



**Water Solutions, Inc.**

June 19, 2014

Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

RE: Application for a Permit to Use Groundwater – Silvies Valley Ranch Water Company, LLC.

Dear Application Caseworker,

On behalf of the applicant, Silvies Valley Ranch Water Company, LLC, please find enclosed an Application for a Permit to Use Groundwater accompanied by the required fee of \$3,400. The application requests the use of groundwater from up to three wells for quasi-municipal use at Silvies Valley Ranch in Seneca, Oregon.

This water use permit, when issued, is intended to replace the temporary water use authorized under LL-1520. Please note that this application for a water use permit has been submitted to the Department prior to the deadline stated in LL-1520; thereby allowing continued use of water under LL-1520 through the stated expiration date of the limited license or until the issuance of the water use permit resulting from the enclosed application.

If you have any questions regarding the enclosed application, you can reach me at (503) 239-8799, ext 106. Please copy me on any correspondence regarding this application.

Sincerely,

Theodore R. Ressler, RG, CWRE  
GSI Water Solutions, Inc.

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WATER RESOURCES DEPT  
SALEM, OREGON

Enclosures: Application for a Permit to Use Groundwater  
Check in the amount of \$3,400

CC: Scott Campbell, President – Silvies Valley Ranch Water Company, LLC  
Shonee Langford – Schwabe, Williamson & Wyatt

# 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 \$350.00 for the applicant and \$700.00 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.

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### 6. Final Order Issued

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

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# Application for a Permit to Use Ground Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS			
CITY	STATE	ZIP	E-MAIL*

### Organization Information

NAME Silvies Valley Ranch Water Company, LLC ATTN: Scott Campbell		PHONE 541-573-5150 x135	FAX
ADDRESS 40000 East Cowboy Lane			CELL
CITY Seneca	STATE OR	ZIP 97873	E-MAIL* scott.campbell@silviesvalleyranch.com

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

AGENT / BUSINESS NAME Theodore R. Ressler		PHONE 503-239-8799	FAX 503-239-8940
ADDRESS GSI Water Solutions, Inc., 55 SW Yamhill Street, Suite 300			CELL
CITY Portland	STATE OR	ZIP 97204	E-MAIL* tressler@gsiws.com

Note: Attach multiple copies as needed

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

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### By my signature below I confirm that I understand:

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

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

  
Applicant Signature

**Scott Campbell - President**  
Print Name and title if applicable

6/19/14  
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17879</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

***You must 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. (See Attachment 2)***

**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
1	Camp Creek > Silvies River (within Camp Creek WAB 31200209)	5400 feet	Well @ 4880 ft Stream @ 4650 ft
2	Unnamed Intermittent Stream > Owens Ditch > Camp Creek (within Camp Creek WAB 31200209)	2000 feet	Well @ 4895 ft Stream @ 4724 ft
3	Silvies River > West Fork Silvies Ri (within Silvies River WAB 71472)	1840 feet	Well @ 4863 ft Stream @ 4645 ft
4	Camp Creek > Silvies River (within Camp Creek WAB 31200209)	5390 feet	Well @ 4885 ft Stream @ 4669 ft
5	Camp Creek > Silvies River (within Camp Creek WAB 31200209)	570 feet	Well @ 4610 ft Stream @ 4601 ft
6	Camp Creek > Silvies River (within Camp Creek WAB 31200209)	5440 feet	Well @ 4900 ft Stream @ 4650 ft

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*).

See enclosed well log, GRAN 51009 (Attachment 3)

**SECTION 3: WELL DEVELOPMENT, CONTINUED**

Total maximum rate requested: **1750 gpm** (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

**The table below must be completed for each source to be evaluated or the application will be returned.** If this is an existing well, the information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L-99644	<input type="checkbox"/>	12-inch	+2 to 65	45 to 346	0 to 18	23 ft (9-7-2009)	Bedrock	346 ft	625*	291* (est)
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a	<input type="checkbox"/>	12-inch (est)	+2 to 65 (est)	40 to 500 (est)	0 to 18+ (est)	n/a	Bedrock	500 ft (est)	625* (est)	291* (est)
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a	<input type="checkbox"/>	12-inch (est)	+2 to 65 (est)	40 to 500 (est)	0 to 18+ (est)	n/a	Bedrock	500 ft (est)	625* (est)	291* (est)
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a	<input type="checkbox"/>	12-inch (est)	+2 to 65 (est)	40 to 500 (est)	0 to 18+ (est)	n/a	Bedrock	500 ft (est)	625* (est)	291* (est)
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a	<input type="checkbox"/>	12-inch (est)	+2 to 65 (est)	40 to 500 (est)	0 to 18+ (est)	n/a	Bedrock	500 ft (est)	625* (est)	291* (est)
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a	<input type="checkbox"/>	12-inch (est)	+2 to 65 (est)	40 to 500 (est)	0 to 18+ (est)	n/a	Bedrock	500 ft (est)	625* (est)	291* (est)
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>								*Cumulative totals 1750 gpm & 581 AF	
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

\* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

\*\* A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

\*\*\* Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

**SECTION 4: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Quasi-Municipal	Year round	581 (est)

**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 (See Attachment 4)**
  - 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

**SECTION 5: WATER MANAGEMENT**

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**A. Diversion and Conveyance**

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

Pump (give horsepower and type): 20 Hp submersible

Other means (describe): N/A

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Groundwater will be appropriated from the well(s) using submersible pump(s). Water for potable supply will be conveyed by pipe of various sizes from the well(s) to the potable water user. Water for non-potable supply will be conveyed from the well(s) to a system bulge. Additional pumps at the bulge will pump water to a supply pipeline that will convey the water from the bulge to the point of water use.

**B. Application Method**

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

Water for potable supply will be direct pipe from source to the end user. Water for non-potable supply will be conveyed by pipe to the point of water use. Various application methods may be used for the non-potable water will depend on the specific use, including, but not be limited to, such methods as water fill station, water truck application, hose spray, low-pressure sprinkler, high-pressure sprinkler, drip, etc.

