

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 of local Planning Department (*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: \$3,260.00
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)

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Application for a Permit to Use Groundwater



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		PHONE (HM)	
PHONE (WK)	CELL		FAX
ADDRESS			
CITY	STATE	ZIP	E-MAIL*

Organization Information

NAME R. D. MAC, INC.		PHONE 541-963-8601	FAX 541-963-2194
ADDRESS 60831 MCALISTER ROAD			CELL
CITY LA GRANDE	STATE OR	ZIP 97850	E-MAIL*

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

AGENT / BUSINESS NAME CARL W. HOPP, JR., ATTORNEY AT LAW, LLC		PHONE 541-388-3606	FAX 541-330-1519
ADDRESS 168 NW GREENWOOD AVENUE			CELL
CITY BEND	STATE OR	ZIP 97703	E-MAIL* BILL@CWHOPP.COM

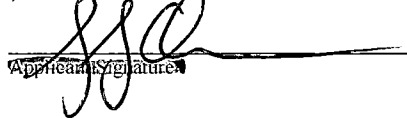
Note: Attach multiple copies as needed

* 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

Jerome Collman, President
Print Name and title if applicable

10/29/17
Date

Print Name and title if applicable

Date **RECEIVED**

For Department Use		NOV 07 2017
App. No. <u>648577</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*).

RD Mac, Inc. 60831 McAlister Road, La Grande, OR 97850

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. Township 3 south, Range 38 east, Section 15, tax lots 200 and 201.

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	Grande Ronde River	N/A	N/A
2	Grande Ronde River	N/A	N/A

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*).

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 1,000gpm (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 type="checkbox"/>	<input checked="" type="checkbox"/>	UNIO 50216	<input type="checkbox"/>	16"	12, 20, 33, 24, 7	20, 30, 20, 20, 20	35	7' 10/30/1997	Grande Ronde Basin, gravel and sand	312'	1,000	456.4
#2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UNIO 50715	<input type="checkbox"/>	6"	178	None	24	65' 8/3/2000	Grande Ronde Basin, gravel and sand	180'	16.7	7.6
	<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"/>									

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)
Industrial	January 1 – December 31	464

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: _____ Acres Supplemental: _____ Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

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

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
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.
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): sand and gravel is being surface mined with heavy equipment. See attachment for additional detail.

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): 100 Hp turbine well pump and 30 Hp turbine well pump

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water is pumped from the wells through pipes and hoses until used for spray washing and separating sand and gravel or for mixing concrete.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

Water is pumped and piped to the primary screening units, where it is directed into a manifold of spray pipes

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 surface waters (*attach additional sheets if necessary*).

See Attachment 1

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SECTION 6: STORAGE OF GROUNDWATER IN A RESERVOIR

If you would like to store groundwater 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 GROUNDWATER FROM THE RESERVOIR

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

Annual volume (acre-feet): _____

USE OF STORED GROUNDWATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: construction is completed.

Date construction will be completed: construction is completed.

Date beneficial water use will begin: upon approval of application.

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	Address	
City	State	Zip

SECTION 10: REMARKS

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

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Attachment 1 – RD Mac Applications

This application is part of a packet of applications intended to provide short-term and long-term authorization for an aggregate mining operation by the applicant, RD Mac, Inc., and for continuation of irrigation on other adjacent lands owned by RD Mac, Inc., but not used for mining purposes. The packet includes:

- Limited License Application for short-term/fixed duration authorization of industrial/mining use as a “bridge” while a permanent groundwater application is being processed by OWRD.
- Groundwater Permit Application for long-term/permanent authorization for industrial/mining use.
- Permit Amendment to change the location of use for portions of Permit G-13726 to move irrigation use from lands intended for industrial/mining operations to other adjacent lands owned and controlled by the applicant. The “to” lands for the proposed permit amendment are currently covered by a primary surface water right which would be voluntarily cancelled as to the portion that overlaps with the proposed permit amendment, upon approval of the permit amendment.
PLEASE NOTE: The request for voluntary cancellation is to be processed only upon approval and as a condition of the requested permit amendment.
- Affidavit for the Partial Cancellation of a Water Right Certificate 82075 to remove existing primary surface water right from land proposed as the “to” lands for the above-listed permit amendment. Acceptance and action upon the proposed voluntary cancellation is contingent upon approval by OWRD of the permit amendment.

