

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 LARRY WOGMAN		PHONE (HM) 541-898-2646	
PHONE (WK)	CELL	FAX	
ADDRESS 64980 N. POWDER RIVER LANE			
CITY NORTH POWDER	STATE OR	ZIP 97867	E-MAIL*

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 TYRELL MONTER/BROWNE CONSULTING, LLC		PHONE 541-523-5107	FAX 541-523-5107
ADDRESS 50809 ELLIS ROAD			CELL
CITY NORTH POWDER	STATE OR	ZIP 97867	E-MAIL* TYRELL@BROWNECONSULTING.BIZ

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.)

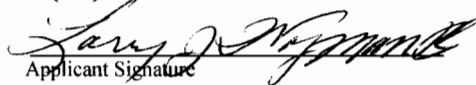
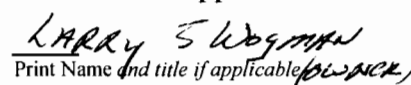
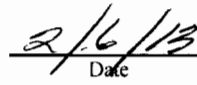
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By my signature below I confirm that I understand:

- 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. SALEM, OR
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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




 Applicant Signature Print Name and title if applicable Date
 _____ _____ _____
 Applicant Signature Print Name and title if applicable Date

For Department Use		
App. No. <u>6-17628</u>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

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

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

- No
 - I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.
 - Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
 - Water is to be diverted, conveyed, and/or used only on federal lands.

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

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Sec. 4 Well	Warm Springs	0.9 Miles	100'
Sec 8 Well	Warm Springs	0.8 Miles	20'
Sec 17 Well	Little Muddy Creek	0.5 Miles	62'

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*).

Applicant is applying for 3 new wells located on the same tax lot to serve as irrigation.

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G-7628

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Bed Rock Ground Water Reservoir

Total maximum rate requested: 7 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-17620

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)
Sec 4 Well	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	10"-12"	12" 0-200 10" 180-375	200-375	0-20 180-200	NA	Bed Rock Ground Water Reservoir	375	1122	1215
Sec 8 Well	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	10"-12"	12" 0-130 10" 120-300	130-300	0-20 110-120	NA	Bed Rock Ground Water Reservoir	300	898	972
Sec. 17 Well	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	10"-12"	12" 0-130 10" 120-300	130-300	0-20 110-120	NA	Bed Rock Ground Water Reservoir	300	1122	1215
	<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"/>									

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* 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.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1- Oct 31	3402

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: 1240.25 Acres Supplemental: 285.2 Acres

List the Permit or Certificate number of the underlying primary water right(s): C-54069

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 3402

- If the use is **municipal or quasi-municipal**, attach **Form M**
 - 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

A. Diversion and Conveyance

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

Pump (give horsepower and type): 75HP 100HP- Deep Well Turbine depending on depth of well

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Section 8 Well will be used as supplemental irrigation and will be joined into the 10" mainline that already exists and will be pumped to the systems already into place. Section 4 and 17 Wells will be pumped from the well and sent through 10"-8" mainline to irrigation systems.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) Center Pivot System, Wheel lines, Low Pressure Sprinkler and Hand Lines

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.

The applicant's irrigated property has erodible soils and hilly topography, like most of eastern Oregon. A center pivot is the most efficient system in the basin. Hand lines with efficient nozzles are more cost effective than adding corner arms/swing arms to pivots. The hand lines are moved every 12 hours to avoid soil erosion.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: NA Acreage inundated by reservoir: NA

Use(s): NA

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

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

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

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

Annual volume (acre-feet): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	NA

SECTION 8: PROJECT SCHEDULE

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Date construction will begin: Permit issuance

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Date construction will be completed: Permit issuance to 10 years

SALEM, OR

Date beneficial water use will begin: When wells completed and irrigation systems are installed or up to 10 years

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 Powder Valley Water Control District	Address PO Box 189/690 E Street	
City North Powder	State OR	Zip 97867

SECTION 10: REMARKS

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

The applicant is applying for 3 new wells to be drilled. Sec 8 well is the only well that will serve as supplemental irrigation. The other two wells, Sec 17 and Sec 4, will be primary water and is requesting enough water to install a circle pivot irrigation system for both wells. Each irrigation system will require up to 1200 GPM. Since this project is requesting permission for 3 wells, the applicant is requesting that this permit be allowed to be completed within a 10 year time frame. With the limited well drilling resources in the area, the applicant believes that this time frame should be a reasonable amount of time to complete this project in less there are delays that are not for seen.

