

Dear Customer Service Group :

This application has received our assistance here in Watermaster District 8.

by Rick Lusk Phone # 541-523-8224 ext 31
(Name)

Please let us know if there is anything else that might be needed.

Assistance was provided in the preparation of the:

- ☒ Application
- ☒ Map
- ☐ Other _____

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MAR 16 2015

SALEM, OR

12-88059



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

Application for a Permit to Store Water in a Reservoir (Alternate Review)

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, insert "n/a". A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

Applicant: LYNN A. WILLIS
First Last
Mailing Address: PO Box 344
City State Zip
UNION OR 97883
Phone: 541 853 1220 541 786 8604
Home Work Other
Fax: _____ E-Mail Address*: willislynn63@gmail.com
* 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.)

2. AGENT INFORMATION

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

Agent: _____
First Last
Mailing Address: _____
City State Zip
Phone: _____
Home Work Other
Fax: _____ E-Mail Address*: _____
* 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.)

3. LOCATION AND SOURCE

MAR 16 2015

A. Reservoir Name: Otter Pond SALEM, OR
B. Source: Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.
Source: Beagle Creek Tributary to: Big Creek
C. County in which diversion occurs: UNION

App. No. <u>R-88059</u>	For Department Use Permit No. _____ Date _____
-------------------------	---

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
5 SOUTH	41 EAST	34	NW 1/4 SE 1/4	4803

E. Dam: Maximum height of dam: 8 feet. If excavated, write "zero feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: 3.4 three point four acre-feet

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) ☐ Yes ☒ No

4. WATER USE

Indicate the proposed use(s) of the stored water. **NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.** If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

Multipurpose

5. PROPERTY OWNERSHIP

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Please provide a copy of the recorded deed(s).

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Do you own all the land where you propose to divert, transport, and use water?

☒ Yes (please check appropriate box below then skip to section 5)

SALEM, OR

☐ There are no encumbrances

☐ This land is encumbered by easements, right of way, roads of way, roads or other encumbrances

☐ No (Please check the appropriate box below)

☐ 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 irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

N/A

6. ENVIRONMENTAL IMPACT

- A. **Channel:** Is the reservoir: ☒ in-stream or ☐ off channel?
B. **Wetland:** Is the project in a wetland? ☐ Yes ☒ No ☐ Don't know
C. **Existing:** Is this an existing reservoir? ☒ Yes ☐ No
If yes, how long has it been in place? _____ years.
D. **Fish Habitat:** Is there fish habitat upstream of the proposed structure? ☐ Yes ☒ No ☐ Don't know
If yes, how much? _____ miles.
E. **Partnerships:** Have you been working with other agencies? ☐ Yes ☒ No
Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

7. 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	N/A		Address
City	State	Zip	

8. DESCRIPTION

Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

See attached

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If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

See attached

9. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

LWim

Landowner Signature

2.20.15

Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

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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: LYNN WILLIS
First Last

Mailing Address: P.O. Box 344

Union OR 97883 Daytime Phone: 541 786 8604
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:
<u>5 S</u>	<u>41 E</u>	<u>34</u>	<u>NWSE</u>	<u>4803</u>		☒ Diverted	☐ Conveyed	☒ Used
						☐ Diverted	☐ Conveyed	☐ Used
						☐ Diverted	☐ Conveyed	☐ Used
						☐ Diverted	☐ Conveyed	☐ Used

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

Union County

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Beagle Creek

Estimated quantity of water needed: 3.4 acre-feet ☐ 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 Multipurpose Storage

Briefly describe:

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. →

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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): UCZPSO Section 3.02(1)
- ☐ 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:	
<u>Use permitted outright</u>	<u>UCZPSO Sec 3.02(1)</u>	☒ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

<u>Twp. 5S, Range 41E, T14N, Tax Lot 4803</u>	RECEIVED BY OWRD MAR 16 2015 SALEM, OR
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Name: Hayley Jenkins, II Title: Planning Director

Signature: [Signature] Phone: 541-963-1014 Date: 3-5-15

Government Entity: Union County

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: _____

R-8809

WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the department provides public notice...any person may submit detailed, legally obtained information in writing, requesting the department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

The review of alternate reservoirs is limited to these criteria only.

Application #: R-

Applicant's Name: **LYNN A. WILLIS**

1) Does the proposed reservoir have the potential to injure existing water rights?

