

Application for a Permit to Use Ground Water

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MAY 01 2015



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

SALEM, OR

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

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

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: well development
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: storage of groundwater in a reservoir
- SECTION 7: use of stored groundwater from the reservoir
- SECTION 8: project schedule
- SECTION 9: within a district
- SECTION 10: remarks

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Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: A copy of the deed, land sales contract or title insurance policy.
- Fees - Amount enclosed: \$4300.00 with Permit Recording fee
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other _____

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725 Summer Street NE, Suite A
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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

| | | | |
|--------------------------------------|-------------|--------------|--------------------------------------|
| NAME MOOSE CREEK INVESTMENTS, LLC | | | PHONE (HM) 208-720-9064 |
| PHONE (WK) | CELL | | FAX |
| ADDRESS P.O. BOX 14001-363 | | | |
| CITY KETCHUM | STATE ID | ZIP 83340 | E-MAIL* STHOMSON@STRIDERGROUP.COM |

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.)

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.

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

Applicant Signature

Print Name and title if applicable

Date

Applicant Signature

Print Name and title if applicable

Date

| | | |
|-------------------------|------------------|------------|
| For Department Use | | |
| App. No. <u>6-18070</u> | Permit No. _____ | Date _____ |



[Handwritten Signature]

SCOTT THOMSON MANAGER 4/20/15

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access.
- Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

You must provide the legal description of : 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: WELL DEVELOPMENT

| WELL NO. | NAME OF NEAREST SURFACE WATER | IF LESS THAN 1 MILE: | |
|----------|-------------------------------|-----------------------------------|--|
| | | DISTANCE TO NEAREST SURFACE WATER | ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD |
| 1 | Sutton Creek | | |
| 2 | Powder River | | |
| 3 | Powder River | | |
| | | | |
| | | | |
| | | | |
| | | | |

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Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (*attach additional sheets if necessary*).

I have attached a copy of the well log for an existing stock water well. It was originally drilled for a test hole/ stock water well and it is very close to well #1. It may help with the construction of the irrigation wells. Well #1 is 1.9 miles away from Sutton Creek and 2.3miles from Powder River. Well #2 is 2.2miles away from Powder River and well #3 is 1.8 miles from the Powder River.

SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 3000gpm (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

| OWNER'S WELL NAME OR NO. | PROPOSED | EXISTING | WELL ID (WELL TAG) NO.* OR WELL LOG ID** | FLOWING ARTESIAN | CASING DIAMETER | CASING INTERVALS (IN FEET) | PERFORATED OR SCREENED INTERVALS (IN FEET) | SEAL INTERVALS (IN FEET) | MOST RECENT STATIC WATER LEVEL & DATE (IN FEET) | PROPOSED USE | | | |
|--------------------------|-------------------------------------|--------------------------|--|--------------------------|-----------------|----------------------------|--|--------------------------|---|-------------------|------------------|--------------------------|---------------------------|
| | | | | | | | | | | SOURCE AQUIFER*** | TOTAL WELL DEPTH | WELL-SPECIFIC RATE (GPM) | ANNUAL VOLUME (ACRE-FEET) |
| 1 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | 12" | 0-360' | | 0-40' | | Basalt | 500' | 3000 gpm | 3.0AF / AC |
| 2 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | 12" | 0-360' | | 0-40' | | Basalt | 500' | 3000 gpm | 3.0 AF / AC |
| 3 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | 12" | 0-360' | | 0-40' | | Basalt | 500' | 3000 gpm | 3.0 AF / AC |
| | <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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SECTION 4: WATER USE

| USE | PERIOD OF USE | ANNUAL VOLUME (ACRE-FEET) |
|-------------------------|----------------------|---------------------------|
| Supplemental Irrigation | March 1 - October 31 | 3.0 AF / AC |
| | | |
| | | |
| | | |

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: 1393.3 Acres

List the Permit or Certificate number of the underlying primary water right(s): C-80460, C-73610, C-73999, C-73405, C-62254,

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 3.0AF / AC

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

SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

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

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Pump (give horsepower and type): I will install a 100 horsepower pump.

