

# Application for a Permit to Use ND Ground Water



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

NAME JOHN E BLAIR		PHONE (HM) NA	
PHONE (WK) (509) 736-0312	CELL NA	FAX (509) 737-2700	
ADDRESS 8701 WEST GAGE BLVD.			
CITY KENNEWICK	STATE WA	ZIP 99336-1034	E-MAIL* JOHN.BLAIR@CONAGRAFOODS.COM

### Organization Information

NAME Ontario Asset Holdings LLC		PHONE (509) 736-2573		FAX (509)736-2566	
ADDRESS 8701 WEST GAGE BLVD				CELL NA	
CITY KENNEWICK	STATE WA	ZIP 99336-1034	E-MAIL* JOHN.BLAIR@CONAGRAFOODS.COM		

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

AGENT / BUSINESS NAME STEEL MALONEY / CASCADE EARTH SCIENCES		PHONE (541) 926-7737		FAX (541) 967-7619	
ADDRESS 3511 PACIFIC BLVD SW				CELL (541) 223-3353	
CITY ALBANY	STATE OR	ZIP 97321	E-MAIL* STEEL.MALONEY@CASCADE-EARTH.COM		

Note: Attach multiple copies as needed

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


**RECEIVED**

MAR 22 2013

### 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.

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

  
Applicant Signature

John E Blair - Senior Director  
Print Name and title if applicable Manufacturing

March 14, 2013  
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17639</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*).

N/A

**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
Well 3	South Fork Jacobsen Gulch	3,800 feet	Well head 50 feet above SW

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*).

Proposed well has not been constructed, but is expected to draw from same aquifer as existing wells described in attached well logs. Existing wells will not be used for proposed water right.

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON



**SECTION 4: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Industrial	Year Round	807

**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: N/A Acres                      Supplemental: N/A Acres

List the Permit or Certificate number of the underlying primary water right(s): N/A

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

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

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

**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): 60 hp (estimated... subject to engineering design)

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

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water pumped from alluvial well and conveyed to plant in buried mainline.

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)  
Water will be used for a variety of industrial uses yet to be defined.

**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 proposed amount of water is required to operate an industrial facility. All water will be efficiently put to beneficial use. No impact on surface waters, aquatic life or riparian habitat is anticipated. All water used in industrial uses (e.g., food processing) will be managed under a DEQ issued process water permit.

**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: N/A Acreage inundated by reservoir: N/A

Use(s): N/A

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

*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): N/A

USE OF STORED GROUND WATER	PERIOD OF USE
N/A	N/A

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

**SECTION 8: PROJECT SCHEDULE**

Date construction will begin: As soon as possible after authorization of water right (2013)

Date construction will be completed: Unknown... depends on market-driven factors (2018)

Date beneficial water use will begin: Unknown... depends on market-driven factors (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 Owyhee Irrigation District	Address 17 S 1st Street	
City Nyssa	State OR	Zip 97913

**SECTION 10: REMARKS**

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

The existing facility is under new ownership and the existing wells have collapsed and will not provide adequate flow to reopen the facility for industrial operations. Surface water rights will be used to meet irrigation needs. Industrial water will be land applied for treatment after use as permitted by DEQ.

# 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

**RECEIVED**

MAR 22 2013

## NOTE TO APPLICANTS

WATER RESOURCES DEPT  
SALEM, OREGON

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.

## NOTE TO LOCAL GOVERNMENTS

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: Ontario Asset Holdings, LLC

Mailing Address: 8701 W Gage Blvd  
Kennewick  
City

WA  
State

99336  
Zip

Daytime Phone: (509) 736-2573

## 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:
17S	46E	13	NE SE	3300	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
17S	46E	13	NW SE	3300	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
17S	46E	13	SW SE	3300	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
17S	46E	13	SE SE	3300	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU

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

Malheur County	RECEIVED
----------------	----------

MAR 22 2013

## 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: 500     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:

The applicant is applying for a permit to use groundwater withdrawn from the alluvial aquifer and beneficially used for industrial uses.

**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**

*25 per  
Phone call  
from Malheur  
County Planning  
3/22/13*

- 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): MCC Title 6
- 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.

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

Name: \_\_\_\_\_ Title: Jon D Beal, Planning Dir.  
 Signature: Jon D Beal Phone: \_\_\_\_\_ Date: 2-26-13  
 Government Entity: Malheur Co 541-473-5185

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



MAR 28 2013

**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. SALEM, OR

**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): HCC Title 6
- 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

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: \_\_\_\_\_ Title: Jon D Beal, Planning Dir.  
 Signature: Jon D Beal Jon D Beal Phone: \_\_\_\_\_ Date: 2-26-13  
 Government Entity: Malheur Co 541-473-2000

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

**Jon Beal**

---

**From:** Bates, Mary A. <mary.bates@valmont.com>  
**Sent:** Monday, March 25, 2013 4:08 PM  
**To:** Jon Beal  
**Cc:** 'Dorothy Pedersen'  
**Subject:** RE: question-- Application for permit-Ontario Asset Holdings  
**Attachments:** scanned permit page.pdf

RECEIVED BY OWRD

**Importance:** High

MAR 28 2013

SALEM, OR

Mr. Beal,

Thank you for your quick response to this request. Attached is the page in question, please resign, check the box and mail an original and send a scanned copy to:

Water Resources Dept.  
Attn: Dorothy Pedersen  
725 Summer Street NE, Suite A  
Salem OR 97301

*Please mail*

Again, thank you, we appreciate your taking time to assist with this.

*Mary Bates*

Administrative Coordinator

Phone: 541.812.6631 Fax: 541.967.7619

---

**From:** Dorothy Pedersen [mailto:dorothy.i.pedersen@state.or.us]  
**Sent:** Monday, March 25, 2013 2:18 PM  
**To:** Bates, Mary A.  
**Subject:** RE: question-- Application for permit-Ontario Asset Holdings

Mary,  
Someone else at the Planning Department returned my call to the number listed on the form and said that Mr. Beal was out of the office. That person indicated that the top box should have been checked on that signature page, but I have not heard directly from Mr. Beal. I can check to see if an original signature page has been sent to WRD, but do you know why you did not receive an original signature page to begin with? That seems unusual that he would not have given the original to you in the beginning.

Dorothy

---

**From:** Bates, Mary A. [mailto:mary.bates@valmont.com]  
**Sent:** Monday, March 25, 2013 11:15 AM  
**To:** 'Dorothy Pedersen'  
**Subject:** question-- Application for permit-Ontario Asset Holdings

Did you happen to hear from Mr. Beal? I haven't heard or seen anything.

*Mary Bates*

Administrative Coordinator

**Dorothy Pedersen**

---

**From:** Dorothy Pedersen  
**Sent:** Friday, March 22, 2013 12:47 PM  
**To:** 'Bates, Mary A.'  
**Subject:** RE: Application for permit-Ontario Asset Holdings

Mary,

Thanks for following up on this. I'll watch for the ownership documentation.

The check you submitted is for the correct amount.

We also will need to have the original last page of the Land Use Information form. That is the page signed by Jon Beal, Malheur County Planning Director. I am sorry when I called you that I didn't notice the page included with this application was just a copy. Since neither of the boxes at the top of that page was checked, I've also left a voicemail message at the telephone number that Mr. Beal indicated, to see if we can have that clarified. — *Phone call returned 1:15 PM 3/22/13 from Malheur County Planning Dept, saying the top box should have been checked. DJP*

---

**From:** Bates, Mary A. [<mailto:mary.bates@valmont.com>]  
**Sent:** Friday, March 22, 2013 12:12 PM  
**To:** Dorothy Pedersen  
**Subject:** Application for permit-Ontario Asset Holdings  
**Importance:** High

Hi Dorothy,

Thank you for calling regarding the missing piece of our permit application. Steel Maloney will email you the warranty deed as soon as he has internet available (he is traveling and sorry I didn't ask for time).

Please do not return the packet - we will get you the info you are requesting. — *Legal description/ownership*

He also asked that I verify with you that the check amount we sent was correct.

**Mary Bates**  
Administrative Coordinator

**Cascade Earth Sciences (CES)**  
3511 Pacific Blvd. SW, Albany, OR 97321  
Phone: 541.812.6631 Fax: 541.967.7619

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

A Valmont Company. Conserving Resources. Improving Life.  
Visit our website at [www.cascade-earth.com](http://www.cascade-earth.com)

The information contained in this E-mail message and the documents accompanying this message are privileged and confidential, and may be protected from disclosure. Please be aware that any use, printing, copying, disclosure or dissemination of this communication may be subject to legal restriction or sanction. If you think that you have received this E-mail message in error, please reply to the sender.

G-47639

## Dorothy Pedersen

---

**From:** Maloney, Steel B. <steel.maloney@valmont.com>  
**Sent:** Friday, March 22, 2013 4:08 PM  
**To:** 'Dorothy Pedersen'  
**Cc:** Bates, Mary A.  
**Subject:** RE: Update-- Application for permit-Ontario Asset Holdings  
**Attachments:** Ontario Statutory Bargain and Sale Deed.pdf

Ms. Pedersen, please see the attached sale deed. Please let me know if this is satisfactory. I also understand that you requested an original copy from the county planner. We will obtain this since we were provided a scanned copy. We will provide this as soon as possible.