**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 amount of water requested by this application is intended to meet the water demands of Silvies Valley Ranch based on the anticipated development and design as documented in the Silvies Valley Ranch Master Plan dated December 14, 2011. The Silvies Valley Ranch development area and associated property will be managed to provide significant public benefits in the form of wildlife and aquatic habitat improvements, including tree planting, enhancement of riparian areas, and

**restoration of meadows for wildlife, and training and education programs. Design criteria and standard for the Silvies Valley Ranch development include, but are not limited to: energy efficiency, fire resistance, sustainability, and ranch activities that blend with and enhance the natural environment and ranching culture. The criteria and standards promote energy and water conservation, reduced adverse impacts of development on wildlife, and reduced wildfire risk.**

**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
<u>N/A</u>	<u>N/A</u>

**SECTION 8: PROJECT SCHEDULE**

Date construction will begin: 2014

Date construction will be completed: Within 5 years after the date of permit issuance

Date beneficial water use will begin: Within 5 years after the date of permit issuance

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**SECTION 9: WITHIN A DISTRICT**

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

Irrigation District Name	Address	
City	State	Zip

**SECTION 10: REMARKS**

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

**The number of wells and the rate of water use requested by this application are intended to meet the estimated water demands of Silvies Valley Ranch at buildout (based on the anticipated ranch design) while providing adequate water supply redundancy and operational flexibility for the water supply system.**

# Land Use Information Form



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

## NOTE TO APPLICANTS

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

**This form is NOT required if:**

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

## 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.

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# Land Use Information Form



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

Applicant: Silvies Valley Ranch Water Company LLC

First

ATTN: Scott Campbell - President

Last

Mailing Address: 40000 East Cowboy Lane

Seneca  
City

OR  
State

97873  
Zip

Daytime Phone: 541-573-5150 x 135

## 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:
See	attached	table				<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

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## B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1750     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 requested use of groundwater is for quasi-municipal supply for Silvies Valley Ranch Water Company, LLC. This application is being made to replace the limited license LL-1520.

**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. →

**Land and Location Table for OWRD Land Use Information Form**

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
17S	31E	27		1800		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Quasi-municipal
17S	31E	14, 15, 22, 23, 26, 33, 34, 35, 36		1800		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Quasi-municipal
17S	31E	14, 23, 26		1600		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Quasi-municipal
17S	32E	29, 31		800		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Quasi-municipal
17S	32E	31		900		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Quasi-municipal

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17S 31E t1 1800  
 17S 31E t1 1600  
 17S 32E t1 800  
 17S 32E t1 900

**For Local Government Use Only**

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): HB 3465 Section 2 (3)
- 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.

575 overnight accomodation units are authorized by HB 3465 Section 2 (3). Each building requires a Type I application as outlined in the approved master plan for HB 3465. The Master Plan was approved under application ZC-11-01.

Name: Shannon Springer Title: Assistant Planner  
 Signature: *Shannon Springer* Phone: 541-575-1519 Date: 6-13-14  
 Government Entity: Grant County Planning Department

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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 SALEM, OREGON  
 WR

20076

STATE OF OREGON }  
County of Grant } ss

After Recording Return To:

AmeriTitle  
15 Oregon Avenue  
Bend, OR 97701

Until a change is requested, all tax statements shall be sent to:

Silvies Valley Ranch LLC  
7610 SE 162<sup>nd</sup> Avenue  
Portland, OR 97236

I certify that this instrument was received and recorded in the book of records of said county.

KATHY MCKINNON

Grant County Clerk  
by Kathy McKinnon Deputy,  
DOC#: 700729370 PG 16  
RCPT: 72937 98.50  
10/24/2007 3:24 PM

**WARRANTY DEED**

PONDEROSA RANCH FAMILY LIMITED PARTNERSHIP, an Oregon limited partnership, Grantor, conveys and warrants to SILVIES VALLEY RANCH LLC, an Oregon limited liability company, Grantee, the following described real property free of encumbrances except as specifically set forth herein in Grant County:

*See attached Exhibit "A"*

*SUBJECT TO: See attached Exhibit "B"*

The consideration given for this conveyance is other property or value.

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

DATED this 23 day of October, 2007.

GRANTOR:

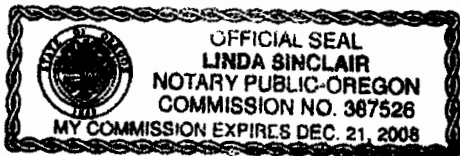
PONDEROSA RANCH FAMILY LIMITED PARTNERSHIP

By: Issac Oren  
Issac Oren, Partner

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STATE OF OREGON )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me on October 23, 2007 by Issac Oren as a Partner of PONDEROSA RANCH FAMILY LIMITED PARTNERSHIP, an Oregon limited partnership.

Linda Sinclair  
Notary Public for Oregon

Francis Hansen & Martin, LLP  
1148 N.W. Wall Street • Bend, Oregon 97701-1914  
(541) 389-5010

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**EXHIBIT "A"**

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Land in Grant County, Oregon, as follows:

**TRACT I:**

Township 17 South, Range 31 East of the Willamette Meridian, Grant County, Oregon:

Section 13: S1/2NE1/4; SE1/4NW1/4; N1/2S1/2; SE1/4SW1/4; SW1/4SE1/4.

Section 14: SW1/4SE1/4; SW1/4; SW1/4NW1/4; SAVE & EXCEPT the following:

(a) That portion of the SE1/4SW1/4 and the SW1/4SE1/4 conveyed to the State of Oregon, by and through its State Highway Commission by Deed recorded October 30, 1944 in Book 47, page 206, for highway right of way.

(b) That portion conveyed to the State of Oregon, by and through its Department of Transportation by deed recorded October 19, 2006, in the Records of Grant County, Oregon, as Instrument No. 062693.

(c) That portion conveyed to the State of Oregon, by and through its Department of Transportation by deed recorded March 27, 2007, in the Records of Grant County, Oregon, as Instrument No. 070831.

Section 15: E1/2SE1/4.

Section 22: E1/2NE1/4; SE1/4; SE1/4SW1/4.

Section 23: W1/2NE1/4; NW1/4SE1/4; NW1/4; N1/2SW1/4; SW1/4SW1/4, SAVE & EXCEPT the following:

(a) That portion of the SW1/4SW1/4 conveyed to Grant County, Oregon, by Deed recorded August 2, 1930, in Book 38, page 526 for highway right of way.

(b) That portion of the N1/2SW1/4, NW1/4SE1/4, W1/2NE1/4 conveyed to Grant County, Oregon, by Deed recorded August 22, 1930, in Book 38, page 539 for highway right of way.

(c) That portion conveyed to Grant County, Oregon, by Deed recorded October 24, 1930, in Book 38, page 604, for highway right of way.

(d) That portion of the NW1/4NE1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded June 11, 1941, in Book 44, page 533, described as follows: Beginning at a point on the Northerly right of way line of the John Day-Burns Highway, said point being 40 feet distant from (when measured at right angles to) the centerline of the said highway at Engineer's Station 2140+69.4, said point also being 1126.0 feet South and 68.7 feet East of the North Quarter corner of Section 23, Township 17 South, Range 31 East of the Willamette Meridian; thence N54°39'E, 528.8 feet;

thence due East, 600.0 feet;  
thence due South 500.0 feet to a point on the Southerly line of said property;  
thence due West, along the Southerly line of said property, 501.5 feet to the Northerly right of way line of said highway, said point being 40 feet distant from (when measured at right angles to) the centerline of said highway at Engineer's Station 2135+19.4;

thence, along the Northerly right of way line of said highway, on a 1121.1 foot radius curve left (the long chord of which curve bears N69°52'30"W, 564.2 feet) 570.3 feet to the point of beginning.

