holes or emitters to control placement of the water as needed. Obviously the limited water available will require minimal wastage. The plan is to operate the irrigated area as an organic farm, so toxic exposure to the stream will be nil. Drip irrigation does not generate runoff into the stream. Runoff from the surface water right to the stream will be minimal.

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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: N/A Acreage inundated by reservoir:

Use(s): N/A

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

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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
Supplemental irrigation	Irrigation, July through November

SECTION 8: PROJECT SCHEDULE

Date construction will begin: 4-11-2012

Date construction will be completed: December 31, 2015

Date beneficial water use will begin: Oct 31, 2017

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).

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The existing surface water rights are near the middle of a 2000 acre parcel. The parcel, and all others for miles in any direction, is zoned EFU. The goal is to be able to grow fruit trees and berries as well as a garden. That requires full season water. Water from these wells will not be sufficient to accomplish this over the entire area of the surface water right. Any water stored will be minimal volume in a steel tank, less than 0.1 acre feet

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WATER RESOURCES DEPT
SALEM, OREGON

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

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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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WATER RESOURCES DEPT
SALEM, OREGON

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Land Use

Information Form



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 SALEM, OREGON

Applicant: Virtue Financial solutions LLC.
First

Last

Mailing Address: P.O. box 477

Baker City

City

Oregon

State

97814

Zip

Daytime Phone: 541-524-9935

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:
9S	42E	29, 32		1200	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
						<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:

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
 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: _____
 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:

Supplemental source on existing surface water right permit # 51735



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 Page 3. →

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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): BCZSO Section 301.A.
- 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.

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WATER RESOURCES DEPT
SALEM, OREGON

Name: Tara L Andrews Title: Planner

Signature: Tara Andrews Phone: 541-523-8219 Date: 4/11/12

Government Entity: Planning Dept.

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: _____

G-17557

NOV 27 2001

STATE OF OREGON
 WATER SUPPLY WELL REPORT
 (as required by ORS 537.765)
 WATER RESOURCES DEPT.
 SALEM, OREGON

WELL I.D. # L 54162
 START CARD # 145793

(1) OWNER: Well Number 1
 Name Richard Fleming + Glen Fleming
 Address PO Box 985
 City Baker City State OR Zip 97014

(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

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 95 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Material	Backfill pounds		
Diameter	From To	From To	From To				
10"	0	18	18	Bentonite	0	18	8
6"	18	95					

How was seal placed: Method A B C D E
 Other Dry Bentonite 3/8" poured
 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: 6"	12	18	20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Liner: 4 1/2"	5	95	20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 18

(7) PERFORATIONS/SCREENS:

Perforations Method Slotted Pipe
 Screens Type _____ Material _____

From To	Slot size	Number	Diameter	Tub/pipe size	Casing	Liner
35	95	8"	162	18"	4 1/2"	<input checked="" type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Flowing Time
40	88	95	1 hr.

Temperature of water 54° Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Top little
 Salty Muddy Odor Colored Other _____
 Depth of strata: 25

(9) LOCATION OF WELL by legal description:
 County Baker Latitude _____ Longitude _____
 Township 9 N of 3 Range 42 E or W. WM.
 Section 29 NE 1/4 SW 1/4
 Tax Lot 1200 Lot _____ Block _____ Subdivision _____

Street Address of Well (or nearest address) Buckles Cr. to first creek Rd - 1 mile past green gate at end of County Rd.

(10) STATIC WATER LEVEL:
7 ft. below land surface. Date 11/15/01
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found 25

From	To	Estimated Flow Rate	SWL
25	26	1	N/A

(12) WELL LOG:
 Ground Elevation _____

Material	From	To	SWL
Top Soil	0	20	
Black Clay	20	25	
Black Clay + Black rock WR	25	26	N/A
Black Clay + Black rock	26	80	
Black Clay + Black rock WR	80	95	17

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 SALEM, OREGON

Date started 11/15/01 Completed 11/16/01

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number _____
 Signed _____ Date _____

(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.

WWC Number 591
 Signed Wesley A. Wenzel Date 11/23/01

BAKE 52193

STATE OF OREGON WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

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

WELL LABEL # L 127097

START CARD # 206287

ORIGINAL LOG #

(1) **LANDOWNER** Owner Well I.D. _____
 First Name Richard Last Name Fleming
 Company _____
 Address 955 Park St.
 City Baker City State OR. Zip 97604

(2) **TYPE OF WORK** New Conversion Deepening
 Alteration (complete Sections 2a & 10) Abandonment (complete Section 5a)

(2a) **PRE-ALTERATION:** Well Depth _____ ft.

