

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

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1. Completeness Determination

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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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Minimum Requirements Checklist

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

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Include this checklist with the application

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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
- NA SECTION 6: storage of groundwater in a reservoir
- NA SECTION 7: use of stored groundwater from the reservoir
- SECTION 8: project schedule
- NA 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. *GW #1000^{ee} + 1500 (5.31ct₅) + \$400^{ee} recording*
- Fees - Amount enclosed: \$*2500 + \$400*
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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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

SALEM, OR

NAME <i>Tim McIsaac, Executive Vice President</i>		PHONE (HM)	
PHONE (WK) <i>(916) 372-5595</i>	CELL	FAX <i>(916) 372-5615</i>	
ADDRESS <i>PO Box 1076</i>			
CITY <i>West Sacramento</i>	STATE <i>CA</i>	ZIP <i>95691</i>	E-MAIL*

Organization Information

NAME <i>Gutierrez Cattle Co.</i>		PHONE <i>(916) 372-5595</i>	FAX
ADDRESS <i>PO Box 1076</i>			CELL
CITY <i>West Sacramento</i>	STATE <i>CA</i>	ZIP <i>95691</i>	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.)

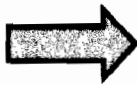
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By my signature below I confirm that I understand:

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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. _____	Permit No. _____	Date _____
Ground Water 3		

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SECTION 2: PROPERTY OWNERSHIP

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Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access.
- Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

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

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
# 5	Watson Creek	2 ⁷ miles ±	
# 7	Watson Creek	2 ³ miles ±	
# 9	Watson Creek	5000'	15' ±
# 10	Watson Creek	7000'	15' ±

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: #5 - 233'; #7 - 260'; #9 - 200'±; #10 - 200'±

Total maximum rate requested: 5.33 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below). #5 - 1.39 cfs; #7 - 0.74 cfs; #9 - 1.60 cfs & #10 - 1.60 cfs

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)
#5	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L46145	<input type="checkbox"/>	12"		open	0-21½'	60' 1/1/01	233' to 500'	500'	624	333
#7	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L88286	<input type="checkbox"/>	16"		open	0-18½'	134'10" 3/3/2011	120' to 390'	390'	332	177
#9	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"		?	0-18½'		200' to 500'	500'	718	383
#10	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16"		?	0-18½'		200' to 500'	500'	718	383
	<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"/>		<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	April 15 to Oct 15	1276 ac. ft.

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: 425 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: 1276 ac. ft.

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

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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)? Turbine pumps

Pump (give horsepower and type): #5-100 HP; #7-125 HP; #9-75 HP; #10-75 HP

Other means (describe): _____

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

Water will be piped from the well to each center pivot

B. Application Method

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

All 4 sites will utilize 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.

3 acre feet is the minimum required to grow a crop in this dry area. This location is high desert environment so no aquatic life is involved. The pivots do not develop any run off.

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SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

NA

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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): _____

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

NA

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

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SECTION 8: PROJECT SCHEDULE

Date construction will begin: Wells 5 & 7 are existing.

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Date construction will be completed: Oct 1, 2016

Date beneficial water use will begin: Oct 1, 2017

SECTION 9: WITHIN A DISTRICT

NA

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*).

Pivot # 9 in section 23 will impact permit G-16774 area. Permit G-16774 will be altered to avoid conflict with the pivot.

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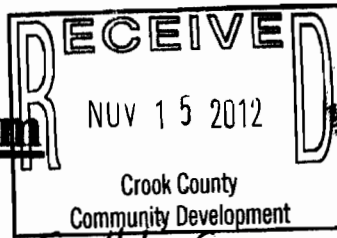
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Land Use

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: Gutierrez Cattle Co. by Tim McIsaac
First Last
 Executive Vice President

Mailing Address: PO Box 1076

West Sacramento CA 95691 Daytime Phone: (916) 372-5595
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:
16S	22E	23,25	26	300		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigation
16S	22E	36		1500		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigation
16S	22E	36		1600		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irr
16S	23E	30		1400		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irr
16S	23E	31		1500		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irr

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

Crook County

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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: 5.33 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:

2 existing wells and 2 proposed wells to provide water to 4 pivots.