Attached to this application should be 3 maps breaking out each well and the area each will be serving.
Attachment Names:

1. Larry Wogman Ground Water Application- Section 8 Well
2. Larry Wogman Ground Water Application- Section 4 Well
3. Larry Wogman Ground Water Application- Section 17 Well

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SALEM, OR

Land Use

Information Form



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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

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NOTE TO LOCAL GOVERNMENTS

SALEM, OR

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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: Larry

First

Wogman

Last

Mailing Address: 64980 North Powder River Lane

North Powder

City

OR

State

97867

Zip

Daytime Phone: 541-898-2646

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:
7S	39E	8, 17	SWNW, NWSE	800	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
7S	39E	4	NWSE	800	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	IRR
7S	39E	4, 9, 8, 16, 17		800	EFU	<input 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:

Baker County	RECEIVED BY OWRD FEB 08 2013
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B. Description of Proposed Use

SALEM, OR

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: 7 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:

Application for 3 new wells on TL 800 to be used for irrigation on TL 800.

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. →

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): 301A of the BCZSO.
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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SALEM, OR

Name: Tara Andrews, Planner Title: _____
 Signature: Tara Andrews Phone: 541-523-8219 Date: 10/4/2012
 Government Entity: Baker County Planning

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: _____

Date _____

(For staff use only)



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

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

- SECTION 1: _____
- SECTION 2: _____
- SECTION 3: _____
- SECTION 4: _____
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- SECTION 8: _____
- SECTION 9: _____
- Land Use Information Form _____
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees _____

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SALEM, OR

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 _____

Wogman APP pg 1 DEED

THIS SPACE RESERVED FOR RECORDING USE 008 02 0070



After recording return to:

Larry J. Wogman

64120 Johnson Ranch Road

BEND, OR 97701

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

FEB 08 2013

Larry J. Wogman

64120 Johnson Ranch Road

BEND, OR 97701

SALEM, OR

Escrow No. BA-25496JP

Title No. 0025496

SWD

STATUTORY WARRANTY DEED

Leland Hellberg and Carolyn F. Hellberg, as tenants by the entirety, Grantor(s) hereby convey and warrant to Larry J. Wogman and Kathryn E. Wogman, as tenants by the entirety, Grantee(s) the following described real property in the County of BAKER and State of Oregon free of encumbrances except as specifically set forth herein:

The Southwest quarter, and the West one-half of the Southeast quarter, all in Section 4, Township 7 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon.

ALSO the East one-half, the East one-half of the West one-half, and the West one-half of the Northwest quarter, all in Section 8, Township 7 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon.

ALSO the West one-half, and the West one-half of the East one-half, all in Section 9, Township 7 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon.

ALSO all that portion of the East one-half of the Southeast quarter of Section 9, Township 7 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying West of the Amanda C. Moore Ditch and U.S. Highway 30 right of way.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its State Highway Commission, by instrument recorded April 13, 1940, in Book 128, at Page 373, Baker County Deed Records.

ALSO the Northwest quarter, the West one-half of the Southwest quarter, and the Northwest quarter of the Northeast quarter, all in Section 16, Township 7 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon.

ALSO all that portion of the Southeast quarter of the Northeast quarter, the Southwest quarter of the Northeast quarter, the Northwest quarter of the Southeast quarter, the Northeast quarter of the Southwest quarter, and the Southeast quarter of the Southwest quarter, all in Section 16, Township 7 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying North and West of the Amanda C. Moore Ditch.

ALSO the Northeast quarter, the North one-half of the Southeast quarter, and the Southeast quarter of the Southeast quarter, all in Section 17, Township 7 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon.

ALSO a parcel in the East one-half of the Northwest quarter of Section 17, Township 7 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point 4.71 chains North of the Southeast corner of the East one-half of the Northwest quarter of Section 17, said township and range; thence North 33°15' West to a point which is 5 chains South of the Northwest corner of the East one-half of the Northwest quarter of said Section 17; thence North 5 chains to the Northwest corner of the East one-half of the Northwest quarter of said Section 17; thence East 20 chains; thence South 35.29 chains, more or less, to the POINT OF BEGINNING.

ALSO all that portion of the Northeast quarter of the Northwest quarter of Section 21, Township 7 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying West of the U.S. Highway 30 right of way.

Gr-17628

B06 02 0071

Wogman APP Pg 2
DEED

ALSO all that portion of the Northwest quarter of the Northeast quarter of Section 21, Township 7 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Northeasterly of Baker County Road right of way.

