

# 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 SNAKE RIVER CORRECTIONAL INSTITUTION		PHONE (HM) 0	
PHONE (WK) 541-881-5401	CELL 541-403-6067	FAX 541-881-5483	
ADDRESS 777 STANTON BLVD			
CITY ONTARIO	STATE ORE	ZIP 97914	E-MAIL LAVELLE.H.BRAUN@STATE.OR.US

### Organization Information

NAME OREGON DEPARTMENT OF CORRECTIONS		PHONE 541-881-5404		FAX 541-881-5483	
ADDRESS 777 STANTON BLVD				CELL	
CITY ONTARIO	STATE ORE	ZIP 97914	E-MAIL LAVELLE.H.BRAUN@STATE.OR.US		

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

AGENT / BUSINESS NAME		PHONE		FAX	
ADDRESS				CELL	
CITY	STATE	ZIP	E-MAIL		
ONTARIO	ORE	97914	LAVELLE.H.BRAUN@STATE.OR.US		

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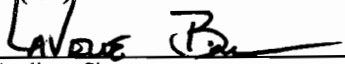
APR 16 2012

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

LAVELLE BRAUN  
Print Name and title if applicable

6/28/11  
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17554</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*).

\_\_\_\_\_

**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
	Owyhee Canal	3/8 mile	25'

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**

SUPERSEEDING



STATE OF OREGON  
DEPARTMENT OF CORRECTIONS  
Snake River Correctional Institution  
777 Stanton Blvd.  
Ontario, Oregon 97914

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**WATER RESOURCES DEPT  
SALEM, OREGON**

DATE: 4-19-2012

TO: Jerry Sauter

FROM: Mike Smith 

SUBJECT: Irrigation wells

Jerry,

I would like to change the specifications on the well depths. I realize you have started the process. In talking with other people about the depth of where we would hit water here seems to be a controversy. I originally had 200' on the application but changed it to 100'. I hope you will accept the change and that it will not slow up the process. If there is any problems let me know.

Thank you,  
Mike Smith

Encl:

**SECTION 3: WELL DEVELOPMENT, CONTINUED**

Source (aquifer), if known: ?

Total maximum rate requested: 100 gpm (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.

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)
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, Limestone, etc	200		35
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, Limestone, etc	200		35
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, Limestone, etc	200		35
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, limestone, etc	200		35
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, Limestone, etc	200		35
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, Limestone, etc	200		35
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, Limestone, etc	200		35
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		See Attached	See attached						

\* 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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SALEM, OREGON**

Snake River Correctional Institution

Oregon Department of Corrections

777 Stanton Blvd

Ontario, Oregon 97914

Description of proposed wells

They will be alluvial wells. 50' to 200'  
45' to 95' of casing and 5' to 10' screen

**SECTION 3: WELL DEVELOPMENT, CONTINUED**

*Supervised*

Source (aquifer), if known: ?

Total maximum rate requested: 100 gpm (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.

6-17554

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)
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, Limestone, etc	100		35
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, Limestone, etc	100		35
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, Limestone, etc	100		35
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, limestone, etc	100		35
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, Limestone, etc	100		35
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, Limestone, etc	100		35
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6"					Sand, gravel, Limestone, etc	100		35
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		See Attached	See attached						

\* 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.

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**Snake River Correctional Institution**

**Oregon Department of Corrections**

**777 Stanton Blvd**

**Ontario, Oregon 97914**

**Description of Proposed Wells**

**They will be alluvial wells. 50' to 100'  
45' to 95' of casing and 5' to 10' screen**

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**WATER RESOURCES DEPT  
SALEM, OREGON**

G-17554

**SECTION 4: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March to October	245

**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: 60 Acres                      Supplemental:        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: 242

- 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): 7.5 hp, Submersable

Other means (describe):       

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Drilled wells

**B. Application Method**

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

Pressurized in ground sprinkler system

**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.

**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:       

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SALEM, OREGON



Use(s): \_\_\_\_\_

Volume of Reservoir (acre-feet): NA 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): NA

USE OF STORED GROUND WATER	PERIOD OF USE

**SECTION 8: PROJECT SCHEDULE**

Date construction will begin: ?