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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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: _____ RECEIVED BY OWRD
- SECTION 2: _____
- SECTION 3: _____ DEC 03 2012
- SECTION 4: _____ SALEM, OR
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____ RECEIVED BY OWRD
- SECTION 8: _____
- SECTION 9: _____ DEC 14 2012
- SECTION 10: _____ SALEM, OR
- 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 _____

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:

MIDLAND TITLE CO.

1162994

WARRANTY DEED

MERWIN RANCHES, INC., an Oregon Corporation, Grantor, conveys and warrants to GUTIERREZ CATTLE COMPANY, an Oregon corporation, Grantee, the following described real property free of encumbrances except as specifically set forth herein, situated in Crook County, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

SUBJECT TO: (1) 1988-1989 taxes which are a lien, but not yet payable. (2) Reservation of all minerals contained in Patents from the United States of America as to the following described property:

In Township 16 South, Range 22 East of the Willamette Meridian:

- Section 12: E4, E4W4.
- Section 14: E4E4, W4NW4, N4SW4.
- Section 20: All.
- Section 22: S4S4.
- Section 26: SW4NW4, W4SW4, SE4SW4, S4SE4.

(3) Reservation of all minerals contained in deeds from the State of Oregon as to the following described property:

In Township 16 South, Range 21 East of the Willamette Meridian:

- Section 36: All.

In Township 16 South, Range 22 East of the Willamette Meridian:

- Section 36: SW4.

(4) Reservation of all minerals contained in deeds from Oregon & Western Colonization Company as to the following described property:

In Township 16 South, Range 21 East of the Willamette Meridian:

- Section 23: All.
- Section 25: All.
- Section 27: All.
- Section 35: All.

In Township 16 South, Range 22 East of the Willamette Meridian:

- Section 9: All.
- Section 17: All.
- Section 31: All.

(5) Reservations contained in deeds from Oregon & Western Colonization Company, as recorded in book 41 of Deeds at page 613, Book 42 of Deeds at page 250, Book 52 of Deeds at page 153, Book 53 of Deeds at page 569 and Book 55 of Deeds at page 463, records of Crook County, Oregon. (6) Rights of way granted to the United States of America, as set out in Book 48 of Deeds at page 16, Book 48 of Deeds at page 506, Book 71 of Deeds at page 113 and Book 84 of Deeds at page 129 records of Crook County, Oregon. (7) Rights of way and easements for pole lines granted to Central Electric Cooperative, Inc., as recorded in Book 66 of Deeds at