RD Mac proposes using groundwater from two existing wells for an aggregate mining operation under a operation and reclamation plan that has already been approved by the Oregon Department of Geology and Mineral Industries (*insert permit/plan approval reference number*).

The applicant proposes use of approximately 610,000 gallons per day (gpd) to be provided at a maximum pumping rate of 1000 gallons per minute (gpm) from Well #1, with an annual volume limitation of “X” acre-feet; and 16.7 gpm from Well #2 (total combined pumping rate of 1016.7 gpm.) Of the total 610,000 gpd, up to 10,000 gpd will be used for mixing concrete. The remainder will be used for typical aggregate mining operations, including but not limited to washing and processing rock, dust control, washing equipment, and serving industrial facilities. The use of water for concrete mixing is expected to be 100% consumptive, while the use of water for other aggregate operations is estimated at 20%, based on experience with similar aggregate mining operations.

Both wells will be equipped with metering devices to measure water use.

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Wastewater will be collected in mining ponds for industrial re-use and to allow for natural seepage. There will be no discharge of industrial wastewater to surface water streams, creeks or other waterways.

If OWRD determines during the application review process that the use of groundwater for the limited license or long-term industrial/mining operations will have the potential for substantial interference with surface waters, applicant is prepared to provide mitigation in the form of an instream transfer of existing senior surface water rights.

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Land Use Information Form



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

Applicant: R. D. Mac, Inc. _____
First Last

Mailing Address: 60831 McAlister Road _____

La Grande _____ Oregon 97850 _____ Daytime Phone: 541-963-8601 _____
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
3 S	38 E	15	SWNE	201	UC-SM	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	UC-SM
3 S	38 E	15	NWSE	200	UC-SM	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	UC-SM
3 S	38 E	15	NESE	200	UC-SM	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	UC-SM
						<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:

Union County

B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Groundwater Surface Water (name) _____

Estimated quantity of water needed: 464 _____
 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:

Water will be used in support of surface mining operations. Water will be primarily used for plant processing requirements which include spray washing mined materials and separation of sand and gravel as it passes over Shaker screens. Tail water will be collected in onsite settling ponds that allow water to be reused or to seep back into the aquifer. Some water will be consumptively used for concrete mixing. See application attachment.

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 J. →

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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): 15.03.

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:	
Plan/Map Amendment	OAR 666-023-0180	<input checked="" type="checkbox"/> Obtained	<input type="checkbox"/> Being Pursued
Site Plan	UCRPSO sections 15, 16, 20 + 23	<input type="checkbox"/> Denied	<input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being Pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being Pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being Pursued
		<input type="checkbox"/> Denied	<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.

Name: Stacy Warren Title: Associate Planner
 Signature: Stacy Warren Phone: 541-963-1014 Date: 10/16/17
 Government Entity: Union County Planning

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: RD Mac, Inc.
 City or County: Union County Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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**STATE OF OREGON
WATER SUPPLY WELL REPORT**
(as required by ORS 537.765)

WELL I.D. # L 16197
START CARD # 103496

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number _____
Name R.D. MAC
Address 60931 McALISTER RD
City LAGRANDE State OR Zip 97930

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 180 ft.
Explosives used Yes No Type _____ Amount _____

HOLE

Diameter	From	To	Material	From	To	Sacks or pounds
<u>7 1/2"</u>	<u>0</u>	<u>190</u>	<u>Bentonite</u>	<u>0</u>	<u>27</u>	<u>16 sacks</u>

How was seal placed: Method A B C D E
 Other Power drill

Backfill placed from _____ ft. to _____ ft. Material _____

Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
<u>6"</u>	<u>0</u>	<u>180</u>	<u>250</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 180

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
<u>50+</u>		<u>175</u>	<u>1 hr.</u>

Temperature of water 54 Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Union Latitude _____ Longitude _____
Township 35 N or S Range 38E E or W. WM.
Section 15 SW 1/4 SE 1/4
Tax Lot 201 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) SALE

(10) STATIC WATER LEVEL:
65 ft. below land surface. Date 9-3-00
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 17

From	To	Estimated Flow Rate	SWL
<u>17</u>	<u>17</u>	<u>20</u>	<u>70</u>
<u>65</u>	<u>65</u>	<u>4</u>	<u>60</u>
<u>140</u>	<u>180</u>	<u>50+</u>	<u>65</u>

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
<u>gravel</u>	<u>0</u>	<u>3</u>	
<u>slack + clay</u>	<u>3</u>	<u>10</u>	
<u>clay + gravel</u>	<u>10</u>	<u>17</u>	<u>10</u>
<u>gravel + clay</u>	<u>17</u>	<u>18</u>	<u>10</u>
<u>clay + gravel</u>	<u>18</u>	<u>60</u>	<u>10</u>
<u>gravel + clay</u>	<u>60</u>	<u>140</u>	<u>60</u>
<u>sand + gravel</u>	<u>140</u>	<u>180</u>	<u>65</u>

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AUG 17 2000

WATER RESOURCES DEPT.
SALEM, OREGON

Date started 8-2-00 Completed 8-3-00

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, 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.

