

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 <u>Paul Kester</u>		PHONE (HM)	
PHONE (WK) <u>541-372-2697</u>	CELL <u>541-212-6422</u>	FAX <u>541-372-7372</u>	
ADDRESS <u>3331 Grey Blvd</u>			
CITY <u>Nyssa</u>	STATE <u>OR</u>	ZIP <u>97913</u>	E-MAIL* <u>KESTERFARMS33@gmail.com</u>

Organization Information

NAME <u>Kester Farms Inc</u>		PHONE <u>541 372 2697</u>	FAX
ADDRESS <u>3331 Grey Blvd</u>			CELL
CITY <u>Nyssa</u>	STATE <u>OR</u>	ZIP <u>97913</u>	E-MAIL*

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

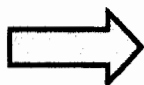
AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS			CELL RECEIVED BY OWRD
CITY	STATE	ZIP	E-MAIL* JAN 29 2016

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the department SALEM, OR 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.

Paul Kester
Applicant Signature

Paul Kester
Print Name and title if applicable

1-25-16
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>61-19206</u>	Permit No. _____	Date _____

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
Scott I	SNAKE RIVER	4.5 miles	← 300'
Kester H	SNAKE RIVER	5 miles	

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*).

RECEIVED BY OWRD

JAN 29 2016

SALEM, OR

WR

SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: _____ (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)
Scott well 1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	54160	<input type="checkbox"/>	12"	1'-200'	201-504	0-196'	76'	200-504	540	800	1341.6
Kester H	<input type="checkbox"/>	<input checked="" type="checkbox"/>	54229	<input type="checkbox"/>	12"	1'-220'	220-488	0-125	75'	222-465	520	800	1341.6
	<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"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

RECEIVED BY OWRD
 JAN 29 2016
 SALEM, OR

* 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.

6-10-2016

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation of Row Crops From Ground	March - Oct 31	2683

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: 447 Acres

List the Permit or Certificate number of the underlying primary water right(s): Cert. # 75691 p. 54398

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 2683

- 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: _____

RECEIVED BY OWRD

MAR 03 2016

SECTION 5: WATER MANAGEMENT

SALEM, OR

A. Diversion and Conveyance

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

Pump (give horsepower and type): 50 hp Submer (Both wells)

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be piped from wells to head ditches, or stay in pipes to supply Drip systems, ect.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

wheel lines low pressure sprinklers
Drip Systems Furrows

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.

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: _____

RECEIVED BY OWRD

SECTION 4: WATER USE

B: On our farm we use a variety of conservation practices that include, but are not limited to:

1. Drip irrigation and sprinkler systems;
2. Minimum and/or no till;
3. We have several hillsides and corner pieces of ground where we have pasture for our animals. Irrigation water runs across these areas as well, into draws, and then to our collection ponds. We leave cat tails and other foliage growing in the draws to help clean and cool our irrigation runoff;
4. Ponds to collect and clean irrigation runoff;
5. Pumps and piping to reuse the water collected in our ponds;
6. Soil moisture monitors, filter strips at the top and bottom of fields, PAM, straw in the furrows, and soil amendments to help absorb irrigation water better; and
7. We usually leave some fields fallowed for the year and when we do, we plant barley as a cover crop.

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

RECEIVED BY OWRD

JAN 29 2016

SALEM, OR

G-18206

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: existing

Date construction will be completed: existing

Date beneficial water use will begin: upon permit approval

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

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 <u>Owyhee Irrigation District</u>	Address <u>17 South First Street</u>	
City <u>Nyssa</u>	State <u>OREGON</u>	Zip <u>97913</u>

541-372-3540

SECTION 10: REMARKS

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

RECEIVED BY OWRD

JAN 29 2016

SALEM, OR

WR

Primary Water Rights

Cert. or Permit	Township	Range	Section	Tax Lot	1/4 1/4	Acres
75691	19s	46e	13	600	NESW	36.2
75691			13	600	SESW	19.4
75691			13	600	NWSE	37.4
75691			13	300	SWSE	21.0
75691	19s	46e	14	500	NENE	2.1
75691			14	500	SWNE	24.4
75691			14	500	SENE	30.5
75691			14	2700	NWNW	28.8
75691			14	2700	SWNW	38.1
75691			14	3200	NWSW	33.7
75691			14	1100	SWSW	35.5
75691	19s	46e	15	2700	SENE	11.6
P -54398			15	3700	SESW	16.3
75691			15	3200	NESE	32.3
75691			15	3700	NWSE	6.6
P -54398			15	3700	NWSE	4.8
P -54398			15	3700	SWSE	32.3
75691			15	3700	SESE	31.6
P -54398			15	3700	SESE	4.6
					Total	447.2

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

RECEIVED BY OWRD

JAN 29 2016

SALEM, OR

6-18206

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: _____

First

_____ Last

Mailing Address: _____

RECEIVED BY OWRD

MAR 03 2016

_____ City

_____ State

_____ Zip

Daytime Phone: _____

SALEM, OR

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:
19	46	13		-		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
		14		300		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		15		500		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
				600		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
				1100		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
				2700		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
				3200		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
				3700		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

RECEIVED BY OWRD

JAN 29 2016

B. Description of Proposed Use

SALEM, OR

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: 2012 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:

Irrigation of Crop Lands. Crop include Onions, mint, & Potatoes, Corn, & Hay.