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Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The three new wells will be tied into the current main line that is connected to various pivots and wheel lines throughout the entire property. I will use the requested water to irrigate all the lands at different times.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) Currently the ranch is equipped with a main line irrigation system that runs to various center pivots and a few wheel lines. The new wells will be tied into this main line to use the current pivots and wheel lines.

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.

I am requesting 3000gpm. This is a very small amount of water compared to the total number of acres that will be irrigated but I will spread this amount of water over the entire property at various different times. I would like to have the ability to have supplemental water for the entire property when my primary is unavailable. With the current mainline irrigation system that is installed I will continue to use

water efficiently with less loss. Each well will be equipped with a flow meter to monitor and record the amount of water used. I will have all the water diverted into a pipe system so the waste will be little to none from the well sites to the irrigated ground. There will be no damage to aquatic life or riparian habitat or any co-mingling of the ground water or surface water due to the mainline pipe system that is currently installed that the wells will be tied into.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: N/A Acreage inundated by reservoir: N/A

Use(s): N/A

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

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

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

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

Annual volume (acre-feet): N/A

| USE OF STORED GROUND WATER | PERIOD OF USE |
|----------------------------|---------------|
| N/A | N/A |
| | |
| | |
| | |
| | |
| | |

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Fall 2015

Date construction will be completed: Fall 2015

Date beneficial water use will begin: Spring 2016

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SECTION 9: WITHIN A DISTRICT

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

| | |
|--|--------------------------------------|
| Irrigation District Name Baker Valley Irrigation District | Address 3895 10 th St. |
| City | State Zip |

SECTION 10: REMARKS

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

I am requesting an amount of 3000 gpm from three wells. I would like to be able to use well #1, well #2, or well #3 or a combination of the three wells to gain the total amount of water that I am requesting in this application. The total amount of water requested is a very small amount compared to the total number of acres that will be irrigated because I want to be able to have supplemental water on the entire property. I will not need a rate of 1/80th which is a typical ground water rate because I will only irrigate a portion of the property at a time. As you can see the proposed wells have an additional radius around the specific location identified due to many circumstances the well location may need to move. This will accommodate an efficient ground water review.

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Land Use

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Information Form

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

NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Land Use Information Form

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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: Moos Creek Investments, LLC
First _____ Last _____

Mailing Address: P.O. Box 14001-363

Ketchum City ID 83340 State Daytime Phone: 208-720-9064
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: |
|----------|-------|---------|-----|-----------------------------|---|--|--|--|--------------------|
| 9S | 40E | 22,23 | | 400 | | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Supp. Irrig. |
| 9S | 40E | 15 | | 202 | | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Supp. Irrig. |
| 9S | 40E | 14 | | 200, 300,400, 500,600 | | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Supp. Irrig. |
| 9S | 40E | 10, 11 | | 1400, 400,300, 100 | | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Supp. Irrig. |

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

Baker 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) _____

Estimated quantity of water needed: 3000 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:

I am applying for a new ground water supplemental irrigation right to cover the entire Moose Creek Investments, LLC property.



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):
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

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Name: _____ Title: Executive Manager

Signature: _____ Phone: _____ Date: _____

Government Entity: Clatsop 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: _____

