

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

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: \$ _____
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

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

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

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SALEM, OR

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 Golden Rule Farms, Inc.		PHONE (HM) n/a
PHONE (WK) 541-576-2273	CELL 541-480-9752	FAX 541-576-2273
ADDRESS Po Box 255		
CITY Christmas Valley	STATE OR	ZIP 97611
E-MAIL* goldenrulefarms@gmail.com		

Organization Information

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

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

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

Note: Attach multiple copies as needed

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

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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.

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


Applicant Signature

Timothy Puckett - President **10-24-12**
Print Name and title if applicable Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. G1-7592	Permit No. _____	Date _____
Revised 3/4/2010 Ground Water/3 WR		

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*).

Timothy Puckett
 PO Box 255
 Christmas Valley, OR 97641

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
6	Malheur Lake		
7	Malheur Lake		
8	Malheur Lake		
9 North	Malheur Lake		
9 South	Malheur Lake		
10	Malheur Lake		
11	Malheur Lake		

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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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
12	Malheur Lake		
13	Malheur Lake		
14	Malheur Lake		
15	Malheur Lake		
16	Malheur Lake		
17	Malheur Lake		
18	Malheur Lake		
19	Malheur Lake		
20	Malheur Lake		
21	Malheur Lake		
22	Malheur Lake		
23	Malheur Lake		
24	Malheur Lake		
25	Malheur Lake	3,170'	8'
26	Malheur Lake	3,700'	5'
27	Malheur Lake		
28	Malheur Lake	3,520'	10'
29	Malheur Lake		
30	Malheur Lake	4,930'	7'
31	Malheur Lake	4,900'	13'
32	Malheur Lake	4,580'	8'
33	Malheur Lake	3,170'	7'
34	Malheur Lake		

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Alluvial/Volcanics

Total maximum rate requested: 1,200 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)
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	477.87
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	234.75
8	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	428.73
9 North	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	733.74
9 South	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	375.12
10	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	120.0
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	600.0
12	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	480.0

26571-D

* 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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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)
13	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	360.0
14	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	120.0
15	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	480.0
16	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	360.0
17	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	336.78
18	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	883.47
19	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	118.05
20	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	1440.0
21	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	60.0
22	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	240.0
23	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	237.27
24	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	476.13
25	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	480.0
26	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	360.0
27	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	120.0
28	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	480.0

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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)
29	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	480.0
30	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	480.0
31	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	360.0
32	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	480.0
33	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	356.67
34	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"	n/a	n/a	0-18'	n/a	Alluvial Volcanics		1,200	419.13

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 st – October 31 st	12,577.71

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: 4,192.57 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: _____
 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): 50-150hp turbine
- 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)
Low-pressure center pivots

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 it is the most cost-effective & manageable means to efficiently irrigate this operation.

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*).

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Reservoir name: _____ Acreage inundated by reservoir: _____

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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

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: March 2013

Date construction will be completed: May 2013

Date beneficial water use will begin: March 2018

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).

Rate of water requested is necessary for peak crop production.

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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: Timothy Puckett
First Last
Golden Rule Farms, Inc.
 Mailing Address: PO Box 255

Christmas Valley OR 97641 Daytime Phone: 541-480-9752
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:
26S	32E	23, 24 26, 34 35				<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Ag Irrigation
27S	32E	2, 3, 5, 6, 8, 9, 10, 11				<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Ag Irrigation
27S	31E	1				<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Ag/Irrig
27S	34E	6, 7, 8, 17, 18, 19 20				<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Ag Irrigation

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

Harney County; Princeton, Oregon

B. Description of Proposed Use

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

- Permit to Use or Store Water Water Right Transfer Permit Amendment or Ground Water Registration Modification
 Limited Water Use License Allocation of Conserved Water Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: _____ cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

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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): *EF24-2/3 AGO. 3020*
- 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: Brandon McMillan Title: Planning Director
 Signature: [Handwritten Signature] Phone: (541) 573-6655 Date: 10/25/12
 Government Entity: Harney 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: _____ Date: _____

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Chicago Title Insurance Company

6/17/06

POLICY NO.: OR2009-47-0020554-2012.73306-86611629

OWNER'S POLICY OF TITLE INSURANCE

Issued by

Chicago Title Insurance Company

Any notice of claim and any other notice or statement in writing required to be given the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, CHICAGO TITLE INSURANCE COMPANY, a Nebraska corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protection
 if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

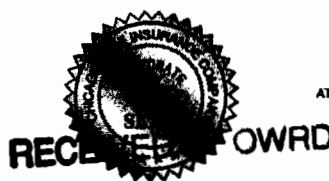
The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

IN WITNESS WHEREOF, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers.

Countersigned: Stan Falley
Authorized Signatory
Stan Falley

CHICAGO TITLE INSURANCE COMPANY

By:



Alma M. Fair
ATTEST
President
[Signature]
Secretary

OR2009 0020554
AmeriTitle
111 West Washington Street
Burns, OR 97720
Tel: (541) 573-2039
Fax: (541) 573-5844
72306 (6/06)

GI-17592

OCT 26 2012

ALTA Owner's Policy (6/17/06)

SALEM, OR

SCHEDULE A

AMERITITLE
111 W. WASHINGTON
BURNS OR. 97720

File No.: 0020554-800/111
Policy No.: 73306-76611629

Amount of Insurance: \$3,400,000.00
Premium: \$5,700.00
Date of Policy: JULY 3, 2012 AT 3:30 P.M.