(e) That portion of the SW1/4SW1/4 conveyed to the State of Oregon, by and through its State Highway Commission by Deed recorded February 20, 1942 in Book 45, page 202, for highway right of way.

(f) That portion of the NW1/4NE1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded May 11, 1942, in Book 45, page 289, for highway right of way.

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(g) That portion of the NE1/4SW1/4, NW1/4SE1/4, SW1/4NE1/4 conveyed to the State of Oregon, by and through its State Highway Commission by Deed recorded May 31, 1944 in Book 46, page 595, for highway right of way.

(h) That portion of the NE1/4NW1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded October 30, 1944, in Book 47, page 206, for highway right of way.

(i) That portion of the NW1/4SE1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded October 29, 1945, in Book 48, page 140, described as follows:

Beginning at a point on the Southerly right of way line of the John Day-Burns Highway, said point being 40 feet distant Southerly from (when measured at right angles to) the centerline of the highway at Station 2100, said point also being 1397.4 feet North and 91.1 feet East of the South quarter corner of Section 23, Township 17 South, Range 31 East of the Willamette Meridian;

thence S75°36'30"W, along the Southerly right of way line of the John Day-Burns Highway, 131.0 feet;

thence, on a spiral curve (the long chord of which bears S75°33'30"W, 79.3 feet) 79.3 feet to the West line of the NW1/4SE1/4 of said Section 23;

thence S0°02'30"W, along said West line, 54.5 feet to the Southwest corner of said NW1/4SE1/4;

thence S89°56'30"E, along the South line of said NW1/4SE1/4, 110.0 feet;

thence N14°23'30"W, 80.0 feet to the point of beginning.

(j) That portion conveyed to the State of Oregon, by and through its Department of Transportation by deed recorded October 19, 2006, in the Records of Grant County, Oregon, as Instrument No. 062693.

(k) That portion conveyed to the State of Oregon, by and through its Department of Transportation by deed recorded March 27, 2007, in the Records of Grant County, Oregon, as Instrument No. 070831.

(l) That portion conveyed to the State of Oregon, by and through its Department of Transportation by deed recorded May 22, 2007, in the Records of Grant County, Oregon, as Instrument No. 071364.

Section 24: NE1/4NE1/4; S1/2N1/2; SW1/4; W1/2SE1/4; SE1/4SE1/4.

Section 25: All, SAVE & EXCEPT the following.

(a) That portion of the NW1/4SE1/4 conveyed to the State of Oregon, by and through its State Highway Commission by Deed recorded February 24, 1941, in Book 45, page 207, for highway right of way.

(b) That portion of the SW1/4SE1/4, N1/2SW1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded March 6, 1942, in Book 45, page 219, for highway right of way.

(b) That portion of the N1/2SW1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded September 10, 1952, in Book 66, page 352, for additional highway right of way.

Section 26: NW1/4NW1/4; S1/2N1/2; S1/2; SAVE & EXCEPT the following:

(a) That portion of the SE1/4SE1/4 conveyed to the Malheur Railroad Company, by Deed recorded May 28, 1927, in Book 37, page 111, for railroad right of way.

(b) That portion of the NW1/4NW1/4 conveyed to Grant County, Oregon by Deed recorded August 2, 1930, in Book 38, page 526, for highway right of way.

(c) That portion of the NE1/4 conveyed to Grant County, Oregon, by Deed recorded August 22, 1930, in Book 38, page 539, for highway right of way.

(d) That portion of the NW1/4NW1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded February 20, 1942, in Book 45, page 202, for highway right of way.

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(e) That portion of the NE1/4SE1/4, S1/2NE1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded March 4, 1942, in Book 45, page 216, for highway right of way.

(f) That portion of the S1/2NW1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded March 18, 1942, in Book 45, page 230, for highway right of way.

Section 27: E1/2; E1/2W1/2; SW1/4NW1/4; W1/2SW1/4.

Section 33: SE1/4; NE1/4SW1/4.

Section 34: All.

Section 35: All; SAVE & EXCEPT that portion of the NE1/4NE1/4 conveyed to the Malheur Railroad Company by Deed recorded May 28, 1927, in Book 37, page 111, for railroad right of way.

Section 36: All; SAVE & EXCEPT the following:

(a) That portion of the E1/2SW1/4, SE1/4NW1/4, NW1/4NW1/4 conveyed to the Malheur Railroad Company by Deed recorded May 28, 1927, in Book 37, page 111, for railroad right of way.

(b) That portion of the SW1/4NW1/4 condemned and appropriated by the Malheur Railroad Company by Decree of the Circuit Court for the State of Oregon, County of Grant, File No. JR 1602 dated November 21, 1927, for railroad right of way.

(c) That portion of the E1/2SE1/4, NW1/4NE1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded February 24, 1942, in Book 45, page 207, for highway right of way.

(d) That portion of the E1/2NE1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded June 18, 1942, in Book 45, page 342, for highway right of way.

(e) That portion of the SE1/4NE1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded October 23, 1945, in Book 48, page 133, described as follows:

Beginning at a point on the Easterly right of way line of the John Day-Burns Highway, said point being 50 feet distant Easterly from (when measured at right angles to) the centerline of the John Day-Burns Highway at Engineer's Station 1929+26.8, said point also being 2650.6 feet North and 1003.7 feet West of the Southeast corner of Section 36, Township 17 South, Range 31 East of the Willamette Meridian;

thence N89°51'30"E, along the South line of the SE1/4NE1/4 of said Section 36, 400.0 feet;

thence N0°08'30"W, 368.5 feet;

thence S89°51'30"W, 455.2 feet to the Easterly right of way line of the John Day-Burns Highway;

thence S8°39'30"E, along the Easterly right of way line of said highway, 372.6 feet to the point of beginning.

(f) That portion of the E1/2NE1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded June 1, 1946, in Book 48, page 474, for highway right of way.

(g) That portion of the E1/2NE1/4, NW1/4NE1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded September 10, 1952, in Book 66, page 352, for additional highway right of way.

(Tax Acct's. 3 17-31 1400 & 1800; Ref's. 563 & 564)

TRACT II:

Township 17 South, Range 31 East of the Willamette Meridian, Grant County, Oregon:

Section 13: SW1/4NW1/4; SW1/4SW1/4; SE1/4SE1/4.