0/00/00
0:00

ASSESSMENT SEARCH

Y2
A10200

| NAME | MOOSE CREEK FEEDLOT, LLC | YR 2015 | L/LE/X/EM-NUMBER: | | |
|------|--------------------------|--------------------------------|-------------------|------------------|---------|
| MAP | ANUM (U, A, L) | CODE | CLASS | OLD X/EM-NUMBER: | |
| RR | REF# | NAME | MAP# | CODE | CLS |
| R | 8084 | 1 MOOSE CREEK FEEDLOT, LLC | 09S4015 | 300 | 507 550 |
| R | 14319 | 1 MOOSE CREEK FEEDLOT, LLC | 09S4015 | 300 | 531 551 |
| R | 15156 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S40 | 400 | 507 550 |
| R | 9272 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S4010 | 1400 | 532 550 |
| R | 14087 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S4011 | 100 | 532 550 |
| R | 9134 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S4011 | 300 | 532 550 |
| R | 9133 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S4011 | 400 | 532 551 |
| R | 14507 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S4014 | 200 | 531 550 |
| R | 8061 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S4014 | 300 | 531 551 |
| R | 14600 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S4014 | 400 | 531 550 |
| R | 14211 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S4014 | 500 | 531 550 |
| R | 15155 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S4014 | 600 | 507 550 |
| R | 15180 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S4014 | 600 | 531 550 |
| R | 17818 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S4015 | 202 | 507 550 |
| R | 17819 | 1 MOOSE CREEK INVESTMENTS, LLC | 09S4015 | 202 | 531 550 |
| R | 4544 | 1 MOOTHART, JAMES A & TINA | 09S4029AB | 1900 | 501 101 |
| R | 1845 | 1 MOOTHART, TYLER J & JACLYN E | 09S4017AD | 2700 | 501 101 |

Enter Ref# for Master F7 EOJ F8 CLR F19 MENU

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G-10070



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After recording return to:
Moose Creek Investments, LLC
12673 Highway 75
Ketchum ID 83340

Until a change is requested all tax statements shall be sent to the following address:
Moose Creek Investments, LLC
12673 Highway 75
Ketchum ID 83340

Escrow No. BA-30023JP
Title No. 0030023
SWD 020212

STATUTORY WARRANTY DEED

Bootsma Ranch, LLC, an Oregon Limited Liability Company,

Grantor(s), hereby convey and warrant to

Moose Creek Investments, LLC, an Idaho Limited Liability Company,

Grantee(s), the following described real property in the County of BAKER 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

The true and actual consideration for this conveyance is other property or value is part of or the whole of the consideration.

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.

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:

2012-2013 Real Property Taxes a lien not yet due and payable.

Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

Facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.

Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.

Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.

Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

Unpatented mining claims whether or not shown by the public records.

The 2012-2013 Taxes: A lien not yet due or payable.

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.

The property lies within the boundaries of the Baker Valley Irrigation District and is subject to any charges or assessments levied by said District and pipeline easements in connection therewith.

The property lies within the boundaries of the Smith Ditch District Improvement Company and is subject to any charges or assessments levied by said District and pipeline easements in connection therewith.

The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.

Right of Way, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Eastern Oregon Light and Power Company, a corporation, its successors and assigns
Recorded: September 7, 1929
In: Book 113, Page 50, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Eastern Oregon Light and Power Company, a corporation, its successors and assigns
Recorded: February 19, 1931
In: Book 115, Page 193, Baker County Deed Records

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Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: The Pacific Telephone and Telegraph Company, a California corporation, its successors and assigns
Recorded: April 27, 1939
In: Book 127, Page 58, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Eastern Oregon Light and Power Company, a corporation, its successors and assigns
Recorded: October 20, 1945
In: Book 137, Page 585, Baker County Deed Records

Reservation of 50% of all minerals, oil and gas, including the terms and provisions contained therein, in deed from The Federal Land Bank of Spokane, a corporation.

Recorded: June 7, 1951
In: Book 156, Page 526, Baker County Deed Records

The current ownership of said interest and matters affecting said interest are not shown herein.

