

# 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.wrds.state.or.us

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME <b>Dave Macomber</b>		PHONE (HM) <b>541 420-5075</b>	
PHONE (WK) <b>541-493-2413</b>	CELL <b>541-589-2312</b>	FAX	
ADDRESS <b>70643 Miller Cyn Rd</b>			
CITY <b>Riley</b>	STATE <b>OR</b>	ZIP <b>97758</b>	E-MAIL* <b>drymountain@hotmail.com</b>

### Organization Information

NAME <b>Macomber Ranch</b>		PHONE		FAX	
ADDRESS <b>70643 Miller Cyn Rd</b>				CELL <b>541-589-2312</b>	
CITY <b>Riley</b>	STATE <b>OR</b>	ZIP <b>97758</b>	E-MAIL* <b>drymountain@hotmail.com</b>		

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

AGENT / BUSINESS NAME <b>Golden Rule Farms Inc</b>		PHONE <b>541-576-2273</b>		FAX <b>541-576-2273</b>	
ADDRESS <b>PO Box 255</b>				CELL <b>541-480-9752</b>	
CITY <b>Christmas Valley</b>	STATE <b>OR</b>	ZIP <b>97641</b>	E-MAIL* <b>goldenrulefarms@gmail.com</b>		

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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By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- The 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.

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I (we) affirm that the information contained in this application is true and accurate.

*Dave Macomber*  
Applicant Signature

**Dave Macomber**  
Print Name and title if applicable

**6-14-12**  
Date

*D. Anne Macomber Smith*  
Applicant Signature

**D. Anne Macomber Smith**  
Print Name and title if applicable

**6-14-12**  
Date

For Department Use		
App. No. <b>G-17581</b>	Permit No. _____	Date _____

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**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).

Allan Smith and  
D. Anne Macomber-Smith  
71066 Miller Cyn Rd  
Riley OR 97758

David Macomber and  
M. Marie Macomber  
70643 Miller Cyn Rd.  
Riley OR 97758

**SECTION 3: WELL DEVELOPMENT**

continued on next page - Not enough Room

(Proposed)

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	Chickahominy Res	2 miles	
2			
3			
4			
5			
6			
7			

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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**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** *Continued from previous page*  
*(Proposed)*

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
8	Chickahominy Res.	2 mi	
9	↓	↓	
10			
11			
12	↓	↓	
13	↓	↓	

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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**SECTION 3: WELL DEVELOPMENT, CONTINUED**

Source (aquifer), if known: Alluvial / volcanics

Total maximum rate requested: 1,200 gals/min/well (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.

G-17581

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"/>	N/A	<input type="checkbox"/>	16"	N/A	N/A	min. 0-18'	N/A	Alluvial volcanics		15554.25	6221.85
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	↓	<input type="checkbox"/>	↓	↓	↓	↓	↓	↓		↓	↓
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	↓	<input type="checkbox"/>	↓	↓	↓	↓	↓	↓		↓	↓
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	↓	<input type="checkbox"/>	↓	↓	↓	↓	↓	↓		↓	↓
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	↓	<input type="checkbox"/>	↓	↓	↓	↓	↓	↓		↓	↓
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	↓	<input type="checkbox"/>	↓	↓	↓	↓	↓	↓		↓	↓
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	↓	<input type="checkbox"/>	↓	↓	↓	↓	↓	↓		↓	↓
8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	↓	<input type="checkbox"/>	↓	↓	↓	↓	↓	↓		↓	↓

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

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**SECTION 3: WELL DEVELOPMENT, CONTINUED**

Source (aquifer), if known: Alluvial / Volcanics

Total maximum rate requested: 1200 gals/min/well (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.

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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)
9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	16"	N/A	N/A	min 0-18'	N/A	Alluvial Volcanics		15559.625	6221.85
10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	↓	<input type="checkbox"/>	↓	↓	↓	↓	↓	↓		↓	↓
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	↓	<input type="checkbox"/>	↓	↓	↓	↓	↓	↓		↓	↓
12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	↓	<input type="checkbox"/>	↓	↓	↓	↓	↓	↓		↓	↓
13	<input checked="" 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"/>									

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

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**SECTION 4: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 <sup>st</sup> - October 31 <sup>st</sup>	6221.85

**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: 2073.95 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: \_\_\_\_\_

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

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**SECTION 5: WATER MANAGEMENT**

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**A. Diversion and Conveyance**

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

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Pump (give horsepower and type): 50-150 hp Turbine

Other means (describe): \_\_\_\_\_

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

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**B. Application Method**

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

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low-pressure center pivot

**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 chose a low-pressure center pivot because for me it is the most cost-effective and manageable means to do an efficient job for this operation.

**SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR** N/A

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): \_\_\_\_\_

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

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

**SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR** N/A

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
N/A	

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**SECTION 8: PROJECT SCHEDULE**

Date construction will begin: AS SOON AS PERMIT IS ISSUED

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

Date beneficial water use will begin: JUNE 2018

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**SECTION 9: WITHIN A DISTRICT** N/A

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 N/A	Address	
City	State	Zip

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**SECTION 10: REMARKS**

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

Rate of water requested is necessary  
For peak crop production.

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**SALEM, OR**



# 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.

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## NOTE TO LOCAL GOVERNMENTS

SALEM, OR

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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# 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: David Macomber  
First Last

Mailing Address: 70643 Miller Cyn Rd

Riley OR 97758 Daytime Phone: 541-589-2312  
City State Zip

### A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
23S	26E	1				<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>As Irrigation</u>
23S	26E	2				<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
23S	26E	11				<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
23S	26E	12				<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Harney County; Riley, Oregon

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### B. Description of Proposed Use

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

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- 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:

**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): 3,010 - EFRU-1
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<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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**AUG 31 2012**

**SALEM, OR**

Name: Brandon McMullen Title: Planning Director  
 Signature: [Signature] Phone: (541) 573-6655 Date: 6/18/2012  
 Government Entity: Haney County 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: \_\_\_\_\_

**RECEIVED BY OWRD**

Date \_\_\_\_\_

(For staff use only)



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

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- SECTION 1: \_\_\_\_\_
- SECTION 2: \_\_\_\_\_
- SECTION 3: \_\_\_\_\_
- SECTION 4: \_\_\_\_\_
- SECTION 5: \_\_\_\_\_
- SECTION 6: \_\_\_\_\_
- SECTION 7: \_\_\_\_\_
- SECTION 8: \_\_\_\_\_
- SECTION 9: \_\_\_\_\_
- SECTION 10: \_\_\_\_\_

Land Use Information Form \_\_\_\_\_

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.

Fees \_\_\_\_\_

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**MAP**

- 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:

John B Lamborn  
Attorney at Law, PC  
191 West A Street  
Burns, OR 97720

HARNEY COUNTY, OR 2012-0678  
DEEDBSD 05/31/2012 02:27 PM  
Crt=1 Pgs=2 Total:\$41.00



I, Maria Iturriga, County Clerk for Harney County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.  
Maria Iturriga, CCC, Harney County Clerk

Until a change is requested, send tax Statements to: No change

**BARGAIN AND SALE DEED**

MILDRED MARIE MACOMBER, NKA MILDRED MARIE MACOMBER-O'BRIEN, 66448 Silver Creek Road, Riley, Oregon, TRUSTEE of the MILDRED MARIE MACOMBER REVOCABLE LIVING TRUST, dated October 11, 2005, as amended on June 14, 2006, Grantor, conveys to DAVID A MACOMBER, 70643 Miller Canyon Road, Riley, Oregon, as to an undivided fifty percent [50%], MILDRED MARIE MACOMBER-O'BRIEN, 66448 Silver Creek Road, Riley, Oregon, as to an undivided twenty-five [25%] percent and D ANNE MACOMBER-SMITH, 71066 Miller Canyon road, Riley, Oregon, as to an undivided twenty-five percent [25%], Grantees, the real property situated in Harney County, State of Oregon, more particularly described on exhibit A attached hereto and by this reference incorporated herein.

The true consideration for this conveyance is other value given or promised.

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.

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MILDRED MARIE MACOMBER REVOCABLE LIVING TRUST:

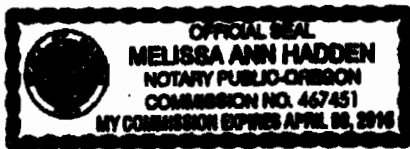
*Mildred Marie Macomber O'Brien* Dated: 5-31-12  
Mildred Marie Macomber-O'Brien T/EE

AUG 31 2012

SALEM, OR

STATE OF OREGON, County of Harney ) ss.