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. →

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): MCC Title 6 Ch 6-6-3
- 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.

RECEIVED BY OWRD

JAN 29 2016

SALEM, OR

Name: _____ Title: W. Alvin Scott Planning Director
 Signature: W. Alvin Scott Phone: 541 473 5185 Date: JAN 26, 2014
 Government Entity: Malheur 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: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

**STATE OF OREGON
WATER SUPPLY WELL REPORT**

(as required by ORS 537.765 & OAR 690-205-0210)

MALH 54229

6/4/2015

WELL I.D. LABEL# L114816

START CARD #

ORIGINAL LOG #

114816
1026191

1) LAND OWNER

Owner Well I.D. _____
 First Name PAUL Last Name _____
 Company KESLER FARMS
 Address 3331 GREY BLVD
 City NYSSA State OR Zip 97913

2) TYPE OF WORK

New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

2a) PRE-ALTERATION

Casing:	Dia	From	To	Gauge	Stl	Plstc	Wld	Thrd

Material From To Amt sacks/lbs

(3) DRILL METHOD

Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other _____

(4) PROPOSED USE

Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION

Special Standard (Attach copy)
 Depth of Completed Well 488.00 ft.

BORE HOLE			SEAL			sacks/
Dia	From	To	Material	From	To	lbs
22	0	140	Cement	0	125	175 S
18	140	340			Calculated	178.65
12	340	520			Calculated	

How was seal placed: Method A B C D E
 Other _____
 Backfill placed from 488 ft. to 520 ft. Material PEA GRAVEL
 Filter pack from 125 ft. to 320 ft. Material GRAVEL Size pea gravel
 Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount	Actual Amount

(6) CASING/LINER

Casing	Liner	Dia	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12	1.5	220	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	4	1	130	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
 Screens Type 100 slot johnson Material stainless

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scrm/slot width	Slot length	# of slots	Tel/ pipe size
Screen	Liner	12	220	328	.1			12
Screen	Liner	8	328	488	.032	4	999	8

(8) WELL TESTS: Minimum testing time is 1 hour

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
500		220	40

Temperature 60 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below) TDS amount

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County MALHEUR Twp 19.00 S N/S Range 46.00 E E/W WM
 Sec 14 NW 1/4 of the SW 1/4 Tax Lot 3200
 Tax Map Number _____ Lot _____
 Lat _____ " or 43.91300000 DMS or DD
 Long _____ " or -117.06456000 DMS or DD
 Street address of well Nearest address

ACROSS STREET FROM 3331 GREY BLVD

(10) STATIC WATER LEVEL

Existing Well / Pre-Alteration	Date	SWL (psi)	+ SWL (ft)
Completed Well	5/11/2015		90

Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 15.00

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
5/11/2015	20	64	100		20
5/11/2015	222	465	800		90

(11) WELL LOG

Material	From	To
topsoil	0	1
clay	1	6
gravel	6	14
clay	14	19
sand / sandy clay (stable formation)	19	64
brown clay / shale	64	100
blue clay/shale	100	102
brown clay/shale	102	110
blue clay/shale	110	113
brown clay/shale	113	115
cemented sand (stable formation)	115	180
sandy shale	180	222
med sand	222	274
sandy clay	274	288
med to fine sand (hard siltstone at 304)	288	307
shale	307	319
med to fine sand	319	321
blue clay/shale	321	328
sandy clay	328	399

Date Started 4/22/2015 Completed 5/11/2015

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number _____ Date _____
 Signed _____ SALEM, OR

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1818 Date 6/4/2015
 Signed DANIEL MCLERAN (E-filed)
 Contact Info (optional) _____

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version:

6-18206

**WATER SUPPLY WELL REPORT -
continuation page**

MALH 54229

WELL I.D. LABEL# L 114816

START CARD # 1026191

6/4/2015

ORIGINAL LOG #

(2a) PRE-ALTERATION

Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd

Material	From	To	Amt	sacks/lbs

(5) BORE HOLE CONSTRUCTION

BORE HOLE				SEAL			Amt	sacks/ lbs
Dia	From	To	Material	From	To			
						Calculated		
						Calculated		
						Calculated		
						Calculated		

FILTER PACK

From	To	Material	Size
320	488	GRAVEL	8/16

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd

(7) PERFORATIONS/SCREENS

Perf/Screen	Casing/Screen Liner	Screen Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

Water Quality Concerns

From	To	Description	Amount	Units

(10) STATIC WATER LEVEL

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)

(11) WELL LOG

Material	From	To
blue clay/shale	399	429
sandy shale / clay	429	442
pure sand and clay layers	442	465
blue clay/shale	465	479
sandy blue clay/shale	479	486
blue clay/shale	486	520

Comments/Remarks

the bottom of the well is PVC with a glued on PVC well cap so be careful if working the bottom of the well. Used 8/16 sized gravel pack around the PCV screens. Developed the 12" stainless screens with high pressure jetting adding 40 yards of 3/8 gravel pack

RECEIVED BY OWRD

MAR 03 2016

G-10206

STATE OF OREGON
WATER SUPPLY WELL REPORT

MALH 54160

WELL I.D. LABEL # 114803

START CARD # 1023453

ORIGINAL LOG #

as required by ORS 537.765 & OAR 690-205-0210

8/12/2014

(1) LAND OWNER

Owner Well I.D. _____
First Name PAUL Last Name _____
Company KESLER FARMS
Address 3331 GREY BLVD
City NYSSA State OR Zip 97913

(2) TYPE OF WORK

New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION

Casing: Dia + From To Gauge Stl Plstc Wld Thrd
Seal: Material From To Amt sacks/lbs

(3) DRILL METHOD

Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE

Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 504.00 ft. Special Standard (Attach copy)

Table with columns: Dia, From, To, Material, Seal, From, To, Amt, sacks/lbs. Rows include Bentonite Chips and Cement.