☒ NO ☐ YES

Explain: *This reservoir has been in place many years. It is @ the head of Beagle Creek - water flows in and out.*

2) Can conditions be applied to mitigate the potential injury to existing water rights?

☐ NO ☐ YES

If YES, which conditions are recommended:

N/A

3) Did you meet with staff from another agency to discuss this application?

☒ NO ☐ YES

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:

Richard M. Lusk

Date:

8-8-2014

WRD Contact:

Caseworker:

Water Rights Division, 503-986-0900 / Fax 503-986-0901

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NOTE: This completed form must be returned to the applicant

Water Right Information Query Results																																												
Contact Information				Documents View all scanned documents																																								
▼ Current contact information APPLICANT: ▶ A H WILLIS 53692 OREGON HWY 203 UNION, OR 97883				▼ Application: P 74986 ▶ Received: 11/16/1994 <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th colspan="4" style="text-align: center;">Application Workflow</th> </tr> <tr> <th>Action</th> <th>Date</th> <th>Result</th> <th>Completed By</th> </tr> </thead> <tbody> <tr> <td>▶ Application Filed</td> <td>11/16/1994</td> <td></td> <td></td> </tr> <tr> <td>Caseworker Assigned</td> <td>11/16/1994</td> <td></td> <td></td> </tr> </tbody> </table> ▶ Unable to view right in new web mapping because this water right is not currently mapped. ▶ View Places of Use from Water Rights in the Same Area							Application Workflow				Action	Date	Result	Completed By	▶ Application Filed	11/16/1994			Caseworker Assigned	11/16/1994																				
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Water Right Information Status: Non-Cancelled County: Union Authority: HB2153 File Folder Location: Salem <u>Watermaster District: 7</u>																																												
Point(s) of Diversion																																												
▼ POD 1 - RUNOFF/SPRINGS/POND > ▼ Description ▶ T-R-S-QQ: 5.00S-41.00E-34-SW NW ▶ Location Description: ▼ POD Rate <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th>Max Rate (cfs)</th> <th>Rate (cfs)</th> <th>Max Volume (af)</th> <th>Volume (af)</th> </tr> </thead> <tbody> <tr> <td>▶</td> <td></td> <td>1.5</td> <td>1.5</td> </tr> </tbody> </table> ▼ LIVESTOCK (Primary) <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th>Priority Date</th> <th>Max Rate (cfs)</th> <th>Rate (cfs)</th> <th>Max Volume (af)</th> <th>Volume (af)</th> <th>Rate/Acre</th> <th>Duty</th> <th>Start Date</th> <th>End Date</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>▶ 11/16/1994</td> <td></td> <td>0.0</td> <td>1.5</td> <td>1.5</td> <td></td> <td></td> <td>1/1</td> <td>12/31</td> <td></td> </tr> </tbody> </table> ▼ Reservoir ▼ POND <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th>Volume (af)</th> <th>Dam Height (ft)</th> <th>Submerged Acres</th> </tr> </thead> <tbody> <tr> <td>▶ 1.5</td> <td>0.0</td> <td>0.31</td> </tr> </tbody> </table>											Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	▶		1.5	1.5	Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks	▶ 11/16/1994		0.0	1.5	1.5			1/1	12/31		Volume (af)	Dam Height (ft)	Submerged Acres	▶ 1.5	0.0	0.31
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—No genealogy records available for this water right, try the family link below instead.																																												

[View Water Rights in same Family](#)
[Report Errors with Water Right Data](#)
[Return to WRIS Query](#)

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R-880x9

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: LYNN A. WILLIS P.O. Box 344 UNION, OR 97883

Reservoir Name: _____ Source: Beagle Creek Volume (AF): 3.4

Twp Rng Sec QQ: 5-41-34, NWSE Basin Name: Powder ☒ in-channel
☐ off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.

1) Is the proposed project and AO¹ off channel? ☐ YES ☒ NO
(if yes then proceed to #4; if no then proceed to #2)

2) Is the proposed project or AO located where NMF² are or were historically present? ☐ YES ☒ NO
(if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

- a. Is there an ODFW-approved fish-passage plan? ☐ YES ☐ NO
b. Is there an ODFW-approved fish-passage waiver or exemption? ☐ YES ☐ NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream? ☐ YES ☐ NO
Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

- ☐ Any diversion or appropriation of water for storage during the period _____ through _____ poses a significant detrimental impact to existing fishery resources.
(For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.)
If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

☒ This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

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¹ AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

R-08059

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

☐ NO (explain)

☒ YES (select from Menu of Conditions on next page)

Condition b5la: October 1 through April 14

ODFW Signature:

Timothy D. Bailey

Print Name:

Timothy D. Bailey

ODFW Title:

District Fish Biologist

Date:

2-20-15

NOTE: This completed form must be returned to the applicant.

