



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

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): Harney Ranches LLC

Mailing Address: P O Box 755 First Last

Hines Oregon 97738
City State Zip

Phone: 541-280-0491 Home Work Other

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PROPERTY BUYER INFORMATION

Applicant(s): David and Kristen Gregg First Last

Mailing Address: P O Box 873

Hines Oregon 97738
City State Zip

Phone: 503-467-8668 Home Work Other

DEC 26 2014

SALEM, OR

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Harney Township: 22s Range: 32e Section: 9,15,16

Tax Lot Number(s): 1200

Street address of water right property: 73417 Soldier Creek Rd, Burns Oregon 97720

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

Application #: S-67972 Permit #: S-48440 Certificate or Page #: 82396

Will all the lands associated with this water right be owned by the buyer? ☐ Yes ☒ No There is .24 acres

Name of individual completing this form: Curt Blackburn Phone: 541-573-7206 NOT Included

Signature: [Signature] Date: 12-21-14

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 HARNEY

CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

SALEM, OR

JULIAN R. ZIMMERMAN
35049 N. HARNEY Lane
BURNS, OREGON 97720

confirms the right to use the waters of SOLDIER CREEK AND ARMSTRONG CANYON CREEK, tributaries of MALHEUR LAKE, for IRRIGATION OF 96.0 ACRES, BEING 88.0 ACRES FROM SOLDIER CREEK AND 8.0 ACRES FROM ARMSTRONG CANYON CREEK.

This right was perfected under Permit 48440. The date of priority is NOVEMBER 23, 1983. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.30 CUBIC FOOT PER SECOND (CFS), being 2.10 CFS from Soldier Creek and 0.20 from Armstrong Canyon Creek, or its equivalent in case of rotation, measured at the points of diversion from the sources.

The points of diversion (POD) are located as follows:

SOLDIER CREEK, POD 1, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T 22 S, R 32 E, W.M.;
1630 FEET NORTH AND 2450 FEET WEST FROM THE SE CORNER, SECTION 9.

SOLDIER CREEK, POD 2, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T 22 S, R 32 E, W.M.;
500 FEET NORTH AND 2330 FEET WEST FROM THE SE CORNER, SECTION 9.

67972.JM/LHN

CERTIFICATE NUMBER 82396

SOLDIER CREEK, POD 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 16, T 22 S, R 32 E, W.M.;
1560 FEET SOUTH AND 1550 FEET WEST FROM THE NE CORNER, SECTION
16.

SOLDIER CREEK, POD 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 16, T 22 S, R 32 E, W.M.;
2575 FEET SOUTH AND 970 FEET WEST FROM THE NE CORNER, SECTION 16.

ARMSTRONG CANYON CREEK, POD 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 16, T 22 S, R 32
E, W.M.; 1550 FEET NORTH AND 750 FEET EAST FROM THE SW CORNER,
SECTION 16.

The amount of water used for irrigation, together with the amount
secured under any other right existing for the same lands, is limited
to ONE-FORTIETH of one cubic foot per second per acre, or its
equivalent for each acre irrigated and shall be further limited to a
diversion of not to exceed 3.0 acre-feet per acre for each acre
irrigated during the irrigation season of each year.

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

SOLDIER CREEK

NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.1 ACRE
SE $\frac{1}{4}$ SW $\frac{1}{4}$	7.2 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.1 ACRE
SW $\frac{1}{4}$ SE $\frac{1}{4}$	7.3 ACRES

SECTION 9

NW $\frac{1}{4}$ NE $\frac{1}{4}$	17.3 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	14.8 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.7 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.5 ACRE
NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.4 ACRE
NW $\frac{1}{4}$ SE $\frac{1}{4}$	15.4 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	17.2 ACRES

SECTION 16

ARMSTRONG CANYON CREEK

SW $\frac{1}{4}$ SW $\frac{1}{4}$	5.9 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	2.1 ACRES

SECTION 16

TOWNSHIP 22 SOUTH, RANGE 32 EAST, W.M.