How was seal placed: Method A B C D E

Backfill placed from 504 ft. to 540 ft. Material PEA GRAVEL
Filter pack from 196 ft. to 504 ft. Material PEA GRAV Size pea gravel

Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount _____ Actual Amount _____

(6) CASING/LINER

Table with columns: Casing, Liner, Dia, From, To, Gauge, Stl, Plstc, Wld, Thrd. Includes rows for 12, 4, and 12 inch diameters.

Shoe Inside Outside Other Location of shoe(s) _____
Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Table with columns: Perf/Screen, Casing/Screen, Dia, From, To, Scrn/slot width, Slot length, # of slots, Tele/pipe size. Includes rows for 12 and 8 inch casing.

(8) WELL TESTS: Minimum testing time is 1 hour

Pump Bailer Air Flowing Artesian

Table with columns: Yield gal/min, Drawdown, Drill stem/Pump depth, Duration (hr). Rows show 600 yield at 15' drawdown and 550 yield at 250' depth.

Temperature 75 °F Lab analysis Yes By _____

Table with columns: Water quality concerns? From, To, Description, Amount, Units.

(9) LOCATION OF WELL (legal description)

County MALHEUR Twp 19.00 S N/S Range 46.00 E E/W WM
Sec 14 SW 1/4 of the NE 1/4 Tax Lot 500
Tax Map Number _____ Lot _____
Lat _____ " or 43.91650000 DMS or DD
Long _____ " or -117.05440000 DMS or DD
 Street address of well Nearest address

NONE BUT IS BEHIND 3357 ECHO NYSSA

(10) STATIC WATER LEVEL

Table with columns: Existing Well / Pre-Alteration, Date, SWL(psi), SWL(ft). Row shows 8/8/2014 date and 75 ft SWL.

WATER BEARING ZONES

Table with columns: SWL Date, From, To, Est Flow, SWL(psi), SWL(ft). Row shows 8/8/2014 date and 75 ft SWL.

(11) WELL LOG

Table with columns: Material, From, To. Lists soil layers from topsoil to med sand with depths.

Date Started 6/21/2014 Complete 8/8/2014

(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
Date JAN 29 2016

License Number _____ Date _____
Signed SALEM, OR

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1818 Date 8/12/2014
Signed DANIEL MCLERAN (E-filed)
Contact Info (optional) _____

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version:

G-19206

114803
START CARD # 1023453
ORIGINAL LOG #

8/12/2014

(2a) PRE-ALTERATION

Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd

Material	From	To	Amt	sacks/lbs

(5) BORE HOLE CONSTRUCTION

BORE HOLE			SEAL		sacks/lbs		
Dia	From	To	Material	From	To	Amt	lbs

FILTER PACK			
From	To	Material	Size

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd

(7) PERFORATIONS/SCREENS

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

Water Quality Concerns

From	To	Description	Amount	Units

(10) STATIC WATER LEVEL

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)

(11) WELL LOG

Material	From	To
med/fine sand with thin clay layers	298	324
med to fine sand	324	342
blue clay	342	345
clay and fine sand layers	345	391
med sand	391	398
blue clay	398	402
med sand	402	413
blue clay and fine sand layers	413	515
blue clay	515	540

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

Comments/Remarks

There is a stainless steel bell between the 12" and the 8" screens. We developed the well with high pressure jetting and added gravel pack as it settled, pumping it for nearly 70 hrs

EXHIBIT 'A'

Land in Malheur County, Oregon, as follows:

In Twp. 19 S., R. 46 E., W.M.:

Sec. 14: SW1/4 SW1/4.

SUBJECT TO the right of ways for Eureka Avenue and Grey Boulevard.

Sec. 23: NE1/4 NW1/4,

EXCEPTING THEREFROM a parcel of land situated in the NE1/4 NE1/4 NW1/4 described as follows:

Beginning at the Northeast corner of said NE1/4 NW1/4 of Sec. 23;
thence along the North-South centerline of said Sec. 23,
South 0° 13' 09" West, 274.37 feet;
thence South 88° 03' 34" West, 77.83 feet;
thence North 11° 20' 24" West, 107.52 feet;
thence North 0° 49' 33" East, 171.63 feet to a point on the
North line of Sec. 23;
thence along said North line, South 89° 59' 00" East, 97.50 feet
to the Point of Beginning.

SUBJECT TO the right of ways for Eureka Avenue and Nyssa-Arcadia Main Canal.

SUBJECT TO:

The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied.

Regulations of the Owyhee Irrigation District, within which the above property lies, including levies, assessments, water and irrigation rights and easements for ditches and canals.