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Idaho Power Company, a corporation, its successors and assigns
Recorded: August 20, 1955
In: Book 164, Page 846, Baker County Deed Records
Rerecorded: August 24, 1955
In: Book 164, Page 868, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Idaho Power Company, a corporation, its successors and assigns
Recorded: November 10, 1958
In: Book 168, Page 932, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As reserved by: Howard Allen and Katherine Allen, husband and wife
Recorded: August 7, 1959
In: Book 169, Page 1043, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: California-Pacific Utilities Company, a corporation
Recorded: April 16, 1962
In: Book 172, Page 863, Baker County Deed Records

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Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Conrad Allen and Madeline Allen, husband and wife, their heirs and assigns
Recorded: July 16, 1964
In: Book 174, Page 996, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: California-Pacific Utilities Company, a corporation
Recorded: August 14, 1972
As Deed No.: 72 33 019, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: John Conrad Allen, Sr. and Madeline J. Allen, husband and wife, their heirs and assigns
Recorded: October 31, 1972
As Deed No.: 72 44 021, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: California-Pacific Utilities Company, its successors and assigns
Recorded: April 7, 1975
As Deed No.: 75 15 010, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: California-Pacific Utilities Company, its successors and assigns
Recorded: April 12, 1976
As Deed No.: 76 16 025, Baker County Deed Records

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: California-Pacific Utilities Company, its successors and assigns
Recorded: April 22, 1976
As Deed No.: 76 17 067, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As reserved by: John Bootsma and Margaret Bootsma, husband and wife
Recorded: April 11, 1980
As Deed No.: 80 16 009, Baker County Deed Records
Recorded: November 7, 1980
As Deed No.: 80 45 103, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: C P National Corporation, a corporation, its successors and assigns
Recorded: May 1, 1980
As Deed No.: 80 18 087, Baker County Deed Records

Easement or easements, including the terms and provisions thereof, as contained in instrument recorded May 16, 1980, as Deed No. 80 20 097, Baker County Deed Records.

Right of Way Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: California-Pacific Utilities Company, a corporation
Recorded: June 26, 1980

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As Deed No.: 80 26 068, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: RuthAnn Heaton, her heirs and assigns
Recorded: April 24, 1981
As Deed No.: 81 16 143, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Pacific Northwest Bell Telephone Company, a Washington corporation, its successors and assigns
Recorded: July 14, 1988
As Deed No.: 88 28 071, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Pacific Northwest Bell Telephone Company, a Washington corporation, its successors and assigns
Recorded: July 14, 1988
As Deed No.: 88 28 082, Baker County Deed Records

Roadway Easement Agreement, including the terms and provisions thereof, between John Bootsma and Margaret Bootsma, husband and wife, and Idaho Power Company, an Idaho corporation, their heirs successors and assigns, recorded July 16, 1990, as Deed No. 90 29 027, Baker County Deed Records.

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: John Conrad Allen, Sr., aka Conrad Allen, Trustee of the Conrad Allen Trust, under agreement dated January 17, 1990, his successors and assigns
Recorded: July 14, 1992
As Deed No.: 92 28 049, Baker County Deed Records

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Oregon Trail Electric Consumers Cooperative, a corporation, its successors and assigns
Recorded: May 1, 1997
As Deed No.: 97 17 207, Baker County Deed Records

Roadway Easement and Maintenance Agreement, including the terms and provisions thereof, between John Bootsma and Margaret Bootsma, Trustees of the Bootsma Family Trust, and Ernest W. Hutton and Leona Hutton, husband and wife, their successors, heirs and assigns, recorded October 17, 2003, as Deed No. 0342 0120, Baker County Deed Records.

Reciprocal Grant of Easements and Covenants for Irrigation Works, including the terms and provisions thereof, between John Bootsma and Margaret Bootsma, Trustees of the Bootsma Family Trust, and Michael H. Trindle and Ann Mary Trindle, husband and wife, their successors, heirs and assigns, recorded March 30, 2004, as Deed No. 0413 0263, Baker County Deed Records.

Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As granted to: Ken Tew and Julia Barnes, husband and wife, their heirs and assigns
Recorded: June 8, 2011
As Deed No.: 1123 0183, Baker County Deed Records

Memorandum of Lease/Termination of Prior Leases between Bootsma Ranch, LLC and John Taylor Rohner

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Escrow No. BA-30023JP

Dated this 31 day of August 2012.