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Revised 10/4/12

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R-88059

We are requesting a permit for an existing pond (alternate reservoir) that is on-channel near the head of Beagle Creek. This small pond (surface area 2/3 of an acre, volume 3.4 acre-feet) was created decades before my father purchased this property in 1992. The top of the dam is a roadbed that provides access to our home, located about 200 feet west of the pond. At center, the top of the dam is about 8 feet above the original stream bed. There is a 2-foot ID corrugated pipe through the dam, with its lower lip being about 3 feet below the top of the dam. There is no provision for closing or blocking this pipe; it remains open year round. Water is not diverted from or otherwise used from this pond, i.e., what flows in flows out. See attached pages for sketches that show the dimensions of the pond and a section of the dam.

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Notice: The information provided here is for convenience ONLY.

The records located at Union County Assessor/Tax Collector's office are the one and only legal instruments for assessment purposes.

Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY.

Union County is not, in any way, liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Union County Assessor/Tax Collector's Office, La Grande, Oregon.

Date Web Site was last updated 8/06/2014

Value and tax information for tax year 2013

Ref#:8967 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
05S41	4803	0	506 649	DESIG FOREST/IMP/MH	UC-A2

OWNER:	WILLIS, LYNN A
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	P O BOX 344
CITY/ST:	UNION OR ,97883

PROPERTY ADDRESS: 53692 HWY 203 COUNTY

MFG STRUCTURE INFORMATION

EM/X#	SERIAL#	MFG	MODEL
LE:248085	IDFLCW2ABG381309656	FLEETWOOD	CHADWICK

NOTES: *DESIG FORESTLAND-POTENTIAL ADD TAX

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$214,850	
STRUCTURES	\$145,330	
SUBTOT	\$360,180	\$124,090
TOTAL	\$360,180	\$124,090

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$1,164.89
SPECIAL ASSESSMENTS	
FIRE PATROL	\$81.58

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SALEM, OR

R-88059

20051243

STATUTORY WARRANTY DEED

MARK H. WILLIS and RAYMOND J. ELLIS, CO- TRUSTEES OF THE ALLERTON H. WILLIS REVOCABLE TRUST, under Trust Agreement dated July 28, 1989, Grantor, conveys and warrants to WILLIS TREE FARM, INC., an Oregon corporation, Grantee, the real property, free of encumbrances and fully described as follows:

A parcel located in the Section 34, Township 5 South, Range 41 East of the Willamette Meridian, Union County, Oregon, described as follows:

That portion of the West one-half of the Southeast quarter of said Section 34 which lies West of Union-Medical Springs Hwy. (State Hwy. 302) and south of a line beginning at 5/8" rebar located on the north-south centerline of said section 34, said rebar being North 0°39'36" East a distance of 1813.68 feet from the South ¼ corner of said section 34, said rebar being the true point of beginning; thence N. 89°39'14" E a distance of 1051.55 feet to a 5/8" rebar located on the Westerly Right of way of the Union-Medical Springs Highway, said rebar being the end of the description of said line.

INCLUDING all water rights that may pertain to the above described property and;

SUBJECT TO a right of way for road purposes as now constructed on the Southeast 15 feet of said northerly line.

The true consideration is for other good and valuable consideration.

THIS INSTRUMENT WILL 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

///

///

///

///

AFTER RECORDING, RETURN TO:

Jonel K. Ricker
1005 Adams Avenue
La Grande, Or. 97850

SEND TAX NOTICE TO:

Willis Tree Farm, Inc.
P.O. Box 193
Cove, OR 97824

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SALEM, OR

1 - STATUTORY WARRANTY DEED

R-88057

DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON
LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 7 day of March, 2005.