Ref#7195 Code#2507	07S39 / 800
Ref#7231 Code#518	07S3921 / 100
Ref#10409 Code#2508	07S39 / 800

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 **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 AND 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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 5 day of January, 2006.

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Leland Hellberg
Leland Hellberg

FEB 08 2013

Carolyn F. Hellberg
Carolyn F. Hellberg

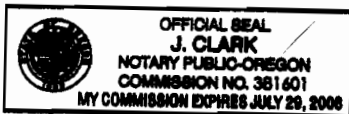
SALEM, OR

State of Oregon
County of BAKER

This instrument was acknowledged before me on Jan 5, 2006 by Leland Hellberg and Carolyn F. Hellberg.

J. Clark
(Notary Public for Oregon)

My commission expires _____



Wogman App Pg 3
DEED

B06 02 0072

**ASSIGNMENT OF EXPLORATION LICENSE/OPTION AGREEMENT
AND MINING AGREEMENT**

Dated: January 5 2006
Between: LELAND HELLBERG and CAROLYN F. HELLBERG (Assignors)
And: LARRY WOGMAN and KATHY WOGMAN (Assignees)

We, LELAND HELLBERG and CAROLYN F. HELLBERG, Assignors herein, are the Lessors under that certain unrecorded Exploration License and Option Agreement, dated October 13, 1988, and Mining Lease, dated October 21, 1988, pertaining to the premises (the "Premises") more particularly described as set forth in Exhibits "A" and "B", attached and incorporated herein.

Assignors desire to assign their rights and obligations under that unrecorded Memorandum of Exploration License and Option Agreement and Mining Lease to Assignees.

Consideration for this assignment is other good and valuable consideration.

Assignors hereby assign to Assignees all their rights, title and interest in, under, and to the unrecorded Exploration License and Option Agreement, dated October 13, 1988, and Mining Lease, dated October 21, 1988. Assignees hereby accept the assignment and agree to perform all obligations under the unrecorded Exploration License and Option Agreement, dated October 13, 1988, and Mining Lease, dated October 21, 1988, in strict accordance with the terms of the Agreement and Lease, from and after the Effective Date.

Assignors hereby agrees to indemnify, defend and protect, and hold harmless Assignees from and against any and all losses, liabilities, claims, costs and expenses (including reasonable attorney fees) arising out of or in any way related to Assignors' failure to perform their obligations under the unrecorded Exploration License and Option Agreement, dated October 13, 1988, and Mining Lease, dated October 21, 1988, from and after the Effective Date.

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AFTER RECORDING RETURN TO:

FEB 08 2013

AmeriTitle
2043 Main Street
Baker City, OR 97814

SALEM, OR

**1 - ASSIGNMENT OF EXPLORATION LICENSE/OPTION AGREEMENT
AND MINING AGREEMENT**

G-17628

AMERITITLE: BA-25496

Wogman App Pg 4
DEED

B06 02 0073

Assignees hereby agree to indemnify defend, and protect, and hold harmless Assignors from and against any and all losses, liabilities, claims, costs and expenses (including reasonable attorney fees) arising out of or in any way related to Assignees' failure to perform their obligations under the unrecorded Exploration License and Option Agreement, dated October 13, 1988, and Mining Lease, dated October 21, 1988, from and after the Effective Date.

If a suit, action, arbitration, or other proceeding of any nature whatsoever, including without limitation any proceeding under the U. S. Bankruptcy Code, is instituted, or the services of an attorney are retained, to interpret or enforce any provision of this Assignment or with respect to any dispute relating to this Assignment, the prevailing party shall be entitled to recover from the losing party its attorney fees, costs and expenses actually incurred and reasonably necessary in connection therewith. In the event of suit, action, arbitration, or other proceeding, the amount of fees shall be determined by the judge or arbitrator, shall include fees and expenses incurred on any appeal or review, and shall be in addition to all other amounts provided by law.

Following the date of signature of all parties herein, Notices shall be sent to: Larry and Kathy Wogman,

IN WITNESS WHEREOF, the parties have executed this Assignment:

Leland Hellberg
LELAND HELLBERG, Assignor

LARRY WOGMAN, Assignee

Carolyn F. Hellberg
CAROLYN F. HELLBERG, Assignor

KATHY WOGMAN, Assignee

STATE OF OREGON)
) ss.
County of Baker)

Personally appeared before me the above named LELAND HELLBERG AND CAROLYN F. HELLBERG, husband and wife, and acknowledged the foregoing to be their voluntary act and deed this 5 day of January, 2006.