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page 383, Book 66 of Deeds at page 389, and Book 66 of Deeds at page 401, records of Crook County, Oregon. (8) An easement for telephone lines granted to Telephone Utilities of Eastern Oregon as recorded May 21, 1981, in Deed Records MF No. 60211, records of Crook County, Oregon. (9) Subject to the prior sale of all merchantable timber on the West half, and the West half of the East half of Section 31 in Twp. 15 South, Range 23 E.W.M., the West Half of the Northwest quarter of Section 21, the East half of Section 29, and all of Sections 25 and 36 in Twp. 15 South, Range 22 E.W.M., from George J. Isadore to Midstate Lumber & Supply Co., a co-partnership, by agreement recorded in Book 70 of Deeds at page 37, records of Crook County, Oregon. (10) Subject to the prior sale of all merchantable timber on the Southeast quarter of Section 31 in Township 15 South, Range 22, E.W.M., from George J. Isadore to Midstate Lumber & Supply Co., a co-partnership, by agreement recorded in Book 71 of Deeds at page 62, records of Crook County, Oregon. (11) Terms and conditions of an oil and gas lease between Gale H. Merwin and Kathryn Mabel Merwin, husband and wife, as lessors, and Texaco Inc., as lessee, recorded July 22, 1970, in Book 103 of Deeds at page 84, records of Crook County, Oregon. (12) Terms and conditions of an oil and gas lease between Oregon & Western Colonization Company, as lessor and Texaco, Inc., as lessee, recorded September 1, 1970, in Book 103 of Deeds at page 288, records of Crook County, Oregon. (13) Terms and conditions of an oil and gas lease between Gale H. Merwin and Kathryn Mabel Merwin, husband and wife, as lessor and Texaco, Inc., as lessee, recorded November 4, 1970, in Book 103 of Deeds at page 552, records of Crook County, Oregon; together with a partial surrender as recorded August 12, 1985, in Deed Records MF No. 76794, records of Crook County, Oregon. (14) Terms and conditions of an oil and gas lease between Sarah Davidson Wangensteen and C. M. Bend, Jr., Trustees, under certain trust dated March 1 1980, as lessor and Texaco Inc., as lessee as evidenced by memorandum of lease recorded March 26, 1981, in Deed Records MF No. 59455, records of Crook County, Oregon. (15) Terms and conditions of an oil and gas lease between Merwin Ranches, Inc., as lessor and Brazos Petroleum Company, as lessee, recorded December 28, 1981, in Deed Records MF No. 63179, records of Crook County, Oregon. Together with assignments or partial assignments thereof by the lessee and its assigns, recorded in deed records MF No's 64027, 75172 and 75173, records of Crook County, Oregon. (16) Taxes for the year 1987-1988 and possible prior years have been farm deferred pursuant to ORS 308.370 and 308.403. These, plus earned interest are due and payable when said reason for the deferment no longer exists. Any deferred taxes hereafter becoming due and payable will be the obligation of grantee. (17) Property is zoned or classified as timberland and is subject to potential additional tax liability. Any deferred taxes hereafter becoming due and payable will be the obligation of grantee. (18) Any uncertainty as to the location of the division lines when the property is described in halves and that property is located in sections containing government lots and the section is therefore irregular. (19) The Rights of the public in and to the surface and the land below the high water mark of Crooked River

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THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN
THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS.
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE

TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

The true and actual consideration for this conveyance is

[REDACTED]

Unless a change is requested, all tax statements shall be sent

Grantee at the following address: Agriculture Industries
Attn: P.O. Box 1076, West Salem, Calif 95691

DATED this 14 day of July, 1988.

MERWIN RANCHES, INC.

By _____
President

By Kathryn M. Merwin
Secretary

STATE OF OREGON)
) ss.
County of Crook)

On this 14 day of July, 1988, personally appeared the above named GALE H. MERWIN and KATHRYN M. MERWIN, president and secretary respectively of MERWIN RANCHES INC., an Oregon corporation, and acknowledged the foregoing instrument to be the voluntary act and deed of said corporation.

M. Phillip DeWitt
NOTARY PUBLIC FOR OREGON
My Commission Expires: 6/27/89



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EXHIBIT "A"

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TRACT 1:

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IN TOWNSHIP 15 SOUTH OF RANGE 22 EAST OF THE WILLAMETTE MERIDIAN:

- Section 21: The West half of the Northwest quarter.
- Section 25: All.
- Section 29: The East half.
- Section 31: The Southeast quarter.
- Section 34: The Southeast quarter of the Southeast quarter.
- Section 35: The Southwest quarter of the Southwest quarter.
- Section 36: All.

IN TOWNSHIP 15 SOUTH OF RANGE 23 EAST OF THE WILLAMETTE MERIDIAN:

- Section 31: The West half, and the West half of the East half.

IN TOWNSHIP 16 SOUTH OF RANGE 22 EAST OF THE WILLAMETTE MERIDIAN:

- Section 2: The West half of the West half.
- Section 3: The East half of the East half.
- Section 9: All.
- Section 11: All.
- Section 12: The East half of the West half, and the East half.
- Section 14: The West half of the Northwest quarter, the East half of the Northeast quarter, and the South half.
- Section 15: All.
- Section 16: All.
- Section 17: All.
- Section 19: All.
- Section 20: All.
- Section 21: All.
- Section 22: The South half of the Northwest quarter, the Northeast quarter, and the South half.
- Section 23: All.
- Section 25: All.
- Section 26: The Northwest quarter, the West half of the Northeast quarter, the Southeast quarter of the Northeast quarter, and the South half.
- Section 27: All.
- Section 29: All.
- Section 30: The Southwest quarter of the Northwest quarter, the West half of the Southwest quarter, and the Northeast quarter of the Southwest quarter.
- Section 33: All.
- Section 35: All.
- Section 36: The West half.