Thank you for your assistance.



Steel Maloney, President  
Cascade Earth Sciences  
3511 Pacific Blvd. SW  
Albany, OR 97321

Direct: (541) 812-6627 | Office: (541) 926-7737 | [www.cascade-earth.com](http://www.cascade-earth.com)

*Original signature page  
of the Land Use form*

---

**From:** Bates, Mary A.  
**Sent:** Friday, March 22, 2013 12:50 PM  
**To:** Maloney, Steel B.  
**Cc:** 'Dorothy Pedersen'  
**Subject:** Update-- Application for permit-Ontario Asset Holdings  
**Importance:** High

Steel,

Please see below for additional information needed besides ownership documentation.

## Mary Bates

Administrative Coordinator  
Phone: 541.812.6631 Fax: 541.967.7619

**From:** Dorothy Pedersen [<mailto:dorothy.i.pedersen@state.or.us>]  
**Sent:** Friday, March 22, 2013 12:47 PM  
**To:** Bates, Mary A.  
**Subject:** RE: Application for permit-Ontario Asset Holdings

Mary,

Thanks for following up on this. I'll watch for the ownership documentation.

The check you submitted is for the correct amount.

We also will need to have the original last page of the Land Use Information form. That is the page signed by Jon Beal, Malheur County Planning Director. I am sorry when I called you that I didn't notice the page included with this

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

947639

application was just a copy. Since neither of the boxes at the top of that page was checked, I've also left a voicemail message at the telephone number that Mr. Beal indicated, to see if we can have that clarified.

Dorothy

---

**From:** Bates, Mary A. [mailto:mary.bates@valmont.com]  
**Sent:** Friday, March 22, 2013 12:12 PM  
**To:** Dorothy Pedersen  
**Subject:** Application for permit-Ontario Asset Holdings  
**Importance:** High

Hi Dorothy,

Thank you for calling regarding the missing piece of our permit application. Steel Maloney will email you the warranty deed as soon as he has internet available (he is traveling and sorry I didn't ask for time).

Please do not return the packet - we will get you the info you are requesting.

He also asked that I verify with you that the check amount we sent was correct.

**Mary Bates**

Administrative Coordinator

**Cascade Earth Sciences (CES)**

3511 Pacific Blvd. SW, Albany, OR 97321

Phone: 541.812.6631 Fax: 541.967.7619

A Valmont Company. Conserving Resources. Improving Life.  
Visit our website at [www.cascade-earth.com](http://www.cascade-earth.com)

The information contained in this E-mail message and the documents accompanying this message are privileged and confidential, and may be protected from disclosure. Please be aware that any use, printing, copying, disclosure or dissemination of this communication may be subject to legal restriction or sanction. If you think that you have received this E-mail message in error, please reply to the sender.

The information contained in this E-mail message and the documents accompanying this message are privileged and confidential, and may be protected from disclosure. Please be aware that any use, printing, copying, disclosure or dissemination of this communication may be subject to legal restriction or sanction. If you think that you have received this E-mail message in error, please reply to the sender.

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

After recording return to:

George K. Fogg  
Perkins Coie LLP  
1120 NW Couch Street, 10th Floor  
Portland, OR 97209

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

c/o Con Agra Foods Lamb Weston  
P.O. Box 1900  
Pasco, WA 99302

**GRANTOR:**

LARSON LAND COMPANY, LLC,  
fka Select Onion Co., LLC,  
by and through John L. Davidson,  
Chapter 11 Trustee

**GRANTEE:**

ONTARIO ASSET HOLDINGS LLC

This space reserved for recorder's use.

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

**STATUTORY BARGAIN AND SALE DEED**

LARSON LAND COMPANY, LLC, fka Select Onion Co., LLC, by and through John L. Davidson, Chapter 11 Trustee ("Grantor"), conveys to Ontario Asset Holdings LLC, a Delaware limited liability company ("Grantee"), the real property in Malheur County, Oregon more particularly described on Exhibit G-1, attached hereto and by this reference incorporated herein.

The true and actual consideration for this transfer in terms of dollars is \$35,000,000.00.

This conveyance is made pursuant to that certain Order of the United State Bankruptcy Court, District of Idaho entered on September 4, 2012 and assigned Docket No. 253 in In Re Larson Land Company, LLC, fka Select Onion Co., LLC, Case No. 12-00820-TLM.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010. TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11,

CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009,  
AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

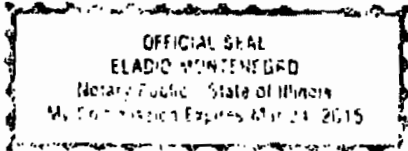
DATED, September 17<sup>th</sup>, 2012.

LARSON LAND COMPANY, LLC,  
fka Select Onion Co., LLC,  
by and through John L. Davidson,  
Chapter 11 Trustee

By *John L. Davidson*  
John L. Davidson, Chapter 11 Trustee

STATE OF ILLINOIS            )  
  ) ss.  
COUNTY OF Cook            )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of September, 2012 by John L. Davidson as the Chapter 11 Trustee of Larson Land Company, LLC, fka Select Onion Co., LLC.



*Eladio Montenegro*  
Notary Public for Illinois  
My commission expires 3/24/15

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

EXHIBIT G-1  
REAL ESTATE DESCRIPTION

PART I

PARCEL NO. 1:

Land in Malheur County, Oregon, as follows:

A.

In Twp. 17 S., R. 40 E., W.M.

Secs. 3, 4, 9 and 10 Beginning at a point on the East line of said Sec. 10, 733.4 feet

South of the East quarter corner of said Sec. 10,

thence S. 89 degrees 33' W., 1601.4 feet,

thence S. 60 degrees 30' W., 509.2 feet,

thence N. 36 degrees 22' W., 323.0 feet,

thence N. 31 degrees 43' W., 921.0 feet;

thence N. 16 degrees 53' W., 994.0 feet;

thence N. 24 degrees 43' W., 492.0 feet,

thence N. 14 degrees 50' W., 762.0 feet,

thence N. 44 degrees 00' W., 694.0 feet,

thence N. 31 degrees 01' W., 599.0 feet,

thence N. 41 degrees 48' W., 518.0 feet;

thence N. 73 degrees 22' W., 645.0 feet;

thence S. 68 degrees 22' W., 876.0 feet;

thence S. 71 degrees 54' W., 357.0 feet;

thence S. 63 degrees 24' W., 425.0 feet;

thence S. 87 degrees 06' W., 409.0 feet;

thence S. 86 degrees 35' W., 695.0 feet;

thence S. 81 degrees 52' W., 531.0 feet;

thence N. 82 degrees 34' W., 945.0 feet;

thence S. 00 degrees 26' W., 2414.0 feet,

thence S. 89 degrees 50' E., 719.0 feet;

thence N. 89 degrees 55' E., 1621.0 feet,

thence S. 24 degrees 52' E., 515.0 feet,

thence N. 89 degrees 30' E., 426.0 feet,

thence S. 01 degrees 16' E., 970.0 feet;

thence S. 00 degrees 46' E., 1051.0 feet;

thence S. 00 degrees 12' E., 609.0 feet;

thence S. 89 degrees 53' E., 1504.0 feet;

thence S. 89 degrees 53' E., 5259.5 feet along the South line of Sec. 10 to the Southeast corner of said

Section;

thence N. 00 degrees 01' W., 1887.3 feet along the East line of said Sec. 10 to the Point of Beginning

EXCEPTING THEREFROM the following parcels of land:

PARCEL NO. 1: NW 1/4 NE 1/4 of Sec. 9, and that portion of the SW 1/4 NE 1/4 of Sec. 9, lying within the

above described tract of land and more particularly described as follows: Beginning at the Northwest

corner of said SW 1/4 NE 1/4; thence East along the North line of said SW 1/4 NE 1/4 to the Northeast

corner;

thence South along the East line of said SW 1/4 NE 1/4 to the Southeast corner;

thence West along the South line of said SW 1/4 NE 1/4, 683.0 feet;

Exhibit B, page 1 of 17

70655491 2 0049689-00450

2011-02 106

Page 32 of 50

STATE OF OREGON

G-17639

RECEIVED

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON



thence N. 24 degrees 52' W., 515.0 feet;  
thence West 420 feet;  
thence North along the West line of said SW1/4 NE1/4, 853.0 feet to the Point of Beginning.  
PARCEL NO. 2: SE1/4 SE1/4 of Sec. 10.

**B.**

Land in Malheur County, Oregon, as follows.