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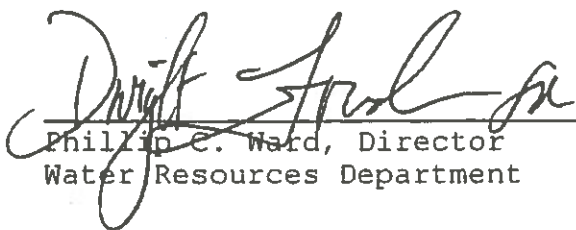
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SALEM, OR

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

WITNESS the signature of the Water Resources Director, affixed

OCT 27 2006


Phillip C. Ward, Director
Water Resources Department

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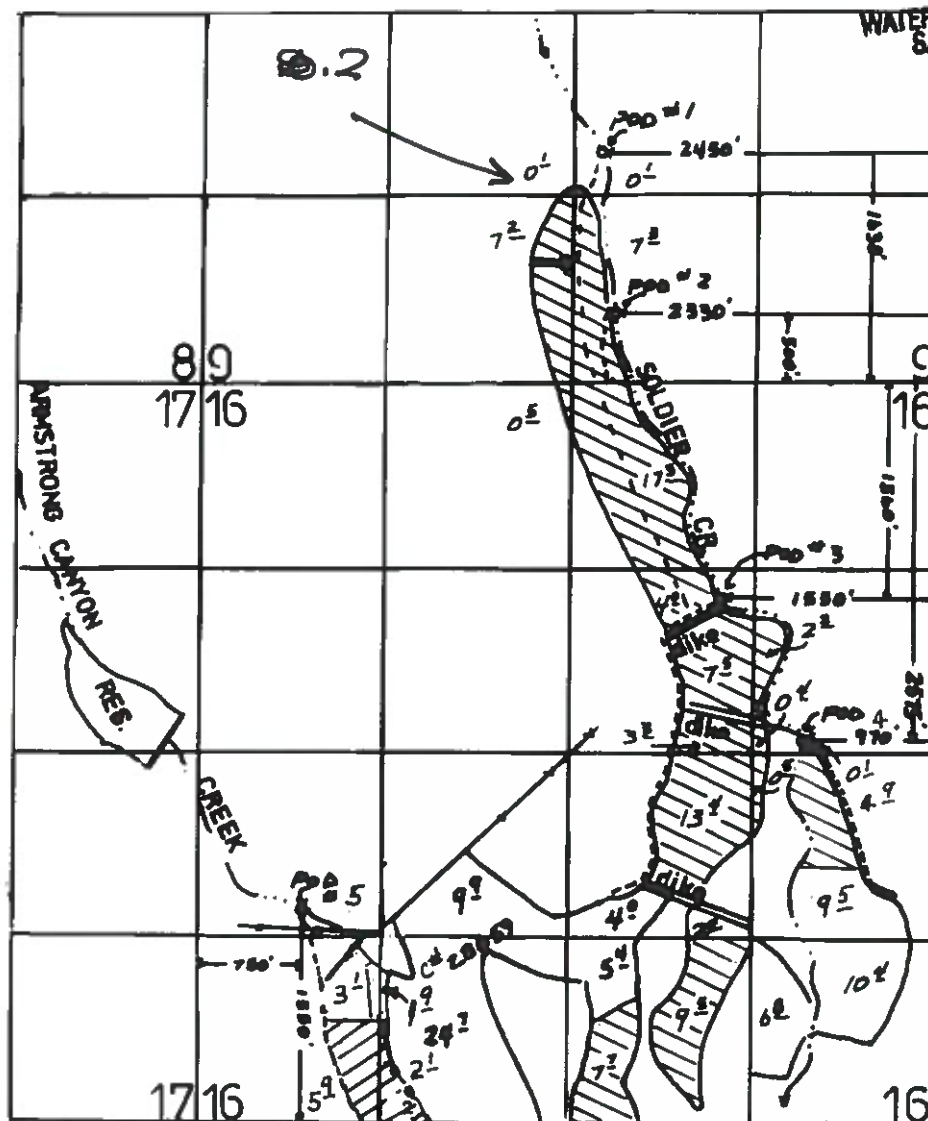


Recorded in State Record of Water Right Certificates Number 82396.