Bootsma Ranch, LLC

BY: Margaret Lanac Bootsma Jones
Margaret Lanac Bootsma-Jones, Manager/Member

BY: Margaret Bootsma
Margaret Bootsma, Manager/Member

State of Oregon
County of BAKER

This instrument was acknowledged before me on Aug 31, 2012 by Margaret Lanac Bootsma-Jones, Manager/Member and Margaret Bootsma, Manager/Member of Bootsma Ranch, LLC.



Julie D Paxton
(Notary Public for Oregon)

My commission expires 8/30/13

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Legal Description
File No. BA-0030023

TRACT ONE:

All that portion of the Southeast quarter of the Southeast quarter of Section 2, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Southerly of the Southerly right of way line of the Flagstaff Hill Highway.

ALSO the Southeast quarter, and the Southwest quarter of the Northeast quarter of Section 10, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon.

ALSO the Northeast quarter, the North half of the Southeast quarter, the Southwest quarter, the South half of the Northwest quarter, and the Northeast quarter of the Northwest quarter of Section 11, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon.

EXCEPTING THEREFROM all that portion of Section 11, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, conveyed to the State of Oregon, by and through its State Highway Commission, by instrument recorded December 16, 1938, in Book 126, Page 312, Baker County Deed Records.

ALSO EXCEPTING THEREFROM all that portion of Section 11, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, conveyed to the State of Oregon, by and through its Department of Transportation, by instrument recorded June 27, 1994, as Deed No. 94 26 052, and rerecorded October 21, 2002, as Deed No. 0243 0137, Baker County Deed Records.

ALSO EXCEPTING THEREFROM a parcel in the Southwest quarter of the Southeast quarter of Section 2 and in the Northwest quarter of the Northeast quarter of Section 11, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

COMMENCING at the corner between Sections 1, 2, 11 and 12, said township and range, which is a 2 1/2" Aluminum Cap on a 1" Galvanized Pipe; thence North 85°35'40" West 1318.98 feet to a No. 5 Rebar with a yellow plastic cap marked PLS699, being a point on the Southerly right of way line of the Oregon State Baker-Homestead Highway No. 86, being the TRUE POINT OF BEGINNING; thence South 82°29'00" West 1342.70 feet along said Southerly right of way line to a No. 5 Rebar with a yellow plastic cap marked PLS699, from which the quarter corner between Sections 2 and 11 bears South 01°43'00" East 14.04 feet; thence South 01°43'00" East 277.17 feet to a No. 5 Rebar with a yellow plastic cap marked PLS699; thence North 88°17'00" East 1335.83 feet to a No. 5 Rebar with a yellow plastic cap marked PLS699; thence North 01°43'00" West 412.85 feet to a No. 5 Rebar with a yellow plastic cap marked PLS699 which is the TRUE POINT OF BEGINNING.

ALSO the North 392.6 feet of the Northeast quarter of the Northwest quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon.

ALSO a parcel in the Northeast quarter of the Northwest quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point in the irrigation ditch, as said ditch was described in instrument recorded August 7, 1959, in Book 169, Page 1043, Baker County Deed Records, said point being on the section line and East 162 feet from the West 1/16th corner of Sections 11 and 14, said township and range; thence East 603.4 feet along said section line to a point in said ditch; thence South 1110.91 feet parallel with the West 1/16th line of said Section 14; thence West 765.4 feet parallel with the North line of said Section 14 to the West 1/16th line of said Section 14; thence North 749 feet along the West 1/16th line of said Section 14 to a point in said ditch; thence following the meander line of said ditch downstream to the POINT OF BEGINNING.

TRACT TWO:

The Northwest quarter, the West half of the Southwest quarter, and the West half of the West half of the East half of the Southwest quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon.