IN TOWNSHIP 16 SOUTH OF RANGE 23 EAST OF THE WILLAMETTE MERIDIAN:

- Section 18: The Northwest quarter, the East half of the Southwest quarter, and the West half of the Southeast quarter.

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Page 2 of 2
Legal Description
C-01999

TRACT II:

IN TOWNSHIP 16 SOUTH OF RANGE 21 EAST OF THE WILLAMETTE MERIDIAN:

- Section 23: All.
- Section 25: All.
- Section 27: All.
- Section 35: All.
- Section 36: All.

IN TOWNSHIP 16 SOUTH OF RANGE 22 EAST OF THE WILLAMETTE MERIDIAN:

- Section 31: Lots 1, 2, 3, and 4, the East half of the West half, and the East half.
- Section 32: The Northeast quarter of the Southwest quarter, the South half of the Southwest quarter, and the Southwest quarter of the Southeast quarter.

IN TOWNSHIP 17 SOUTH OF RANGE 21 EAST OF THE WILLAMETTE MERIDIAN:

- Section 1: Lots 1, 2, 3, and 4, the South half of the North half, and the South half.
- Section 2: The South half of the South half.
- Section 3: Lots 1, 2, 3 and 4, the South half of the North half, and the South half.
- Section 11: The North half of the North half.

IN TOWNSHIP 17 SOUTH OF RANGE 22 EAST OF THE WILLAMETTE MERIDIAN:

- Section 5: All.
- Section 6: Lots 5 and 6, the Southeast quarter of the Northwest quarter, the Northeast quarter of the Southwest quarter, the West half of the Northeast quarter, and the North half of the Southeast quarter.

MICROFILM

KEY PUNCHED

JUL 18 1988

STATE OF OREGON } SS 88037
COUNTY OF CROOK }

I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED FOR RECORD ON THE 15th DAY OF July 19 88 AT 3:45 P.M.

AND RECORDED IN DEEDS RECORDS OF SAID COUNTY. MF NO. 88037 DELLA M. HARRISON, CROOK COUNTY CLERK

BY: *[Signature]* DEPUTY



Crook County
Planning Department
300 NE 3rd Street, Prineville, OR 97754
(541)447-8156
Fax (541)416-3905

MARCH 1, 2010

APPLICANTS/OWNERS:

GUTIERREZ CATTLE COMPANY
AGRICULTURAL INDUSTRIES, INC.
PO BOX 1076
WEST SACRAMENTO, CALIFORNIA 95691
(Parcel 1)

THE YOUNG'S FARM BLUE MOUNTAIN HOLDINGS, LLC
PO BOX 14
PAULINA, OREGON 97751
(Parcel 2)

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AGENT:

CARL DUTLI
545 NE SEVENTH STREET
PRINEVILLE, OREGON 97754

RE: Boundary adjustment application BA-10-0018;

T16 S R 22 EWM Sec 36 TL1500 (Parcel 1)

799.16 Acres

T16 S R 23 EWM Sec 30 TL1400

T16 S R 23 EWM Sec 18 TL1000

T16 S R 22 EWM Sec 36 TL1600 (Parcel 2)

8307.99 Acres

T16 S R 23 EWM Sec 5,7,8,9,16,17,18,19,20,21,22,28,29,32 TL600

T16 S R 23 EWM Sec 31 TL1500

The Planning Department has reviewed the above application for a boundary adjustment in an Exclusive Farm Use zone EFU-1. Approval is hereby granted, based upon the following:

(1) Subject parcels measure 9107.15 acres total; Parcel #1 currently measures 799.16 acres, and Parcel #2 measures 8307.99 acres. After the Boundary Line Adjustment, Parcel #1 will measure approximately 798.92 acres and Parcel #2 will measure approximately 8308.23 acres.

(2) Each party proposes to transfer approximately 480 acres to the other party. The intent of boundary adjustment is the exchange of parcels between the parties to allow each of them to consolidate their respective agricultural operations.

(3) Legal descriptions prepared by DUTLI & BORNEMAN, LLC are attached.