67972.JM/LHN

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WATER RESOURCES DEPT
SALEM, OREGON



AN

Application No. 67972... Permit No. 4846R.....
IN NAME OF

.....JULIAN R. ZIMMERMAN.....

Surveyed 10-A..... 1996.. by J.MILLER.....

1" = 1320'

4/28/06 LHA'
2-26-99 JM

HARNEY COUNTY, OR 2014-1596
DEEDWO
Total: \$61.00 12/18/2014 01:35 PM



00009258201400015960050057
I, Darin Robinson, County Clerk for Harney
County, Oregon certify that the instrument
identified herein was recorded in the Clerk's
records.

Darin E. Robinson, Harney County Clerk



Until a change is requested, all tax
statements shall be sent to:
David F. and Kristen L. Gregg
73417 Soldier Creek Road
Burns, OR 97720

After recording return to:
AmeriTitle-Burns
111 W. Washington
Burns, OR 97720

WARRANTY DEED

Harney Ranches, LLC, PO Box 755, Hines, Oregon 97738, Grantor, conveys and warrants to David F. and Kristen L. Gregg, husband and wife, 73417 Soldier Creek Road, Burns, Oregon 97720, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit A attached hereto and by this reference incorporated herewith.

RESERVING unto the Grantor a 40' road easement for ingress and egress to Grantor's property in Township 21 South, Range 32 East, Willamette Meridian, Sections 32, 33 and 34, and in Township 22 South, Range 32 East, Willamette Meridian, Sections 4, 5 and 9. The terms of the parties' agreement regarding the reservation of this easement will be recorded in a separate Easement Agreement.

FURTHER, Reserving unto the Grantor a thirty foot (30') road easement for ingress and egress along the road easement area described in that certain easement granted to Reed Ranch Limited Partnership, recorded April 25, 2007, Harney County Deed Records Instrument No. 2007-0914. This reservation is not subject to the terms of the Reed Instrument recorded at Instrument No. 2007-0914. The terms of the parties' agreement regarding this reservation of easement will be recorded in a separate easement agreement.

SUBJECT TO AND TOGETHER WITH:

- Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
- Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.

See Exhibit B attached hereto and by this reference incorporated herein.

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 32.010 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 30.830, 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.

The true consideration for this conveyance is \$650,000.

VTURAN RICH C LLP
ATTORNEYS AT LAW
P.O. BOX 10
CITY OF SALEM, OREGON 97304
(503) 585-1385
(503) 585-3221 - fax

WARRANTY DEED (Harney/Gregg) - Page 1 of 5
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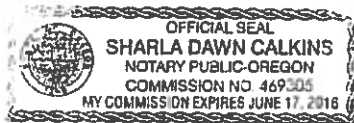
Dated this 16 day of December, 2014.

Harney Ranches, LLC

By: Thomas M. Vetter, Jr. member
Thomas M. Vetter, Jr., Member-Manager

State of Oregon)
County of Harney) ss.

The foregoing instrument was acknowledged before me this 16 day of December 2014, by Thomas M. Vetter, Jr., Member-Manager, Harney Ranches, LLC.



Sharla Calkins
Notary Public for Oregon
My Commission Expires: June 17, 2016

TUMAY RICH LLP
Attorneys at Law
P.O. BOX 97
Oregon, Oregon 97141
(503) 255-1500
(503) 255-3110 - fax

WARRANTY DEED (Harney/Gregg)- Page 2 of 5
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EXHIBIT A
(Legal Description)

Land In Harney County, Oregon, as follows:

In Twp. 22 S., R. 32 E., W.M.:
Sec. 9: S1/2SE1/4, SE1/4SW1/4.
Sec. 15: SW1/4.
Sec. 16: All.

