



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

Certificate of Water Right Ownership Update

COPY

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. *If for multiple rights, a separate form for each right will be required.*

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION

Applicant(s): Pine Mountain Cattle Company

Mailing Address: P.O. Box 831 First Last

Lakeview Oregon 97630
City State Zip

Phone: 541-353-2524
Home Work Other

RECEIVED BY OWRD

PROPERTY BUYER INFORMATION

Applicant(s): Wilks Ranch Oregon, Ltd. First Last NOV 17 2014

Mailing Address: P.O. Box 111 SALEM, OR

Cisco Texas 76437
City State Zip

Phone: 817-850-3616
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Klamath Township: 36S Range: 14E Section: 7

Tax Lot Number(s): See Attached Permit

Street address of water right property: N/A

Water Right Information (attach copy of water right permit or certificate & final proof map):

Application #: G-10174 Permit #: G-9207 Certificate or Page #: 83660

Will all the lands associated with this water right be owned by the buyer? Yes No

Name of individual completing this form: Garrett Roseberry Phone: 541-353-2524

Signature: *Garrett Roseberry* Date: 10/16/2014

Please be sure to attach a copy of your property deed or legal description of the property.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO:

LLOYD POWELL
PINE MOUNTAIN CATTLE COMPANY
2625 NORTHUP WAY
BELLEVUE, WASHINGTON 98004

GARRETT ROSEBERRY
PINE MOUNTAIN CATTLE COMPANY
P. O. BOX 45
BLY, OREGON 97622

confirms the right to use the waters of ONE WELL in the NORTH FORK SPRAGUE RIVER BASIN for IRRIGATION OF 31.5 ACRES.

This right was perfected under Permit G-9207. The date of priority is FEBRUARY 23, 1981. This right is limited to 0.39 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 7, T 36 S, R 14 E, WM; 2075 FEET SOUTH AND 100 FEET WEST FROM THE NE CORNER, SECTION 7.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3 acre-feet for each acre irrigated during the irrigation season of each year.

G-10174.LHN

RECEIVED BY OWRD

CERTIFICATE NUMBER 83660

NOV 17 2014
SALEM, OR

A description of the place of use to which this right is appurtenant is as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 17.3 ACRES γ
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.6 ACRES γ
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.9 ACRE γ
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.7 ACRE γ

SECTION 7

TOWNSHIP 36 SOUTH, RANGE 14 EAST, W.M.

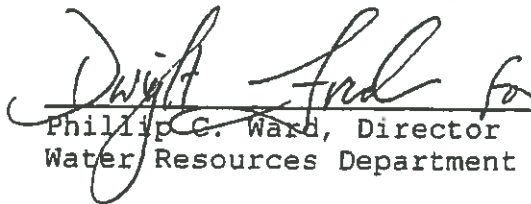
The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works shall include an airline and pressure gauge or an access port for a measuring line, adequate to determine the water level elevation in the well at all times.

The water user shall maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued *November 27, 2007.*


Phillip C. Ward, Director
Water Resources Department

RECEIVED BY OWRD

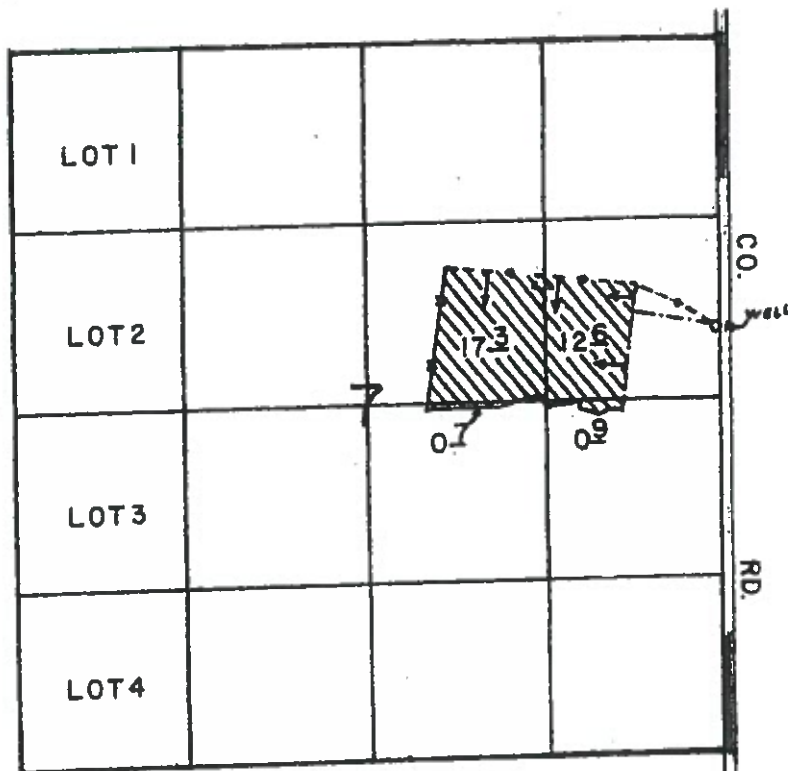
NOV 17 2014

SALEM, OR

Recorded in State Record of Water Right Certificates Number 83660.