The rights of the public in and to that portion of the premises herein lying within streets, roads and highways.

Mineral rights, claims or title to minerals

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

G-18206

SCHEDULE "A" TO WARRANTY DEED

Land in Malheur County, Oregon as follows:

In Twp. 19 S., R. 46 E., W.M.:

Sec. 14: NW1/4SW1/4.

Sec. 15: NE1/4SE1/4 and that portion of land in Parcel No. 1 in Partition Plat 2006-26 recorded Nov. 22, 2006, as Inst. No. 2006-8538 official records, described as follows:

All that portion of the NW1/4SE1/4 lying Southeasterly of the Owyhee Main Canal and lying Northeasterly of Lateral NC 31.3.

ALSO that portion of the SE1/4SE1/4 lying Northeasterly of Lateral NC 31.3.

RESERVING to the Grantors a life estate in the house and adjoining yard located on the above-described premises for the term of Clarence R. Kesler, Jr.'s and Colleen M. Kesler's joint lives and for the life of the survivor, or for twelve (12) years from the date of this deed, whichever occurs sooner.

TOGETHER WITH all water rights, ditch rights, and easements appurtenant thereto.

SUBJECT TO the rights-of-way of Grey Blvd. and Owyhee Main Canal.

ALSO SUBJECT TO all easements, rights of way, reservations, roadways, both of record and those appearing upon the above-described premises.

ALSO SUBJECT TO Trust Deed, including the terms and provisions thereof, given to secure an indebtedness of \$128,300.00, Dated: March 26, 2008, Recorded: March 28, 2008, as Instrument No. 2008-1993 official records, Grantor: Clarence R. Kesler, Jr., Trustee of the C.R. Kesler 1998 Revocable Trust, under Trust Agreement, dated 12/30/98; Colleen M. Kesler, Trustee of the Colleen M. Kesler 1998 Revocable Trust, under Trust Agreement dated 12/30/98, Trustee: First American Title Company of Malheur County, Beneficiary: Northwest Farm Credit Services, FLCA, a corporation organized under the Farm Credit Act of 1971, as amended.

ALSO SUBJECT TO Trust Deed, including the terms and provisions thereof, given to secure an indebtedness of \$25,000.00, Dated: November 21, 2008, Recorded November 21, 2008, as Instrument No. 2008-8023 official records of Malheur County, Oregon, Grantor: The C.R. Kesler 1998 Revocable Trust, under Trust Agreement dated December 30, 1998 and The Colleen M. Kesler 1998 Revocable Trust, under Trust Agreement dated December 30, 1998, Trustee: First American Title Company of Malheur County, Beneficiary: Northwest Farm Credit Services, FLCA, a corporation organized under the Farm Credit Act of 1971.

Assessor's Account No.: Map No. 1946; Tax Lot: 3200; Code: 29; Reference Nos.: 09433.

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

Gr-18206

Return Document and Until requested otherwise

send all tax Statements to:

PAUL KESLER, ETAL

3331 Grey Blvd

Nyssa, OR 97913

INSTRUMENT NO. 2008 -103
Page 1 of 2 Pages

Inst. No. 2008-103

I certify that the within Instrument of writing was received for record on the 7 day of January, 2008 at 3:37 O'clock P. M. FEE 26-
STATE OF OREGON, County of Malheur

DEBORAH R. DeLONG

County Clerk

By: Sherril Childs Deputy

STATUTORY BARGAIN AND SALE DEED

CLARENCE R. KESLER, JR. and COLLEEN M. KESLER Grantor, hereby grants,

bargains, sells and conveys unto Paul K. Kesler & Scott E. Kesler

as Tenants in Common Grantee

The following described real property situated in Malheur, County, Oregon, to-wit:

Land in Malheur County, Oregon, as follows:

In Twp. 19 S., R. 46 E., W.M.:

Sec. 11: W1/2 SW1/4.

Sec. 14: W1/2 NW1/4.

Sec. 15: SE1/4 NE1/4.

Map # 1946 (fmly 1946A) Tax Lot #2700 (fmly 2200) Account No. 02468

AND Manufactured Home Account No.: 902901 and 901494

This property is free of liens and encumbrances EXCEPT:

Of record and

Subject to Deed of Trust Recorded: Jan 9, 2007, as Instr No. 2007-175 in favor of Northwest Farm Credit Services, FLCA which the grantee assumes and agrees to pay.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (MEASURE 49 (2007)) THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (MEASURE 49 (2007))

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

CONTINUED PAGE 2

G-0206

EXHIBIT 'A'

Land in Malheur County, Oregon, described as follows:

In Twp. 19 S., R. 46 E., W.M.: (Tax Lot 600, formerly Tax Lot 3800)

Sec. 13: E1/2 SW1/4 and NW1/4 SE1/4,

EXCEPTING THEREFROM the following 3 parcels:

- (1.) (Map 194613C, Tax Lots 400 & 600, formerly Map 1946A, Tax Lot 3801 & ptn. 4001)

A parcel of land in the E1/2 SW1/4 more particularly described as follows:

Beginning at a point 30 feet North of the Southwest corner of said E1/2 SW1/4;

thence N. 0° 16' E., 1721.6 feet;

thence S. 39° 35' E., 180.9 feet;

thence S. 20° 35' E., 294.8 feet;

thence S. 11° 43' E., 165.2 feet;

thence S. 24° 02' E., 152.3 feet;

thence S. 10° 38' E., 165.7 feet;

thence S. 16° 11' E., 144.9 feet;

thence S. 11° 53' E., 116.9 feet;

thence S. 4° 42' E., 589.6 feet;

thence S. 89° 49' W., 466.3 feet to the Point of Beginning.

