

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

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Water-Use Permit Application Processing

AUG 29 2012

1. Completeness Determination

SALEM, OR

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$300.00 for the applicant and \$600.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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G-17 583

SEP 06 2012

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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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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: ~~\$2150.00~~
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:

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- ☒ 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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SALEM, OR

G-17583

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 RICHARD RANEY		541-589-0427	
PHONE (WK)	CELL	FAX	
ADDRESS 67337 SILVER CREEK RD			
CITY RILEY	STATE OR	ZIP 97760	E-MAIL*

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Organization Information

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

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

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

Note: Attach multiple copies as needed

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

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By my signature below I confirm that I understand:

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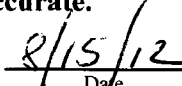
- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before 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.

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


Applicant Signature


Print Name and title if applicable


Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use

App. No. G-17583

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*).

Richard Raney, 67337 Silver Creek Rd, Riley, OR 97758

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN I MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Well #1	Silver Creek		

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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G-17583

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Miller Creek Basin

Total maximum rate requested: 2.4 CFS (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-17585

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)
Well	☐	☒	HARN 260	☐	16"	#2' to +- 193'	-170' to - 192'	UNK	165'	Gravel	407'	1500	575

* 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 - October	57.5

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: 191.4 Acres Supplemental: Acres

List the Permit or Certificate number of the underlying primary water right(s): 60960

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 57.5

- 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

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A. Diversion and Conveyance

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

SEP 06 2012

☒ Pump (give horsepower and type): Goulds, 60 hp

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☐ Other means (describe): _____

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

B. Application Method

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

Pivot Low pressure head on center pivot with end gun

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.

Low pressure sprinkler heads will reduce erosion & waste runoff from application.

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: _____ Acreage inundated by reservoir: _____

Use(s): _____

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

AUG 29 2012

SALEM, OR

G-17583

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

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

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

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: 3/2013

Date construction will be completed: 3/2018

Date beneficial water use will begin: 3/2019

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SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

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G-17583

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

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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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AUG 29 2012

61-17583

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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: Richard Raney
First Last

Mailing Address: 67337 Silver Creek Rd

Riley OR 97758 Daytime Phone: 541-589-0427
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	27E	7	NW NE	200	EFU	☐ Diverted	☐ Conveyed	☒ Used	EFU
23S	27E	7	SW NE	200	EFU	☐ Diverted	☐ Conveyed	☒ Used	EFU
23S	27E	7	NE NW	200	EFU	☐ Diverted	X Conveyed	☒ Used	EFU
23S	27E	7	NW NW	200	EFU	☐ Diverted	☐ Conveyed	☒ Used	EFU
23S	27E	7	SW NW	200	EFU	☐ Diverted	☐ Conveyed	☒ Used	EFU
23S	27E	7	SE NW	200	EFU	☒ Diverted	☒ Conveyed	☒ Used	EFU
23S	27E	7	NE SW	200	EFU	☐ Diverted	☒ Conveyed	☒ Used	EFU
23S	27E	7	NW SW	200	EFU	☐ Diverted	☒ Conveyed	☒ Used	EFU
23S	27E	7	SW SW	200	EFU	☐ Diverted	☒ Conveyed	☒ Used	EFU
23S	27E	7	SE SW	200	EFU	☐ Diverted	☐ Conveyed	☒ Used	EFU

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

Riley, Harney County

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B. Description of Proposed Use

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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) _____

Revised 3/4/2010

Ground Water/9

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G-17583

Estimated quantity of water needed: 2.4

☒ 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:

Water is to be diverted from a well to two center pivot sprinklers for irrigating hay.

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

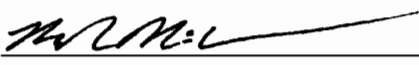
- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): HCZO 3.010.
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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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Name: Brandon McMullen Title: Planning Director

Signature:  Phone: 541-573-6655 Date: 7/19/2012

Government Entity: Harney County Planning Department

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: _____

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2012

NOT OFFICIAL VALUE

June 11, 2012 8:48:48 am

Account # 16172 Tax Status ASSESSABLE
Map # 23S27E00-00-00200 Acct Status ACTIVE
Code - Tax # 1020-16172 Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name RANEY, RICHARD Deed Reference # See Record
Agent RANEY, RICHARD LEE & DEBRA Sales Date/Price See Record
In Care Of Appraiser AARON SCHEEN

Mailing Address 67337 SILVER CREEK RD
RILEY, OR 97758

Prop Class 551 MA SA NH Unit
RMV Class 551 03 00 102 5086-1

Situs Address(s) Situs City

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
1020 Land		1,260,184		Land	0
Impr.		85,160		Impr.	0
Code Area Total	137,732	1,345,344	587,848		0
Grand Total	137,732	1,345,344	587,848		0