In Twp. 17 S., R. 46 E., W.M.:

Sec. 11: PARCEL NO. 1: Beginning at a point South 591.5 feet from the Northeast corner of the W1/2 W1/2 of said Sec. 11;

thence West 312 feet,  
thence S 00 degrees 58' W., 2787.0 feet;  
thence N 89 degrees 57' E., 351.0 feet,  
thence North 2787.0 feet to the Point of Beginning  
PARCEL NO. 2: Beginning at a point 745.4 feet South of the Northwest corner of the NW1/4 SW1/4 of said Sec. 11;  
thence South 571.0 feet,  
thence East 1330.6 feet,  
thence North 571.0 feet,  
thence West 1330.6 feet to the Point of Beginning

**C.**

Sec. 14: PARCEL NO. 1: Beginning at the Southeast corner of the SW1/4 NE1/4 of said Sec. 14;

thence S. 89 degrees 49' W., 700 feet along the South line of said SW1/4 NE1/4,  
thence North 250 feet,  
thence N. 89 degrees 49' E., 900 feet;  
thence South 250 feet;  
thence S. 89 degrees 49' W., 200 feet to the Point of Beginning  
PARCEL NO. 2: Beginning at the Northeast corner of the SW1/4 NE1/4 of said Sec. 14;  
thence S. 89 degrees 57' W., 1992.8 feet;  
thence South 260.0 feet;  
thence N. 89 degrees 07' E., 1993.0 feet;  
thence North 229.0 feet to the Point of Beginning.

**D.**

Sec. 15: NW1/4 NE1/4

PARCEL NO. 1: Beginning at a point N. 00 degrees 13' W., 791.1 feet from the center quarter corner of said Sec. 15;

thence N 00 degrees 13' W., 591 feet;  
thence S. 89 degrees 56' E., 1142.7 feet;  
thence South 167 feet;  
thence West 401 feet;  
thence South 258 feet;  
thence West 379 feet;  
thence South 96 feet;  
thence West 362.5 feet to the Point of Beginning.  
PARCEL NO. 2: Beginning at the Southeast corner of the SW1/4 NW1/4 of said Sec. 15;  
thence N. 06 degrees 18' W., 360 feet;  
thence S. 87 degrees 32' W., 963 feet;  
thence S. 02 degrees 53' E., 317 feet;  
thence S. 89 degrees 59' E., 985.7 feet to the Point of Beginning.  
PARCEL NO. 3: Beginning at the Northeast corner of the NW1/4 NW 1/4 of said Sec. 15;  
thence West 969.5 feet;  
thence S. 33 degrees 56' E., 206 feet;

Exhibit B, page 2 of 17

70655491.2 0049689-00450

2011-02106  
MALHEUR COUNTY, OREGON

Page 33 of 58

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

thence S. 04 degrees 47' E., 475 feet;  
thence S. 29 degrees 49' E., 223 feet;  
thence S. 88 degrees 38' E., 313 feet;  
thence S. 88 degrees 56' E., 391.2 feet;  
thence North 850.2 feet to the Point of Beginning.  
PARCEL NO. 4: Beginning at a point 149 feet S 89 degrees 49' W. from the East quarter corner of said  
Sec. 15;  
thence N. 05 degrees 42' W., 345 feet;  
thence S. 88 degrees 51' W., 1302 feet;  
thence S. 07 degrees 36' E., 320 feet;  
thence N. 89 degrees 59' E., 1293.3 feet to the Point of Beginning

E.

Secs 15, 16 and 17: Beginning at a point N 00 degrees 03' W., 670.9 feet from the  
East quarter corner of said Sec. 16;  
thence N. 86 degrees 58' W., 29.2 feet;  
thence S. 47 degrees 38' W., 564.0 feet;  
thence S. 83 degrees 57' W., 1147.0 feet;  
thence N. 77 degrees 47' W., 1600.0 feet;  
thence N. 87 degrees 27' W., 800.0 feet;  
thence N. 79 degrees 31' W., 1030.0 feet;  
thence S. 57 degrees 28' W., 340.0 feet;  
thence S. 85 degrees 33' W., 193.0 feet;  
thence N. 63 degrees 44' W., 173.0 feet;  
thence N. 29 degrees 05' W., 404.0 feet;  
thence S. 89 degrees 56' W., 155.0 feet;  
thence N. 62 degrees 53' W., 273.0 feet;  
thence S. 87 degrees 41' W., 271.0 feet;  
thence N. 60 degrees 43' W., 240.0 feet;  
thence S. 55 degrees 16' W., 141.0 feet;  
thence N. 75 degrees 03' W., 267.0 feet;  
thence N. 83 degrees 19' W., 187.0 feet;  
thence N. 00 degrees 33' E., 1149.5 feet;  
thence S. 80 degrees 51' E., 192.0 feet;  
thence S. 73 degrees 22' E., 800.0 feet;  
thence S. 85 degrees 35' E., 615.0 feet;  
thence S. 84 degrees 37' E., 445.0 feet;  
thence S. 82 degrees 20' E., 950.0 feet;  
thence S. 80 degrees 24' E., 985.0 feet;  
thence N. 89 degrees 29' E., 615.0 feet;  
thence S. 88 degrees 37' E., 274.2 feet;  
thence S. 66 degrees 27' E., 301.0 feet;  
thence S. 56 degrees 53' E., 626.0 feet;  
thence S. 81 degrees 02' E., 199.0 feet;  
thence S. 87 degrees 21' E., 275.0 feet;  
thence N. 79 degrees 41' E., 199.0 feet;  
thence N. 56 degrees 30' E., 438.0 feet;  
thence N. 79 degrees 29' E., 575.0 feet;  
thence N. 86 degrees 41' E., 635.0 feet;  
thence S. 02 degrees 12' E., 577.8 feet;  
thence S. 36 degrees 35' W., 490.0 feet;  
thence N. 87 degrees 10' W., 355.0 feet to the Point of Beginning.

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

Exhibit B, page 3 of 17

70655491.2 0049689-00450

2011-02106

Page 34 of 58

MALHEUR COUNTY, OREGON

G-17639

F.

Sec 20: SE1/4 SE1/4, E1/2 SW1/4 SE1/4.

PARCEL NO. 2:

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.

Sec. 9, W1/2 NE1/4,

EXCEPTING THEREFROM the following described parcel:

Beginning at the center quarter corner of Sec. 9;

thence North 467.3 feet;

thence N. 89 degrees 55' E., 160.5 feet;

thence S. 24 degrees 52' E., 515.0 feet;

thence West 677.4 feet to the Point of Beginning

PARCEL NO. 3:

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.

Sec. 11: That portion of the E1/2 NW1/4 and of the S1/2 NE1/4 lying West of U.S. Highway 84 right of way NE1/4 SW1/4, NW1/4 SE1/4,

EXCEPTING THEREFROM that portion of the North 591 feet of the

NE1/4 NW1/4 and NW1/4 NE1/4 of Sec. 11, lying South and West

of Southerly right of way of U.S. Highway 84.

PARCEL NO. 4:

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.:

A. Sec. 11: SE1/4 SE1/4.

B. Sec. 12: SW1/4 SW1/4,

EXCEPTING THEREFROM right of way 100 feet in width for Highway as conveyed to the State of Oregon by Deed recorded August 25, 1954, Book 96, Instrument No. 10416, Deed Records.

C. Sec. 13: NW1/4 NW1/4.

D. Sec. 14: NE1/4 NE1/4.

PARCEL NO. 5:

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.:

Sec. 12: A parcel of land in the SE1/4 SW1/4 more particularly described as follows:

Beginning at a point on the Northeasterly right-of-way line of U.S. Highway 84, which point is opposite and at right angles to Station 940,

thence Southeasterly along said right of way, 100 feet;

thence N. 44 degrees 56' E., 100 feet;

thence Northwesterly, parallel with the center line of said Highway, 750 feet to a point opposite Station 933+50;

thence S. 44 degrees 56' W., 50 feet,

thence Southeasterly along the Highway right-of-way line, 650 feet;

thence S. 44 degrees 56' W., 50 feet to the Point of Beginning.

PARCEL NO. 6:

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.

A. Sec. 11: S1/2 SW1/4, SW1/4 SE1/4.

B. Sec. 14: NW1/4 NE1/4.

C. Sec. 23: SW1/4 SW1/4.

Land in Malheur County, Oregon, as follows:

Exhibit B, page 4 of 17

70655491.2 0049689-00450

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

2011-02106  
MALHEUR COUNTY, OREGON

Page 35 of 58

In Twp. 18 S., R. 46 E., W.M.:  
D. Sec. 4: S1/2 SE1/4.

PARCEL NO. 7:  
Land in Malheur County, Oregon, as follows:  
In Twp. 17 S., R. 46 E., W.M.:  
A. Sec. 21: S1/2 SW1/4.  
B. Sec. 28: N1/2 NE1/4, SW1/4 NE1/4, NW1/4 SE1/4.

PARCEL NO. 8:  
Land in Malheur County, Oregon, as follows:  
In Twp. 17 S., R. 46 E., W.M.  
Sec. 15: E1/2 NW1/4,  
EXCEPTING THEREFROM the following parcel:  
Beginning at the center quarter corner of Sec. 15:  
thence S. 89 degrees 59' W., 1310.1 feet;  
thence N. 00 degrees 07' W., 1775.6 feet;  
thence S. 88 degrees 56' E., 719.8 feet;  
thence S. 00 degrees 06' E., 1075.4 feet,  
thence East 590.1 feet;  
thence S. 00 degrees 13' E., 687.1 feet to the Point of Beginning.

PARCEL NO. 9:  
Land in Malheur County, Oregon, as follows:  
In Twp. 17 S., R. 46 E., W.M.:  
A. Sec. 21: S1/2 SE1/4.  
B. Sec. 22: SW1/4 SW1/4.