- (2.) (Map 194613C, Tax Lot 800, formerly Map 1946A, Tax Lot 3803)

A parcel of land in the SE1/4 SW1/4 more particularly described as follows:

Commencing at the Southwest corner of the said SE1/4 SW1/4;

thence East along the South boundary thereof, 658.3 feet to the Point of Beginning;

thence North 350 feet;

thence East 155 feet;

thence South 350 feet;

thence West 155 feet to the Point of Beginning.

- (3.) (Map 194613C, Tax Lot 700, formerly Map 1946A, Tax Lot 3804)

A parcel of land in the SE1/4 SW1/4 described as follows:

Commencing at the Southwest corner of said SE1/4 SW1/4;

thence East along the South boundary thereof, 466.3 feet;

thence North 30 feet to the Point of Beginning;

thence North 4° 42' West, to a point 350 feet North of the said South boundary;

thence East in a straight line, to a point 350 feet North and 658.3 feet East of the said Southwest corner;

thence South 320 feet;

thence West, parallel with the South boundary, 192 feet to the Point of Beginning.

Land in Malheur County, Oregon, as follows: (Tax Lot 300, formerly Map 1946A, Tax Lot 4500)

In Twp. 19 S., R. 46 E., W.M.:

Sec. 13: That portion of the SW1/4 SE1/4 lying North and West of the Ontario-Nyssa Canal, and more particularly described as follows:

Beginning at the Northwest corner of said SW1/4 SE1/4,

thence East along the northern boundary of said SW1/4 SE1/4,

a distance of 890.8 feet;

thence South 8° 19' East, 452.3 feet;

thence South 16° 19' East, 162.7 feet;

thence South 64° 13' West, 149.8 feet;

thence South 45° 45' West, 162.7 feet;

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

G-18206

thence South $64^{\circ} 13'$ West, 149.8 feet;
thence South $45^{\circ} 45'$ West, 162.3 feet;
thence South $89^{\circ} 42'$ West, 125.3 feet;
thence South $36^{\circ} 58'$ West, 190.7 feet;
thence South $67^{\circ} 12'$ West, 213.8 feet;
thence South $54^{\circ} 45'$ West, 147.5 feet;
thence South $5^{\circ} 18'$ West, 183.4 feet;
thence West, coincident with the North right of way of Eureka Ave., 179.6 feet;
thence Northerly, coincident with the West boundary of said SW1/4 SE1/4, 1286 feet to
the Point of Beginning.

Continued

2011-04611
MALHEUR COUNTY, OREGON

Page 2 of 3

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

G-18206

EXCEPTING THEREFROM the following parcel: (Tax Lot 400, formerly Map 1946A, Tax Lot 4501)

A parcel of land in the SW1/4 SE1/4 more particularly described as follows:

Commencing at the Southwest corner of the said SW1/4 SE1/4;

thence North 0° 35' 58" East, along the West boundary of said SW1/4 SE1/4, 470.14 feet to the Point of Beginning;

thence North 0° 35' 38" East, 204.25 feet;

thence North 26° 44' 28" East, 56.70 feet to the center line of a concrete irrigation ditch;

thence along the said centerline the following courses:

North 89° 06' 09" East, 150.06 feet;

South 80° 31' 31" East, 17.19 feet;

South 62° 12' 07" East, 16.15 feet;

South 47° 22' 59" East, 63.77 feet;

South 45° 09' 28" East, 65.97 feet;

South 36° 20' 31" East, 39.76 feet;

South 24° 41' 31" East, 66.17 feet;

South 30° 12' 25" East, 80.02 feet;

thence North 89° 24' 02" West, leaving said centerline, 394.12 feet to the Point of Beginning.

SUBJECT TO:

The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied.

The rights of the public in and to that portion of the premises herein lying within streets, roads and highways.

Regulations of the Owyhee Irrigation District, within which the above property lies, including levies, assessments, water and irrigation rights and easements for ditches and canals.

Canal right of way as reserved in Deed from Ontario-Nyssa Irrigation Co., recorded April 1, 1952, Book 89, Inst. No. 21350, official records, across the SW1/4 SE1/4 of Sec. 13.

An easement in favor of Idaho Power Company for power lines created by instrument, including the terms and provisions thereof recorded May 1976, Inst. 17264 and 17265 Deeds; recorded Feb. 1977, Inst. 26375 Deeds

Easement for ingress and egress in favor of James & Kerma Tracy as contained in Deed recorded Dec. 30, 1975, Inst. No. 12060, Deeds (for the benefit of Tax Lot 400 fmrlly 4501)

RECEIVED BY OWRD

MAR 0 -

SALESMAN

G-18206

EXHIBIT A
KESLER.