EXCEPTING THEREFROM a parcel in the Northwest quarter of the Northwest quarter of Section 14 and the Northeast quarter of the Northeast quarter of Section 15, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point on the North line of Section 14, said township and range, said point being East 330 feet from the Northwest corner of said Section 14; thence South 330 feet; thence West 660 feet; thence North 330 feet to the North line of Section 15, said township and range; thence East 660 feet along the North line of said Sections 15 and 14 to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM the North 392.6 feet of the Northeast quarter of the Northwest quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon.

ALSO EXCEPTING THEREFROM a parcel in the Northeast quarter of the Northwest quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point in the irrigation ditch, as said ditch was described in instrument recorded August 7, 1959, in Book 169, Page 1043, Baker County Deed Records, said point being on the section line and East 162 feet from the West 1/16th corner of Sections 11 and 14, said township and range; thence East 603.4 feet along said section line to a point in said ditch; thence South 1110.91 feet parallel with the West 1/16th line of said Section 14; thence West 765.4 feet parallel with the North line of said Section 14 to the West 1/16th line of said Section 14; thence North 749 feet along the West 1/16th line of said Section 14 to a point in said ditch; thence following the meander line of said ditch downstream to the POINT OF BEGINNING.

ALSO all that portion of the West half of the Northeast quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Westerly and Northerly of the following described line:

BEGINNING at a point on the South line of the West half of the Northeast quarter of Section 14, said township and range, said point being North 88°21'31" East 544.60 feet from the Southwest corner of the West half of the Northeast quarter of said Section 14; thence North 03°49'18" East 1022.43 feet; thence South 85°02'07" East 453.22 feet; thence North 01°35'45" West 1695.67 feet to intersect the North line of the West half of the Northeast quarter of said Section 14, being the POINT OF TERMINATION of

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said line, said point of intersection being South 88°05'15" West 254.52 feet from the Northeast corner of the West half of the Northeast quarter of said Section 14.

ALSO a parcel in the East half of the West half of the East half of the Southwest quarter of Section 14, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at the Northwest corner of the East half of the West half of the East half of the Southwest quarter of Section 14, said township and range; thence North 88°21'31" East 156.02 feet along the North line of the East half of the West half of the East half of the Southwest quarter of said Section 14; thence South 21°11'19" West 406.26 feet to intersect the West line of the East half of the West half of the East half of the Southwest quarter of said Section 14; thence North 01°23'41" West 374.43 feet along the West line of the East half of the West half of the East half of the Southwest quarter of said Section 14 to the POINT OF BEGINNING.

ALSO the East half, the East half of the Southwest quarter, and the Southeast quarter of the Northwest quarter of Section 15, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon.

EXCEPTING THEREFROM a parcel in the Northwest quarter of the Northwest quarter of Section 14 and the Northeast quarter of the Northeast quarter of Section 15, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point on the North line of Section 14, said township and range, said point being East 330 feet from the Northwest corner of said Section 14; thence South 330 feet; thence West 660 feet; thence North 330 feet to the North line of Section 15, said township and range; thence East 660 feet along the North line of said Sections 15 and 14 to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM a parcel in the West half of the Northeast quarter of Section 15, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at a point which is South 01°49'35" East 30 feet from the Northwest corner of the West half of the Northeast quarter of Section 15, said township and range; thence South 01°49'35" East 585.4 feet to the center line of an abandoned irrigation ditch; thence following said ditch the following courses and distances: South 80°32'10" East 294.5 feet; South 41°37'45" East 224.7 feet; South 07°39'10" West 150.1 feet; South 24°31'15" East 267.6 feet; and South 04°06'25" West 467.3 feet to intersect the Westerly extension of the downstream Smith Reservoir dam toe line; thence North 78°47'50" East 670 feet along said extended toe line and the toe line to a point which is West 200 feet from the East line of the Southwest quarter of the Northeast quarter of said Section 15; thence North 02° West 140 feet; thence North 88° East 150 feet, more or less, to a point which is West 50 feet from the East line of the Southwest quarter of the Northeast quarter of said Section 15; thence Northerly along a line which is parallel to and 50 feet West of the East line of the West half of the Northeast quarter of said Section 15 to the South right of way line of a County Road; thence Westerly along the South right of way line of a County Road to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM all that portion of the Southeast quarter of the Northwest quarter of Section 15, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and

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State of Oregon, conveyed to Ernest W. Hutton and Leona Hutton, husband and wife, by instrument recorded October 17, 2003, as Deed No. 0342 0099, Baker County Deed Records.