PARCEL NO. 10:  
Land in Malheur County, Oregon, as follows:  
In Twp. 17 S., R. 46 E., W.M.:  
A. Sec. 23: All that part of the SW1/4 SE1/4 lying South of the Main Owyhee Canal.  
B. Sec. 26: NE1/4 NW1/4, and all that part of the W1/2 NE1/4 lying West of the Main Owyhee Canal.

PARCEL NO. 11:  
Land in Malheur County, Oregon, as follows:  
In Twp. 17 S., R. 46 E., W.M.  
A. Sec. 26: SW1/4 SW1/4,  
EXCEPTING THEREFROM all that portion lying southeasterly of the easterly bank of the right of way of  
the Main Owyhee Canal.  
B. Sec. 34: NE1/4 NE1/4.  
C. Sec. 35: All that portion of the NW1/4 NW1/4 lying West of the right of way of the  
Main Owyhee Canal.

PARCEL NO. 12:  
Land in Malheur County, Oregon, as follows:  
In Twp. 17 S., R. 46 E., W.M.:  
A. Sec. 26: SW1/4 NW1/4, NW1/4 SW1/4.  
B. Sec. 27: SE1/4 NE1/4, NE1/4 SE1/4.

PARCEL NO. 13:  
Land in Malheur County, Oregon, as follows:  
In Twp. 17 S., R. 46 E., W.M.:

Exhibit B, page 5 of 17

70655491.2 0049689-00450

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

2011-02106 Page 36 of 58  
MALHEUR COUNTY, OREGON

G-17639

A. Sec. 29: SE1/4 SW1/4.  
B. Sec. 32: E1/2 NW1/4, NE1/4 SW1/4, SE1/4 SE 1/4, NE 1/4 NE 1/4,  
EXCEPTING THEREFROM PARCEL NO. 2 of Partition Plat No. 98-14, recorded September 24, 1998,  
Instrument No. 98-7477, Malheur County, Deed Records.

PARCEL NO. 14:

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.

A. Sec. 29: SW1/4 SE1/4.

B. Sec. 33: SE1/4 SE1/4.

In Twp. 18 S., R. 46 E., W.M.:

C. Sec. 4: N1/2, E1/2 SW1/4, N1/2 SE1/4.

EXCEPTING THEREFROM the following described parcel

Beginning at a point located N. 65 degrees 15' W., 1241.73 feet from the Southeast corner of the NE1/4  
SE1/4 of Sec. 4;

thence N 00 degrees 19' E., 200 feet;

thence N 89 degrees 41' W., 200 feet to a point on the West line of said NE1/4 SE1/4,

thence S. 00 degrees 19' W., along the West line of the NE1/4 SE1/4 of Sec. 4, 200 feet;

thence S. 89 degrees 41' E., 200 feet to the Point of Beginning

PARCEL NO. 15:

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.

A. Sec. 34: All that portion of the E1/2 SE1/4 lying above and being West of the Owyhee Canal right of way.

B. Sec. 35: All land in the SW1/4 SW1/4 lying and being West of the Owyhee Canal right of way.

PARCEL NO. 16:

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.:

Sec. 35: SW1/4 NW1/4 and NW1/4 SW1/4 lying North and West of the Owyhee  
Main Canal

PARCEL NO. 17:

Land in Malheur County, Oregon, as follows.

In Twp. 17 S., R. 47 E., W.M.:

Sec. 21: A parcel of land located along the bank of the Snake River in Government

Lot 1 (NE1/4 NW1/4) more particularly described as follows.

Beginning at a point 318.9 feet South of the G.L.O. meander corner of the North line of Lot 1 (NE1/4

NW1/4) of Sec. 21, said meander corner being 574.2 feet East of the Northwest corner of said Lot 1;

thence S. 71 degrees 44' W., 93 feet;

thence S. 03 degrees 40' E., 135 feet;

thence S. 87 degrees 00' E., 170 feet to the West water line of the Snake River;

thence Northerly 212 feet, more or less, along the West water line

of the Snake River;

thence S. 73 degrees 44' W., 126.8 feet to the Point of Beginning

EXCEPTING THEREFROM a parcel of land located in Lot 1 more particularly described as follows:

Commencing at the meander corner on the West bank of the Snake River on the section line between Secs.  
16 and 21;

thence West along said section line, 100.7 feet;

thence S. 03 degrees 13' E., 362.2 feet to a point which is the POINT OF BEGINNING;

thence S. 03 degrees 13' E., 88.0 feet;

thence N. 86 degrees 47' E., 50.0 feet;

Exhibit B, page 6 of 17

70655491.2 0049689-00450

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

2011-02106  
MALHEUR COUNTY, OREGON

Page 37 of 88

RECEIVED

MAR 22 2013

thence N. 03 degrees 13' W., 88.0 feet;  
thence S. 86 degrees 47' W., 50.0 feet to the Point of Beginning.

WATER RESOURCES DEPT  
SALEM, OREGON

PARCEL NO. 18

Land in Malheur County, Oregon, as follows:

In Twp. 18 S., R. 46 E., W.M.

Sec. 3: S1/2 NE1/4 lying North and West of North Canal right of way.

EXCEPTING THEREFROM a parcel of land in the SW1/4 NE1/4 more particularly described as follows:

Beginning at the Southeast corner of the SW1/4 NE1/4;

thence S. 89 degrees 18' W., 685 feet along the South line of said SW1/4 NE1/4;

thence N. 00 degrees 30' E., 225 feet;

thence N. 89 degrees 18' E., 685 feet to a point on the East line of said SW1/4 NE1/4,

thence S. 00 degrees 30' W., 225 feet along said East line of the SW1/4 NE1/4 to the Point of Beginning.

SE1/4 NW1/4, SW1/4,

EXCEPTING FROM the SE1/4 SW1/4 canal right of way conveyed to United States of America by Deed dated January 14, 1935, recorded May 29, 1935, Book 39, Pages 113-115, inclusive, Deed Records.

NW1/4 SE1/4 lying West of the North Canal right of way.

EXCEPTING THEREFROM the following two parcels

PARCEL NO. 1: Beginning at the Southeast corner of the NW1/4 SE1/4; thence S. 89 degrees 16' W.,

595.6 feet along the South line of said NW1/4 SE1/4,

thence N. 70 degrees 09' E., 320.0 feet;

thence N. 28 degrees 17' E., 620.1 feet to a point on the East line of said NW1/4 SE1/4;

thence South 644.5 feet along said East line of the NW1/4 SE1/4 to the Point of Beginning

PARCEL NO. 2: Beginning at the Northeast corner of said NW1/4 SE1/4;

thence South 480.0 feet along the East line of the NW1/4 SE1/4,

thence N. 54 degrees 39' W., 836.4 feet to a point on the North line of said NW1/4 SE1/4,

thence N. 89 degrees 18' E., 685.0 feet along said North line of said NW1/4 SE1/4 to the Point of Beginning

PARCEL NO. 19:

Land in Malheur County, Oregon, as follows:

In Twp. 18 S., R. 46 E., W.M.

Sec. 10: A tract of land more particularly described as follows

Beginning at a point S. 89 degrees 16' W., 754.4 feet and S. 00 degrees 46' E., 406.2 feet from the Northeast corner of said Sec. 10;

thence S. 00 degrees 46' E., 207.7 feet;

thence N. 89 degrees 16' E., 207.7 feet;

thence N. 00 degrees 46' W., 207.7 feet;

thence S. 89 degrees 16' W., 207.7 feet to the Point of Beginning.

TOGETHER WITH a perpetual easement and right of way over and across the NE1/4 NE1/4 of Sec. 10

and the S1/2 SE1/4 of Sec. 3 in Twp. 18 S., R. 46 E., W.M., to construct, maintain, inspect, operate,

protect, repair, replace, alter or remove a 36 inch pipe line for the transportation of water on, over and

through the above described real property, to be used for irrigation purposes on lands owned by the

Grantee, or lands owned by other persons to whom the Grantee desires to furnish water, said easement

to be 50 feet in width and to extend 25 feet on either side of the following described center line, to-wit:

Beginning at a point S. 62 degrees 40' W., 810.9 feet from the Northeast corner of said Sec. 10;

thence N. 39 degrees 37' W., 1349.8 feet;

thence N. 51 degrees 56' W., 598.4 feet to a point on the

Northerly property line, said point being S. 66 degrees 17' W., 807.2 feet from the Northeast

corner of the SW1/4 SE1/4 of said Sec. 3.

SUBJECT TO existing County, road right of way.

PARCEL NO. 20:

Exhibit B, page 7 of 17

70535921 2 0049680-00450

2011-02106

Page 38 of 58

MALHEUR COUNTY, OREGON

G-17639

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.:

Sec. 26: All that portion of the SE1/4 SW1/4 lying North and West of the North Canal of the Owyhee Irrigation District.

PARCEL NO. 21:

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.:

A. Sec. 22: SW1/4 SE1/4.

B. Sec. 26: NW1/4 NW1/4, SE1/4 NW1/4.

PARCEL NO. 22:

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.:

A. Sec. 27: N1/2 NE1/4, NW1/4 SE1/4, SW1/4 NE1/4, SW1/4, S1/2 SE1/4

B. Sec. 28: W1/2, SE1/4 NE1/4, E1/2 SE1/4, SW1/4 SE1/4.

C. Sec. 29: W1/2 NE1/4, NW1/4 SE1/4, E1/2 E1/2.

D. Sec. 33: All,

EXCEPTING THEREFROM, PARCEL NO. 2 of Partition Plat No. 98-1-I recorded September 24, 1998, Instrument No. 98-7477, Malheur County, Deed Records.

