

# Application for a Permit to Use Ground Water



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

## 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](http://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](http://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.

RECEIVED BY OWRD

G-1002

# 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

---

### 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: \$ 3,100.00  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://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 \_\_\_\_\_

RECEIVED BY OWRD

# Application for a Permit to Use Ground Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME TERRY & LINDA INSCOE		PHONE (HM) (415) 482-7560	
PHONE (WK)	CELL (415) 722-9206		FAX
ADDRESS P.O. BOX 687			
CITY ROSS	STATE CA	ZIP 94957	E-MAIL* TINSCOE@MSN.COM

### Organization Information

NAME POWDER RIVER LAND COMPANY		PHONE		FAX
ADDRESS P.O. BOX 687			CELL	
CITY ROSS	STATE CA	ZIP 94957	E-MAIL*	

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

AGENT / BUSINESS NAME SARA HAYNES / BROWNE CONSULTING, LLC		PHONE (541) 523-5170		FAX (541) 523-5170
ADDRESS 50809 ELLIS ROAD			CELL	
CITY NORTH POWDER	STATE OR	ZIP 97867	E-MAIL* SARA@BROWNECONSULTING.BIZ	

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

Applicant Signature

Terry Inscoe  
Print Name and title if applicable

Linda Inscoe  
Print Name and title if applicable

5/3/2015  
Date

5/3/2015  
Date

RECEIVED BY OWRD

For Department Use			
App. No. <u>G-18082</u>	Permit No. _____	Date _____	MAY 14 2015

**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	North Powder River	~ 2,420 ft	~ 22 ft
	Warm Springs Creek	~ 2,960 ft	~ 11 ft
#2	North Powder River	~ 2,530 ft	~ 19 ft
	Warm Springs Creek	~ 2,860 ft	~ 12 ft
#3	North Powder River	~ 2,570 ft	~ 17 ft
	Warm Springs Creek	~ 2,890 ft	~ 10 ft

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*).

There is one well on the property that was drilled to supply domestic water. It is at the historical house site and there is a pipeline that runs from the well to the house. There are not a lot of irrigation wells nearby. There are more recent irrigation wells drilled to the east including BAKE 52382 and BAKE 52368 indicating a sandstone layer at approximately 200 feet below land surface and a hard brown clay layer for the first 50 feet below land surface.

RECEIVED BY OWRD

MAY 14 2015

**SECTION 3: WELL DEVELOPMENT, CONTINUED**

Total maximum rate requested: 1.667 CFS (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.

G-10002

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"/>	N/A	<input type="checkbox"/>	12 inch	0-200	50-200	0-45	~ 30 ft (BAKE 52382, BAKE 52368)	Alluvium	200 ft		
#2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	12 inch	0-200	50-200	0-45	~ 30 ft (BAKE 52382, BAKE 52368)	Alluvium	200 ft		
#3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	12 inch	0-200	50-200	0-45	~ 30 ft (BAKE 52382, BAKE 52368)	Alluvium	200 ft		
	<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.

**RECEIVED BY OWRD**

**SECTION 4: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Supplemental Irrigation	March 1 – October 1	300
Primary Irrigation	October 2 – October 31	300

**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: 100 Acres                      Supplemental: 100 Acres

List the Permit or Certificate number of the underlying primary water right(s): Certificate 83809

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 300

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

**SECTION 5: WATER MANAGEMENT**

**A. Diversion and Conveyance**

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

Pump (give horsepower and type): 75 HP submersible turbine pump

Other means (describe): \_\_\_\_\_

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The water will be conveyed from the well to a center pivot irrigation system via mainline.

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)  
Center pivot irrigation system using drop hose sprinklers to apply water to the ground.

**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.

The landowners currently irrigate using flood irrigation conveyed via unlined ditches. If they are able to convey the water from the well to the ground via mainline and pivot systems, there would essentially be no water loss and no sediment deposition returning back into the Powder River Basin.

RECEIVED BY OWRD

MAY 14 2015

WB  
SALEM, OR

G-18082

**SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR**

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

Reservoir name: \_\_\_\_\_ Acreage inundated by reservoir: \_\_\_\_\_

Use(s): \_\_\_\_\_

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

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

**SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR**

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

Annual volume (acre-feet): \_\_\_\_\_

USE OF STORED GROUND WATER	PERIOD OF USE

**SECTION 8: PROJECT SCHEDULE**

Date construction will begin: As soon as possible after the permit is issued.

Date construction will be completed: Within five years of permit issuance.

Date beneficial water use will begin: Within a year of construction completion.

**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 Powder Valley Water Control District	Address P.O. Box 189 – 690E Street	
City North Powder	State OR	Zip 97867

RECEIVED BY OWRD

MAY 14 2015

WR  
SALEM, OR

## SECTION 10: REMARKS

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

The land under this permit is currently being leased for cattle grazing. The applicants recently purchased the property and would like to be able to grow hay and organic produce in the future. Their current surface water rights are conveyed via irrigation ditch from the North Powder River and the water flood irrigates the property. Typical in this area, surface water rights are usually dry by July each year. If the landowners are granted this water right permit, they plan to install a more efficient irrigation system as well as greenhouses on the north end of the property near the house. The Inscoes would like to grow organic produce and become a certified organic producer in the area. Eventually, they would like to install solar power that would be able to operate the irrigation systems and farm operations.

There are few irrigation wells in this area but two that are closest (BAKE 52368 and BAKE 52382) indicate a clay layer the first 50 feet below land surface and the presence of a sandstone layer at a depth of 200 feet below land surface. This application was prepared with the concept that the landowners could develop their well to a depth of the sandstone layer and use the water bearing zone above that sandstone layer. If this is unacceptable due to potential interference with surface water, the landowners are willing to comply with any acceptable well development the Department proposes. Another option may be to case and seal into the sandstone layer expected at an approximate depth 200 feet below land surface and develop any water bearing zones present at a deeper depth.