ALSO EXCEPTING THEREFROM all that portion of the West half of Section 15, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying within the exterior boundaries of Parcel 1 of PARTITION PLAT NO. P2005-011, recorded October 25, 2005, as Deed No. 0543 0223, Baker County Deed Records.

ALSO all that portion of the Northwest quarter of Section 22, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Easterly of the Relocated Old Oregon Trail Highway, U.S. Highway No. 1-84 right of way conveyed to the State of Oregon, by and through its State Highway Commission, by instrument recorded May 13, 1973, as Deed No. 73 22 039, Baker County Deed Records, and Northerly of the following described line:

BEGINNING at a point on the East line of the Northwest quarter of Section 22, said township and range, said point being South 02°15'45" East 738.95 feet from the Northeast corner of the Northwest quarter of said Section 22; thence North 82°18'48" West 367.83 feet; thence South 03°02'19" West 148.10 feet; thence South 87°50'17" West 623.64 feet; thence South 86°44'20" West 1474.71 feet to intersect the East right of way line of said U.S. Highway No. 1-84, being the POINT OF TERMINATION of said line.

EXCEPTING THEREFROM all that portion of the Northwest quarter of Section 22, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying within the exterior boundaries of Parcel 1 of PARTITION PLAT NO. P2005-011, recorded October 25, 2005, as Deed No. 0543 0223, Baker County Deed Records.

ALSO all that portion of the Northeast quarter of Section 22, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Northeasterly of the following described line:

BEGINNING at a point on the West line of the Northeast quarter of Section 22, said township and range, said point being South 02°15'45" East 738.95 feet from the Northwest corner of the Northeast quarter of said Section 22; thence South 82°18'48" East 366.54 feet; thence South 74°04'24" East 356.32 feet; thence South 58°03'36" East 435.42 feet; thence North 77°08'05" East 408.54 feet; thence South 03°24'17" West 536.18 feet; thence South 61°23'52" East 347.53 feet; thence South 49°17'08" East 1179.07 feet; thence South 11°09'54" East 70.86 feet to intersect the South line of the Northeast quarter of said Section 22, said intersection being South 88°20'38" West 68.38 feet from the Southeast corner of the Northeast quarter of said Section 22, being the POINT OF TERMINATION of said line.

ALSO a parcel in the Southeast quarter of Section 22, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at the Northeast corner of the Southeast quarter of Section 22, said township and range; thence South 88°20'38" West 68.38 feet along the North line of the Southeast quarter of said Section 22; thence South 11°09'54" East 223.41 feet; thence South 21°57'52" East 102.99 feet to intersect the East line of the Southeast quarter of said Section 22; thence North 02°25'46" West 316.96 feet along the East line of the Southeast quarter of said Section 22 to the POINT OF BEGINNING.

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ALSO all that portion of the Northwest quarter of Section 23, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Westerly of the following described line:

BEGINNING at the Northwest corner of the East half of the West half of the East half of the Northwest quarter of Section 23, said township and range; thence South $02^{\circ}09'00''$ East 463.74 feet along the West line of the East half of the West half of the East half of the Northwest quarter of said Section 23; thence North $87^{\circ}48'09''$ East 184.45 feet; thence South $02^{\circ}33'22''$ East 749.01 feet; thence South $52^{\circ}36'07''$ East 342.61 feet; thence South $32^{\circ}38'46''$ East 366.03 feet; thence South $29^{\circ}42'43''$ East 325.28 feet; thence South $27^{\circ}28'47''$ East 449.43 feet; thence South $05^{\circ}54'00''$ East 13.00 feet to intersect the East line of the Northwest quarter of said Section 23, being the POINT OF TERMINATION of said line.