(4) Subject property has irrigation water rights on various portions of acreage. The only water rights that will be transferred is a 250 acre permit for a well that has not been drilled. That permit is owned by Young's Farm Blue Mountain Holdings, LLC, but is being transferred to Gutierrez Cattle Company. That permit is located in the East half of Section 36 in Township 16 South, Range 22 East and the West quarter of Section 31 in Township 16 South, Range 23 East. The 250 acres of water rights referred to in the irrigation water rights' portion of the application at Section 2 refers to the 250 acres of water rights that is located on property to be transferred to Gutierrez Cattle Company and does not address all the irrigation water rights owned by the respective parties. The 250 acre well area is shown on the map.

(5) There are no improvements on either the Gutierrez Cattle Company or Young's Farm Blue Mountain Holdings, LLC properties.

(6) There are no access points on the properties being transferred by either party. There are no new access points proposed.

(5) This boundary adjustment does not result in the creation of a new parcel or authorize any additional dwellings.

Approval is granted subject to the following CONDITIONS and REQUIREMENTS:

(1) A final plat is to be filed no later than 5:00 p.m. on September 01, 2010, in accordance with Section 17.24.080 of the Crook County Code and ORS 92.060(7).

(2) Any past due property taxes, if any, are to be paid with evidence of payment from Assessor provided to Planning Department prior to filing the final map.


Pamela Rhoden
Assistant Planner

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cc: Applicants/Property Owners
Agent
Applicants' Surveyor/County Surveyor
Assessor
Road Master
GIS

DEC 14 2012

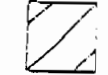
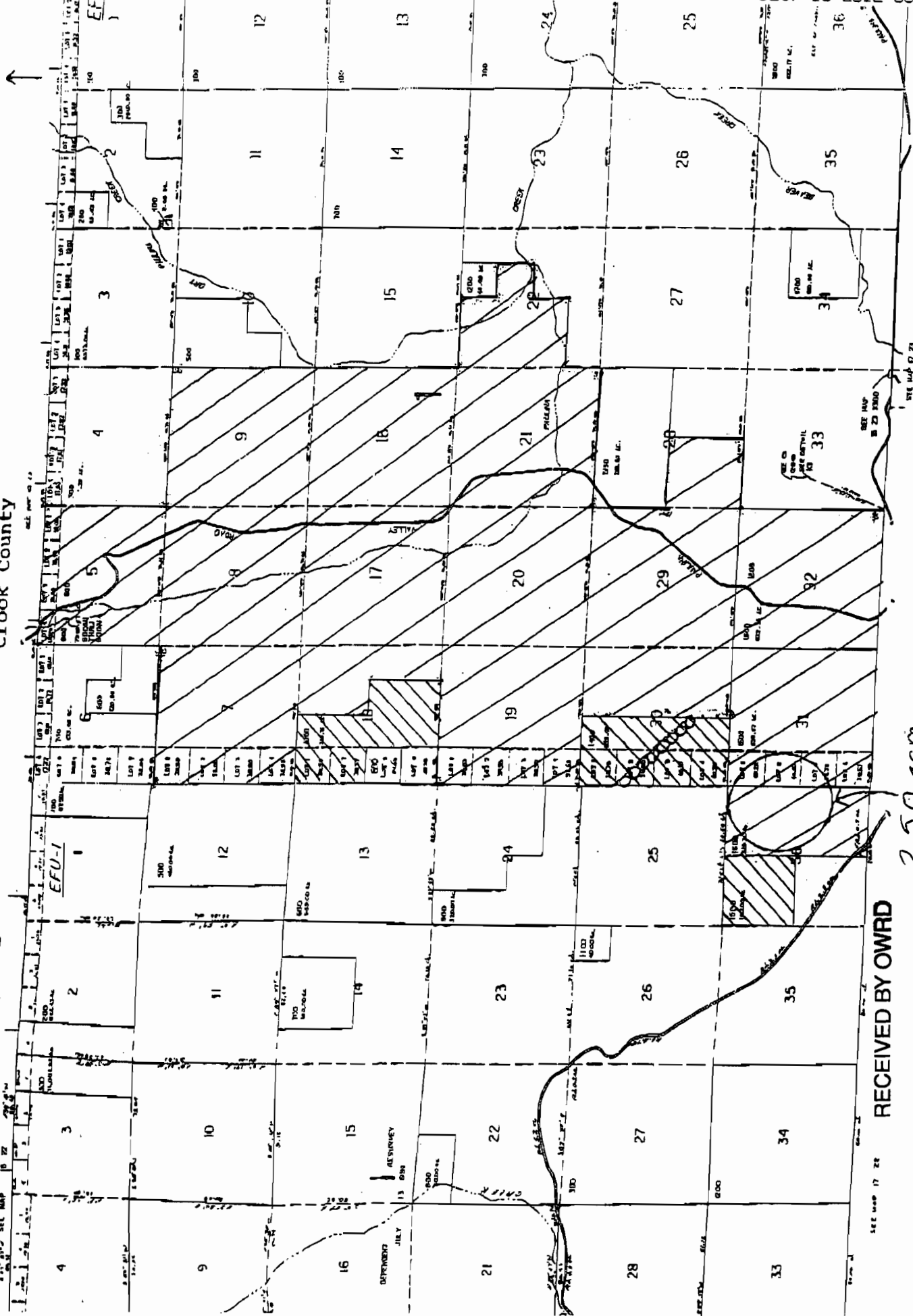
SALEM, OR