Land in Malheur County, Oregon, as follows:

In Twp. 19 S., R. 46 E., W.M.:

INSTRUMENT NO - 6387
PAGE 2 OF 3 PAGES

Sec. 22: A parcel of land in the NW1/4 described as follows:

Beginning at the Southeast corner of the said NW1/4 of Sec. 22;

thence N. 89° 52' 47" W., along the Southerly boundary of the NW1/4, 63.45 feet to a point of beginning of curve on the Northerly right-of-way line of an existing County road;
thence Northwesterly, along the said Northerly right-of-way line, along a curve to the left 160.15 feet, having a central angle of 35° 47' 48", a radius of 256.33 feet, tangents of 82.78 feet and a long chord of 157.56 feet bearing N. 72° 14' 11" W., to a point of tangent;
thence S. 89° 51' 55" W., along the said Northerly right of way, 847.35 feet to a point of curve;
thence Northwesterly, along the Northerly right-of-way line, along a curve to the right 165.91 feet, having a central angle of 14° 46' 21", a radius of 643.50 feet, tangents of 83.42 feet and a long chord of 165.45 feet bearing N. 82° 44' 55" W., to a point of reverse curve;
thence Northwesterly along the said Northerly right of way along a curve to the left 306.77 feet

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

G-10206

having a central angle of $21^{\circ} 33' 14''$, a radius of 814.00 feet, tangents of 154.94 feet and a long chord of 304.41 feet bearing $N. 86^{\circ} 08' 21'' W.$, to a point of ending of curve, which is also a point of beginning of curve on the centerline of the North Canal;

thence Northwesterly, along the centerline of the North Canal, along a curve to the right 127.84 feet, having a central angle of $12^{\circ} 20' 07''$, a radius of 593.80 feet, tangents of 64.17 feet and a long chord of 127.59 feet bearing $N. 28^{\circ} 58' 12'' W.$, to a point of tangent;

thence $N. 22^{\circ} 48' 08'' W.$, along the said centerline of the North Canal, 605.12 feet to a point of curve;

thence Northwesterly, along the centerline of the North Canal, along a curve to the right 172.31 feet, having a central angle of $16^{\circ} 27' 16''$, a radius of 600.00 feet, tangents of 86.75 feet and a long chord of 171.72 feet bearing North $14^{\circ} 34' 30'' W.$, to a point of tangent;

thence $N. 6^{\circ} 20' 52'' W.$, along the centerline of the North Canal, 172.14 feet to a point of curve;

thence Northwesterly, along the centerline of the North Canal along a curve to the left 152.68 feet, having a central angle of $29^{\circ} 09' 33''$ a radius of 300.00 feet, tangents of 73.03 feet and a long chord of 151.03 feet bearing $N. 20^{\circ} 55' 39'' W.$, to a point of tangent;

thence $N. 35^{\circ} 30' 25'' W.$, along the centerline of the North Canal, 231.27 feet to a point of curve;

thence Northeasterly, along the centerline of the North Canal, along a curve to the right 219.56 feet, having a central angle of $62^{\circ} 53' 54''$ a radius of 200.00, tangents of 122.32 feet and a long chord of 208.70 feet bearing $N. 4^{\circ} 03' 28'' W.$, to a point of tangent;

thence $N. 27^{\circ} 23' 29'' E.$, along the said centerline of the North Canal, 85.66 feet;

Continued

Page 2

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

G-18206

thence S. 89° 36' 35" W., 592.33 feet, to a point on the Westerly boundary of the said NW 1/4 of Sec. 22;
thence N. 0° 23' 25" W., along the said Westerly boundary, 909.86 feet to the Northeast corner of the said NW 1/4 of Sec. 22;
thence N. 89° 54' 02" E., along the Northerly boundary thereof, 2, 645.06 feet to the Northeast corner of the said NW 1/4;
thence S. 0° 02' 40" E., along the Easterly boundary thereof, 1,308.64 feet to the Southeast corner of the NE 1/4 NW 1/4 of Sec. 22;
thence S. 0° 09' 44" E., along the said Easterly boundary of the SE 1/4 NW 1/4 of Sec. 22, 1,309.64 feet to the Point of Beginning.

EXCEPTING THEREFROM all that portion of the NE 1/4 NW 1/4 lying Northeasterly of Lateral N.C. 31.0 right of way.

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

Return Document and Until requested otherwise

send all tax Statements to:

PAUL KESLER, ETAL

3331 Grey Blvd

Nyssa, Ore 97913

INSTRUMENT NO. 2008 -103
Page 1 of 2 Pages

Inst. No. 2008-103

I certify that the within Instrument of writing was received for record on the 7 day of January, 2008

at 3:37 O'clock P. M. FEE 26-

STATE OF OREGON, County of Malheur

DEBORAH R. DeLONG

County Clerk

By: Sherril Childs Deputy

STATUTORY BARGAIN AND SALE DEED

CLARENCE R. KESLER, JR. and COLLEEN M. KESLER Grantor, hereby grants,

bargains, sells and conveys unto Paul K. Kesler & Scott E. Kesler

as Tenants in Common Grantee

The following described real property situated in Malheur, County, Oregon, to-wit:

Land in Malheur County, Oregon, as follows:

In Twp. 19 S., R. 46 E., W.M.:

Sec. 11: W1/2 SW1/4.

Sec. 14: W1/2 NW1/4.

Sec. 15: SE1/4 NE1/4.