Signed Carl Pitekin WWC Number 494 Date 9-3-00

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, 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.

Signed Carl Pitekin WWC Number 494 Date 9-3-00

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR THIRD COPY-CONSTRUCTOR

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This Deed is being given from the Grantor directly to Grantee at the instructions and direction of American Exchange Services, Inc., as to 20% interest and Exchange Services as to 80% interest.

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After recording, return to:
Eastern Oregon Title, Inc.
P. O. Box 446
La Grande, OR 97850

All tax statements sent
to Grantee at:
P. O. Box 1086
La Grande, OR 97850

60795-1887

STATUTORY WARRANTY DEED

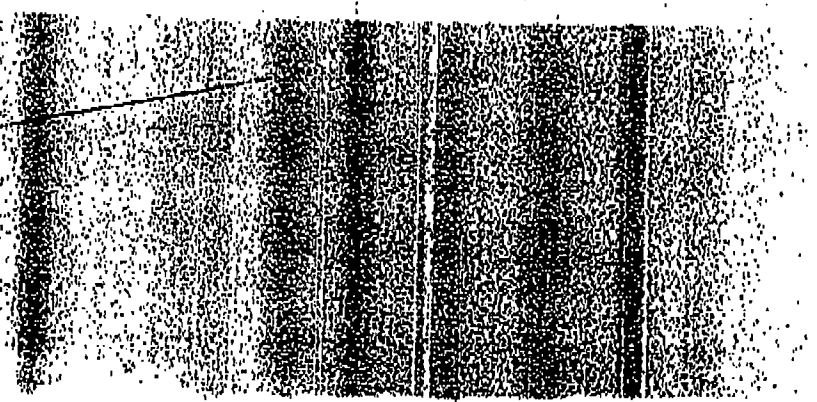
158182

MARVEY L. SHERMAN and JOYCE A. SHERMAN, Grantors, convey and warrant to, HENRY F. SIBBOP, as to an undivided 80% interest and R. D. HEC, INC., as to an undivided 20% interest, as tenants in common, Grantees, the following described real property, free of encumbrances except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference incorporated herein.

Subject to and excepting:

1. 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 and interest may be levied for the years in which the land was subject to the special land use assessment.
2. Irrigation ditches, which cross parcel "A" and "B" of this report.
3. Right-of-way for Union County Road No.118 (Gaskler Lane) across the north side of this property. (affects parcel "A" only)
4. Subject to the relinquishment of all existing, future or potential common law or statutory abutter's easements of access between this property and the Highway except at certain access stations as conveyed in Deed to State of Oregon, State Highway Commission dated December 29, 1967 and recorded January 8, 1968, in Book 155, at page 620, Deed Records of Union County, Oregon. (affects parcel "B" only)
5. By Microfilm Document No. 75242, recorded February 20, 1978, John J. Gregory and Verla C. Gregory quitclaimed to the Irrigation Canal Company all their right, title, and interest in the facilities of the Ditch Company located in Union County, this included ditches, pipelines, headgates, etc. there was no legal description given on this deed. If the Irrigation Canal Company has a ditch across the property described in this report, then said ditch and facilities associated therewith are conveyed by this document. (affects parcel "B" only)
6. Subject to Easement conveyed by John J. Gregory and Verla C. Gregory to Granda Ronda Valley Improvement District, an Oregon Corporation for an easement for a ditch for the transmission of water for irrigation purposes over and across the north 40 feet of this property as conveyed in Document dated April 24, 1992 and recorded April 30, 1992 as Microfilm Document No. 141444. (affects parcel "B" only)



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7. That portion of this property located in Section 14 is subject to the terms and Conditions of an aviation and hazard easement conveyed to the City of La Grande for a right-of-way in the air space above said land to be used in connection with the operation of the La Grande Airport, dated October 16, 1975 and recorded May 21, 1976 as Microfilm Document No. 61752, Records of Union County, Oregon. (affects parcel "B" only)

The true and actual consideration for this conveyance is \$150,000.00, which is paid by an accommodator as part of the 1031 deferred exchange.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

Dated this 1 day of March, 1995.