J. Clark
Notary Public for Oregon

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FEB 08 2013

2 - ASSIGNMENT OF EXPLORATION LICENSE/OPTION AGREEMENT AND MINING AGREEMENT

SALEM, OR

61-176 28

Wogman App Pg 5
DEED

B06 02 0074

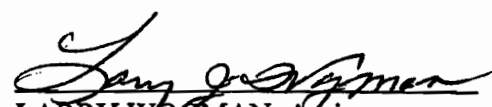
Assignees hereby agree to indemnify defend, and protect, and hold harmless Assignors from and against any and all losses, liabilities, claims, costs and expenses (including reasonable attorney fees) arising out of or in any way related to Assignees' failure to perform their obligations under the unrecorded Exploration License and Option Agreement, dated October 13, 1988, and Mining Lease, dated October 21, 1988, from and after the Effective Date.

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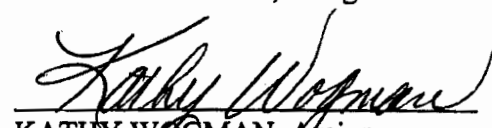
Following the date of signature of all parties herein, Notices shall be sent to: Larry and Kathy Wogman,

IN WITNESS WHEREOF, the parties have executed this Assignment:

LELAND HELLBERG, Assignor


LARRY WOGMAN, Assignee

CAROLYN F. HELLBERG, Assignor


KATHY WOGMAN, Assignee

STATE OF OREGON)
) ss.
County of Baker)

Personally appeared before me the above named LELAND HELLBERG AND CAROLYN F. HELLBERG, husband and wife, and acknowledged the foregoing to be their voluntary act and deed this ___ day of January, 2006.

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Notary Public for Oregon

FEB 08 2013

SALEM, OR

2 - ASSIGNMENT OF EXPLORATION LICENSE/OPTION AGREEMENT AND MINING AGREEMENT

G-17620

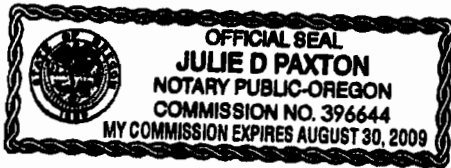
Wogman APP 9.6

B06 02 0075

DEED

STATE OF OREGON)
)ss.
County of Baker)

Personally appeared before me the above named LARRY WOGMAN AND KATHY WOGMAN, husband and wife, and acknowledged the foregoing to be their voluntary act and deed this 5 day of January, 2006.



Julie D Paxton
Notary Public for Oregon

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FEB 08 2013

SALEM, OR

B06 02 0077

EXHIBIT B

METES AND BOUNDS DESCRIPTION OF SUBJECT PREMISES

Parcel A:

A parcel of land located in the SW1/4 of Section 4, Township 7 South, Range 39 East, Baker County, Oregon, described as follows:

Commencing at the southwest corner of Section 4; thence north 0° 2640' to a point on the west line of Section 4 that point to be known as the Point of Beginning for Parcel A. Thence north 88° east 1320'; thence south 26° east 500'; thence south 43° west 750'; thence west 0° 800'; thence south 66° west 300' to a point on west line of Section 4; thence north 0° 1100' to Point of Beginning. Said parcel contains approximately 30 acres.

Parcel B:

A parcel of land located in Sections 4, 8, and 9 of Township 7 South, Range 39 East, Baker County, Oregon, described as follows:

Commencing at the southwest corner of Section 4, the southwest corner to be known as the Point of Beginning; thence north 0° along the west line of Section 4 500'; thence south 74° east 600'; thence south 55° east 650'; thence east 0° 1000'; thence south 28° west 500'; thence south 51° west 1600'; thence south 37° west 1000'; thence south 8° west 700'; thence south 44° east 1900'; thence west 0° 3350'; thence north 0° 3700'; thence north 67° west 700'; thence north 40° west 350'; thence north 89° 30' east 3050' to Point of Beginning. Said parcel contains approximately 295 acres.

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Wagman APP pg 9

B06 02 0078

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SALEM, OR

B0602 0078

Receipt # 90915

STATE OF OREGON, County of Baker, SS
I certify that the within instrument was
received for the record on the 6 day of
JAN, 2006, at 3:45 o'clock
P M.

Witness my hand and seal of County affixed.

James G. Green, Co. Clerk

Name Title
By Jaren Phillips Deputy
0602 0070B

\$66.00 Amt CHG

6-17628

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

Water-Use Permit Application Processing

1. Completeness Determination

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)

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: \$ _____
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 _____