Mark H. Willis, Trustee

MARK WILLIS, CO-TRUSTEE of the Allerton H.
Willis Revocable Trust, dated July 28, 1989

Raymond J. Ellis - Co-Trustee
RAYMOND J. ELLIS, CO-TRUSTEE of the
Allerton H. Willis Revocable Trust, dated July
28, 1989

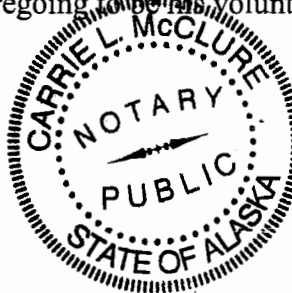
STATE OF ALASKA, County of 4th dist)

On this day, personally appeared before me the above named Mark Willis, in his capacity
as Co-Trustee and on behalf of the Allerton H. Willis Revocable Trust, and acknowledged the
foregoing to be his voluntary act and deed this 7 day of March, 2005.

Argentine Savoy
Notary Public for Alaska

STATE OF ALASKA, County of Third District)

On this day, personally appeared before me the above named Raymond J. Ellis, in his
capacity as Co-Trustee and on behalf of the Allerton H. Willis Revocable Trust and
acknowledged the foregoing to be his voluntary act and deed this 9 day of March, 2005.



Capri
Notary Public for ALASKA

Commission Expires 04/09/07

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SALEM, OR

STATE OF OREGON

County of Union

SS

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

R. NELLIE BOGUE HIBBERT,
Union County Clerk

by: Deputy Deputy.

DOCA: 20051243

RCPT: 72931

3/15/2005 4:47 PM

REFUND:

27.00

.00

2 - STATUTORY WARRANTY DEED

R-88059

STOCK SALE AGREEMENT

Effective Date: January 3, 2005

Parties: Allerton H. Willis Revocable Trust,
as created by agreement, dated July 28, 1989 "Seller"

Lynn Willis "Purchaser"

RECITALS

WHEREAS, any reference herein to the Corporation is to WILLIS TREE FARM, INC.

WHEREAS, Seller holds all of the outstanding 100 shares in the Corporation.

WHEREAS, Seller desires to transfer all of their shares in the Corporation to Purchaser in accordance with the terms and conditions hereinafter set forth; and

WHEREAS, it is the intention of the parties that this Agreement constitute the complete transfer of all stock of the Corporation owned by the Seller and that this sale serves as a complete termination of Seller's interest in the Corporation.

THEREFORE, the parties desire to establish their mutual rights and obligations in the premises, and to this end, in consideration of the mutual covenants and agreements herein contained, the parties mutually agree as follows:

1. Purchase and sale: The exchange for Seller's shares of the Corporation common capital stock is a partial distribution in settlement of the Estate of Allerton H. Willis, deceased.
2. Seller shall hold the sum of \$10,000.00 in a lawsuit reserve fund, for a period of five years from the date of this agreement, to be used solely for payment of any future attorney fees and costs incurred in connection with any legal dispute of the northern boundary line dispute instituted against Willis Tree Farms, Inc., and regarding the property held and owned by Willis Tree Farm, Inc., in Union County Oregon. Said defense fund reserve shall be applied to disputes over the northern boundary line only and no other legal disputes. Purchaser agrees that all reserve fund proceeds, including accumulated interest, can be distributed by Seller in accordance with its Trust agreement at the end of the 5-year period, or, January 3, 2010.

3. In exchange for 100 shares of the Corporation's stock, Seller shall provide to

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Purchaser, all non-tax files concerning Willis Tree Farm, Inc., including required change of address notifications to various entities, insurance policies, water right information and all other relevant information.