Harvey L. Sherman Joyce A. Sherman
Harvey L. Sherman Joyce A. Sherman

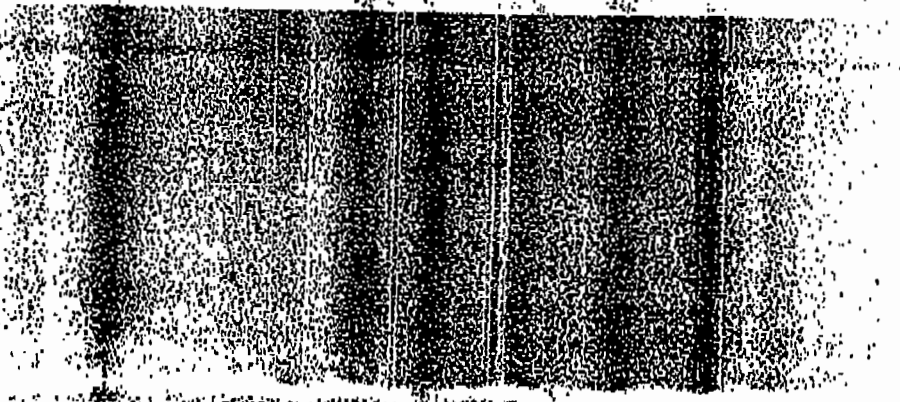
STATE OF Hawaii)
City &) ss.
COUNTY OF Honolulu) March 01, 1995.

Personally appeared the above named Harvey L. Sherman and Joyce A. Sherman, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: [Signature]
Notary Public
My commission expires: Aug. 01, 1995



Page 2 of 3 - STATUTORY WARRANTY DEED
SHERMAN - BISHOP/ROB. MAC, INC.



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EXHIBIT "A"

PARCEL "A":

THE EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 15, IN TOWNSHIP 3 SOUTH, RANGE 38 EAST OF THE WILLAMETTE MERIDIAN, IN UNION COUNTY, OREGON

PARCEL "B":

That portion of the North half of Southeast quarter of Section 15, in Township 3 South, Range 38 East of the Willamette Meridian, in Union County, Oregon; lying easterly of the U. S. Highway 184.

EXCEPTING THEREFROM those parcels of land conveyed to the State of Oregon, State Highway Commission by Deed Book 186, at page 160 and Book 180, at page 532, Deed Records of Union County, Oregon.

ALSO, That portion of the Northwest quarter of the Southwest quarter of Section 14, in Township 3 South, Range 38 East of the Willamette Meridian, in Union County, Oregon; more particularly described as follows: Beginning at the southwest corner of said Northwest quarter of Southwest quarter; running thence east 41.5 feet, more or less, to an existing fence line; thence Northerly, along said fence line, 763 feet, more or less, to a fence line along the north line of a lateral irrigation ditch; thence West along said fence line, 46.5 feet, more or less, to the west line of said Northwest quarter of Southwest quarter, thence South along said west line to the point of beginning.

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STATE OF OREGON

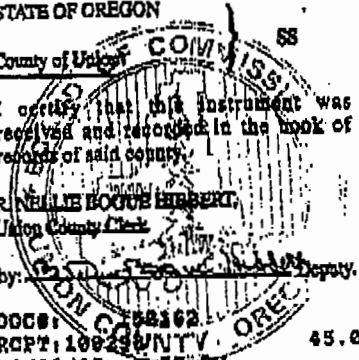
County of Union COMMISSIONER

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

R. NELLIE BOGUE HERBERT,
Union County Clerk

by: _____ Deputy.

DCC#: 10023 COUNTY 45.00
3/08/95 2138 PM



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This Deed is being given from the Grantor directly to Grantee at the instruction and direction of American Exchange Services, Inc., as to 20% interest and American Exchange Services as to 80% interest.