Map # 1946 (fmly 1946A) Tax Lot #2700 (fmly 2200) Account No. 02468

AND Manufactured Home Account No.: 902901 and 901494

This property is free of liens and encumbrances EXCEPT:

Of record and

Subject to Deed of Trust Recorded: Jan 9, 2007, as Instr No. 2007-175 in favor of Northwest Farm Credit Services, FLCA which the grantee assumes and agrees to pay.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (MEASURE 49 (2007)) THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (MEASURE 49 (2007))

Make and more

RECEIVED BY OWRD

MAR 03 2016

CONTINUED PAGE 2

SALEM, OR

G-10206

EXHIBIT 'A'

Land in Malheur County, Oregon, described as follows:
In Twp. 19 S., R. 46 E., W.M.: (Tax Lot 600, formerly Tax Lot 3800)
Sec. 13: E1/2 SW1/4 and NW1/4 SE1/4,

EXCEPTING THEREFROM the following 3 parcels:

- (1.) (Map 194613C, Tax Lots 400 & 600, formerly Map 1946A, Tax Lot 3801 & ptn. 4001)

A parcel of land in the E1/2 SW1/4 more particularly described as follows:

Beginning at a point 30 feet North of the Southwest corner of said E1/2 SW1/4;
thence N. 0° 16' E., 1721.6 feet;
thence S. 39° 35' E., 180.9 feet;
thence S. 20° 35' E., 294.8 feet;
thence S. 11° 43' E., 165.2 feet;
thence S. 24° 02' E., 152.3 feet;
thence S. 10° 38' E., 165.7 feet;
thence S. 16° 11' E., 144.9 feet;
thence S. 11° 53' E., 116.9 feet;
thence S. 4° 42' E., 589.6 feet;
thence S. 89° 49' W., 466.3 feet to the Point of Beginning.

- (2.) (Map 194613C, Tax Lot 800, formerly Map 1946A, Tax Lot 3803)

A parcel of land in the SE1/4 SW1/4 more particularly described as follows:

Commencing at the Southwest corner of the said SE1/4 SW1/4;
thence East along the South boundary thereof, 658.3 feet to the Point of Beginning;
thence North 350 feet;
thence East 155 feet;
thence South 350 feet;
thence West 155 feet to the Point of Beginning.

- (3.) (Map 194613C, Tax Lot 700, formerly Map 1946A, Tax Lot 3804)

A parcel of land in the SE1/4 SW1/4 described as follows:

Commencing at the Southwest corner of said SE1/4 SW1/4;
thence East along the South boundary thereof, 466.3 feet;
thence North 30 feet to the Point of Beginning;
thence North 4° 42' West, to a point 350 feet North of the said South boundary;
thence East in a straight line, to a point 350 feet North and 658.3 feet East of the said Southwest corner;
thence South 320 feet;
thence West, parallel with the South boundary, 192 feet to the Point of Beginning.

Land in Malheur County, Oregon, as follows: (Tax Lot 300, formerly Map 1946A, Tax Lot 4500)
In Twp. 19 S., R. 46 E., W.M.:

Sec. 13: That portion of the SW1/4 SE1/4 lying North and West of the Ontario-Nyssa Canal, and more particularly described as follows:

Beginning at the Northwest corner of said SW1/4 SE1/4,
thence East along the northern boundary of said SW1/4 SE1/4,
a distance of 890.8 feet;
thence South 8° 19' East, 452.3 feet;
thence South 16° 19' East, 162.7 feet;
thence South 64° 13' West, 149.8 feet;
thence South 45° 45' West, 162.3 feet;
thence South 89° 42' West, 125.3 feet;
thence South 36° 58' West, 190.7 feet;
thence South 67° 12' West, 213.8 feet;
thence South 54° 45' West, 147.5 feet;
thence South 5° 18' West, 183.4 feet;
thence West, coincident with the North right of way of Eureka Ave., 179.6 feet;
thence Northerly, coincident with the West boundary of said SW1/4 SE1/4, 1286 feet to
the Point of Beginning.

Continued

2011-04811
MALHEUR COUNTY, OREGON

Page 2 of 3

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

6-18206

EXCEPTING THEREFROM the following parcel: (Tax Lot 400, formerly Map 1946A, Tax Lot 4501)

A parcel of land in the SW1/4 SE1/4 more particularly described as follows:

Commencing at the Southwest corner of the said SW1/4 SE1/4;

thence North 0° 35' 58" East, along the West boundary of said SW1/4 SE1/4, 470.14 feet to the Point of Beginning;

thence North 0° 35' 38" East, 204.25 feet;

thence North 26° 44' 28" East, 56.70 feet to the center line of a concrete irrigation ditch;

thence along the said centerline the following courses:

North 89° 06' 09" East, 150.06 feet;

South 80° 31' 31" East, 17.19 feet;

South 62° 12' 07" East, 16.15 feet;

South 47° 22' 59" East, 63.77 feet;

South 45° 09' 28" East, 65.97 feet;

South 36° 20' 31" East, 39.76 feet;

South 24° 41' 31" East, 66.17 feet;

South 30° 12' 25" East, 80.02 feet;

thence North 89° 24' 02" West, leaving said centerline, 394.12 feet to the Point of Beginning.

SUBJECT TO:

The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied.

The rights of the public in and to that portion of the premises herein lying within streets, roads and highways.