1. Name of Insured:

GOLDEN RULE FARMS, LLC, an Oregon corporation

2. The estate or interest in the Land that is insured by this policy is:

A FEE

3. Title is vested in:

4. The Land referred to in the Policy is described as follows:

FRED H. BRIGGS

Land in Harney County, Oregon, as follows:

In Twp. 26 S., R. 32 E., W.M.: (South of Malheur Lake)
Sec. 24: NE¼.

In Twp. 27 S., R. 32 E., W.M.:

Sec. 3: Government Lots 2 and 3, SW¼NE¼, NW¼SE¼, EXCEPTING THEREFROM road right of way over Lots 2 and 3 conveyed to Harney County, Oregon, by deed recorded August 6, 1958, in Book 65, Page 272, Deed records.

Sec. 5: S½SE¼.

Sec. 6: SW¼NE¼, E½SW¼, SE¼NW¼, Lots 6 and 7, E½SE¼, EXCEPTING THEREFROM Beginning at the Southeast corner of said Sec. 6; thence N. 00°12'58" W. along the East boundary of Sec. 6, 1371.00 feet; thence N. 89°39'50" W. 1323.69 feet to the West boundary of the E½SE¼ of Sec. 6; thence S. 00°09'59" E. along the West boundary of the E½SE¼ of Sec. 6, 1370.99 feet to the South boundary of Sec. 6; thence S. 89°39'50" E. along the South boundary of Sec. 6, 1324.88 feet, to the point of beginning.

Sec. 8: NE¼NE¼.

Sec. 9: NW¼NW¼.

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Schedule B

G-17592

CHICAGO TITLE
INSURANCE COMPANY OF OREGON

In Twp. 27 S., R. 34 E., W.M.:

Sec. 8: All that portion of the SE $\frac{1}{4}$ lying Westerly of the Anderson Valley County Road right of way.

FRED H. BRIGGS, as to an undivided one-half interest and FRED H. BRIGGS and DONNA M. NICHOLL, Co-Trustees of the Betty R. Briggs Testamentary Trust U/T/D 1/18/08, as to an undivided one-half interest

Land in Harney County, Oregon, as follows:

In Twp. 26 S., R. 32 E., W.M.: (South of Lake)

Sec. 14: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Sec. 23: Lots 1, 2, 3, 5, 6 and 8, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Sec. 24: N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Sec. 26: NE $\frac{1}{4}$, SW $\frac{1}{4}$.

Sec. 27: Lot 4.

Sec. 31: Lots 1, 2, 3, 4, 10, 11, 12 and 13, SAVE & EXCEPT road right of way.

Sec. 32: Lots 1, know known as Lot 8, and 2, SAVE & EXCEPT road right of way.

Sec. 33: Lots 1, 2, 3, 4, 5, 7, 8, 11 and 13, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Sec. 34: Lots 1, 2, 3 and 4, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$. EXCEPTING THEREFROM county road right of way as reserved in deed recorded February 20, 1947, in Book 45, Page 280, Deed Records.

Sec. 35: W $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM county road right of way as reserved in deed recorded February 20, 1947, in Book 45, Page 280, Deed Records.

In Twp. 27 S., R. 31 E., W.M.:

Sec. 1: Beginning at the Southeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence North 208 feet; thence West 208 feet; thence South 208 feet; thence East 208 feet to the point of beginning.

Lots 1 and 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SAVE & EXCEPT road right of way.

In Twp. 27 S., R. 32 E., W.M.:

Sec. 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Sec. 3: Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 4: Lots 2, 3, 4, 5, 6, 7 and 8, S $\frac{1}{2}$ NW $\frac{1}{4}$, SAVE & EXCEPT that portion conveyed to Harney County, Oregon, by deed recorded August 6, 1958, in Book 65, Page 274, Deed Records.

Sec. 5: Lots 1, 3, 4, 5, 9 and 10, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, SAVE & EXCEPT that portion conveyed to Harney County, Oregon, by deed recorded August 6, 1958, in Book 65, Page 274, Deed Records.

Sec. 6: Lots 1, 2, 3, 4 and 5, SAVE & EXCEPT that portion conveyed to Harney County, Oregon, by deed recorded August 6, 1958, in Book 65, Page 274, Deed Records.

Sec. 10: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 11: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

In Twp. 27 S., R. 34 E., W.M.:

Sec. 6: Lots 1, 2, 6 and 7, E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM highway right of way, as disclosed by Abandonment Resolution No. 263 of the Transportation Commission, recorded December 2, 1975, in Book 99, Page 602, Deed Records.

Sec. 7: S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Sec. 8: SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM highway right of way, as disclosed by Abandonment Resolution No. 263 of the Transportation Commission, recorded December 2, 1975, in Book 99, Page 602, Deed Records. ALSO EXCEPTING THEREFROM a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 8, described as follows; Beginning at the Northwest corner of the

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SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 8; thence East along the North line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 775.0 feet; thence South along a line parallel to the West boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 1320 feet, more or less, to the South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence Southwesterly to the Southwest corner of the N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 8; thence North along the West line of said Sec. 8 to the point of beginning. ALSO EXCEPTING THEREFROM all that portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8, lying East of the Anderson Valley Road No. 402, as said county road is now located, and lying South of the following described line extended; Beginning at the Southeast corner of Sec. 9 of said Twp.; thence Northwesterly on a straight line to a point that is 756 feet South of the Northwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 8; thence continuing Northwesterly on the same line to its intersection with the East boundary of the Anderson Valley County Road right of way.

- Sec. 17: All that portion of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying Westerly of the Anderson Valley County Road right of way, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$.
Sec. 18: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$.
Sec. 19: Lot 2, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$.
Sec. 20: S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

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