Seal Material _____
 Casing Type: Steel Plastic Other _____
 Casing Gauge _____ Casing Diameter _____

(3) **DRILL METHOD** Rotary Air Rotary Mud Auger
 Cable Cable Mud Reverse Rotary Other _____

(4) **PROPOSED USE** Domestic Irrigation Community
 Industrial/Commercial Livestock Dewatering Injection
 Thermal Other _____

(5) **BORE HOLE CONSTRUCTION**
 Depth of Completed Well 120 ft. Special Standard: Yes (attach copy)

BORE HOLE			SEAL				Amount	Secs/lbs
Dia	From	To	Material	From	To			
12	0	20	Bent.	0	20		16	
8	20	120						

How was seal placed: Method A B C D E
 Other 3/4 poured dry
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____

(5a) **ABANDONMENT USING UNHYDRATED BENTONITE:**
 Calculated Amount Proposed to be Used: _____ sacks/lbs
 Actual Amount Used: _____ sacks/lbs

(6) **CASING/LINER**

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
<input checked="" type="checkbox"/>		8		2	118	.250	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	

Shoe Inside Outside Other Location of shoe(s) 118
 Temporary casing Yes Diameter _____ From _____ To _____

(7) **PERFORATIONS/SCREENS**
 Perforations Method Toolh
 Screens Type _____ Material steel

Perf	Scm	Casing	Linr	Screen Dia	From	To	Screen/slot width	Slot length	# of slots	Tele/pipe size
<input checked="" type="checkbox"/>					60	120	1/4	6	90	8

(8) **WELL TESTS: Minimum testing time is 1 hour**
 Pump Bailor Air Flowing Artesian
 Yield gal/min 25 Drawdown 87 Drill stem/Pump depth 120 Duration (hr) 2hr

Temperature 52 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below) TDS _____ ppm

From	To	Description	Amount	Units

(9) **LOCATION OF WELL (legal description)**
 County Baker Twp 9 N or S Range 42 E or W W.M.
 Sec 29 NE 1/4 of the SW 1/4 Tax Lot 1200
 Tax Map Number _____ Lot _____
 Lat _____ " or _____ DMS or DD
 Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) Rattles C. to first creek Rd - 1 mile past green gate

(10) **STATIC WATER LEVEL**

Existing Well/Pre-Alteration	Date	SWL (psi)	+	SWL (ft)
Completed Well	<u>1-19-12</u>			<u>31</u>

Flowing Artesian? Yes Dry Hole? Yes
WATER BEARING ZONES Depth water was first found 90

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
<u>1-19-12</u>	<u>90</u>	<u>120</u>	<u>25</u>			<u>31</u>

(11) **WELL LOG** Ground Elevation _____

Material	From	To
<u>Expansive Clay Boulder</u>	<u>0</u>	
<u>Rock</u>		<u>90</u>
<u>Expansive Rock Fractured</u>	<u>90</u>	<u>95</u>
<u>Brown gravelly clay</u>	<u>95</u>	
<u>Clay Fractured</u>		<u>120</u>

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Date Started 1-17-12 Completed 1-19-12

(unbonded) **Water Well Constructor Certification**
 I certify that the work I performed on the construction, deepening, 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.

License Number _____ Date _____

Signed _____

(bonded) **Water Well Constructor Certification**
 I accept responsibility for the construction, deepening, 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.

License Number 1816 Date 2-1-12

Signed [Signature]

Contact Info. (optional) 541-519-0618



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

Eastern Region

Baker County Courthouse

1995 3rd Street, Suite 180

Baker City, OR 97814

Phone: (541) 523-8224

Fax: 1-866-214-3493

www.wrd.state.or.us

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**WATER RESOURCES DEPT
SALEM, OREGON**

TO: Water Right Caseworkers

DATE: April 11, 2012

FROM: Rick Lusk, Watermaster District 8

SUBJECT: Virtue Financial Solutions LLC

Adjent: J. Richard Fleming

J. Richard Fleming has been working with this office on this ground water application. Please contact me if there are questions regarding the application. This office will work with the water right staff and Mr. Fleming to supply additional information, if necessary.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: well development
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: storage of groundwater in a reservoir
- SECTION 7: use of stored groundwater from the reservoir
- SECTION 8: project schedule
- SECTION 9: within a district
- SECTION 10: remarks

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SALEM, OREGON

Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- 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. Example: A copy of the deed, land sales contract or title insurance policy.
- Fees - Amount enclosed: \$1,500⁰⁰
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other _____