ALSO a parcel in the Northeast quarter of Section 23, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at the Southwest corner of the Northeast quarter of Section 23, said township and range; thence North $01^{\circ}58'57''$ West 198.50 feet along the West line of the Northeast quarter of said Section 23; thence South $05^{\circ}54'00''$ East 198.99 feet to intersect the South line of the Northeast quarter of said Section 23; thence South $88^{\circ}07'41''$ West 13.59 feet, more or less, along the South line of the Northeast quarter of said Section 23 to the POINT OF BEGINNING.

ALSO a parcel in the Southeast quarter of Section 23, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, more particularly described as follows:

BEGINNING at the Northwest corner of the Southeast quarter of Section 23, said township and range; thence South $01^{\circ}58'57''$ East 248.14 feet along the West line of the Southeast quarter of said Section 23; thence North $21^{\circ}53'06''$ East 65.46 feet; thence North $05^{\circ}54'00''$ West 188.69 feet to intersect the North line of the Southeast quarter of said Section 23; thence South $88^{\circ}07'41''$ West 13.59 feet, more or less, along the North line of the Southeast quarter of said Section 23 to the POINT OF BEGINNING.

ALSO all that portion of the Southwest quarter of Section 23, Township 9 South, Range 40 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Northerly of the following described line:

BEGINNING at a point on the East line of the Southwest quarter of Section 23, said township and range, said point being South $01^{\circ}58'57''$ East 248.14 feet from the Northeast corner of the Southwest quarter of said Section 23; thence South $21^{\circ}53'06''$ West 260.08 feet; thence South $26^{\circ}31'05''$ West 432.17 feet; thence South $49^{\circ}56'27''$ West 678.78 feet; thence South $82^{\circ}14'41''$ West 517.06 feet; thence North $88^{\circ}31'20''$ West 172.98 feet; thence North $78^{\circ}19'37''$ West 193.77 feet; thence North $70^{\circ}22'39''$ West 368.94 feet; thence North $46^{\circ}30'45''$ West 299.77 feet; thence North $39^{\circ}37'47''$ West 216.17 feet; thence North $28^{\circ}14'14''$ West 296.69 feet; thence North $21^{\circ}57'52''$ West 155.23 feet to intersect the West line of the Southwest quarter of said Section 23, being the POINT OF TERMINATION of said line.

The above-described real property is conveyed with all water and water rights, ditches and ditch rights, storage and storage rights or portions thereof, that are appurtenant thereto, including without limitation water rights or appurtenant portions thereof represented by water right certificate nos. 62253 and 62254, permit nos. G-13286 and G-13746 and the rights to the delivery of water held in the name of and/or

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delivered by the Baker Valley Irrigation District, the U.S. Bureau of Reclamation and the Smith Ditch District Improvement Company for beneficial use on the above-described real property.

(The totality of the land herein described as Tract Two is shown as Parcel 2 of PARTITION PLAT NO. P2005-011, recorded October 25, 2005, as Deed No. 0543 0223, Baker County Deed Records.)

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MAY 01 2015

SALEM, OR

STATE OF OREGON)
COUNTY OF BAKER)
I CERTIFY THAT THIS
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MOOSE CREEK INVESTMENTS LLC

PO BOX 14001-363
KETCHUM, ID 83340

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING

State of Origin: IDAHO

Date of 20 Apr 2012

Origination/Authorization:

Current Registered Agent: SCOTT THOMSON
323 LEWIS STREET, UNIT K
KETCHUM, ID 83340

File Number: W113188

Date of Last Annual Report: 24 Feb 2015

Annual Report Due: Apr 2016

Original Filing:

Filed 20 Apr 2012 CERTIFICATE OF ORGANIZATION

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Comments, questions or suggestions can be emailed to: sosinfo@sos.idaho.gov

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