Section 14: SE1/4SE1/4, SAVE & EXCEPT that portion conveyed to the State of Oregon, by and through its Department of Transportation by deed recorded October 19, 2006, in the Records of Grant County, Oregon, as Instrument No. 062693.

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Section 23: E1/2E1/2; SE1/4SW1/4; SW1/4SE1/4, SAVE & EXCEPT that portion conveyed to the State of Oregon, by and through its Department of Transportation by deed recorded October 19, 2006, in the Records of Grant County, Oregon, as Instrument No. 062693..

Section 24: NW1/4NE1/4; N1/2NW1/4; NE1/4SE1/4.

Section 26: N1/2NE1/4; NE1/4NW1/4.

(Tax Acct's. 3 17-31 1500, 1600, 1700 & 1900; Ref's. 9606, 9607, 9608 & 9609)

TRACT III:

Township 17 South, Range 32 East of the Willamette Meridian, Grant County, Oregon:

Section 29: W1/2SE1/4NW1/4NW1/4; E1/2SW1/4NW1/4NW1/4; NE1/4SW1/4NW1/4;

E1/2SE1/4SW1/4NW1/4; SW1/4NW1/4SE1/4NW1/4; W1/2SW1/4SE1/4NW1/4;

E1/2NE1/4NW1/4SW1/4; SE1/4NW1/4SW1/4; SE1/4SW1/4NW1/4SW1/4; W1/2W1/2NE1/4SW1/4;

SE1/4SW1/4NE1/4SW1/4; N1/2NW1/4SE1/4SW1/4; NW1/4SW1/4SW1/4.

Section 30: SE1/4SE1/4.

Section 31: Lots 1, 2, and 3; E1/2W1/2; E1/2.

(Tax Acct. 3 17-32 800; Ref. 567)

TRACT IV:

Township 17 South, Range 32 East of the Willamette Meridian, Grant County, Oregon:

Section 31: Lot 4.

(Tax Acct. 3 17-32 900; Ref. 9612)

TRACT V:

Township 18 South, Range 31 East of the Willamette Meridian, Grant County, Oregon:

Section 1: Lots 1, 2, 3, and 4; S1/2N1/2; S1/2; SAVE & EXCEPT the following:

That portion of the E1/2 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded February 24, 1942, in Book 45, page 207, for highway right of way.

Section 2: Lot 4, SW1/4NW1/4; SW1/4; S1/2SE1/4.

Section 3: Lots 1 and 2; S1/2NE1/4; S1/2.

Section 4: Lots 2, 3, and 4; S1/2NE1/4; SW1/4NW1/4; S1/2.

Section 5: Lot 1; SE1/4NE1/4; NE1/4SE1/4; S1/2S1/2.

Section 8: All.

Section 9: All.

Section 10: All.

Section 11: All.

Section 12: NE1/4NW1/4; S1/2NW1/4; NE1/4SW1/4; SW1/4SW1/4; E1/2; SAVE & EXCEPT the following:

(a) That portion of the E1/2NW1/4 conveyed to the Malheur Railroad Company, by Deed recorded May 28, 1927, in Book 37, page 111, for railroad right of way.

(b) A tract of land in the NE1/4NE1/4 described as follows:

Beginning at the Northeast corner of section 12, Township 18 South, Range 31 East of the Willamette Meridian;

thence S0°27'30"E, on section line, 419.0 feet;

thence S89°58'00"W, 624.0 feet;

thence N0°27'30"W, 419.0 feet;

thence N89°58'00"E, 624.0 feet to the point of beginning.

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Section 13: S1/2NW1/4; N1/2SW1/4; E1/2; SAVE & EXCEPT the following.

(a) That portion of the W1/2SE1/4 conveyed the Malheur Railroad Company, by Deed recorded May 28, 1927, in Book 37, page 111 for railroad right of way.

(b) That portion of the W1/2NE1/4 lying West of the Oregon & Northwestern Railroad Company right of way.

(c) A tract of land in the NW1/4NE1/4 described as follows:

Beginning at a point where the East line of the railroad right of way intersects the South line of the County Road, said point being 486.2 feet East and 66.7 feet South of the North quarter corner of Section 13, Township 18 South, Range 31 East of the Willamette Meridian;  
thence Southeasterly, along the East line of said railroad right of way, 660.0 feet;  
thence East, 154.0 feet;  
thence Northwesterly, 660.0 feet to the South line of the County Road;  
thence West, 154.0 feet to the point of beginning.

Section 14: N1/2NE1/4; SW1/4SE1/4; W1/2.

Section 15: All.

Section 16: All.

Section 17: All.

Section 18: SE1/4SE1/4.

Section 20: NW1/4NW1/4.

Section 22: N1/2; N1/2S1/2; SE1/4SE1/4; SW1/4SW1/4.

Section 23: W1/2E1/2; W1/2.

Section 24: E1/2E1/2; SAVE & EXCEPT those portions of the E1/2E1/2 conveyed to the Malheur Railroad Company by Deed recorded May 28, 1927, in Book 37, page 111, described as follows:

(a) That portion conveyed for railroad right of way.

(b) A triangular tract of land in the E1/2NE1/4 described as follows:

Beginning at a point 1095 feet, more or less, westerly measured from the East quarter corner of said Section 24, which point is coincident with the West right of way boundary of the Malheur Railroad;  
thence West, 224.4 feet;  
thence North, 1580.0 feet;  
thence South 8°05'E, along the West boundary of the Malheur Railroad right of way, 1595.9 feet to the point of beginning.

Section 25: E1/2; SW1/4; SAVE & EXCEPT that portion of the E1/2E1/2 conveyed to the Malheur Railroad Company, by Deed recorded May 28, 1927, in Book 37, page 111, for railroad right of way.

Section 26: S1/2NE1/4; NW1/4NE1/4; S1/2S1/2; NW1/4SW1/4; NW1/4.

Section 35: SE1/4NE1/4; NW1/4SE1/4; E1/2SE1/4.

Section 36: All; SAVE & EXCEPT that portion of the E1/2E1/2 conveyed to the Malheur Railroad Company, by Deed recorded May 28, 1927, in Book 37, page 111, for railroad right of way.

(Tax Acct. 3 18-31 100; Ref. 619)

TRACT VI:

Township 18 South, Range 31 East of the Willamette Meridian, Grant County, Oregon:

Section 4: Lot 1; SE1/4NW1/4.

Section 5: Lot 2; SW1/4NE1/4; NW1/4SE1/4.

Section 12: NW1/4NW1/4; NW1/4SW1/4; SE1/4SW1/4.

Section 13: N1/2NW1/4; S1/2SW1/4.