Date construction will be completed: \_\_\_\_\_

Date beneficial water use will begin: \_\_\_\_\_

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**SECTION 9: REMARKS**

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

\_\_\_\_\_

*67-17554*

# 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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Last APR 16 2012

WATER RESOURCES DEPT  
SALEM, OREGON

Applicant: Snake River Correctional Institution

First

Mailing Address: 777 Stanton Blvd

Ontario

City

Ore

State

97914

Zip

Daytime Phone: 541-881-5401

### 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:
17 S	46 E	22	sw/ne			<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Well
17S	46E	22	sw/ne			<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Well
17S	46E	22	sw/ne			<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Well
						<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

### 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: 245  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:

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**

WATER RESOURCES DEPT  
SALEM, OREGON

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): MCC Title C
- 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
		<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: \_\_\_\_\_ Title: Jon D Beal, Planning Dir.  
 Signature: Jon D Beal Phone: 541-473-8185 Date: 4-2-12  
 Government Entity: \_\_\_\_\_

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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777 Stanton Blvd

Ontario, Oregon 97914

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**Well #1**

75 feet North and 450 feet East of S 1/4 corner of Section 22 in the SENE of Sec 22

**Well #2**

75 feet North and 10 feet East of S1/4 corner of Section 22 in the SENE of Sec 22

**Well # 3**

120 feet West and 465 feet North of S1/4 corner of Section 22 in the SWNE of Sec 22

**Well # 4**

120 feet West and 985 feet North of S1/4 corner of Section 22 in the SWNE of Sec 22

**Well #5**

120 feet West and 1125 feet North of S1/4 corner of Section 22 in the SWNE of Sec 22

**Well #6**

120 Feet West and 2025 feet North of S1/4 corner of Section 22 in the NWNE of Sec 22

**Well #7**

120 feet West and 2415 feet North of S1/4 corner of Section 22 in the NWNE of Sec 22

NOTE: REFERENCED CORNER

ACTUALLY FITS THE C-E-1/16

RATHER THAN THE S 1/4.

G-17554

KS 4-17-2012

## Jerry Sauter

---

**From:** Smith Mike R <Mike.R.Smith@doc.state.or.us>  
**Sent:** Tuesday, April 17, 2012 10:39 AM  
**To:** SAUTER Jerry K  
**Cc:** HRANAC Teri K  
**Subject:** RE: Application

Here you go. NW/SE: 4.5, SE/NE: 12, SW/NE: 1.5, SW/NW: 7, NW/NW: 10, NE/NE: 10, NW/NE: 15  
Thanks again for everything. Mike

---

**From:** Jerry Sauter [<mailto:jerry.k.sauter@state.or.us>]  
**Sent:** Tuesday, April 17, 2012 8:46 AM  
**To:** Smith Mike R  
**Cc:** HRANAC Teri K  
**Subject:** Application

Good Morning Mike,

Your application arrived yesterday and is with me. I do not have a check at this time, but I will check with fiscal when they open after 0800. The application looks pretty good, but I will need some clarification/work on the map. I think a phone call might be easier, so if you can call me I would appreciate it. We should be able to get this taken care of fairly easily.

Regards,  
Jerry

**J.K. Sauter**  
**Water Rights Program Analyst**  
**Water Right Services Division**  
725 Summer St. NE, Suite A  
Salem, Oregon 97301  
Ph. 503.986.0817  
Fax 503.986.0901

G-17554

ORIGINAL

WARRANTY DEED

JACK F. DUNCAN and JANET H. DUNCAN, husband and wife, and JOHN D. HANSEN and L. PATRICIA HANSEN, husband and wife, Grantors, convey unto the STATE OF OREGON, DEPARTMENT OF CORRECTIONS, Grantee, fee title to the following described property:

A Parcel of land in Malheur County, Oregon, as follows:

In Township 17 South, Range 46 East, W.M.:

Section 22: NE $\frac{1}{4}$   
Section 23: NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$  and all that portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$  lying North and West of the Owyhee North Main Canal right of way.