ALSO, EXCEPTING THEREFROM the NE1/4 NE1/4 of Sec. 33 the following described parcel, to-wit:

Beginning at the Northeast corner of said NE1/4 NE1/4;

thence South along the East boundary thereof, 225 feet.

thence South 88 degrees 41' 30" W., 175 feet;

thence North 225 feet.

thence North 88 degrees 41' 30" E., 175 feet to the Point of Beginning

E. Sec. 34: W1/2 E1/2, SE1/4 NE1/4, N1/2 NW1/4, SW1/4 NW1/4, SE1/4 SW1/4

PARCEL NO. 23:

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.:

A. Sec. 10: SE1/4 SE1/4.

B. Sec. 11: That portion of the NE1/4 SE1/4 and NW1/4 NE1/4 lying Southwest of Interstate Highway right of way.

C. Sec. 12: NW1/4 SW1/4 lying Southwest of Interstate Highway right of way

D. Sec. 13: N1/2 NE1/4, NE1/4 NW1/4, SW1/4 NW1/4

EXCEPTING FROM THE ABOVE DESCRIBED LAND, PARCEL NO. 3 of Partition Plat No. 2006-5, recorded March 29, 2006, Instrument No. 2006-2050, Deed Records.

FURTHER EXCEPTING the following described parcel:

Beginning at the North 1/16<sup>th</sup> Corner common to Section 13, Twp. 17 S., R. 46 E., W.M., Malheur County, Oregon;

Thence along the Southerly boundary of said N 1/2 NE 1/4, S. 89 degrees 42' 31" W., 1271.88 feet, to the Easterly right of way of Interstate No. 84;

Thence along said Easterly right of way, N. 45 degrees 13' 07" W., 1854.79 feet, to the Northerly boundary of said N 1/2 NE 1/4;

Thence along said Northerly boundary N. 89 degrees 46' 23" E., 2594.24 feet, to the Easterly boundary of said N 1/2 NE 1/4;

Thence departing said Northerly boundary, S. 00 degrees 15' 17" W., 1310.34 feet to the Point of Beginning.

E. Sec. 14: N1/2 NW1/4.

F. Sec. 15: NE1/4 NE1/4,

EXCEPTING FROM the above lands that portion conveyed to the State of Oregon by and through its State Highway Commission, in Deed dated October 8, 1954, recorded October 21, 1954, Instrument No.

Exhibit B, page 8 of 17

70655491.2 0049689-00450

2011-02108

Page 39 of 58

MALHEUR COUNTY, OREGON

11760 and dated May 18, 1972, recorded June 30, 1972, Instrument No. 135793, for Highway right of way  
FURTHER EXCEPTING that portion of the North 591 feet of the NW 1/4 NE 1/4 of Sec 11, lying South and West of Interstate Highway 84 right of way.

**PARCEL NO. 24:**

Land in Malheur County, Oregon, as follows:

In Twp. 18 S., R. 46 E., W.M.

Sec. 3: Government Lot(s) 2, 3 and 4, SW 1/4 NW 1/4 and all that portion of Government Lot 1, lying and being North and West of the right of way of the North Canal of the Owyhee Irrigation District

**PARCEL NO. 25**

Land in Malheur County, Oregon, as follows

In Twp. 17 S., R. 46 E., W.M.

Sec. 12: All that portion of the SE 1/4 SW 1/4 lying South and West of the right of way of the relocated Old Oregon Trail Highway TOGETHER with those certain Easements described as follows

**EASEMENT "A":**

1. Easement as granted by instrument dated May 19, 1967, from Charlie A. Crabb and Marthy E. Crabb, husband and wife, unto Skyline Farms, Inc., a corporation, as Grantee of record in said County, Instrument No. 81639. An easement across a parcel of land located in Lot 1 (NE 1/4 NW 1/4) of Sec. 21, Twp. 17 S., R. 47 E., W.M., State of Oregon, more particularly described as follows:

Beginning at a meander corner on the left (West) bank of the Snake River on the section line between Secs. 16 and 21, Twp. 17 S., R. 47 E., W.M.;  
thence South 318.9 feet;  
thence S. 73 degrees 44' W., 93.0 feet to the POINT OF BEGINNING,  
thence from the Point of Beginning S. 03 degrees 44' E., 135.0 feet,  
thence N. 40 degrees 25' 15" W., 83.12 feet;  
thence N. 04 degrees 55' 45" W., 25.0 feet;  
thence N. 45 degrees 32' 40" E., 66.42 feet to the Point of Beginning

2. Easement as granted by instrument dated November 8, 1966, from Charlie A. Crabb and Marthy E. Crabb, husband and wife, unto Skyline Farms, Inc., a corporation, as Grantee of record in said County, Instrument No. 76736. An easement across a parcel of land located in Lot 1 (NE 1/4 NW 1/4) of Sec. 21, Twp. 17 S., R. 47 E., W.M., Malheur County, State of Oregon, more particularly described as follows. A parcel 12.5 feet either side of the following described centerline.

Beginning at a point 393.11 feet South and 27.21 feet West of the meander corner, said meander corner being 574.2 feet East of the Northwest corner of said Lot 1;  
thence S. 86 degrees 20' W., 270.0 feet;  
thence N. 76 degrees 21' W., 194.0 feet more or less, to the East right-of-way line of said Highway 201.

**EASEMENT "B":**

Easement as granted by instrument dated September 9, 1966, from Phoebe W. White, a widow; Joseph Lewis White and Flora F. White, husband and wife, unto Skyline Farms, Inc., a corporation, as Grantee of record in said County, Instrument No. 76656.

An easement across the following: An easement 20 feet in width located in the NW 1/4 NW 1/4 of Sec. 21, Twp. 17 S., R. 47 E., W.M., more particularly described as being 10 feet on either side of the following described center line:

Beginning at a point 348.9 feet South of the Northeast corner of the NW 1/4 NW 1/4 of said Sec. 21,  
thence N. 76 degrees 21' W., 39.95 feet;

Exhibit B, page 9 of 17

70655491 2 0049659-00450

G-17639

2011-0216 RECEIVED  
MALHEUR COUNTY, OREGON

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON



thence N. 89 degrees 48' W., 1281.6 feet to a point on the West line of said NW1/4 NW1/4 of Sec. 21, said point being 336.3 feet South of the Northwest corner of said NW1/4 NW1/4

SUBJECT to existing easement to the State Highway and Idaho Power.

**EASEMENT "C":**

Easement as granted by instrument dated September 25, 1966, from Lois B. McDaniel and O E. McDaniel, husband and wife, unto Skyline Farms, Inc., a corporation, as Grantee of record in said County, Instrument No. 76658. An easement 25 feet in width located in the NE1/4 NE1/4 of Sec. 20, Twp. 17 S., R. 47 E., W.M., being described as 15 feet North and 10 feet South of the following described center line:

Beginning at a point 336.3 feet South of the Northeast corner of said Sec. 20;

thence N. 76 degrees 21' W., 475.11 feet;

thence S. 85 degrees 03' W., 368.25 feet;

thence S. 82 degrees 18' W., 512.3 feet to a point on the West line of said NE1/4 NE1/4, said point being

South 435.1 feet from the Northwest corner of said NE1/4 NE1/4.

SUBJECT to existing lateral right of way or other visible easements.

**EASEMENT "D":**

Easement as granted by instrument dated September 28, 1966, from Oliver Burris and Myrtle Burris, husband and wife, unto Skyline Farms, Inc., a corporation, as Grantee of record in said County, Instrument No. 76662. An easement 25 feet in width located in the NW1/4 NE1/4 of Sec. 20, Twp. 17 S., R. 47 E., W.M., more particularly described as being 15 feet North and 10 feet South of the following described centerline:

Beginning at a point on the East line of said NW1/4 NE1/4, Sec. 20,

435.1 feet South of the Northeast corner of said NW1/4 NE1/4;

thence S. 82 degrees 18' W., 172.5 feet;

thence N. 66 degrees 37' W., 1131.0 feet;

thence N. 89 degrees 58' W., 145.31 feet to a point on the West line of said NW1/4 NE1/4 of Sec. 20, said point being 20 feet South of the Northwest corner of said NW1/4 NE1/4.

**EASEMENT "E" and part of EASEMENT "D":**

Easement as granted by instrument dated September 28, 1966, from Oliver Burris and Myrtle Burris, husband and wife, unto Skyline Farms, Inc., a corporation, as Grantee of record in said County, Instrument No. 76663. An easement along the North line of NE1/4 NW1/4 of Sec. 20, Twp. 17 S., R. 47 E., W.M., more particularly described as follows:

Beginning at the Northeast corner of said NE1/4 NW1/4 of Sec. 20;

thence South 25 feet;

thence N. 89 degrees 51' W., 1320.0 feet;

thence North 25 feet;

thence S. 89 degrees 51' E., 1320 feet to the Point of Beginning.