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After recording return to:
Virtue Financial Services, LLC
P.O. 477 Solutions
Baker City, OR 97818

B05 01 0006

COPY

Until a change is requested all tax statements
shall be sent to the following address:
Virtue Financial Services, LLC
P.O. 477 Solutions
Baker City, OR 97818

WARRANTY DEED

GLENN M. FLEMING AND BARBARA C. FLEMING, TRUSTEES OR THEIR SUCCESSORS IN TRUST UNDER THE FLEMING LOVING TRUST DATED JUNE 18, 1990, Grantor, warrants and conveys to **VIRTUE FINANCIAL SERVICES, LLC**, Grantee, the following described real property in Baker County, Oregon, free of

encumbrances, except as specifically set forth herein:

*SOLUTIONS

LEGAL DESCRIPTION ATTACHED HERETO EXHIBIT "A"

ASSESSOR'S ACCOUNT NO.: 0507 941 2700 #6158
0507 942 1000 #6187
0507 942 1100 #6188
0507 942 1200 #6189
0507 942 2500 #6202

SUBJECT TO A reservation of the FLEMING LOVING TRUST DATED JUNE 18, 1990 to 50% of the mineral rights.

ALSO, SUBJECT TO zoning ordinance, building and use restrictions, reservations in federal patents, easements of record, private covenants, conditions and restrictions of record, existing utilities if any, lying within vacated streets, and partial classification as a flood plain zone.

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.

The true consideration for this conveyance is \$165,271.50 Dated this 29th day of December, 2004.

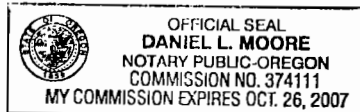
Glenn M. Fleming trustee
Glenn M. Fleming, Trustee

Barbara C. Fleming, Trustee
Barbara C. Fleming, Trustee

STATE OF OREGON
COUNTY OF BAKER COUNTY } ss.

On December 29th, 2004 personally appeared the above named Glenn M. Fleming and Barbara C. Fleming, and acknowledged the foregoing instrument on behalf of the Fleming Loving Trust dated June 18, 1990.

Notary Public for the State of Oregon.
My commission expires: 10-26-2007



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APR 13 2012

WATER RESOURCES DEPT
SALEM, OREGON

617551

ELKHORN TITLE COMPANY ORDER NO. 14724

EXHIBIT "A"

IN TOWNSHIP 9 SOUTH, RANGE 41 EAST of the Willamette Meridian, in the County of Baker and State of Oregon:

Section 24: The North half; the Southeast quarter; the East half of the Southwest quarter; and the Southwest quarter of the Southwest quarter.

Section 25: The North half of the North half.

IN TOWNSHIP 9 SOUTH, RANGE 42 EAST of the Willamette Meridian, in the County of Baker and State of Oregon:

Section 19: The Southwest quarter; the West half of the Southeast quarter; the South half of the Northwest quarter; the Southwest quarter of the Northeast quarter, and the Southeast quarter of the Southeast quarter.

Section 20: The South half of the Southwest quarter; the West half of the Southeast quarter; the Northeast quarter of the Southwest quarter, and the Southwest quarter of the Northeast quarter.

Section 28: The Northwest quarter; the North half of the Southwest quarter, and the Southwest quarter of the Southwest quarter.

Section 29: All.

Section 30: The East half of the East half; the North half of the Northwest quarter, and the Northwest quarter of the Northeast quarter.

Section 31: The Northeast quarter and the Northeast quarter.

Section 32: The North half; the East half of the Southeast quarter; that portion of the Southwest quarter and the West half of the Southeast quarter lying Northeasterly of a line extending from the Northwest corner of said Southwest quarter to the Southeast corner of the Southwest quarter of the Southeast quarter.

Section 33: The West half of the West half.

TOGETHER WITH that portion of County Road No. 791 vacated by Order 99-193 of the Board of County Commissioners for Baker County, recorded August 6, 1999, in Book 99 32 022, in the East quarter of Section 30, and Section 29, in Township 9 South, Range 42, E. W.M.

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WATER RESOURCES DEPT
SALEM, OREGON

84976
STATE OF OREGON, County of Baker, SS
I certify that the within instrument was
received for the record on the 3 day of
JAN, 2005 at 10:45 o'clock
A M.

Witness my hand and seal of County affixed.
Name of Clerk (Clerk)
Name Title
By Baron Phillips Deputy

ETC CHG
B0501 0006

G-17551