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**EXHIBIT B
(Exceptions)**

SUBJECT TO AND TOGETHER WITH THE FOLLOWING EXCEPTIONS:

3. Property taxes which are a lien but not yet payable.
4. Zoning Ordinances, building use restrictions and reservations in federal patents.
5. Easements of record which affect the property and covenants, conditions and restrictions of record.
6. Taxes deferred 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 will be subject to additional taxes or penalties and interest.
7. Conditions, including the terms and provisions thereof, in deed from Robert F. Smith to Julian R. Zimmerman and Hazel B. Zimmerman, husband and wife, recorded July 2, 1976, in Book 101, Page 330, Deed Records.
8. Reservation of gas and geothermal interests in lease from Larry Woodell and Yvonne Woodell, husband and wife, to LVO Corporation, a Delaware corporation.
Recorded: February 4, 1975
Book/Page: 5/557, Lease Records.
9. The mineral interest or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.

The beneficial interest under said lease was assigned of record by instrument

Recorded: June 14, 1976
Book/Page: 6/36 Lease Records
Assigned to: United States Geothermal Corporation

Agreement, and amendment thereto, including the terms and provisions thereof, between Ladd Petroleum Corporation, a Delaware corporation and United States Geothermal Corporation, a Delaware corporation, recorded July 2, 1976, in Book 6, Page 39, Lease Records.

10. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein
As granted to: Pacific Power & Light Company, a corporation
Recorded: November 29, 1978
Book/Page: 108/252, Deed Records.
11. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein
Recorded: February 22, 1980
Book/Page: 111/525, Deed Records.
12. Easement and right for road use, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein
As granted to: Pacific Power & Light Company, a corporation
Recorded: October 31, 1980
Book/Page: 113/319, Deed Records.

YVONNE ROSS LLP
ATTORNEYS AT LAW
P.O. BOX 57
Oregon, Oregon 97141
(503) 525-8900
541 228-2125 - fax

WARRANTY DEED (Harney/Gregg)- Page 4 of 5
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EXHIBIT B
(Exceptions)

13. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein
As granted to: Reed Ranch Limited Partnership
Recorded: April 25, 2007
Instrument No.: 20070914, Deed Records.

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TURNER BOSS LLP
ATTORNEYS AT LAW
P.O. BOX 33
CHURCH, OREGON 97111
(503) 839-2560
turnerboss@turnerboss.com