Regulations of the Owyhee Irrigation District, within which the above property lies, including levies, assessments, water and irrigation rights and easements for ditches and canals.

Canal right of way as reserved in Deed from Ontario-Nyssa Irrigation Co., recorded April 1, 1952, Book 89, Inst. No. 21350, official records, across the SW1/4 SE1/4 of Sec. 13.

An easement in favor of Idaho Power Company for power lines created by instrument, including the terms and provisions thereof recorded May 1976, Inst. 17264 and 17265 Deeds; recorded Feb. 1977, Inst. 26375 Deeds

Easement for ingress and egress in favor of James & Kerma Tracy as contained in Deed recorded Dec. 30, 1975, Inst. No. 12060, Deeds (for the benefit of Tax Lot 400 fmrlly 4501)

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

6-18206

EXHIBIT A,
KESLER

~~INSTRUMENT 98 - 6383
PAGE 2 OF 2 PAGES~~

Parcel No. 1:

Land in Malheur County, Oregon, as follows:

In Twp. 19 S., R. 46 E., W.M.:

Sec. 14: A parcel of land in the NE1/4 described as follows:

Beginning at the Southeast corner of said NE1/4;
thence S. 89° 53' 20" W., 2649.78 feet to the Southwest corner of said NE1/4;
thence N. 0° 05' W., 1314.46 feet to the Northwest corner of SW1/4 NE1/4;
thence N. 89° 49' 50" E., 1326.55 feet to the Northeast corner of said SW1/4 NE1/4;
thence N. 0° 00' 40" W., along the West boundary of said NE1/4, 223.40 feet;
thence N. 89° 49' 50" E., parallel with the South boundary of said NE1/4, 437.80 feet;
thence S. 5° 22' 40" E., 625.87 feet;
thence N. 86° 56' 05" E., 831.04 feet to the East boundary of said NE1/4;
thence S. 0° 04' W., 959.25 feet to the Point of Beginning.

Parcel No. 2:

Land in Malheur County, Oregon, as follows:

In Twp. 19 S., R. 46 E., W.M.:

Sec. 23: NE1/4 NE1/4.

Sec. 24: A parcel of land in the NW1/4 NW1/4 described as follows:

Beginning at the Southwest corner of said NW1/4 NW1/4;
thence North, along the West boundary thereof, 720 feet;
thence S. 27° E., 120 feet, more or less, to its intersection with the Owyce Irrigation Lateral
No. N.G. 32.2 right of way;
thence Southeasterly, along the Lateral right of way, to its intersection with the South
boundary of the said NW1/4 NW1/4;
thence West, along the South boundary, to the Point of Beginning.

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

Inst. No. 98-10006

I certify that the within instrument of
writing was received for record on
the 30 day of Dec 19 98
at 12:18 O'clock A. M.

STATE OF OREGON)
County of Malheur) SS

DEBORAH R. DeLONG

County Clerk

By: Sayle V. Trotter Deputy

PIERCEALL Jeffrey D

From: PIERCEALL Jeffrey D
Sent: Tuesday, February 09, 2016 8:33 AM
To: 'keslerfarms@gmail.com'
Subject: FW: Water Rights
Attachments: 16197-60day-LTR-12-21-2015.docm; Kesler_maps_Rescaled.pdf

Paul,
I have not received a response regarding the adjusted maps and legal description. I am hoping that you can please send this information so I do not have to return your application. The fiscal department has informed me that I will need to return the check mid-week as to keep in line with the rules regarding money handling.
Please respond
Thank you,

Jeffrey D. Pierceall Customer Service Group
Oregon Water Resources Department
503-986-0801

From: PIERCEALL Jeffrey D
Sent: Wednesday, February 03, 2016 8:41 AM
To: 'keslerfarms@gmail.com'
Subject: Water Rights

Paul,
Attached to this email are maps for your approval for inclusion into your new groundwater application. I adjusted the size of the map to represent the scale indicated. If you approve of this alteration, please respond stating that you would like these maps included in the application. Also, please attach a copy of the legal description of the property involved in the application.

Additionally, attached is a copy of the letter that was sent to you regarding the completion of permit G-15870 you requested.

Jeffrey D. Pierceall Customer Service Group
Oregon Water Resources Department
503-986-0801

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

To: Jeffrey D. Pierceall

You have Kesler Farms
Dne permission to change
the scale of maps in
this application for a Permit
to use Ground Water.

Thank you

Paul Kesler

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

February 11, 2016

Paul Kesler
Kesler Farms Inc.
3331 Grey Blvd.
Nyssa, OR 97913

Dear Paul:

The Water Resources Department has received your application to use or store water. At this time however, we are unable to accept your application, because the minimum filing requirements are not met according to the Oregon Administrative Rules (OAR 690-310-0040 and 0050). The application is missing a legal description of the property.

We are hereby returning the incomplete application and the fees submitted. Please return the application, the required information so the Department may begin processing your application in a timely manner.

This review is based only on the completeness of your application. Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made.

Should you have any questions, please do not hesitate to contact Customer Service at the address above or by telephone at 503-986-0801.

Sincerely,

Jeffrey D. Pierceall
Customer Service

Cc: OWRD Fiscal

RECEIVED BY OWRD

MAR 03 2016

SALEM, OR

G-10206