40-

158161

LOT 95-6886

After recording, return to:
Eastern Oregon Title, Inc.
P. O. Box 446
La Grande, OR 97850

All tax statements sent
to Grantee at:
P. O. Box 1986
La Grande, OR 97850

STATUTORY WARRANTY DEED

JUDY HOYT, Grantor, conveys and warrants to, HENRY F. BISHOP, as to an undivided 80% interest and E. D. MAC, INC., as to an undivided 20% interest, as tenants in common, Grantees, the following described real property, free of encumbrances except as specifically set forth herein:

That portion of the west half of the Northeast quarter of Section 15, Township 3 South, Range 38 East of the Willamette Meridian, in Union County, Oregon, lying easterly of McAllister County Road, Easterly of the relocated McAllister County Road as described in Deed Book 160, at page 532, Records of Union County, Oregon, and easterly of relocated Highway 104 as described in Deed Book 156, at page 618, Union County, Oregon.

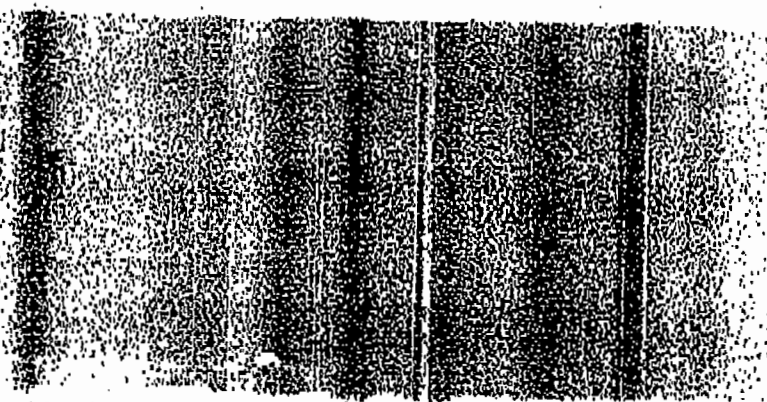
Subject to and excepting:

- 1. 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 and interest may be levied for the years in which the land was subject to the special land use assessment.
- 2. Any improvement located upon the insured property, which is described or defined as a mobile home under the provisions of Chapters 803 and 820, Oregon Revised Statutes, is subject to registration as therein provided. Tax assessments show that a mobile home is located on the premises covered herein.

NOTE:
Flintwood
etc

Records in the Assessor's office show that a 1991 ~~mobile~~ mobile home is located on this property with serial No. ID7LMO4AB14623EV, in the name of Hoyt Ranches.

- 3. Right-of-way for Union County Road No. 14 (McAllister Road) and Union County Road No. 116 (Gakaler Lane) across the west and north sides of this property.
- 4. Ditch right of way, including the terms and provisions thereof, granted by a former owner to Daniel Chaplin, dated February 27, 1880, recorded in Book "D" at Page 433, Deed Records of Union County, Oregon. Grants right of way for irrigation ditch or canal through the subdivisions of land which the premises covered herein is a part (and other adjoining land). Also right to pass and repass through said lands for purposes of construction, maintenance and repair of said ditch or canal. The exact location of said ditch or canal is not disclosed.



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5. Access restrictions, including the terms and provisions thereof, contained in deed from John J. Gregory and Verla C. Gregory, husband and wife (former owners) to State of Oregon, by and through its State Highway Commission, dated December 29, 1967, recorded January 8, 1968, in Deed Book 156 at Page 618, Deed Records of Union County, Oregon. ALSO subject to right of way for a ditch or canal and dike road as conveyed to State of Oregon, by and through its State Highway Commission, as provided in above deed.
6. Subject to the release and relinquishment of all existing, future or potential common law or statutory abutter's assessments of access as conveyed to the State of Oregon, by and through its State Highway Commission by Homer L. and Kay Abell in Deed Book 157, Page 7, recorded January 30, 1968. This affects access along McAllister Lane.
7. Right of Way Easement, including the terms and provisions thereof given by Homer Abell and Kay Abell in favor of California-Pacific Utilities Company, a corporation, dated June 12, 1976, recorded June 21, 1976, as Microfilm Document No. 77904, records of Union County, Oregon.
8. Land covered herein is within the Grande Ronde Valley Improvement District, as provided in Articles of Incorporation dated January 26, 1979, and recorded as Microfilm Document No. 82648, Union County, Oregon. The formation of said district is pursuant to ORS 554.010 to 554.340 which provides for levying of assessments as therein provided.

The true and actual consideration for this conveyance is \$352,692.25, which is paid by an accommodator as part of the 1091 deferred exchange.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

Dated this 20th day of February, 1995.