Section 14: S1/2NE1/4; N1/2SE1/4; SE1/4SE1/4.

Section 23: E1/2E1/2.

Section 24: W1/2E1/2; W1/2.

Section 25: NW1/4.

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Section 26: NE1/4NE1/4; NE1/4SW1/4; N1/2SE1/4.  
Section 35: NE1/4NE1/4.

(Tax Acct's. 3 18-31 400, 500, 603, 800, 900, 1000, 1600 & 2200; Ref's. 9658, 9659, 38382, 9660, 9661, 9662, 9663 & 9664)

TRACT VII:

Township 18 South, Range 32 East of the Willamette Meridian, Grant County, Oregon:

Section 5: Lots 3 and 4; S1/2NW1/4; W1/2SW1/4; SE1/4SW1/4.

Section 6: Lots 1, 2, and 3; S1/2NE1/4; SE1/4NW1/4; E1/2SW1/4; SE1/4.

Section 7: Lots 3 and 4; NE1/4; NE1/4SE1/4; SW1/4SE1/4; E1/2W1/2.

Section 8: W1/2NW1/4; NW1/4SW1/4.

Section 18: Lots 1, 2, 3, and 4; E1/2W1/2; W1/2SE1/4; NE1/4; SAVE & EXCEPT the following:

(a) A tract of land in the NW1/4SE1/4 conveyed to the State of Oregon, by and through its State Highway Commission by Deed recorded July 10, 1945 in Book 47, page 610, described as follows:

Beginning at a point on the East and West centerline of said Section 18, which point is 40 feet distant Easterly from (when measured at right angles to) the centerline of the John Day-Burns Highway at Engineer's Station 1764+50, said point being 1614 feet West of the East quarter corner of Section 18;

thence East, along said East and West centerline, 294 feet;

thence South, 660 feet;

thence West, 154 feet to a point which is 40 feet distant Easterly from (when measured at right angles to) the centerline of the said highway at Station 1757+79;

thence on a 5769.58 foot radius curve left (the long chord of which bears N11°59'W, feet); 675.7 feet to the point of beginning.

(b) That portion conveyed to Grant County, Oregon, by Deed recorded October 13, 1970, in Book 104, page 340, for right of way.

Section 19: Lots 1, 2, 3, and 4; E1/2W1/2; W1/2NE1/4; NW1/4SE1/4.

Section 30: Lots 1 and 2; E1/2NW1/4; SE1/4SW1/4; SW1/4SE1/4; SAVE & EXCEPT that portion of the E1/2NW1/4 conveyed to the State of Oregon, by and through its State Highway Commission by Deed recorded July 10, 1945, in Book 47, page 610, Deed Records of Grant County, Oregon, as follows:

(a) That portion conveyed for highway right of way.

(b) A tract of land in the SE1/4NW1/4 described as follows:

Beginning at a point which is 40 feet distant Westerly from (when measured at right angles to) the centerline of the John Day-Burns Highway, at Engineer's Station 1666+47, said point also being 1585 feet South and 201 feet west of the North quarter corner of said Section 30;

thence N67°35'W, 20 feet;

thence S22°25'W, 100.0 feet;

thence S67°35'E, 20 feet to a point which is 40 feet distant Westerly from (when measured at right angles to) the centerline of said highway at Station 1665+47;

thence N22°25'E, 100.0 feet to the point of beginning.

Section 31: N1/2NE1/4; SE1/4NE1/4; NE1/4NW1/4; SAVE & EXCEPT that portion of the NE1/4NW1/4 conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded September 10, 1952, in Book 66, page 352 for highway right of way.

Section 32: SW1/4NW1/4; NW1/4SW1/4.

(Tax Acct's. 3 18-32 500 & 2200; Ref's. 626 & 634)

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TRACT VIII:

Township 18 South, Range 32 East of the Willamette Meridian, Grant County, Oregon:

Section 5: NE1/4SW1/4.

Section 6: Lots 4, 5, 6, and 7.

Section 7: Lots 1 and 2.

Section 19: W1/2SW1/4SE1/4.

Section 30: E1/2NE1/4SW1/4.

Section 31: Lots 1, 2, 3, and 4; N1/2SW1/4NE1/4; N1/2SE1/4NW1/4.

(Tax Acct's. 3 18-32 101, 102, 103, 401 & 600; Ref's. 38383, 39384, 38385, 38386 & 9667)

TRACT IX:

Township 18 South, Range 31 East of the Willamette Meridian, Grant County, Oregon:

Section 2: Lots 1, 2, and 3; SE1/4NW1/4; S1/2NE1/4; N1/2SE1/4.

Section 3: Lots 3 and 4; S1/2NW1/4.

Section 12: A tract of land in the NE1/4NE1/4 described as follows:

Beginning at the Northeast corner of said Section 12;

thence S0°27'30"E, on Section line, 419.0 feet;

thence S89°58'W, 624.0 feet;

thence N0°27'30"W, 419.0 feet;

thence N89°58'E, 624.0 feet to the point of beginning. SAVE & EXCEPT that portion conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded July 24, 1942, in Book 45, page 405 for right of way.

(Tax Acct's. 3 18-31 200, 300, & 1100; Ref's 620, 621, 622)

TRACT X:

Township 18 South, Range 31 East of the Willamette Meridian, Grant County, Oregon:

Section 13: All that portion of the W1/2NE1/4 lying West of the Oregon & Northwestern Railroad right of way as said right of way is described in Book 37, page 567.

(Tax Acct. 3 18-31 101; Ref. 8517)

TRACT XI:

ALL THAT PORTION OF THE OREGON AND NORTHWESTERN RAILROAD RIGHT OF WAY, FORMERLY KNOWN AS THE MALHEUR RAILROAD, LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY:

Township 17 South, Range 31 East of the Willamette Meridian, Grant County, Oregon:

Section 14: SE1/4SW1/4; SW1/4SE1/4.

Section 23: SW1/4SW1/4; NE1/4SW1/4; NW1/4SE1/4; W1/2NE1/4; NW1/4.

Section 26: All: SAVE & EXCEPT the SE1/4SE1/4, N1/2NE1/4 and NE1/4NW1/4.

Section 27: E1/2NE1/4.

Township 18 South, Range 31 East of the Willamette Meridian, Grant County, Oregon:

Section 1: SE1/4SW1/4; NE1/4SW1/4; SE1/4NW1/4; NE1/4NW1/4 (Lot 3).

Section 12: W1/2SE1/4; NE1/4SW1/4.

Section 13: W1/2NE1/4.

