

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 <u>Brad Hevner</u>		PHONE (HM) <u>541 473 3830</u>	
PHONE (WK) <u>541 473 3830</u>	CELL <u>541 881 7752</u>	FAX	
ADDRESS <u>2947 waters lane</u>			
CITY <u>Brogan</u>	STATE <u>OR</u>	ZIP <u>97903</u>	E-MAIL* <u>bradhevner@gmail.com</u>

Organization Information

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

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

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

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Note: Attach multiple copies as needed

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

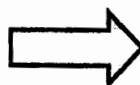
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By my signature below I confirm that I understand:

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

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

Brad Hevner
Applicant Signature

Brad Hevner
Print Name and title if applicable

1-22-14
Date

Applicant Signature

Print Name and title if applicable

Date

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For Department Use		Date
App. No. <u>G-17967</u>	Permit No. _____	<u>JAN 31 2014</u>

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: _____

Total maximum rate requested: 4476 GPM (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

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OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
61635	<input type="checkbox"/>	<input checked="" type="checkbox"/>	61635	<input type="checkbox"/>	12"	20	20	20	26' 1-30-03	Gravel, 20' clay sandy Br. gravel	315'	447 1200	197.1 *
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

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

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

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

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Revised 3/4/2010

Ground Water/5

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	3-1 — 10-31	197.1

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: _____ Acres Supplemental: 65.7 Acres

List the Permit or Certificate number of the underlying primary water right(s): 75332

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 197.1

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

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SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

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

Pump (give horsepower and type): 30 Submersible

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Piped from well to irrigation ditch

B. Application Method

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

Gravity - cement ditch, gated pipe

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.

See Section 10 RECEIVED BY OWRD

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NA

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: _____ Acreage inundated by reservoir: _____

Use(s): _____

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

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

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

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

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE
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SECTION 8: PROJECT SCHEDULE

Date construction will begin: _____

Date construction will be completed: _____

Date beneficial water use will begin: _____

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 Orchards Water CO.	Address PO Box 5	
City Jamieson	State OR	Zip 97909

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SECTION 10: REMARKS

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

Section 5:
C. Conservation

Supplemental water is need for
Irrigation Purposes when orchards water CO.
has a limited supply of water
for the Project.

we will have waste ditches + catch ponds
to prevent contamination as well as prevent
damage to aquatic life, riparian habitat

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STATE OF OREGON
WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

WELL I.D. # L 61635
START CARD # 148423

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

(1) LAND OWNER: Well Number 61635
Name Gary Dombay
Address 170516 NW Springville Rd #134
City Portland State OR Zip 97229

(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 315 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
16	0	25	Concrete	0	25	46
12	25	200				
10	200	315				

How was seal placed: Method A B C D E

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

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	12	+1	39	1250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:	10	+1	200	1250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
Final location of shoe(s) 39 ft

(7) PERFORATIONS/SCREENS

Perforations Method wire
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
180	200	6'	200	4"	10"	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
900	62 ft		1 hr
			4 hrs

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: _____

(9) LOCATION OF WELL by legal description:
County Malheur Latitude _____ Longitude _____
Township 15 S N or S Range 42 E E or W. WM.
Section 14 SW 1/4 SE 1/4
Tax Lot 300 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 5751 Willow Creek Rd - Brogan, OR

(10) STATIC WATER LEVEL:
26 ft. below land surface. Date 1-30-03
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 185 ft

From	To	Estimated Flow Rate	SWL
185	315	1200 gpm	26

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
top soil	0	6	
Br clay	6	14	
fine gravel	14	18	
Br clay	18	185	
Sandy Br clay	185	295	26
Sandy Br clay - gravel	295	315	

Date started 1-02-03 Completed 1-30-03

(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.

WWC Number _____
Signed _____ 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.

WWC Number 1485
Signed Tom M. Jho Date 2-23-03

ORIGINAL - WATER RESOURCES DEPARTMENT FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER

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Township	Rang	Section	Tax Lot	1/4 1/4	Acres
15s	42e	14	200	NESE	2.9
			300	NWSE	17
			300	SWSE	35
			300	SESE	8.1
			400	SESE	2.7
				Total	65.7

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Land Use

Information Form

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

Applicant: Brad Hevner
First Last

Mailing Address: 29471 waters lane

Oregon OR 971903 Daytime Phone: 541 881 7782
City State Zip

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
						<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" 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: 197.1 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:

Irrigation water for 65.7 acres

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.

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See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCC Title 6, Chapt 6-6.7
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

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Name: W. Alvin Scott Title: Interim PLANNING Director

Signature: W. Alvin Scott Phone: 541-472-5185 Date: JAN 21, 2014

Government Entity: Malheur 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: RECEIVED BY OWRD Staff contact: _____

Signature: _____ Phone: _____ Date: JAN 31 2014

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MALHEUR COUNTY, OR 2012-3283

DDEED PERS REP

09/06/2012 01:53 PM

Cnt=1 Pgs=3

Total:\$57.00



00012152201200032830030030

I, Deborah R. DeLong, County Clerk for Malheur County, Oregon certify that the instrument identified herein was recorded in the Clerk records.