BEFORE ME, on the 31<sup>st</sup> day of May, 2012, personally appeared the above-named Mildred Marie Macomber-O'Brien, Trustee of the Mildred Marie Macomber Revocable Living Trust dated October 11, 2005, and in her authorized capacity acknowledged the foregoing instrument to be her voluntary act and deed.



*Melissa Ann Hadden*  
Notary Public for Oregon  
My Commission Expires: 4/9/14

400  
lel

23260019

RA50 PP 0009125 2,3

EXHIBIT A

Land in Harney County, Oregon, as follows:

Parcel 1: T 23 S., R 26 E., W.M. TL2100 [596.37 acres] TL 2200 [40 acres]  
Land in Harney County, Oregon, as follows:  
In Township 23 S., Range 26 E., W.M.  
Section 12: ALL

Parcel 2: T23 S., R 26 E., W.M. TL400[160 acres]  
Land in Harney County, Oregon, as follows:  
In Township 23 S., Range 26 E., W.M.  
Section 2: SE $\frac{1}{4}$

Parcel 3: T 23 S. R 26 E., W.M. TL101[317.58 acres]  
Land in Harney County, Oregon, as follows:  
In Township 23 S., Range 26 E., W.M.  
Section 1: Parcel 2 of Partition Plat # 00-09-125, said plat was recorded in the Harney County Plat Records on September 25, 2000.

Parcel 4: T 23 S., R 26 E., W.M. TL102[641.20 acres]  
Land in Harney County, Oregon, as follows:  
In Township 23 S., Range 26 E., W.M.  
Section 11: Parcel 3 of Partition Plat # 00-09-125, said plat was recorded in the Harney County Plat Records on September 25, 2000.



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Excepting therefrom easements, reservations and rights of way, of record.

EA50 ✓

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SALEM, OR

SEP 29 2000

20001990

RECORDING REQUESTED BY )  
 AND WHEN RECORDED MAIL TO )  
 Allan & Anne Smith )  
 HC 74 Box 21 )  
 Riley, Oregon 97758 )  
 Consideration: \$1.00  
 Property Transfer Tax: \$  
 Assessor's Parcel No:

STATE OF OREGON  
 County of Harney  
 I certify that the within instrument was received  
 for record on the 29th day of September  
 2000 at 1:00 P.M. and  
 recorded with file number 20001990  
 in the records of said County.  
 By: *Maia [Signature]* Deputy

**QUIT-CLAIM DEED**

MILDRED MARIE MACOMBER, an unmarried person, as Grantor(s), for the consideration of One Dollars (\$1.00), hereby remises, releases and forever quitclaims to D. ANNE MACOMBER-SMITH, a married person, and ALLAN DAVID SMITH, a married person, as Grantee, AS JOINT TENANTS, the real property located in the County of Harney, State of Oregon, commonly known as 5 miles North of Suntex on Dick Miller Canyon Road, and more specifically described as set forth in EXHIBIT "A" to this Quit-Claim Deed, which is attached hereto and incorporated herein by reference.

On this 29 day of Sept, 2000, in the County of Harney, State of Oregon, I/we herewith sign this Quit-Claim Deed.

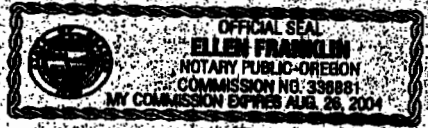
*Mildred Marie Macomber*  
 Mildred Marie Macomber

State of Oregon )  
 ) ss  
 County of Harney )

On this the 29 day of September, 2000, before me, the undersigned, a notary public in and for said County and State, personally appeared Mildred Marie Macomber, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

*Ellen Franklin*  
 Signature of Notary



G-17581

SEP 29 2000

INSTRUMENT # 20001990

**EXHIBIT A: Property Description**

That portion of Section 1, T 23 S, R 26 E, WM, Harney Co, Oregon known as Parcel 1 of Partition Plat No. 00-09-125 as filed with the office of the Harney County Clerk on September 25, 2000. Instrument no. 20001933.

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AUG 31 2012

SALEM, OR

G-17581