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SALEM, OREGON

Grantors hereby covenant to and with Grantee, its successors and assigns, that they are the owners of said property which is free from encumbrances, except for easements, conditions, and restrictions of record, and will warrant the same from all lawful claims whatsoever, except as stated herein, and as more particularly provided on Exhibit A to this deed made a part hereof by reference.

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.

The true and actual consideration received by Grantors for this conveyance is \$ 370,000.00.

Dated this 12 day of JUNE, 1990

Jack F. Duncan  
Jack F. Duncan

Janet H. Duncan  
Janet H. Duncan

John D. Hansen  
John D. Hansen

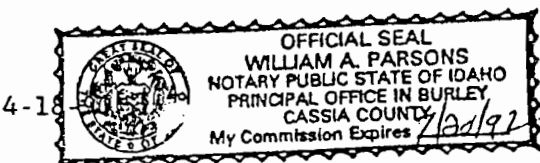
L. Patricia Hansen  
L. Patricia Hansen

STATE OF ~~OREGON~~ <sup>IDAHO</sup>, County of CASSIA

JUNE 12, 1990. Personally appeared the above named Jack F. Duncan and Janet H. Duncan, who acknowledged the foregoing instrument to be their voluntary act.

Before me:

William A. Parsons  
Notary Public for Oregon Idaho  
My Commission expires \_\_\_\_\_



1. The Grantors reserve an easement on, over, and across the South 10 feet of the described real estate for the purpose of installing, repairing, and maintaining a domestic water line.
2. The property is conveyed subject to the current taxes, levies and assessments.
3. The Grantors reserve all water rights on 100 acres of the conveyed lands with the express right to change the point of diversion and use at their expense.
4. The conveyed property is without rights in and to the existing irrigation water delivery system adjacent and contiguous to the property conveyed by Grantors to State of Oregon.
5. The conveyance is subject to the rights of the public in and to existing road rights of way.
6. Mineral rights on the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 23, Township 17 South, Range 46 E., W.M. are excepted and the conveyance is subject thereto.

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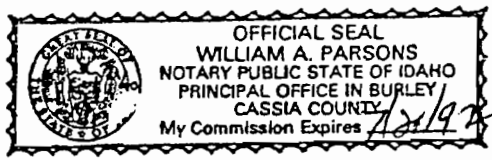
WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF Ore OREGON, County of Cassia

June 12, 1990. Personally appeared the above named John D. Hansen and L. Patricia Hansen, who acknowledged the foregoing instrument to be their voluntary act.

Before me:

William A. Parsons  
Notary Public for Oregon Ore  
My Commission expires \_\_\_\_\_



4-18-90  
Page 2 - WD  
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SALEM, OREGON



Inst. No. 10-241

RECORDING INFORMATION:

STATE OF OREGON )  
County of Multnomah ) SS

I certify that the within instrument of writing was received for record on the 12 day of June 1998 at 3:50 o'clock P.M.

INSTRUMENT 88 - 241  
PAGE 1 OF 4 PAGES

DEBORAH R. DeLONG

County Clerk

By: *[Signature]* Deputy.

First American Title #10414

Prepared by:

YTURRI, ROSE, BURNHAM, BENTZ & HELFRICH  
P.O. Box 5  
Ontario, OR 97914

After recording return to: Dave Ellis, 215 SW Washington St., Portland OR 97204

**SPECIAL WARRANTY DEED**

JACK F. DUNCAN and JANET H. DUNCAN, husband and wife, and JOHN D. HANSEN and L. PATRICIA HANSEN, husband and wife, Grantors, convey and specially warrant to STATE OF OREGON DEPARTMENT OF CORRECTIONS, Grantee, all of their right, title, and interest free of encumbrances created or suffered by the Grantors except as specifically set forth herein, arising from that certain reservation contained in the Warranty Deed between Grantors and Grantee dated June 12, 1990, reflected as Exception No. 3 in Exhibit A to said Deed covering the following described real property:

See Exhibit A attached hereto and by this reference incorporated herein.