Deborah R. DeLong - County Clerk

Ray

DEED OF PERSONAL REPRESENTATIVE

KIPP DOMBY, the duly appointed, qualified, and acting personal representative of the estate of Kevin V. Dobby, deceased, Grantor, conveys to BRADLEY HEVNER, Grantee, all that real property situated in Malheur County, Oregon, described as follows:

See attached Exhibit "A".

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The true and actual consideration for this conveyance is pursuant to an IRC Section 1031 tax deferred exchange on behalf of Grantee.

DATED: September 4, 2012

Kipp Dobby
Kipp Dobby
Personal Representative of the Estate of Kevin V. Dobby, Deceased

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STATE OF OREGON)
) ss.
County of Malheur)

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Personally appeared the above-named Kipp Dobby and acknowledged the foregoing instrument to be his voluntary act and deed as personal representative of the Kevin V. Dobby Estate



Jane L. Reeves
Notary Public for Oregon
My Commission Expires: 8-8-15

MAIL TAX STATEMENTS TO: AND AFTER RECORDING RETURN TO:
Bradley Hevner
2947 Waters Lane
Brogan, OR 97903

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57.00

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Exhibit "A"

Land in the TOWNSITE OF BROGAN, Town of Brogan, County of Malheur, State of Oregon, according to the Official Plat thereof, as follows:

In Block 7: All, lying West of Highway 26, in said Brogan, Oregon, Twp. 15 S., R. 42 E., W.M., Sec. 24.

Land in Malheur County, Oregon, as follows:
In Twp. 15 S., R. 42 E., W.M.:

Sec. 14: The following described parcels:

PARCEL NO. 1:

Beginning at the Northwest corner of the SE 1/4SE1/4;
Thence along the West line of said tract S. 00 degrees 21' W., 848 feet;
Thence N. 41 degrees 16' E., 1118 feet to the intersection of the North line
Of said tract:
Thence along said North line S. 89 degrees 46' W., 732 feet to the Point of the
Beginning.

PARCEL NO. 2:

SW1/4SE1/4, EXCEPTING THEREFROM a strip of land 16.5 feet wide
Along the West side for road purposes and County road right of way.

PARCEL NO. 3:

Beginning at the Southwest corner of the NW1/4SE1/4;
Thence along the South line of said tract N. 89 degrees 46' E., 1338 feet to the
Southeast corner of said tract;
Thence along the East line of said tract N. 00 degrees 14' W., 275 feet to the
Center of Willow Creek;
Thence along Willow Creek N. 61 degrees 35' W., 1518 feet to the intersection
Of the West line of said tract;
Thence along said West line S. 00 degrees 14' E., 1000 feet to the Point of
Beginning.

PARCEL NO. 4:

A parcel in the SE1/4SE1/4 more particularly described as follows, to wit:
Beginning at a point which is N. 00 degrees 21' E., 477 feet, from the
Southwest corner of the SE1/4SE1/4;
Thence N. 41 degrees 16' E., 630.7 feet, said point being the TRUE POINT OF
BEGINNING;
Thence N. 41 degrees 16' E., 409.8 feet;
Thence S. 47 degrees 09' E., 249 feet;
Thence S. 55 degrees 52' E., 283 feet;
Thence S. 65 degrees 17' E., 21 feet;
Thence S. 77 degrees 48' W., 222 feet;
Thence N. 81 degrees 47' W., 482 feet to the Point of Beginning.

PARCEL NO. 5:

A parcel of land in the NE1/4SE1/4 more particularly described as follows,
To-wit:
Beginning at the Southwest corner of said NE1/4SE1/4;
Thence North along the West line of said NE1/4SE1/4, 275 feet;
Thence S. 81 degrees 06' E., 197 feet;
Thence S. 77 degrees 09' E., 230 feet;
Thence S. 55 degrees 44' E., 248 feet;
Thence S. 37 degrees 42' E., 93 feet to a point on the South line
Of said NE1/4SE1/4;
Thence West long said South line 691 feet to the Point of Beginning.

RESERVING TO GRANTOR an exclusive easement for the purposes described below, as follows:

1. The term of the reservation ends on December 31 of the twentieth full calendar year following the date this deed is recorded.

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2. The reservation may not be encumbered in any manner, sold, assigned, leased or licensed other than a distribution thereof from the Domby Estate to the heirs and devisees thereof.
3. The reservation is subject to the agreement of Seller evidenced by his signature on this deed that he and the heirs of the Domby Estate to whom the net Purchase Price is distributed from the Domby Estate agree to hold Buyer and Buyer's heirs, successors and assigns harmless from damage of every description to the Property and its present and later existing improvements, including crops, and personal property on the Property, such as farm and irrigation equipment, arising from persons on the Property under authority of the reservation.
4. The reservation is limited to the right to hunt game birds and animals during the various hunting seasons therefore during the time of day beginning at dawn and ending at sunset, and camping year-round on non cultivated areas of the property described in this deed. Property. Such right is an exclusive reservation of the right to hunt and camp as described above for the term described above. Grantee does not receive any rights to hunt or camp as described above for the term described above.

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2012-03283
MALHEUR COUNTY, OREGON

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