Encl: Location/Boundary adjustment maps/Legal description

T.16S. R.23E. W.M.
Crook County

BEFORE

T.16S. R.22E. W.M.
CROOK COUNTY



Young's Farm Blue Mountain
Holdings, LLC Property



Gutierrez Cattle
Co. Property

250 acre
well permit

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Rimrocks 0000000

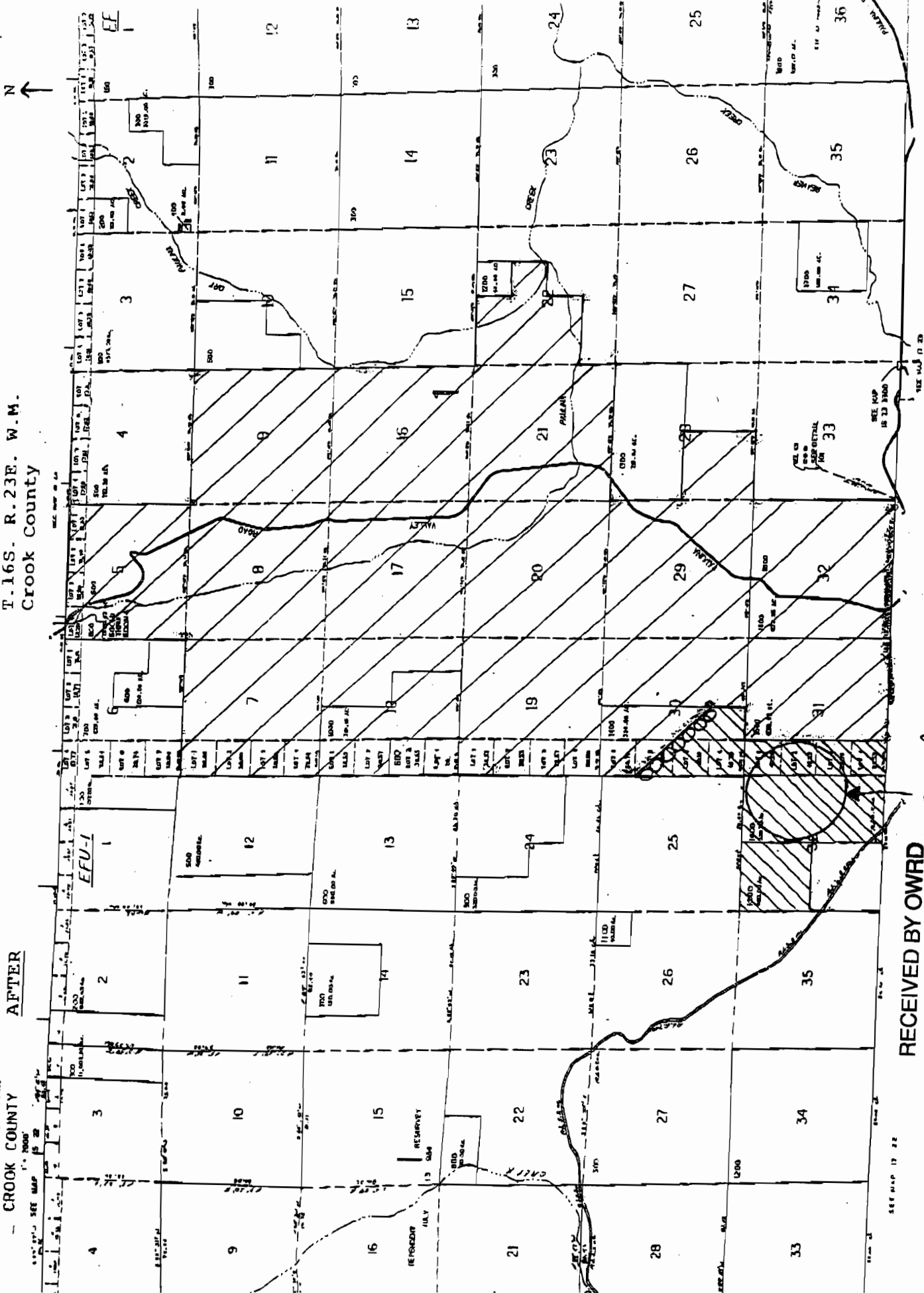
SEE MAP 17 22

SEE MAP 18 22

T.16S. R.23E. W.M.
Crook County

AFTER

T.16S. R.22E. W.M.
CROOK COUNTY



Young's Farm Blue Mountain
Holdings, LLC Property



Gutierrez Cattle
Co. Property

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2.50 Acre
DEC 14 2012 well permit

Rimrocks 0000000

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**GUTIERREZ CATTLE COMPANY to THE YOUNG'S FARM
BLUE MOUNTAIN RANCH, LLC**

In Township 16S, Range 23E of the Willamette Meridian:

Section 18: Lots 1 and 2, E $\frac{1}{2}$ of the W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 30: Beginning at the Northwest corner of Section 30, thence East along the North line of Section 30, 2640 feet; thence South parallel to the West boundary of Section 30 to a point 1320 feet North of the southern line of Section 30, thence northwesterly to a point on the West line of Section 30, which is 1320 feet South of the point of beginning, then North along the West boundary of Section 30, 1320 feet to the point of beginning.

Exhibit A

**THE YOUNG'S FARM BLUE MOUNTAIN RANCH, LLC
to GUTIERREZ CATTLE COMPANY**

In Township 16S, Range 22E of the Willamette Meridian:

Section 36: E $\frac{1}{2}$

In Township 16S, Range 23E of the Willamette Meridian:

Section 31: Lots 1, 2, 3, and 4

Exhibit B

Well # 7

Added 12-14-12
by KKK

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

CROO 53345
01-25-2007

WELL LABEL # L 88286
START CARD # 1000466

(1) LAND OWNER Owner Well I.D. 1377
First Name _____ Last Name _____
Company GUTIERREZ CATTLE RANCH #1
Address HC 68 BOX 3310
City POST State OR Zip 97752

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (repair/recondition) Abandonment

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

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

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
Depth of Completed Well 390.00 ft.

BORE HOLE			SEAL				sacks/ lbs	
Dia	From	To	Material	From	To	Amt		
20	0	18.5	Bentonite	0	18.5	22	S	
14	18.5	360						
8	360	390						

How was seal placed: Method A B C D E
 Other POURED IN DRY
Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____
Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	16		1.5	18.5	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____
Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

Perf/ Screen	Casing/ Liner	Screen	Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/ pipe size

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
1,800		390	1

Temperature 56 °F Lab analysis Yes By _____
Water quality concerns? Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
County Crook Twp 16.00 S N/S Range 22.00 E E/W WM
Sec 35 SE 1/4 of the NE 1/4 Tax Lot 1200
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD
 Street address of well Nearest address