Judy Hoyt

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STATUTORY WARRANTY DEED
HOYT - BISHOP/R. D. MAC., INC.

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STATE OF Oregon }
COUNTY OF Clatsop } ss.

February 20, 1995.

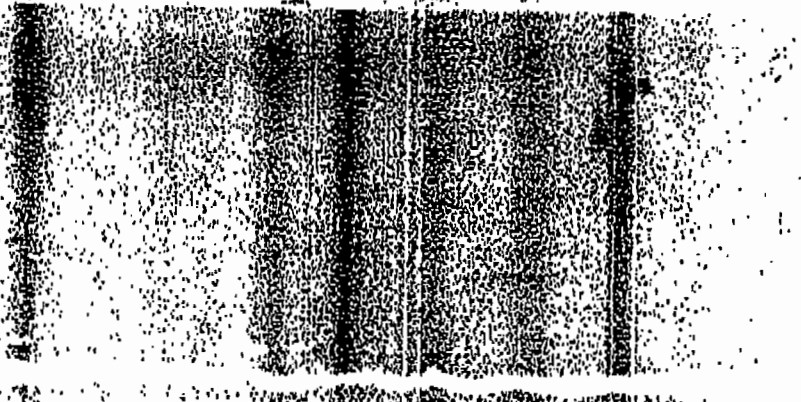
Personally appeared the above named Judy Hoyt, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: Marcia L. Peterson
Notary Public
My commission expires: 1-15-99



STATE OF OREGON
County of Clatsop } ss.
I certify that the foregoing instrument was
received and recorded in the office of
Recorder of Clatsop County, Oregon
by Judy Hoyt
DOCS: _____
RCR: 100 COUNTY, OREGON 46.00
3/02/95 2150 74

Page 3 of 3 - STATUTORY WARRANTY DEED
HOYT - BISHOP/A. D. MAC., INC.



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Oregon Water Resources Department
Apply for a Permit to Appropriate Ground Water and/or Store Ground Water

- Main
- Help
- Return
- Contact Us

Today's Date: Tuesday, November 7, 2017

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	2	\$700.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	2	\$350.00
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. ***		\$520.00
* 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.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$2,910.00

OWRD Fee Schedule

Fee Calculator Version B20170117

G-18577

November 7, 2017

Martha O. Pagel
Admitted in Oregon and Washington
T: 503-540-4260
mpagel@schwabe.com

BY HAND DELIVERY

Dwight French
Administrator, Water Rights & Adjudication
Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem OR 97301-1271

RE: Applications on Behalf of RD Mac, Inc.

Dear Dwight:

Enclosed please find three applications for filing on behalf of our client, RD Mac, Inc.:

- 1) Application for a Permit to Use Groundwater
- 2) Application for a Permit Amendment
- 3) Application for a Limited Water Use License

Each application includes a check for the application fee.

As further explained in the application materials, the RD Mac, Inc. seeks authorization to use groundwater from two existing wells for year-round industrial/mining purposes in connection with an aggregate mining operation. The groundwater permit application is intended to provide long-term/permanent authorization. The limited license application is intended to provide short-term authorization for the use of groundwater as a bridge, while the water right application is being processed. The permit amendment application seeks to modify an existing groundwater permit for seasonal irrigation use on the same site by proposing a change in the location of use.

By copy of this letter and attachments, we are requesting the watermaster please complete and return the required "Water Availability Statement" for the Limited License application.

Please note Carl W. (Bill) Hopp, Jr. is listed as the agent for RD Mac, Inc. and will serve as the contact person for the three applications. I (and my firm) am working in cooperation with Mr. Hopp on these applications to provide assistance in addressing potential issues relating to hydraulic connection and mitigation for impacts to surface water. As we have discussed in a pre-application conference, at this point the applicant anticipates a finding of hydraulic connection and is prepared to provide mitigation, if needed. We will await further direction from the

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Dwight French
November 7, 2017
Page 2

Department after the Initial Review has been completed to confirm whether there is hydraulic connection and if so, to identify the amount of mitigation that may be required.

In the meantime, if you have questions or need any additional information, please contact Mr. Hopp directly and he will coordinate, as appropriate, with me.

Sincerely,



Martha O. Pagel

MOP
Enclosures

cc: *(all via U.S. mail; w/encls.)*
Anika Marriott
Bill Hopp
RD Mac, Inc.
Watermaster District 6, Shad Hatton

PDX\129353\205543\MOP\21686001.1

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