SUBJECT to existing pipeline lateral and road easements.

**EASEMENT "F":**

Easement as granted by instrument dated October 6, 1966, from William L. Doman and Jewel Doman, husband and wife, unto Skyline Farms, Inc., a corporation, as Grantee of record in said County, Instrument No. 76660. An easement across the North 25 feet of the NW1/4 NW1/4 of Sec. 20, Twp. 17 S., R. 47 E., W.M.

SUBJECT to existing ditch, road and gas line easements.

**EASEMENT "G":**

Easement as granted by instrument dated October 21, 1966, from Vernon Casterlane and Jane M. Casterlane, husband and wife, unto Skyline Farms, Inc., a corporation, as Grantee of record in said County, Instrument No. 76661. An easement across the North 25 feet of the N1/2 NE1/4 of Sec. 19, Twp. 17 S., R. 47 E., W.M.

SUBJECT to existing lateral and county road easement.

EXCEPTING easement to State of Oregon Highway Commission for Highway 30 and overpass along Stanton Boulevard in the NW1/4 NE1/4 of said Sec. 19.

Exhibit B, page 10 of 17

70655491.2 0049689-00450

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

2011-02106

Page 41 of 58

MALHEUR COUNTY, OREGON

**EASEMENT "H":**

Easement as granted by instrument dated November 11, 1966, from Floyd A. Hager and Helen D. Hager, husband and wife, unto Skyline Farms, Inc., a corporation, as Grantee of record in said County, Instrument No. 80104. An easement across a parcel of land located in the SW1/4 SE1/4 of Sec. 18, Twp. 17 S., R. 47 E., W.M., being 12.5 feet wide on

either side of the following described centerline:

- Beginning at a point on the West line of said SW1/4 SE1/4, 513.15 feet North of the South quarter corner of said Sec. 18;
- thence S 42 degrees 23' E., 190.62 feet;
- thence S. 51 degrees 02' E., 234.0 feet, more or less, to the North right-of-way fence along the Northerly Frontage Road of U.S. Highway 30 North

**EASEMENT "I":**

Easement as granted by instrument dated December 13, 1966, from Calvin Hughes and Shirley Hughes, husband and wife, unto Skyline Farms, Inc., a corporation, as Grantee of record in said County, Instrument No. 80103. An easement across a parcel of land located in Sec. 18, Twp. 17 S., R. 47 E., W.M., being 12.5 feet wide on either side of the

following described centerline

- Beginning at a point on the East line of the SE1/4 SW1/4 of said Sec. 18, said point being 513.15 feet North of the South quarter corner of Sec. 18;
- thence N. 42 degrees 23' W., 283.98 feet,
- thence N. 25 degrees 07' W., 729.70 feet,
- thence N. 28 degrees 50' W., 1091.45 feet,
- thence N. 59 degrees 27' W., 489.08 feet,
- thence S. 89 degrees 06' W., 681.9 feet to the East line of the State Highway Stockpile Site.

**EASEMENT "J":**

Easement as granted by instrument dated November 8, 1966, from Eugene W. Wynn and Edith Wynn, husband and wife, unto Skyline Farms, Inc., a corporation, as Grantee of record in said County, Instrument No. 80102. An easement 12.5 feet wide on either side

of the following described centerline, located in Sec. 13, Twp. 17 S., R. 46 E., W.M.:

- Beginning at a point on the West line of the SE1/4 NW1/4 of Sec. 13, said point being 68.4 feet North of the Southwest corner of the said SE1/4 NW1/4;
- thence N. 79 degrees 01' E., 1603.88 feet,
- thence S. 76 degrees 02' E., 2187.07 feet,
- thence N. 58 degrees 46' W., 3.0 feet to the Southerly right of way of the U.S. Highway 84 North EXCEPTING existing Canal right of way.

**EASEMENT "K":**

Easement as granted by instrument dated January 24, 1967, from C. H. Thayer and Hazel E. Thayer, husband and wife, unto Skyline Farms, Inc., a corporation, as Grantee of record in said County, Instrument No. 80101. An easement across a parcel of land in the S1/2 NE1/2 of Sec. 14, Twp. 17 S., R. 46 E., W.M., described as follows:

- The South 25 feet of the S1/2 NE1/4;
  - The South 25 feet of the SE1/4 NW1/4;
  - The East 25 feet of the SW1/4 NE1/4.
- EXCEPTING THEREFROM the following two parcels:

- PARCEL NO. 1:**
- Beginning at the Southeast corner of said SW1/4 NE1/4; thence S. 89 degrees 49' W., 700 feet along the South line of said SW1/4 NE1/4;
  - thence North 250 feet;
  - thence N. 89 degrees 49' E., 900 feet;
  - thence South 250 feet;

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

Exhibit B, page 11 of 17

70655491.2 0049689-00450

G-17639

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

thence S. 89 degrees 49' W., 200 feet to the Point of Beginning.  
PARCEL NO. 2: Beginning at the Northeast corner of said SW 1/4 NE 1/4,  
thence S. 89 degrees 57' W., 1992.8 feet,  
thence South 260 feet;  
thence N. 89 degrees 07' E., 1993.0 feet;  
thence North 229.0 feet to the Point of Beginning.

**EASEMENT "L" and "M":**

Easement as granted by instrument dated April 7, 1978, from C. H. Thayer, et al, unto Skyline Farms, Inc., a corporation, Grantee of record in said County, Instrument No. 43578.

PARCEL NO 1: A strip of land 25.0 feet in width being 12.5 feet on each side of an existing irrigation pipeline located in Sec. 16, Twp. 17 S., R. 46 E., W.M., Malheur County, Oregon, and being more particularly described as follows:

Commencing at a brass cap marking the Northeast section corner of Sec. 16, Twp. 17 S., R. 46 E., W.M.  
thence S. 00 degrees 03' 52" E., 2633.39 feet along the East line of said Sec. 16, to the East quarter corner of Sec 16;  
thence West 26.18 feet along the South line of the NE 1/4 of Sec. 16 to the POINT OF BEGINNING;  
thence N. 01 degree 38' 19" E., 671.50 feet along the centerline of a 25 foot wide strip of land to a point which marks the end of this irrigation pipeline easement.

PARCEL NO 2: A strip of land 25 feet in width being 12.5 feet on each side of an existing irrigation pipeline located in Sec. 16, Twp. 17 S., R. 46 E., W.M., Malheur County, Oregon, and being more particularly described as follows:

Commencing at a brass cap marking the Northeast section corner of Sec. 16, Twp. 17 S., R. 46 E., W.M.;  
thence S. 00 degrees 03' 52" E., 1045.44 feet along the East line of said Sec. 16, to a point;  
thence S. 86 degrees 41' 00" W., 6.02 feet to the POINT OF BEGINNING,  
thence N. 00 degrees 10' 25" W., 1045.79 feet along the centerline of a 25 foot wide strip of land to a point on the North line of Sec. 16, and which point also marks the end of this irrigation pipeline easement.

PARCEL NO. 3: A strip of land 25 feet in width being 12.5 feet on each side of an existing irrigation pipeline located in Sec. 15, Twp. 17 S., R. 46 E., W.M., Malheur County, Oregon and being more particularly described as follows:

Commencing at a brass cap marking the Northwest section corner of Sec. 15, Twp. 17 S., R. 46 E., W.M.;  
thence S. 00 degrees 03' 52" E., 1045.44 feet along the West line of said Sec. 15, to a point;  
thence N. 86 degrees 31' 00" E., 626.5 feet to a point;  
thence S. 02 degrees 12' 00" E., 23.95 feet to the POINT OF BEGINNING,  
thence along the centerline of a 25 foot wide strip of land the following courses and distances  
N. 86 degrees 41' 00" E., 27.95 feet to a point;  
thence N. 40 degrees 22' 46" E., 246.98 feet to a point which marks the end of this irrigation pipeline easement.

PARCEL NO. 4: A strip of land 25 feet in width lying along and adjacent to a Southerly boundary line of Skyline Farms property located in Sec. 15, Twp. 17 S., R. 46 E., W.M., Malheur County, Oregon, and being more particularly described as follows:

Commencing at a brass cap marking the Northwest section corner of Sec. 15, Twp. 17 S., R. 46 E., W.M.;  
thence S. 89 degrees 53' 51" E., 339.61 feet along the North line of said Sec. 15, to a point;  
thence S. 33 degrees 56' 00" E., 206 feet to a point;  
thence S. 04 degrees 47' 00" E., 475 feet to a point;  
thence S. 29 degrees 49' 00" E., 223 feet to a point;  
thence S. 88 degrees 38' 00" E., 185.42 feet to the POINT OF BEGINNING;  
thence along the Northerly line of a 25 foot wide strip of land which is adjacent and Southerly boundary line of Skyline Farms property, the following courses and distances:  
S. 88 degrees 38' 00" E., 115.08 feet to a point;

Exhibit B, page 12 of 17

706554v1 2 0049689-00450

2011-02106  
MALHEUR COUNTY, OREGON

Page 43 of 58

S 88 degrees 46' 00" E., 393.14 feet to a point.  
S 00 degrees 07' 59" E., 6.30 feet to a point.  
S. 88 degrees 56' 00" E., 600.42 feet to a point which marks the end of this irrigation pipeline easement.