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As said rights of way are described in the following:

- (a) Deed to Malheur Railroad Company, recorded November 13, 1925 in Book 36, page 216.
- (b) Deed to Malheur Railroad Company, recorded April 7, 1926, in Book 36, page 344.
- (c) Deed to Malheur Railroad Company, recorded May 28, 1927, in Book 37, page 111.
- (d) Deed to Malheur Railroad Company, recorded December 15, 1927, in Book 37, page 261.
- (e) Deed to Malheur Railroad Company, recorded October 10, 1928, in Book 37, page 577.
- (f) Deed to Malheur Railroad Company, recorded December 30, 1941, in Book 45, page 130.
- (g) As appropriated in Condemnation Suit, Case No. JR1570, Decree Dated June 1, 1927.
- (h) As appropriated in Condemnation Suit, Case No. JR1635, Decree Dated March 21, 1928.
- (i) As appropriated in Condemnation Suit, Case No. JR1491, Decree Dated June 17, 1926.

Together with the following described tract of land:

Township 18 South, Range 31 East of the Willamette Meridian, Grant County, Oregon:

Section 13: A tract of land situated in the NW1/4NE1/4 described as follows:

Beginning at a point where the East line of said railroad right of way intersects the South line of a county road in the NW1/4NE1/4 of said Section 13;

thence Southeasterly along said railroad East boundary, 660 feet;

thence East 154 feet;

thence Northwesterly, parallel to said railroad right of way, 660 feet, more or less, to the South line of said County Road;

thence West, along said South line, 154 feet, more or less, to the point of beginning.

(Tax Acct. 3 18-31 1300; Ref. 8713)

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6. Unpatented mining claims, if any.

7. As disclosed by the tax roll the premises herein described have been zoned or classified for forest land use. At any time that said land is disqualified for such use, the property may be subject to additional taxes or penalties and interest. (Affects Tax Account 3 18-32 101; 38383)

8. As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property may be subject to additional taxes or penalties and interest.  
(Affects all tax lots not shown above)

10. Any improvement located upon the insured property which is described or defined as mobile home under the provisions of Chapters 803 and 820, OREGON REVISED STATUTES and is subject to registration as provided therein. (Affects Tax Acct. 3 17-31 1800; Ref. 909186)

11. Rights of the public and governmental bodies in and to any portion of the premises herein described lying below the high water mark of the Silvies River, including any ownership rights which may be claimed by the State of Oregon below the high water mark.

12. Such rights and easements for navigation and fishing as may exist over that portion of the property lying beneath the waters of the Silvies River.

13. Any adverse claim based upon the assertion that:

(a) Said land or any part thereof is now or at any time has been below the ordinary HIGH water mark of the Silvies River.

(b) Some portion of said land has been created by artificial means or has accreted to such portion so created.

(c) Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Silvies River, or has been formed by accretion to any such portion.

14. Any and all matters, including easements and assessments, if any, pertaining to irrigation ditches that may traverse the herein described property.

15. Rights of the public in and to any portion of the herein described premises lying within the boundaries of streets, roads or highways.

16. Agreement, including the terms and provision thereof:

Regarding	: the Selle & Craddock Ditch and the maintenance thereof, together with all appurtenances thereto, as more particularly described therein
Between	: John Craddock
And	: Pacific Livestock Company
Recorded	: February 18, 1924
Book	: 35
Page	: 301
Affects	: Tract I

17. The terms, conditions, provisions and reservations as contained in that certain deed from the Pacific Livestock Company to the Malheur Railroad Company, recorded May 28, 1927 in Book 37, page 111. (Tract XI and other property as well)

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18. Easements, including the terms and provisions thereof, as reserved in deed

By : Pacific Livestock Company  
For : construction and maintenance of roads, railroads, utility poles and lines, canals, ditches, laterals, pipelines and irrigation works, etc., together with all appurtenances thereto, as more particularly described therein

Recorded : June 5, 1934  
Book : 40  
Page : 224  
Affects : that portion of Tract I as more particularly described therein

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19. Easement, including the terms and provisions thereof, as reserved in deed

By : Edward Hines Lumber Co.  
For : right of way for railroad spur and/or a trucking or skidding road, together with all appurtenances thereto, as more particularly described therein

Recorded : March 12, 1935  
Book : 40  
Page : 402  
Affects : that portion as more particularly described therein

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20. Easement, including the terms and provisions thereof:

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein

Granted to : California Pacific Utilities Company  
Recorded : March 17, 1947  
Book : 49  
Page : 420  
Affects : that portion as more particularly described therein

21. Easement, including the terms and provisions thereof:

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein

Granted to : California Pacific Utilities Company  
Recorded : March 27, 1947  
Book : 49  
Page : 445  
Affects : that portion as more particularly described therein

22. Easement, including the terms and provisions thereof:

For : construction and maintenance of a truck road right of way, together with all appurtenances thereto, as more particularly described therein

Granted to : Edward Hines Lumber Co.  
Recorded : October 19, 1950  
Book : 61  
Page : 239  
Affects : Tract VII and other property as well

23. Access Restrictions, including the terms and provisions thereof in Deed:

To : State of Oregon, by and through its State Highway Commission  
Dated : August 28, 1952  
Recorded : September 10, 1952  
Book : 66  
Page : 352  
Affects : portions of Tracts I & VII

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24. Easement, including the terms and provisions thereof:

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
Granted to : California Pacific Utilities Company  
Recorded : November 13, 1953  
Book : 68  
Page : 593  
Affects : Tract I

A like easement was recorded January 14, 1954 in Book 69, page 266.

25. Confirmation letter, including the terms and provisions thereof, regarding the construction of a road, together with all appurtenances thereto, as more particularly described therein, from Bridge Creek Ranch to Edward Hines Lumber Co., recorded March 4, 1958 in Book 4 of the Miscellaneous Records, page 236.

26. Easement, including the terms and provisions thereof:

For : construction and maintenance of a roadway, together with all appurtenances thereto, as more particularly described therein  
Granted to : United States of America  
Recorded : February 13, 1959  
Book : 80  
Page : 438  
Affects : Tract VII and other property as well

Certain portions of said easement were released by an instrument, including the terms and provisions thereof, recorded January 29, 1997, as Inst. No. 970155.