If the Department finds that the referenced well logs are not close enough to the proposed location to be indicative of subsurface strata, it may be possible to pursue drilling a test well to identify the well depth that would be acceptable to the Department. The Inscoes would appreciate any input the Department may have in obtaining the necessary water to develop their well(s).

The landowners are proposing to drill one well to obtain the rate of 748 GPM (1.667 CFS) they are requesting. If they are unable to obtain the maximum rate from one well, they would like the ability to drill up to two additional wells under this permit in order to obtain the maximum rate.

RECEIVED BY OWRD

MAY 14 2015

SALEM, OR



# 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

## 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.

RECEIVED BY OWRD

MAY 14 2015

SALEM, OR

WR

# 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: Terry & Linda Inscoe  
First Last

Mailing Address: P.O. Box 687

Ross CA 94957 Daytime Phone: (415) 482-7560  
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:
07S	39E	06	NWNW	1102 1100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
07S	39E	06	SWNW	1100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
07S	39E	06	NWSW	1100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation

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

Baker

## 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: 1.667     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:

No construction is proposed beyond well development and irrigation system installation.

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 for the Water Resources Department. RECEIVED BY OWRD

See bottom of Page 3. →

MAY 14 2015

## 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): BC20 Ch. 410

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>Permitted outright</u>	<u>BC20 Ch. 410</u>	<input checked="" 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.

Permitted in EFU zone per Comp. Plan + Baker County Zoning Ordinance Chapt. 410

Name: Kelly Howsley Glover Title: Planner  
 Signature: [Signature] Phone: 541 523 8219 Date: 5/11/15  
 Government Entity: Baker County Planning Department

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_ **RECEIVED BY OWRD**  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: **MAY 14 2015**



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:  
Powder River Land Company LLC, an Idaho limited liability company  
PO Box 687  
Ross, CA 94957

Until a change is requested all tax statements shall be sent to the following address:  
Powder River Land Company LLC, an Idaho limited liability company  
PO Box 687  
Ross, CA 94957  
Escrow No. 26827AM  
Title No. 26827AM

**STATUTORY WARRANTY DEED**

Douglas W. Dalton and Heidi L. Dalton, as Tenants in Common ,  
Grantor(s), hereby convey and warrant to

**Powder River Land Company 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:

All that portion of the South half of Lot 2 of the Southwest quarter (the Southwest quarter of the Southwest quarter) of Section 31, Township 6 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Southerly of the centerline of the Wilson Kelsey Ditch as said centerline existed on October 27, 2005.

**EXCEPTING THEREFROM** the following two parcels:

Parcel No. 1: All that portion conveyed to the State of Oregon, by and through its State Highway Commission, by instruments recorded January 16, 1948, in Book 145, Pages 452 and 453, Baker County Deed Records.

Parcel No. 2: All that portion conveyed to the State of Oregon, by and through its State Highway Commission, by instrument recorded August 4, 1959, in Book 169, Page 1009, Baker County Deed Records.

**ALSO** all that portion of Government Lot 4 of Section 6, Township 7 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon, lying Westerly of the centerline of the Wilson Kelsey Ditch as said centerline existed on October 27, 2005.

**EXCEPTING THEREFROM** all that portion conveyed to the State of Oregon, by and through its State Highway Commission, by instrument recorded October 9, 1959, in Book 169, Page 1363, Baker County Deed Records.

**ALSO** Government Lots 5 and 6 of Section 6, Township 7 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

07S39 / 1100 10412  
06S39 / 2401 17822  
07S39 / 1102 18131

The true and actual consideration for this conveyance is \$1,030,000.00.  
The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

G-18082

RECEIVED BY OWRD

MAY 14 2015

SALEM, OR

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

Dated this 13<sup>th</sup> day of January, 2015.

Douglas W. Dalton  
Douglas W. Dalton

Heidi L. Dalton  
Heidi L. Dalton

State of OR } ss  
County of Baker}

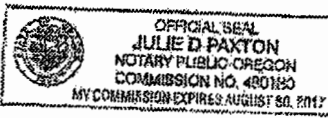
On this 13<sup>th</sup> day of January, 2015, before me, Julie D. Paxton, a Notary Public in and for said state, personally appeared Douglas W. Dalton and Heidi L. Dalton, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Julie D. Paxton  
Notary Public for the State of OR  
Residing at: Baker City  
Commission Expires: 8/30/17



On this 14th day of January, 2015, before me, Julie D. Paxton, a notary public in and for said state, personally appeared Heidi L. Dalton known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Julie D. Paxton  
Notary Public for the State of OR  
Residing at Baker City  
Commission Expires 8/30/17



STATE OF OREGON }  
County of Baker } ss

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

Cindy Carpenter  
Baker County Clerk  
by: Karen Phillips Deputy.

DOC#: B15020204  
\$1.00  
1/15/2015 11:44 AM  
REFUND: .00

RECEIVED BY OWRD  
MAY 14 2015  
SALEM, OR

Water Resources Department

**Apply for a Permit to Appropriate Ground Water and/or Store Ground Water**

Today's Date: Wednesday, April 29, 2015

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,150.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1.667	\$600.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	2	\$300.00
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	3	\$600.00
Number of Acre Feet to be stored in a reservoir/pond from Ground Water.	0	
Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application)	0	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$450.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** 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		\$3,100.00

[Return to Fee Calculator Options page](#)

[OWRD Fee Schedule](#)

Fee Calculator Version B20130709

RECEIVED BY OWRD

MAY 14 2015

SALEM, OR

6-18082