**SUBJECT TO and TOGETHER WITH**

1. Any facts, rights, interest, 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.
2. Easements, encumbrances, or claims thereof, not shown by the public records, reservations or exceptions in patents or in acts authorizing the issuance thereof.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.

See Exhibit B attached hereto and by this reference incorporated herein.

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: \$50,000.

SPECIAL WARRANTY DEED - Page 1 of 4

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APR 16 2012

WATER RESOURCES DEPT  
SALEM, OREGON

Q-17554

Dated this 21st day of November, 1997.

Jack F. Duncan  
Jack F. Duncan

Janet H. Duncan  
Janet H. Duncan

John D. Hansen  
John D. Hansen

L. Patricia Hansen  
L. Patricia Hansen

State of Missouri )  
County of Missouri ) ss

The foregoing instrument was acknowledged before me this 21st day of November, 1997, by Jack F. Duncan and Janet H. Duncan.

Judy Carter  
Notary Public for Missouri  
My commission expires: July 9, 1999

State of Idaho )  
County of Carson ) ss

JUDY CARTER  
NOTARY PUBLIC STATE OF MISSOURI  
MISSOURI COUNTY  
MAY 21 1997

The foregoing instrument was acknowledged before me this 21st day of November, 1997, by John D. Hansen and L. Patricia Hansen.

E. Ruth Thrall  
Notary Public for Idaho  
My commission expires: \_\_\_\_\_

E. RUTH THRALL  
NOTARY PUBLIC  
STATE OF IDAHO

Residing at Burley, Idaho  
My Comm. expires December 31/1998

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WATER RESOURCES DEPT  
SALEM, OREGON

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P. 5

INSTRUMENT 98 - 241  
PAGE 3 OF 4 PAGES**Exhibit A**

A parcel of land in Malheur County, Oregon, as follows:

In Township 17 South, Range 46 East, W.M.:

Section 22: NE $\frac{1}{4}$ .

Section 23: NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and all that portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$  lying North and West of the Owyhee North Main Canal right of way.

Account No. 17828 Code No. 43 Map No. 1746 Tax Lot No. 4400 (Info only)

Account No. 18289 Code No. 12 Map No. 1746D Tax Lot 201 (subject land)

Account No. 18290 Code No. 15 Map No. 1746D Tax Lot 201 (subject land)

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SALEM, OREGON

SPECIAL WARRANTY DEED - Page 3 of 4

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P. 6

INSTRUMENT 98 - 241  
PAGE 4 OF 4 PAGES**Exhibit B**

4. An easement for power lines created by instrument, including the terms and provisions thereof recorded July 3, 1990, as Instrument No. 90-4288, official records of Malheur County, Oregon in favor of Idaho Power Company.

5. Ground Lease between State of Oregon, acting by and through its Department of General Services and United States National Bank of Oregon, recorded Oct. 24, 1990, Inst. No. 90-7754, official records.

6. Sublease between United States National Bank of Oregon and State of Oregon, acting by and through its Department of General Services, recorded Oct. 24, 1990, Inst. No. 90-7755, official records.

7. Right of way in favor of Cascade Natural Gas Corp. recorded Oct. 25, 1990, Inst. No. 90-8859, official records.

8. 1995 Series A Lease Between State of Oregon, acting by and through its Department of General Services and Norwest Bank Minnesota, N.A. recorded Jan. 10, 1996, Inst. No. 96-259, official records.

9. 1995 Series A Sublease between Norwest Bank Minnesota, N.A. and State of Oregon, acting by and through its Department of General Services, recorded Jan. 10, 1996, Inst. No. 96-260, official records.

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WATER RESOURCES DEPT  
SALEM, OREGON

SPECIAL WARRANTY DEED - Page 4 of 4

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