27. Easement, including the terms and provisions thereof:

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
Granted to : California Pacific Utilities Company  
Recorded : August 3, 1959  
Book : 81  
Page : 406  
Affects : Tract VII

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28. Easement, including the terms and provisions thereof:

For : construction and maintenance of a roadway, together with all appurtenances thereto, as more particularly described therein  
Granted to : United States of America  
Recorded : October 9, 1961  
Book : 85  
Page : 613  
Affects : Tract I

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29. Easement, including the terms and provisions thereof:

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
Granted to : California Pacific Utilities Company  
Recorded : March 11, 1966  
Book : 94  
Page : 349  
Affects : Tract IX

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30. Easement, including the terms and provisions thereof:

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
Granted to : California Pacific Utilities Company  
Recorded : May 3, 1966  
Book : 94  
Page : 507  
Affects : Tract I

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31. Easement, including the terms and provisions thereof:

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
Granted to : California Pacific Utilities Company  
Recorded : May 3, 1966  
Book : 94  
Page : 508  
Affects : Tract I

32. Easement, including the terms and provisions thereof:

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
Granted to : California Pacific Utilities Company  
Recorded : May 3, 1966  
Book : 94  
Page : 509  
Affects : Tract V

33. Easement, including the terms and provisions thereof:

For : construction and maintenance of a roadway, together with all appurtenances thereto, as more particularly described therein  
Granted to : United States of America  
Recorded : August 23, 1967  
Book : 97  
Page : 361  
Affects : Tract I

34. Easement, including the terms and provisions thereof, as appropriated in condemnation proceeding:

For : construction and maintenance of a roadway, together with all appurtenances thereto, as more particularly described therein  
Granted to : United States of America  
Recorded : February 15, 1973  
Book : 109  
Page : 498  
Affects : Tracts III & VII

35. Mineral Reservation, including terms and provisions thereof:

Reserved by : Clifford Wolfswinkel  
Recorded : January 13, 1978  
Book : 118  
Page : 189  
Affects : lands in Townships 17 & 18 South, Ranges 31 & 32 East of the Willamette Meridian

A statement of claim, including the terms and provisions thereof, filed by Eleanor M. Wolfswinkel, Personal Representative of the Estate of Clifford L. Wolfswinkel, was recorded May 15, 1989, in Book 138, page 799, et. seq., of Deeds.

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36. Easement, including the terms and provisions thereof: WATER RESOURCES DEPT  
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 For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
 Granted to : Oregon Trail Electric Cooperative, Inc.  
 Recorded : August 17, 1992  
 Instr. No. : 921581  
 Affects : Tract I

37. Easement, including the terms and provisions thereof:  
 For : construction and maintenance of communication facilities, together with all appurtenances thereto, as more particularly described therein  
 Granted to : U. S. West Communications, Inc.  
 Recorded : October 26, 1992  
 Instr. No. : 922239  
 Affects : Tract V

38. Easement, including the terms and provisions thereof:  
 For : construction and maintenance of communication facilities, together with all appurtenances thereto, as more particularly described therein  
 Granted to : U. S. West Communications, Inc.  
 Recorded : October 26, 1992  
 Instr. No. : 922240  
 Affects : Tract I

39. Agreement, including the terms and provision thereof:  
 Regarding : maintenance of a cemetery  
 Between : Benjamin Fleming and Genevieve Fleming, Trustees, et al  
 And : Mid-County Cemetery Maintenance District  
 Recorded : January 21, 1993  
 Instr. No. : 930106  
 Affects : Tract VII

40. Easement, including the terms and provisions thereof:  
 For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
 Granted to : Oregon Trail Electric Cooperative, Inc.  
 Recorded : July 14, 1994  
 Instr. No. : 941441  
 Affects : Tract I

41. Easement, including the terms and provisions thereof:  
 For : construction and maintenance of riprap and revetment, together with all appurtenances thereto, as more particularly described therein  
 Granted to : State of Oregon, by and through its Department of Transportation  
 Recorded : March 30, 1995  
 Instr. No. : 950602  
 Affects : Tract I

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**42. Easement, including the terms and provisions thereof:**

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
Granted to : Oregon Trail Electric Cooperative, Inc.  
Recorded : December 24, 1996  
Instr. No. : 962529  
Affects : Tracts I & VII

**43. Easement, including the terms and provisions thereof:**

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
Granted to : Oregon Trail Electric Cooperative, Inc.  
Recorded : December 24, 1996  
Instr. No. : 962530  
Affects : Tract VII

**44. Easement, including the terms and provisions thereof:**

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
Granted to : Oregon Trail Electric Cooperative, Inc.  
Recorded : December 24, 1996  
Instr. No. : 962531  
Affects : lands in Townships 17 & 18 South Range 31 East of the Willamette Meridian, Township 18 South, Range 32, East of the Willamette Meridian, and other property as well

**45. Highway Right of Way Easements, including the terms and provisions thereof, together with the right to enforce it terms and conditions and the right to extend or renew same, as granted to the State of Oregon, by and through its Department of Transportation, disclosed by that certain Land Patent from the United States of America to Benjamin Fleming, Trustee, etal, recorded January 29, 1997, as Inst. No. 970153. (Tracts II & VIII)**

**46. Easement, including the terms and provisions thereof:**

For : construction and maintenance of a roadway, together with all appurtenances thereto, as more particularly described therein  
Granted to : United States of America  
Recorded : January 29, 1997  
Instr. No. : 970154  
Affects : Tracts VII & VIII

**47. Easement, including the terms and provisions thereof:**

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
Granted to : Oregon Trail Electric Cooperative, Inc.  
Recorded : July 25, 1997  
Instr. No. : 971354  
Affects : Tracts V, VII, VIII & IX

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48. Easement, including the terms and provisions thereof:

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
Granted to : Oregon Trail Electric Cooperative, Inc.  
Recorded : August 27, 1999  
Instr. No. : 992524  
Affects : Tract V

49. Easement, including the terms and provisions thereof:

For : the construction and maintenance of electrical power lines and poles, together with all appurtenances thereto, as more particularly described therein  
Granted to : Oregon Trail Electric Cooperative, Inc.  
Recorded : December 28, 1999  
Instr. No. : 993681  
Affects : Tract V

50. Easement, including the terms and provisions thereof:

For : construction and maintenance of a roadway, together with all appurtenances thereto, as more particularly described therein  
Granted to : United States of America  
Recorded : June 26, 2000  
Instr. No. : 201437  
Affects : Tract III  
Said Easement was re-recorded September 14, 2001, as inst. No. 212383.

52. Terms and provisions contained in that certain Warranty Deed:

Granted to : the State of Oregon, by and through its Department of Transportation  
Recorded : October 19, 2006  
Instr. No. : 062693  
Affects : Portion of Sec. 14 and Sec. 23, T. 17 S., R. 31 E., W.M.

53. Easement, including the terms and provisions thereof:

For : Temporary Easement for Slopes and Work Area  
Granted to : the State of Oregon, by and through its Department of Transportation  
Recorded : October 19, 2006  
Instr. No. : 062693  
Affects : Portion in the N1/2 Sec. 23, T. 17 S., R. 31 E., W.M.