PAULINA HWY, POST/PAULINA OREGON

(10) STATIC WATER LEVEL

Existing Well / Predeepening	Date	SWL(psi)	+	SWL(ft)
Completed Well	01-23-2007			120

Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 120

SWL Date	From	To	Est Flow	SWL(psi)	+	SWL(ft)
01-23-2007	260	390	1,800			120

(11) WELL LOG Ground Elevation _____

Material	From	To
SANDY TOP SOIL	0	1
LIGHT BROWN SANDSTONE	1	36
DARK BROWN SANDSTONE	36	53
LIGHT BROWN SANDSTONE	53	102
DARK GREY BASALT	102	236
DARK BROWN SANDSTONE	236	250
GREY BASALT W/ BROWN SEEMS	250	390

Date Started 01-12-2007 Completed 01-23-2007

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

License Number _____ Date _____
Electronically Filed
Signed _____

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 584 Date 01-25-2007
Electronically Filed
Signed DARRELL MAPHET (E-filed)
Contact Info (optional) _____

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CROO 51579

Addel 12-14-12
by KKK

FEB 02 2001

Well #5

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765) WATER RESOURCES DEPT

SALEM, OREGON

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

WELL I.D. # L 46145
START CARD # 136304

(1) LAND OWNER Well Number 1003
Name Gutierrez Cattle Comp.
Address PSR 3310
City Post State OR Zip 97752

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 500 ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL	
Diameter	From To	Material	From To
16"	0 2 1/2	Bentonite	0 2 1/2
12"	2 1/2 260		
8"	260 500		

How was seal placed: Method A B C D E
 Other Poured in Dry

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 12"	0 2 1/2	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
1000	UNKNOWN	500	1 hr.

Temperature of water 55° Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County CROOK Latitude _____ Longitude _____
Township 16 N or S Range 22 E or W. WM.
Section 26 NE 1/4 NE 1/4
Tax Lot 300 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) Paulina Hyway

(10) STATIC WATER LEVEL:
60' ft. below land surface. Date 1/11/01
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 233

From	To	Estimated Flow Rate	SWL
233	245	1000	60'

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
Top Soil	0	3	
Hard Brown Sand Stone	3	75	
Hard Grey Basalt	75	140	
Hard Diced Grey Basalt	140	180	
Hard Brown Brown clay Stone	180	233	
Hard Diced Grey Basalt	233	245	60'
Hard Grey Basalt	245	260	
Hard Diced Grey Basalt	260	350	
Hard Grey Basalt	350	450	
Hard Diced Grey Basalt	450	470	
Hard Grey Basalt	470	500	

Date started 12/27/00 Completed 1/11/01

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
Signed David H. Schlichting WWC Number 1893 Date 1/24/01

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
Signed David H. Schlichting WWC Number 327 Date 1-24-01



December 11, 2012

Attn: Jerry Sauter
Oregon Water Resources Department
North Mall Office Building
725 Summer St. NE, Suite A
Salem, Oregon 97301

Dear Mr. Sauter:

Re: Gutierrez Cattle Company -
Application to Use Water

On behalf of the Gutierrez Cattle Company, please find enclosed the Application to Use Water, a new check in the amount of \$3,650.00, and a legal description of all the properties involved.

If you need anything further, please feel free to contact Bruce Estes, our Water Specialist, at 541/382-7391, or myself at 916/372-5595.

Thank you for your consideration of this application.

Sincerely,

Tim McIsaac
Executive Vice President
for Gutierrez Cattle Company

TM:dlm

cc: Mr. Bruce Estes, PLS, CWRE

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SALEM, OR

November 30, 2012

Oregon Water Resources Department
725 Summer Street N.E. Suite A
Salem, Oregon 97301-1271

Gentlemen:

Re: Gutierrez Cattle Company -
Application for a Permit to Use
Ground Water

The following is a Water-Use Permit Application form, and Land Use Information Form,
and a check for the required fees and recording.

If you need anything further or have any questions please feel free to contact me at
916/372-5595, or Bruce Estes, our water rights consultant, a 541/382-7391.

Thank you.

Sincerely,

Tim McIsaac
Executive Vice President
for Gutierrez Cattle Company

TM:dlh

Enclosures

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