4. Voting Rights: The Seller's right to vote the shares shall terminate at the closing of this Agreement.
5. Representations and Warranties of Seller: Seller hereby represents and warrants as follows: That immediately prior to the execution of this Agreement, the Seller was the owner of 100 shares of the Corporation's common capital stock. To the best of Seller's knowledge and belief, the stock and real property owned by Seller are free and clear of any and all liens or encumbrances, and have the right, power and authority to assign, transfer and deliver such stock pursuant to this agreement.
6. Closing: This transaction shall be closed on or before March 3, 2005. The Seller and Purchaser shall, at the closing, provide any and all documents that may be reasonably required in connection with the sale.
7. Construction and Venue: This Agreement is being delivered and is intended to be performed in the State of Oregon and shall be construed and enforced in accordance with the laws of that state.
8. Attorney's Fees: In the event any party hereto shall bring any action against the other party for the enforcement or protection of rights under this agreement, the prevailing party shall be entitled to reasonable attorney's fees, together with costs of suit, including attorney's fees incurred by reason of appellate proceedings in connection herewith.
9. Agreement: This Agreement supersedes all oral statements and representations and contains the entire agreement among the parties hereto with respect to the subject matter hereof and the transaction contemplated hereby. The Parties hereby agree that this document reflects, in part, those decisions made between the Parties as set forth in the Mediated Agreement, attached hereto as Exhibit A.
10. Counterparts: This Agreement may be executed in one or more counterparts, each of which shall be deemed as an original but all of which together shall constitute one and the same instrument.
11. Captions and Paragraph Hearings: The law firm of Ricker & Roberson has prepared this agreement on behalf of Seller. Purchaser is advised to seek independent counsel in review of this agreement and by executing this agreement acknowledges she has done so by retaining Cory Larvik.
12. Indemnification: The Purchaser hereby agrees to and shall indemnify the Seller and its successors and assigns against any and all claims, demands, causes of action, liabilities or debts of any kind or nature whatsoever (including reasonable

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attorney's fees) arising out of the operation of the corporation from and after the date of closing, except as to the defense reserve fund set forth in 2., above.

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first above written.

PURCHASER:

Lynn A. Willis
Lynn Willis

SELLER:

Mark H. Willis, Trustee
Mark Willis, Trustee of the Allerton H.
Willis Revocable Trust, as created by
agreement, dated July 28, 1989, and
Secretary/Treasurer of Willis Tree Farm, Inc.

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3 - STOCK SALE AGREEMENT

SALEM, OR

R-88059

MODIFICATION TO MEDIATED AGREEMENT

Mark Willis and Lynn Willis, "The Parties", hereby agree to modify the Modification Agreement, dated November 3, 2004, between The Parties, specifically, paragraph 3 of that Agreement. The modification shall be as follows:

The Trust will actually pursue resolution of a potential dispute over the property boundary of the tree farm. The Trust will retain the amount of \$10,000 to cover costs of resolving that dispute. This amount will be held until January 3, 2010. This period can be shortened or extended by mutual consent of both parties. If costs reach \$10,000, Mark and Lynn will decide on their own or through mediation whether to expend additional funds. Any funds that are not used for that purpose will be distributed equally between Mark and Lynn.

Mark H. Willis

MARK WILLIS

Date: 3/25/2005

Lynn A. Willis

LYNN WILLIS

Date: 2/22/05

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SALEM, OR

R-89089

EOT

EASTERN OREGON TITLE, INC.

1601 Adams Avenue

La Grande, OR 97850

Phone: (541) 963-8561 Fax: (541) 963-2391

TITLE INSURANCE

• ESCROW CLOSING •

ESCROW COLLECTION

February 8, 2008

Escrow No.: E12363

Title No.: 08-19061

Lynn A. Willis
53692 Hwy 203
Union, OR 97883

RE: Property Address: 53692 Hwy 203, Union, OR 97883

Dear Lynn A. Willis:

In connection with the transaction recently handled for you by our company, we are pleased to enclose the following:

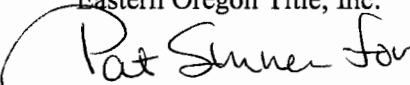
- Original Statutory Bargain and Sale Deed, recorded as Microfilm Document No. 20080232.

We advise you to keep the above documents in safekeeping for easy access.

We have created a special file regarding your property and are therefore in a position to render expedient and cost efficient service with your future transactions. In the event you desire to sell or refinance your property in the future, please contact us for special discounts and faster service.

We look forward to being of service to you for any future Escrow or Title Insurance needs that you may have. If you have any questions, please contact the undersigned.

Sincerely,
Eastern Oregon Title, Inc.


Lonnie Lester
Office Manager

Enc.