Code Area	ID#	RFD	Ex	Plan Zone	Land Breakdown				Size	Land Class	LUC	Trended RMV
					Value Source	TD%	LS					
1020	1	R		EFRU-1	Farm Use Zoned	100	A	203.00	2	006*	840,600	
1020	2	R		EFRU-1	Farm Use Zoned	100	A	248.00	5	006*	87,560	
1020	3	R		EFRU-1	Farm Use Zoned	100	A	281.00	6	006*	65,630	
1020	4	R		EFRU-1	Farm Use Zoned	100	A	468.54	7A	006*	73,800	
1020	5	R		EFRU-1	Farm Use Zoned	100	A	1,520.00	7B	006*	156,860	
1020	9	R		EFRU-1	Farm Use Zoned	100	A	1.00	HS	006*	4,710	
1020	8	R		EFRU-1	Farm Use Zoned	100	A	0.00	IW	006*	10,860	
1020	7	R		EFRU-1	Farm Use Zoned	100	A	0.00	SW	006*	10,860	
1020	6	R		EFRU-1	Market	100	A	2.00	GRP	*	9,300	
Grand Total								2,723.54			1,260,180	

Improvement Breakdown										
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #		Trended RMV
1020	1		300	Farm Bldg	100	288				24,460
1020	2		353	Grain Bin	100	0				1,430
1020	3		390	Misc Farm Bldg	100	0				4,750
1020	4		390	Misc Farm Bldg	100	0				7,130
1020	5		304	GP Building	100	5,376				46,440
1020	6		390	Misc Farm Bldg	100	0				950
Grand Total						5,664				85,160

Code Area		Exemptions/Special Assessments/Potential Liability								
Type										
1020		NOTATION(S):								
		■ OTHER POT'L ADD'L TAX LIABILITY								
		EFU IMPROV								

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G-17583

20062062

MEMORANDUM OF LAND SALE CONTRACT

On the 27 day of Sept. 2006, RICHARD O. RANEY, aka RICHARD RANEY and PATRICIA ANN RANEY, aka PAT RANEY, husband and wife, as "Seller", and Richard Lee Raney and Debra Raney, as "Purchaser", made and entered into a certain land sale contract, wherein the Seller agreed to sell to the Purchaser and the latter agreed to purchase from the Seller the fee simple title in and to real property in Harney County, State of Oregon, and more particularly described in Exhibit "A" attached hereto.

The true and actual consideration for the transfer, set forth in the contract, is \$1,970,000 payable in annual installments beginning January 2, 2007.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

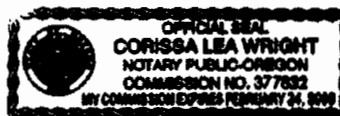
Note: The foregoing memorandum "shall be recorded by the conveyor not later than 15 days after the instrument is executed and the parties are bound thereby." ORS 93.635.

In Witness Whereof Seller has executed this memorandum on 9-27-2006.

Richard O. Raney
RICHARD O. RANEY, aka RICHARD RANEY

Patricia Ann Raney
PATRICIA ANN RANEY, aka PAT RANEY

STATE OF OREGON)
) ss.
County of Harney)



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SEP 06 2012

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Personally appeared the above named RICHARD O. RANEY, aka RICHARD RANEY and PATRICIA ANN RANEY, aka PAT RANEY and acknowledged the foregoing instrument to be their voluntary act and deed before me this 27th day of September, 2006.

Corissa Lea Wright
Notary Public for Oregon
My Commission Expires: 2-24-09

AFTER RECORDING RETURN TO:

SEND ALL TAX STATEMENTS TO:

Amerititle
111 W. Washington
Burns, OR 97720

Richard Lee & Debra Raney
67337 Silver Creek Road
Riley, OR 97758

Page 1- MEMORANDUM OF CONTRACT OF SALE

STATE OF OREGON)
County of Harney)
I certify that the within instrument was received
for record on the 27th day of September
2006 at 2:55 o'clock P.M. and
recorded microfilm number 20062062
Records of said County.
Marilyn Hurling, County Clerk
Marilyn Hurling

G-17583

RA 8
RA 59
RA 117
RA 198
800/62

232700 12

1100/60
2325008

400/62

2006 2062

EXHIBIT "A"

RICHARD RANEY and PAT RANEY

Land in Harney County, Oregon, as follows:

In Twp. 23 S., R. 27 E., W.M.:
Sec. 18: NE $\frac{1}{4}$ NW $\frac{1}{4}$.