G-10174.LHN

T.36S.,R.14E.,W.M.



WELL LOC.: $\frac{2100}{2075}$ ' S. $\frac{850}{100}$ ' W. FROM NE COR. OF SEC. 7.

RECEIVED BY OWRD

NOV 17 2014

SALEM, OR

SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

Application No. G-10174 Permit No. G-9207...
IN NAME OF

.....SIMONSEN FAMILY TRUST.....

Surveyed AUG. 13. 19. 91., by B.W. BISHOP...

10/31/06 LHM
P.T.S 11-8-91 RMS



2014-010849
Klamath County, Oregon
10/16/2014 12:45:26 PM
Fee: \$57.00

After recording return to:

Wilks Ranch Oregon , LTD, a Partnership

PO Box 111

Cisco, TX 76437

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

Wilks Ranch Oregon , LTD, a Partnership

PO Box 111

Cisco, TX 76437

Escrow No. MT101504CT

Title No. 0101504

SWD r.020212

STATUTORY WARRANTY DEED

Powell-Roseberry LLC, an Oregon Limited Liability Company, as to Parcels 1 through 10 and Pine Mountain Cattle Company, an active Washington Corporation, as to Parcel 11

Grantor(s), hereby convey and warrant to

Wilks Ranch Oregon , LTD, a Partnership,

Grantee(s), the following described real property in the County of **KLAMATH** and State of Oregon free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

"together with all water right permits and certificates appurtenant to the property, along with any irrigation diversion, irrigation ditch or reservoir easements, licenses or permits associated with the water rights ; and, together with all grazing permits and leases of the Seller."

Together with one hundred percent (100%) of the mineral, wind, air, timber and water interests owned by Grantor and one hundred percent (100%) of the Executive Rights owned by Grantor.

The true and actual consideration for this conveyance is PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

RECEIVED BY OWRD

NOV 17 2014

SALEM, OR

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

Dated this 16 day of October, 2014

Powell-Roseberry LLC, an Oregon Limited Liability Company

Pine Mountain Cattle Company, an active Washington Corporation

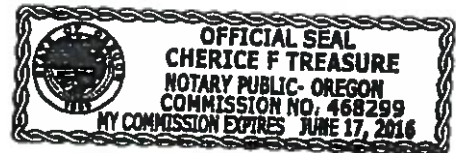
BY: Garrett L. Roseberry
Garrett L. Roseberry, Manager

BY: Garrett L. Roseberry
Garrett L. Roseberry, President

State of Oregon
County of Klamath

This instrument was acknowledged before me on October 16, 2014 by Garrett L. Roseberry, as Manager for Powell-Roseberry LLC, an Oregon Limited Liability Company

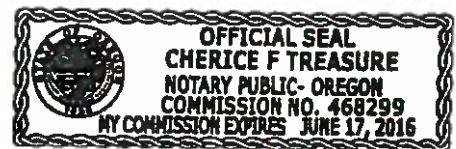
Cherice F. Treasure
(Notary Public for Oregon)
My commission expires 6/17/2016



State of Oregon
County of Klamath

This instrument was acknowledged before me on October 16, 2014 by Garrett L. Roseberry, as President for Pine Mountain Cattle Company, an active Washington Corporation.

Cherice F. Treasure
(Notary Public for Oregon)
My commission expires 6/17/2016



RECEIVED BY OWRD

NOV 17 2014

SALEM, OR

EXHIBIT "A"

PARCEL 1

Township 35 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon:

Section 15: W1/2 SW1/4

Section 16: NE1/4 SE1/4, S1/2 SE1/4, EXCEPTING THEREFROM:

Beginning at a point 208.7 feet West of the Northeast corner of the SW1/4 of the SE1/4 of Section 16, Township 35 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon; thence South 208.7 feet; thence West 208.7 feet; thence North 208.7 feet; thence East 208.7 feet to the point of beginning.

Section 21: E1/2 NE1/4, N1/2 NW1/4, SW1/4 NW1/4, NW1/4 SW1/4

Section 22: NW1/4

PARCEL 2

Township 35 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon:

Section 20: SW1/4 SE1/4

Section 28: W1/2 SW1/4

Section 29: N1/2 NE1/4, SE1/4 NE1/4, NE1/4 SE1/4

ALSO Township 35 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon:

Section 19: S1/2 SE1/4

Section 20: W1/2 SW1/4, NE1/4 SW1/4, NW1/4 SE1/4

Section 29: SE1/4 SE1/4

ALSO Township 35 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon:

Section 20: SE1/4 SW1/4

Section 29: NW1/4, N1/2 SW1/4, SW1/4 SW1/4, SW1/4 NE1/4, W1/2 SE1/4

Section 30: E1/2, E1/2 W1/2 EXCEPTING THEREFROM that portion of Land Partition 32-04 lying in Section 30.