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R-98009

08-19061
After recording return to:
Eastern Oregon Title, Inc.
1601 Adams Avenue
La Grande, OR 97850

20080232

Until a change is requested all tax statements
shall be sent to the following address:
Lynn A. Willis
53692 Hwy 203
Union, OR 97883

STATUTORY BARGAIN AND SALE DEED

WILLIS TREE FARM, INC., AN OREGON CORPORATION, Grantor, conveys to **LYNN A. WILLIS**, Grantee, the following described real property:

PARCEL A:

A parcel of land located in Section 34, Township 5 South, Range 41 East of the Willamette Meridian, Union County, Oregon, described as follows:

That portion of the West half of the Southeast quarter of said Section 34 which lies West of the Union-Medical Springs Highway (State Highway 203) and South of a line beginning at a 5/8" rebar located on the North-South center line of said Section 34, said rebar being North 0E39'36" East a distance of 1,813.68 feet from the South 1/4 corner of said Section 34, said rebar being the True Point of Beginning; thence, North 89E39'14" East, a distance of 1,051.55 feet to a 5/8" rebar located on the Westerly right-of-way of the Union-Medical Springs Highway, said rebar being the end of the description of said line;

EXCEPTING THEREFROM any portion of the following described property which may be within the above described property by virtue of a Sheriff's Deed to Leon J. Berning and Edith Titze:

A parcel of land located in Section 34, Township 5 South, Range 41 East of the Willamette Meridian, Union County, Oregon, said parcel being more particularly described as follows:

Beginning at a point on the North-South centerline of said Section 34, Township 5 South, Range 41 East of the Willamette Meridian, at its intersection with the North line of the following described property:

The South 52.8 acres of that portion of the Southwest quarter of the Northeast quarter and that portion of the West half of the Southeast quarter of Section 34, Township 5 South, Range 41 East of the Willamette Meridian, which lies West of the Union-Medical Springs Highway (State Highway No. 203), said South 52.8 acres being previously described in Bargain and Sale Deed, recorded February 10, 1975, as Microfilm Document No. 76138, Records of Union County, Oregon; thence, from said Point of Beginning, East along the North line of said South 52.8 acres to a point which bears South from a 1-inch iron pipe; thence, North along a line parallel to said North-South centerline of said Section 34 to said 1-inch pipe, the location of which is referenced as follows:

From said 1-inch iron pipe, the Northeast corner of a metal barn (48.5 feet long by 24.5 feet wide) bears South 83E West 135.5 feet, the most Northeasterly corner of a wooden addition to a modular house (house size 67.0 feet long by 28.0 feet wide) bears South 33E West 53.5 feet, and said 1-inch iron pipe being located West of approximate mile point 15.15 along said Union-Medical Springs Highway; thence, leaving said 1-inch iron pipe West along a line parallel to the North line of said South 52.8 acres previously described, to said North-South centerline of said Section 34; thence, South along said North-South centerline of said Section 34 to the Point of Beginning.

This parcel of land is located entirely within Section 34, Township 5 South, Range 41 East of the Willamette Meridian, Union County, Oregon.

ALSO EXCEPTING FROM the above, that part which is in dispute under Union County Circuit Court Case No. 07-05-44288, Amended Complaint filed June 11, 2007, with Willis Tree Farm, Inc., as Plaintiff, and Sanders, et. al., as Defendants.

(05S41-4803)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (MEASURE 49 (2007)). 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

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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 SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (MEASURE 49 (2007)).

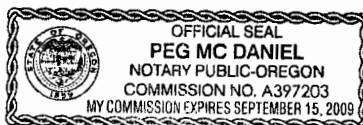
The true consideration for this conveyance is \$-0-. (Here comply with requirements of ORS 93.030)

Dated this day of January, 2008.

Lynn A. Willis, president.
Lynn A. Willis

STATE OF OREGON)
)ss.
COUNTY OF UNION)

Signed or attested before me on this 14 day of January, 2008 by Lynn A. Willis, President.



Peg McDaniel
Peg McDaniel
Notary Public for the State of Oregon
My commission expires: September 15, 2009

STATE OF OREGON

County of Union

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

Union County Clerk

by: Barbara Anderson Deputy.

DOC# 20080282
RCPT# 131370 32.00
1/18/2008 1:53 PM
REFUND: .00

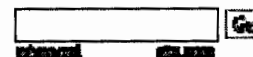
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JAN 18 2008

SALEM, OR

R-80009

OREGON



Water Resources Department

**Permit to Appropriate Surface Water for Storage -
Alternate Reservoir Application**

For Impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Wednesday, March 11, 2015

Base Application Fee for Storage of Surface Water.		\$350.00
Proposed Dam Height in feet.	8	
Proposed Reservoir volume in Acre Feet.	3.4	\$120.00
Permit Recording Fee. ***		\$450.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$920.00

[Return to Fee Calculator Options page](#)[OWRD Fee Schedule](#)

Fee Calculator Version: B20130709

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