RICHARD O. RANEY and PATRICIA ANN RANEY, as tenants by the entirety

Land in Harney County, Oregon, as follows:

In Twp. 23 S., R. 25 E., W.M.:
Sec. 17: N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
Sec. 18: SE $\frac{1}{4}$ NE $\frac{1}{4}$.

In Twp. 23 S., R. 26 E., W.M.:

Sec. 13: All, SAVE & EXCEPT county road right of way as disclosed by deed recorded July 31, 1947, in Book 47, Page 411, Deed Records. ALSO, EXCEPTING THEREFROM a parcel of land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ which is described as follows:

Beginning at the intersection of the South line of said Sec. 13, and the West boundary line of the North-South county road, said point being N. 89°59' W. 40 feet from the Southeast corner of said Sec. 13;
thence North, parallel to and a constant distance of 40 feet from the East line of said Sec. 13 and along the West boundary line of said county road, 208.7 feet;
thence N. 89°59' W. 208.7 feet;
thence South, parallel to the East line of said Sec. 13 and said county road, 208.7 feet to the South line of said Sec. 13;
thence S. 89°59' E. along the South line of said Sec. 13, 208.7 feet to the point of beginning.

Sec. 23: NE $\frac{1}{4}$.

Sec. 24: E $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM that portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ conveyed to Burns Cash Store, a corporation composed of Alonzo K. Richardson and Joseph R. Thompson, by deed dated March 11, 1919, recorded November 25, 1922, in Book 30, Page 333, Deed Records.

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In Twp. 23 S., R. 27 E., W.M.:

Sec. 7: S $\frac{1}{4}$ SE $\frac{1}{4}$.
Sec. 18: N $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

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The following tract of land situated in Sections 18, 19, 20, 21 and 29, in Twp. 23 S., R. 27 E., W.M., Harney County, Oregon, more particularly described as follows: SALEM, OR

2006 2062

Beginning at the Southeast corner of Sec. 21, thence S. 89°45'35" W. along a fence line and the South boundary of Sec. 21, 4472.99 feet, thence N. 61°34'39" W. along a fence line 1143.04 feet, thence S. 57°07'07" W. along a fence line 227.75 feet, thence N. 67°35'51" W. along a fence line 472.57 feet, thence S. 23°04'15" W. along a fence line 1162.01 feet, thence S. 12°32'06" W. along a fence line 320.06 feet to the Northeasterly right of way line of Oakerman Lane, thence N. 67°15'38" W. along a fence line 1693.91 feet, thence N. 67°02'15" W. along a fence line 1948.66 feet, thence N. 08°50'04" W. along a fence line 354.79 feet, thence N. 42°23'55" W. along a fence line 483.76 feet, thence N. 17°59'48" E. along a fence line 553.30 feet to the base of a rim rock, thence N. 18°39'05" W. along the base of the rim rock 263.66 feet, thence N. 50°25'05" W. along the base of the rim rock 759.58 feet, thence N. 22°28'36" W. along the base of the rim rock 218.77 feet to a fence line, thence S. 78°54'37" W. along a fence line 1279.43 feet, thence N. 58°20'02" W. along a fence line 1836 feet, more or less, to the North South center line of Sec. 19, thence Northerly along the center line of Sec. 19, 1970 feet, more or less, to the North boundary of Sec. 19, thence Easterly along the North boundaries of Sections 19, 20 and 21, 13,200 feet, more or less, to the Northeast corner of Sec. 21, thence Southerly along the East boundary of Sec. 21, 5280 feet, more or less, to the Southeast corner of Sec. 21.

RICHARD RANEY

Land in Harney County, Oregon, as follows:

In Twp. 23 S., R. 26 E., W.M.:

Sec. 14: SW¼, S½SE¼, EXCEPTING THEREFROM all that portion of the N½SW¼ which is described as follows:

Beginning at the West one-quarter corner of said Sec. 14;

thence East, along the mid-section line, 957.45 feet to an intersection with the South boundary of the Silver Creek County Road, said point being the True Point of Beginning;

thence S. 08°03'45" W. 41.9 feet;

thence S. 45°06'15" E. 840.1 feet;

thence S. 87°40'15" E. 457.2 feet;

thence S. 07°02'30" E. 57.8 feet;

thence S. 63°14'45" E. 796.1 feet;

thence N. 03°19'45" W. 438.1 feet;

thence N. 89°22'45" W. 105.6 feet;

thence N. 03°08'45" W. 569.6 feet, to the South boundary of the Silver Creek County Road;

thence Westerly, along said road boundary, along a tangent and along an arc of a curve 1605 feet, more or less, (the long chord bears N. 87°48' W. 1602.30 feet, more or less) to the True Point of Beginning.