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SALEM, OREGON

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

09-23-2009

WELL LABEL # L 99644

START CARD # 1007994

(1) LAND OWNER

Owner Well I D golf course
First Name Scott Last Name Campbell
Company silvies valley ranch
Address 7610 SE 162nd
City Portland State OR Zip 97236

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

(3) DRILL METHOD
[X] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Auger [ ] Cable Mud
[ ] Reverse Rotary [ ] Other

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

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 346.00 ft
Special Standard [ ] Attach copy

Table with columns: Dia, From, To, Material, SEAL From, To, Amt, lbs. Row 1: 16, 0, 18, Bentonite, 0, 18, 27, S

How was seal placed: Method [ ] A [ ] B [ ] C [ ] D [ ] E
[X] Other poured dry and tam
Backfill placed from 0 ft to 18 ft. Material
Filter pack from 18 ft to 65 ft. Material Size
Explosives used: [ ] Yes Type Amount

(6) CASING/LINER
Casing Liner Dia + From To Gauge Stil Plstc Wld Thrd
[ ] [ ] 12 [X] 2 65 250 [ ] [ ] [ ] [ ]

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

(7) PERFORATIONS/SCREENS
Perforations Method saw cut
Screens Type Material

Table with columns: Perf/S creen, Casing, Liner, Dia, From, To, Scrn/slot width, Slot length, # of slots, Tele/ pipe size. Row 1: Perf, Casing, 12, 45, 65, 125, 3, 960

(8) WELL TESTS: Minimum testing time is 1 hour
[ ] Pump [ ] Bailer [X] Air [ ] Flowing Artesian
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)
500 340 1

Temperature 46 °F Lab analysis [ ] Yes By
Water quality concerns? [ ] Yes (describe below)
Table with columns: From, To, Description, Amount, Units

(9) LOCATION OF WELL (legal description)

County Grant Twp 17.00 S N/S Range 31.00 E E/W WM
Sec 27 SW 1/4 of the SW 1/4 Tax Lot 500
Tax Map Number Lot
Lat 0 or DMS or DD
Long 0 or DMS or DD
[ ] Street address of well [X] Nearest address

37 Road Hwy 395

(10) STATIC WATER LEVEL

Table with columns: Existing Well / Predeepening, Date, SWL(psi), + SWL(ft). Row 1: Completed Well, 09-07-2009, [ ], [X] 23

Flowing Artesian? [ ] Dry Hole? [ ]

WATER BEARING ZONES Depth water was first found 23

Table with columns: SWL Date, From, To, Est Flow, SWL(psi), + SWL(ft). Row 1: 09-07-2009, 23, 346, 500, [X] 23

(11) WELL LOG

Table with columns: Material, From, To. Rows: topsoil loam (0-1), conglomerate (1-20), claystone hard (20-45), broken rock caving (45-60), basalt black broken (60-346)

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SALEM OREGON

Date Started 09-01-2009 Completed 09-07-2009

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

License Number Date
Electronically Filed
Signed

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

License Number 1424 Date 09-23-2009
Electronically Filed
Signed TIMOTHY K RILEY (E-filed)
Contact Info (optional)

Gr-17879



# Oregon Water Resources Department

## FORM M

### FOR MUNICIPAL AND QUASI MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).  
1 acre-foot is equal to 325,851 gallons.

#### Background Information

Name of water supplier: Silvies Valley Ranch Water Company, LLC

Name and size of area to be served: Silvies Valley Ranch Development Area; 5000 acres  
(in square miles)

Present population of service area: 50  
(Contact county planning staff, if needed.)

Projected population in 20 years: Varies with season; 890 (estimate) based on anticipated ranch design\*

(Cite source and year. For example: "20,595 Based upon 1995 Portland State University projections.") \*Silvies Valley Ranch  
2011 Master Plan

List present water rights and permits held:

Date of Issuance:	Natural Source of Water:	Amount Permitted:	Utilization:
<u>None</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

#### Water Use

\*Estimated based on current anticipated ranch design

Average **yearly** demand: 581\* AFY Year: At Build Out

Per-capita daily consumption (in gallons): 180 (not including irrigation)\*

(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

**Peak season** (by month/day): 7/1 to 9/1 **Total peak season demand:** 181\* Acre-feet

**Peak season per-capita daily consumption:** 268 (not including irrigation)\*

(Divide total peak season demand by population and the number of days during the peak.)

Annual amount of water:

Produced: 581\*

(diverted or pumped)

Delivered: 581\*

Is your system fully metered?

Yes

N/A

Not yet installed; needed metering of system will be evaluated as the system is developed

Describe your rate structure: Not determined; rate structure will be evaluated as the system is developed

(e.g. flat rate, increasing or decreasing block rate or combination of different systems)

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## Request for Water

### A. Discuss the reason(s) for your request for additional water

(e.g. loss of current supply, peak demand, growth, or other):

This application is the first application for a water use permit by Silvies Valley Ranch Water Company, LLC for the purpose of supplying quasi-municipal water for the Silvies Valley Ranch development area (HB 3465, 2011).

### B. How long is the amount of water requested in this application expected to meet future needs?

(e.g. until the year 2040) Anticipated build-out (based on design per the 2011 master plan)

### C. Briefly discuss operation of water system and the most constraining component of the system:

Silvies Valley Ranch Water Company, LLC has one operational water supply well to supply water for quasi-municipal use for Silvies Valley Ranch (currently operated under LL-1520). This single well has sufficient production capacity to meet anticipated short-term demands; however, it is anticipated that one or more additional wells and other system components (i.e. in-line storage tanks) will be needed to meet the water demand of the ranch at build-out and to provide needed system redundancy.

### D. Percentage of water use by type:

Residential: 1% Commercial: 31%  
Public Authority: \_\_\_\_\_ Agricultural: \_\_\_\_\_  
Unaccounted for use: \_\_\_\_\_ Industrial: \_\_\_\_\_  
Other (specify use): 68% (Irrigation)

### E. List cost to implement proposed request.

*Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)*

Silvies Valley Ranch does not have existing water rights to supply the Silvies Valley Ranch development area (HB 3465, 2011). There is no existing water provider that can provide water to Silvies Valley Ranch. Water sources other than groundwater (i.e. surface water) are not practicable because of source quantity limitations (most if not all of the surface water has already been allocated to other users, including instream uses).

### F. How and by how much will your proposed water use efficiency programs increase efficiency?

(Express as a percentage of per-capita consumption.)

This application is the first application for a water use permit by Silvies Valley Ranch Water Company, LLC for the purpose of supplying quasi-municipal water for the Silvies Valley Ranch development area (HB 3465, 2011). Silvies Valley Ranch development plans (as described in the Silvies Valley Ranch 2011 Master Plan) include design criteria specifying energy efficiency and water conservation to achieve efficient and effective use of resources by the ranch.