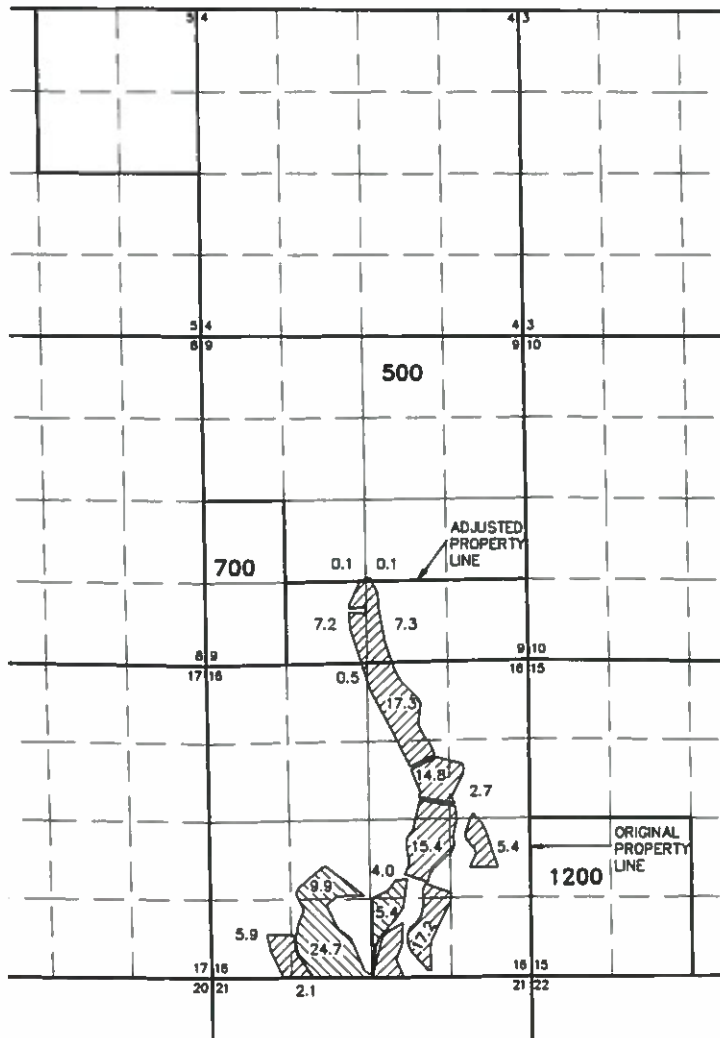
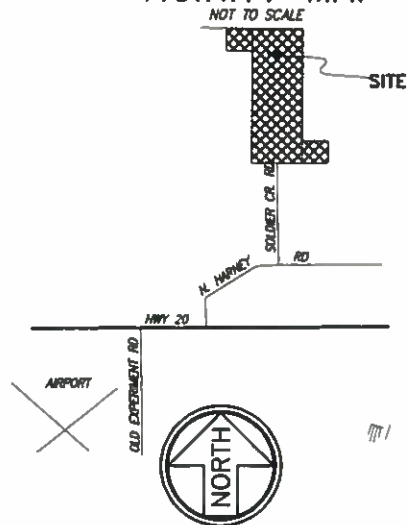
WARRANTY DEED (Harney/Gregg)- Page 5 of 5
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EXHIBIT B MAP TO ACCOMPANY APPLICATION FOR PROPERTY LINE ADJUSTMENT

BETWEEN TAX LOTS 22 32 00 00 #500 & #1200
ALL IN HARNEY COUNTY, OR

THIS MAP WAS DRAFTED USING GIS DATA FROM OR-WA BLM FOR APPROXIMATE
PROPERTY LINES AND COMPARED WITH ASSESSOR'S MAPS AND 2012 AERIAL
IMAGERY FROM USDA FSA/NRCS GIS DATA.

VICINITY MAP



TAX MAP & LOT 22320000 00500 &
22320000 01200

DEED RECORD 2007-931

OWNERS/APPLICANT HARNEY RANCHES, LLC
P.O. BOX 755
HINES, OR 97738

TOTAL AREA 2,162.8 ACRES
TRACT 1 AREA 1,242.8 ACRES
TRACT 2 AREA 920.0 ACRES

ZONE EFRU-1 EXCLUSIVE FARM &
RANGE USE

ADJUSTED TRACT 1
SECTION 4: ALL
SECTION 5: LOT 1, LOT 2, S 1/2 NE 1/4
SECTION 8: N 1/2, N 1/2 SE 1/4, NE 1/4 SW 1/4

ADJUSTED TRACT 2
SECTION 9: SE 1/4 SW 1/4, S 1/2 SE 1/4
SECTION 15: SW 1/4
SECTION 16: ALL

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SALEM, OR

PROPERTY LINE ADJ.

DRAWN: sdm	DATE 10/24/2014	HARNEY RANCHES, LLC P.O. BOX 755
APPROVED:	DATE	HINES, OR 97720 PLA.DWG
SCALE: SHOWN	SHEET 1 of 1	PROJECT NO. 14050

ALL POINTS ENGINEERING & SURVEYING
P.O. BOX 767 (CRR) TERREBONNE, OREGON 97760
PHONE (541) 548-5833 www.APEandS.com

44.0 ACRES WATER RIGHTS C/26659
98.0 ACRES WATER RIGHTS C/82396