Parcel 2 of Land Partition 32-04 being the E1/2 E1/2 of Section 2 and Section 1, Township 36 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon; Sections 6 and 7, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon and Sections 30 and 31, Township 35 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

ALSO Township 35 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon:

Section 20: NW1/4, W1/2 NE1/4

Section 29: SE1/4 SW1/4

EXCEPT THEREFROM that portion of the above described parcels conveyed to Klamath County by instrument recorded May 7, 1969 in Volume M69, page 3418 through 3423, Microfilm Records of Klamath County, Oregon.

PARCEL 3

Parcel 3 of Land Partition 32-04 being in the E1/2 E1/2 of Section 2 and Section 1, Township 36 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon, Sections 6 and 7, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon and Sections 30 and 31, Township 35 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

RECEIVED BY OWRD

NOV 17 2014

SALEM, OR

PARCEL 4

The W1/2 E1/2 and SE1/4 SE1/4 Section 33, Township 35 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, AND all of Section 4, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon. EXCEPTING the SE1/4 SE1/4 NW1/4, SW1/4 SW1/4 NE1/4 and SE1/4 SE1/4 and NW1/4 NE1/4.

ALSO ALL of Section 3, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPT the NW1/4 SE1/4 NE1/4, N1/2 of Government Lot 4 (N1/2 NW1/4 NW1/4), N1/2 N1/2 NE1/4 SW1/4, N1/2 S1/2 NW1/4 SE1/4, S1/2 S1/2 SW1/4 SE1/4, S1/2 S1/2 SE1/4 SE1/4.

PARCEL 5

The N1/2 S1/2 NW1/4 SE1/4, Section 3, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 6

The N1/2 N1/2 NE1/4 SW1/4, Section 3, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 7

The SE1/4 SE1/4, Section 4, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 8

Township 35 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

Section 32: W1/2, W1/2 E1/2

Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

Section 5: All

Section 8: All

PARCEL 9

All of Section 9, EXCEPTING THEREFROM the S1/2 S1/2 NW1/4 NW1/4 and N1/2 N1/2 SW1/4 NE1/4, and the N1/2 S1/2 NE1/4 NE1/4, and the S1/2 S1/2 NW1/4 SE1/4, and the S1/2 N1/2 SE1/4 SW1/4, and the S1/2 S1/2 NW1/4 SW1/4, and the N1/2 S1/2 SW1/4 SW1/4, and the S1/2 N1/2 SE1/4 NW1/4, all in Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 10

The S1/2 S1/2 SE1/4 SE1/4 of Section 3, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 11

NW1/4 NE1/4 Section 4, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

RECEIVED BY OWRD

NOV 17 2014

SALEM, OR



2014-010850
Klamath County, Oregon
10/16/2014 12:45:26 PM
Fee: \$47.00

After recording return to:

Wilks Ranch Oregon , LTD, a Partnership

PO Box 111

Cisco, TX 76437

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

Wilks Ranch Oregon , LTD, a Partnership

PO Box 111

Cisco, TX 76437

Escrow No. MT101504CT

Title No. 0101504

SWD r.020212

STATUTORY WARRANTY DEED

Garrett Roseberry,

Grantor(s), hereby convey and warrant to

Wilks Ranch Oregon , LTD, a Partnership,

Grantee(s), the following described real property in the County of **KLAMATH** and State of Oregon free of encumbrances except as specifically set forth herein:

SE1/4 SE1/4 NW1/4; SW1/4 SW1/4 NE1/4 Section 4, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

"together with all water right permits and certificates appurtenant to the property, along with any irrigation diversion, irrigation ditch or reservoir easements, licenses or permits associated with the water rights ; and, together with all grazing permits and leases of the Seller."

Together with one hundred percent (100%) of the mineral, wind, air, timber and water interests owned by Grantor and one hundred percent (100%) of the Executive Rights owned by Grantor.

The true and actual consideration for this conveyance is \$186,870.00

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

RECEIVED BY OWRD

NOV 17 2014

SALEM, OR

Grant

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

Dated this 16 day of October, 2014.

Garrett Roseberry
Garrett Roseberry, Individually

State of Oregon
County of Klamath

This instrument was acknowledged before me on October 16, 2014 by Garrett Roseberry.

Cherice J Treasure
(Notary Public for Oregon)
My commission expires 6/17/2016



RECEIVED BY OWRD

NOV 17 2014

SALEM, OR