**EASEMENT "N":**

Easement as granted by instrument dated September 16, 1998, from the City of Ontario, Oregon, a Municipal Corporation organized and existing under and by virtue of the laws of the State of Oregon, unto Farrell V. Larson and Irene C. Larson, as Grantee of record in said County. Instrument No. 98-7481. An easement, permanent ingress/egress access easement over and across a portion of Section 32 and 33, Twp. 17 S., R. 46 E., W.M., Malheur County, Oregon, more particularly described as follows:

The South 20 feet of the North 1/2 of the South 1/2 of said Sec. 33; and the South 20 feet of the North 1/2 of the Southeast 1/4 of said Section 32. Said easement, also being subject to any rights of way or other easements of record or in use.

ALSO the following described property:

An existing road right of way being 20 feet wide and lying South of the following described line, to-wit: Beginning at an Iron Pin marking the 1/4 corner common to Secs. 33 and 34, Twp. 17 S., R. 46 E., W.M.; thence along the section line common to said Secs. 33 and 34, N. 01 degrees 14' 54" E., a distance of 1491.54 feet to a point being the POINT OF BEGINNING.

thence leaving said section line N. 88 degrees 45' 06" W., a distance of 27.04 feet to a point on an existing fence line.

thence along the existing fence line S. 42 degrees 03' 58" W., a distance of 188.81 feet to a point;

thence S. 82 degrees 50' 55" W., 170.33 feet;

thence S. 42 degrees 19' 10" W., 377.90 feet;

thence S. 65 degrees 57' 04" W., 202.72 feet;

thence S. 82 degrees 57' 12" W., 851.67 feet;

thence N. 37 degrees 33' 39" W., 1325.50 feet;

thence S. 76 degrees 04' 02" W., 617.17 feet;

thence N. 82 degrees 03' 21" W., 336.52 feet;

thence N. 77 degrees 37' 55" W., 913.63 feet;

thence S. 62 degrees 35' 40" W., 1067.94 feet;

thence N. 68 degrees 51' 03" W., 577.54 feet;

thence Southwesterly approximately a distance of 700 feet;

thence Westerly a distance of approximately 1600 feet to the West boundary of the NE 1/4 of Sec. 32, Twp.

17 S., R. 46 E., W.M.

**PART II:**

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.:

A. Sec. 1: A parcel of land in the S1/2 SW 1/4 more particularly described as follows,

to-wit:

Beginning at the South quarter corner of said Section 1;

thence N. 00 degrees 04' W., 586 feet;

thence N. 56 degrees 12' W., 158.0 feet;

thence N. 84 degrees 06' W., 486.0 feet;

thence N. 48 degrees 39' W., 111.0 feet;

thence S. 81 degrees 23' W., 345.0 feet;

thence N. 58 degrees 11' W., 589.0 feet;

thence N. 83 degrees 16' W., 354.0 feet;

thence S. 85 degrees 30' W., 524.0 feet;

thence N. 59 degrees 53' W., 231.0 feet to a point on the West line of said S1/2 SW 1/4;

thence S. 00 degrees 14' E., 1177.2 feet to the Southwest corner of said

Exhibit B, page 13 of 17

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

S1/2 SW1/4;  
thence N. 89 degrees 54' E , 2609.6 feet to the Point of Beginning.  
ALSO all that portion of the SW1/4 SE1/4 lying South of the center line of  
North Jacobson Gulch more particularly described as follows:  
Beginning at the South quarter corner of said Section 1;  
thence N. 00 degrees 03' W., 586.0 feet;  
thence S. 35 degrees 50' E., 87.0 feet;  
thence S. 55 degrees 26' E., 252.0 feet;  
thence S. 47 degrees 36' E., 68.0 feet;  
thence S. 66 degrees 06' E., 89.0 feet;  
thence S. 87 degrees 42' E., 193.0 feet;  
thence S. 41 degrees 54' E., 181.0 feet;  
thence S. 18 degrees 27' E., 301.0 feet;  
thence S. 89 degrees 53' W., 802.0 feet to the Point of Beginning.

B Sec 2: That portion of the E1/2 SW1/4 and S1/2 SE1/4 lying Northeastly of  
Interstate Highway No 84 right of way.  
ALSO the following 4 described parcels, to-wit

PARCEL NO. 1:

Beginning at the Southeast corner of said SE1/4 NW1/4;  
thence N. 00 degrees 03' E., 142.4 feet;  
thence N. 65 degrees 36' W., 449.0 feet;  
thence N. 55 degrees 55' W., 426.0 feet;  
thence N. 87 degrees 09' W., 357.0 feet;  
thence S. 74 degrees 02' W., 210.0 feet to a point on the West line of the SE1/4 NW1/4;  
thence S. 00 degrees 12' W., 533.4 feet to the South line of the SE1/4 NW1/4;  
thence N. 89 degrees 39' E., 1321.9 feet to the Point of Beginning.

PARCEL NO. 2:

Beginning at the Southwest corner of the SW1/4 NE1/4;  
thence N. 00 degrees 03' E., 142.4 feet;  
thence S. 29 degrees 34' E., 162.7 feet;  
thence S. 89 degrees 39' W., 80.8 feet to the Point of Beginning.

PARCEL NO. 3

Beginning at a point S. 89 degrees 43' W., 244.1 feet from the Southeast corner of the N1/2 SE1/4.  
thence N. 59 degrees 34' W., 235.4 feet;  
thence N. 34 degrees 27' W., 624.0 feet;  
thence N. 68 degrees 05' W., 507.0 feet;  
thence N. 58 degrees 43' W., 187.0 feet;  
thence S. 85 degrees 53' W., 274.0 feet;  
thence N. 66 degrees 36' W., 905.0 feet;  
thence N. 28 degrees 14' W., 59.4 feet to the North line of said N1/2 SE1/4;  
thence S. 89 degrees 39' W., 80.8 feet to the Northwest corner of the N1/2 SE1/4;  
thence S. 00 degrees 03' W., 1315.4 feet to the Southwest corner of the N1/2 SE1/4.  
thence N. 89 degrees 43' E., 2401.3 feet to the Point of Beginning.

PARCEL NO. 4:

Beginning at the Southeast corner of said SW1/4 NW1/4;  
thence N. 00 degrees 12' E., 91.4 feet;  
thence N. 44 degrees 37' W., 415.0 feet;  
thence S. 44 degrees 39' W., 167.0 feet;  
thence S. 43 degrees 49' W., 865.0 feet;

Exhibit B, page 14 of 17

70655491.2 0049680-00450

RECEIVED

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

2011-02108  
MALHEUR COUNTY, OREGON

Page 45 of 58

thence S. 45 degrees 58' E., 602.0 feet;  
thence S 45 degrees 12' E., 828.2 feet to the intersection of the East line of the SW1/4 SW1/4 with the Northern boundary R.O.W. of Interstate Highway 80, thence N. 00 degrees 12' E., 1374.5 feet to the Point of Beginning.

C. Sec. 11. All that portion of the N1/2 NE1/4 lying Northeasterly of the Interstate 84 right of way.

D. Sec. 12. W1/2 NE1/4, N1/2 NW1/4, SE1/4 NW1/4, NE1/4 SW1/4, and that portion of the SW1/4 NW1/4 and NW1/4 SW1/4 lying Northeasterly of the Interstate 84 right of way.

E. Sec. 14. W1/2 SW1/4.  
EXCEPTING THEREFROM that portion conveyed to the State of Oregon Department of Transportation, recorded January 30, 1991, Instrument No. 91-561, Deed Records, for right of way.

F. Sec. 15. S1/2, and the following described parcel  
Beginning at the Southeast corner of said SW1/4 NW1/4 of Sec. 15;  
thence N 06 degrees 18' W., 360 feet,  
thence S 87 degrees 32' W., 963 feet,  
thence S 02 degrees 53' E., 317 feet;  
thence S 89 degrees 59' E., 985.7 feet to the Point of Beginning.

ALSO the following described parcel:  
Beginning at a point 149 feet S 89 degrees 49' W., from the East quarter corner of said Sec. 15;  
thence N 05 degrees 42' W., 345 feet;  
thence S. 88 degrees 51' W., 1302 feet,  
thence S. 07 degrees 36' E., 320 feet;  
thence N 89 degrees 59' E., 1293.3 feet to the Point of Beginning.

G. Sec. 16. S1/2

H. Sec. 17. SE1/4 SE1/4

I. Sec. 20. NE1/4 NE1/4, E1/2 SE1/4 NE1/4, E1/2 NE1/4 SE1/4.

J. Sec. 21. N1/2, N1/2 S1/2.

**PART III:**

Land in Malheur County, Oregon, as follows  
In Twp. 17 S., R. 46 E., W. 1

Sec. 13: SE1/4, S1/2 NE1/4, SE1/4 NW1/4, NE1/4 SW1/4;  
EXCEPTING THEREFROM the following described parcels, to-wit:

**PARCEL NO. 1:**

A parcel of land in the S1/2 NE1/4 and the NE1/4 SE1/4, said parcel being that portion lying Northeasterly of a line which is parallel with and 100 feet Southwesterly of the center line of the Old Oregon Trail Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 960+10.01, said

Exhibit B, page 15 of 17

70655491.2 0049689-00450

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

2011-02106

MALHEUR COUNTY, OREGON

Page 46 of 58

G-17639

Station being 86.59 feet North and 350.34 feet West of the Northeast corner of the SW1/4 NE1/4 of said Sec 13;  
thence S. 45 degrees 07' E., 2489.99 feet to Engineer's center line Station 985+00., said center line crossing the North line of said S1/2 NE1/4 and the East line of said Sec 13, approximately at Station 961+35 and 983+37, respectively

**PARCEL NO. 2:**

A parcel of land lying in the SE1/4 NE1/4 and the NE1/4 SE1/4 being described as follows.