ALSO, SAVE & EXCEPT a tract of land situated within the SE¼ of said Section 14, more particularly described as follows:

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SALEM, OR

2006 2062

Beginning at a point on the North-South center line of Sec. 14, said point bearing S. 00°49'04" E. 35.00 feet from the center one-quarter corner of Sec. 14;
thence S. 00°49'04" E. along the North-South center line of Sec. 14, 859.47 feet;
thence N. 87°03'26" W. 48.19 feet to the Easterly boundary of the Moody property as recorded in Instrument No. 870598, Harney County, Deed Records;
thence along the boundary of the Moody property the following courses and distance;
N. 02°34'32" W. 282.00 feet, N. 88°30'49" W. 105.60 feet, N. 02°40'09" W. 569.62 feet to the southern boundary of the Silver Creek County Road and the Northeast corner of the Moody property;
thence N. 89°04'08" E. 105.48 feet;
thence N. 88°40'36" E., 75.17 feet to the point of beginning.

Sec. 15: All that portion of said Sec. 15 lying Southwest of the Silver Creek Road, as said road existed and was located on March 1, 1978, EXCEPTING THEREFROM that portion which is described as follows:

Beginning at the section corner common to Sections 9, 10, 15 and 16 of said Township and Range;
thence South, along the section line, 100 feet, more or less, to the South right of way boundary of said Silver Creek Road, which is the True Point of Beginning;
thence continuing South, along said section line, 450 feet;
thence N. 45°52' E. 376.5 feet, more or less, to the South boundary of said road;
thence N. 64°41' W. along said South boundary, 180.5 feet;
thence N. 44°02' W. along said South boundary, 154 feet, more or less, to the True Point of Beginning.

Sec. 24: E½NW¼, W½NW¼NE¼.

In Twp. 23 S., R. 27 E., W.M.:

Sec. 5: Lots 1, 2, 3 and 4, S½N½, S½.

Sec. 7: Lots 1, 2, 3 and 4, E½W½, NE¼, N½SE¼.

Sec. 9: All.

Sec. 17: N½, SE¼, SW¼.

Sec. 18: Lots 1, 2, 3 and 4, SW¼NE¼, SE¼NW¼, E½SW¼, W½SE¼, SE¼SE¼.

Sec. 19: Lots 1, 2, 3 and 4, E½W½, EXCEPTING THEREFROM the NW¼NW¼ of Lot 2.

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Exhibit "A" - Pg 3

G-17583

THIS SPACE RESERVED FOR RECORDER'S USE

20100176

248
After recording return to:
MD BUTTE INVESTMENTS, LLC.
P.O. BOX 4
RILEY, OR 97758

Until a change is requested all tax statements
shall be sent to the following address:

MD BUTTE INVESTMENTS, LLC.
P.O. BOX 4
RILEY, OR 97758

Escrow No. BU0019581

Title No. 0019581

SWT 4 012911

STATE OF OREGON
County of Harney

I certify that the instrument identified herein was
recorded on the 10th day of February, 2010, at 4:15 P.M. in the
County Clerk's Records of Harney County, Oregon.
Marie Lucifora, County Clerk

By: [Signature] Depury

STATUTORY WARRANTY DEED

RICHARD LEE RANEY, DEBRA RANEY, as tenants by the entirety, Grantor(s) hereby convey
and warrant to MD BUTTE INVESTMENTS, LLC., Grantee(s) the following described real property
in the County of HARNEY and State of Oregon free of encumbrances except as specifically set forth
herein:

Land in Harney County, Oregon, as follows:

In Twp. 23 S., R. 27 E., W.M.:

Sec. 19: Lots 2, 3 and 4, E1/2W1/2, SAVE & EXCEPT that portion lying Northerly of
the Riley Market Lane and that portion of the NW1/4NW1/4 of Lot 2, lying
Southerly of Riley Market Lane.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

CODE # 10-2 ACCT. # 16177 MAP# 23S 27E TL 900

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and
those shown below, if any:

The true and actual consideration for this conveyance is \$190,000.00.

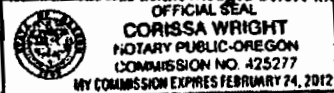
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD
INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND
SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855,
OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS
INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR
ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK
WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF
LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010
OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON
LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE
ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND
195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND
17, CHAPTER 855, OREGON LAWS 2009.

Dated this 10 day of February, 2010

[Signature] RICHARD LEE RANEY
[Signature] DEBRA RANEY

State of Oregon
County of HARNEY

This instrument was acknowledged before me on Feb 10, 2010 by RICHARD LEE RANEY and DEBRA RANEY.



[Signature] Corissa Wright
(Notary Public for Oregon)

My commission expires Feb 24, 2012

G-17583

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