Beginning at the East quarter corner of said Sec 13;  
thence N 0 degrees 19' E., along the East line of said Sec. 13, 150 feet;  
thence N. 89 degrees 41' W., 30 feet;  
thence S. 0 degrees 19' W., 700 feet.  
thence S 89 degrees 41' E., 30 feet to the East line of said Sec 13;  
thence N. 0 degrees 19' E., along said East line, 550 feet to the Point of Beginning.

EXCEPTING that portion lying within Parcel No 1 above.

**PARCEL NO. 3:**

A parcel of land in the SE1/4 SE1/4 described as follows:

Commencing at the Southeast corner of said Sec 13;

thence West, along the South boundary thereof, 447.38 feet to the POINT OF BEGINNING.

thence North 197.60 feet;

thence West 220.45 feet;

thence South 197.60 feet;

thence East 220.45 feet to the Point of Beginning

**RECEIVED**

MAR 22 2013

**PARCEL NO. 4:**

All that portion of road right of way conveyed to the State of Oregon, Department of Transportation, as contained in Deed recorded January 22, 1991, Instrument No 91-392, Deed Records.

WATER RESOURCES DEPT  
SALEM, OREGON

**PARCEL NO. 5**

A parcel of land in the S1/2 SE1/4 more particularly described as follows, to-wit:

Beginning at the Southwest corner of the SE1/4 of said Sec. 13;  
thence North 891.5 feet along the midsection line;  
thence S. 76 degrees 00' E., 207 feet;  
thence S. 63 degrees 30' E., 224 feet;  
thence S 72 degrees 00' E., 324 feet;  
thence S. 20 degrees 30' E., 107 feet;  
thence S. 58 degrees 45' E., 193 feet;  
thence S. 23 degrees 30' E., 109 feet;  
thence S. 38 degrees 45' E., 128 feet;  
thence S. 47 degrees 30' E., 148 feet;  
thence S. 33 degrees 30' E., 160 feet, more or less, to a point on the South line of said Sec. 13;  
thence West along the South line of said Sec. 13 to the Point of Beginning.

Exhibit B, page 16 of 17

PART IV

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 46 E., W.M.,

Sec. 13: NW $\frac{1}{4}$  SW  $\frac{1}{4}$

Sec. 14: NE $\frac{1}{4}$  SE $\frac{1}{4}$  and the West 660 feet of the SE $\frac{1}{4}$  SE $\frac{1}{4}$   
ALSO the E $\frac{1}{2}$  SW $\frac{1}{4}$  W $\frac{1}{2}$  SE $\frac{1}{4}$

EXCEPTING THEREFROM that portion conveyed to the State of Oregon,  
By and through its Department of Transportation, recorded June 4, 1991,  
Instrument No. 91-3424, Deed Records.

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

70635491.2 0049689-00450

Exhibit B, page 17 of 17

2011-02106

Page 48 of 58

MALHEUR COUNTY, OREGON

G-17637



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  
FOLLOWING REASON(S):**

**FOR THE**

- 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 \_\_\_\_\_

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

**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 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(As required by ORS 537.765)

WELL I.D. # 39860  
START CARD # 121789

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

(1) OWNER: Well Number 39860  
Name Select Onion Co.  
Address 5055 Hwy 201  
City Ontario State OR Zip 97914

(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 60 ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL	
Diameter	From To	Material	From To Sacks or pounds
12"	0 60	Bentonite	0 18 21
8"	0 60		

How was seal placed: Method  A  B  C  D  E  
 Other poured from surface  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from 19 ft. to 60 ft. Size of gravel 3/4" minus

(6) CASING/LINER:

Diameter	From To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8"	12 60	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"/>

Final location of shoe(s)  
(7) PERFORATIONS/SCREENS:  
 Perforations Method torch  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pips	Casing	Liner
50	60	6	60	1/8"	8	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Baller  Air  Flowing Artesian  
Yield gal/min 50gpm Drawdown 4 ft Drill stem at \_\_\_\_\_ Time 3 hrs  
Temperature of water 59° 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 Mahoning Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 17S N or S Range 46E E or W. WM.  
Section 13 SE 1/4 NW 1/4  
Tax Lot 3200 Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) Stanton Blvd + Community Rd.

(10) STATIC WATER LEVEL:  
36 ft. below land surface. Date 8-25-00  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 45 ft

From	To	Estimated Flow Rate	SWL
45	60	80gpm	36 ft

(12) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
Topsoil	0	4	
Hardpan	4	7	
Very sandy clay	7	45	
Sand + large gravel	45	60	36 ft

**RECEIVED**

SEP 22 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

Date started 8-18-00 Completed 8-25-00

(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 \_\_\_\_\_ WWC Number \_\_\_\_\_ Date \_\_\_\_\_

(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 Jon M Ho WWC Number 1485 Date 9-18-00

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

6-17639

MALH 53047

MALH 53047

STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(as required by ORS 537.765)

WELL I.D.# L 84905  
START CARD # 187390

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

(1) LAND OWNER Well Number 84905  
Name Oliver Larson  
Address 602 Stanton Blvd  
City Seaside State Or. Zip 97134

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

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

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

(5) BORE HOLE CONSTRUCTION Special Construction:  Yes  No  
Depth of Completed Well 360 ft.  
Explosives used:  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

BORE HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or Pounds
16"	0	20	7/8" Bentonite	0	20	1850 LBS
10"	20	68	Portland Cement	68	73	720 LBS
16"	68	73				
10"	73	360				

How was seal placed: Method  A  B  C  D  E  
 Other 1/2" Laundry chips #2 Bailer  
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: 10"	+3	75	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) 75

(7) PERFORATIONS/SCREENS  
 Perforations Method Open Hole  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot Size	Number	Diameter	Tel./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  
 Pump  Bailer  Air  Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
100+		360 ft	1/2 hr
400	40 ft	150 ft	8 hr

Temperature of water 60° 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: 40 to 58

(9) LOCATION OF WELL (legal description)  
County Molokai  
Tax Lot 3300 Lot \_\_\_\_\_  
Township 17 S N or S Range 46 E E or W WM  
Section 19 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_

Lat \_\_\_\_\_ " or 44.0981 (degrees or decimal)  
Long \_\_\_\_\_ " or 117.0252 (degrees or decimal)

Street Address of Well (or nearest address) 602 Stanton Blvd

(10) STATIC WATER LEVEL  
40 ft. below land surface. Date 1-4-07  
\_\_\_\_\_ ft. below land surface. Date \_\_\_\_\_  
Artesian pressure \_\_\_\_\_ lb. per square inch Date \_\_\_\_\_

(11) WATER BEARING ZONES

Depth at which water was first found 40 ft

From	To	Estimated Flow Rate	SWL
40	58	60 gpm	40
58	360	400+ gpm	40

(12) WELL LOG

Material	From	To	SWL
Topsoil	0	4	0
Clay	4	35	
Gravel	35	58	40
Brown clay	58	79	
Brown silt + clay	79	300	
Blue clay siltstone layers	300	360	

RECEIVED RECEIVED  
JAN 10 2007 MAR 02 2007  
WATER RESOURCES DEPT SALEM, OREGON WATER RESOURCES DEPT SALEM, OREGON  
Date Started 12-4-06 Completed 1-2-07

(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 furnished above are true to the best of my knowledge and belief.  
WVC Number \_\_\_\_\_ Date MAR 22 2013  
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.  
WVC Number 1818 Date 1-10-07  
Signed David [Signature]

6-17639



Conserving Resources. Improving Life.

3511 Pacific Blvd. SW  
Albany, OR 97321

Ph: 541.926.7737  
Fax: 541.967.7619

September 20, 2012

Oregon Water Resources Department  
Ground Water Rights Section  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266


**SUBJECT:** Application for Permit to Use Ground Water for Ontario Asset Holdings, LLC

To whom it may concern:

Please review the enclosed application and contact me with any questions. I am the agent for this application and will address all questions.

Thank you in advance for your assistance with this application for ground water use.

Sincerely,  
**CASCADE EARTH SCIENCES**



Steel Maloney  
Principal Hydrologist

Cascade Earth Sciences  
(541) 926-7737

SBM/mab

Enc: Application and Fee  
C: Paul Halberstadt, Sr. Director Ontario Asset Holdings  
PPN: P201321010  
Doc: Groundwater Rights Application CL.docx

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

6-17639

# 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](http://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](http://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](http://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.

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON

WR

# 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: \$1,900  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://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 \_\_\_\_\_

**RECEIVED**

MAR 22 2013

WATER RESOURCES DEPT  
SALEM, OREGON