



**Oregon Water Resources Department
Ground Water Application**

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Today's Date: Tuesday, October 2, 2018

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	2.7	\$1,050.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	2	\$350.00
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
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.	Recalculate	
Estimated cost of Permit Application		\$3,260.00

OWRD Fee Schedule

Fee Calculator Version B20170117

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.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME Samuel W. & Debra S. Baker , and Lyman Baker			PHONE (HM)
PHONE (WK) 541-963-4646	CELL 541-805-9504	FAX 541-963-3415	
ADDRESS 59257 High Valley Road			
CITY Union	STATE Oregon	ZIP 97883	E-MAIL* bakersw56@gmail.com

Organization

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL*

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

AGENT / BUSINESS NAME Gregory T. Blackman		PHONE 541-963-6771	FAX
ADDRESS 126 Ridge Drive			CELL 541-786-2859
CITY La Grande	STATE Ore.	ZIP 97850	E-MAIL* gtblackman@yahoo.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 proposed and final order documents will also be mailed.)

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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.

Samuel W. Baker
Applicant Signature

Debra S. Baker
SAMUEL W. BAKER
Print Name and Title if applicable

9-26-18
Date

Lyman Baker
Applicant Signature

LYMAN BAKER
Print Name and Title if applicable

9-26-18
Date

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- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.



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

_____ Applicant Signature	_____ Print Name and Title if applicable	_____ Date
_____ Applicant Signature	_____ Print Name and Title if applicable	_____ Date

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.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: 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
Baker Well	Little Creek	300 to 400 ft.	40 to 60 ft.

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

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 2.7 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

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)
Baker Well	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not Drilled	<input type="checkbox"/>	unknown	unknown	unknown	5' into basalt	not drilled	Basalt aquifer	5-600'	not known	3.0 Af
	<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			
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						OCT 02 2018			
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						OWRD			
	<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.

For Department Use: App. Number: _____

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

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Upper Columbia - OAR 690-033-0115 thru -0130

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Is the well or proposed well located in an area where the Upper Columbia Rules apply?

Yes No

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If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as

appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

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Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

Yes No

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If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 through Oct. 31	3.0 Af

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).
 Primary: 149.9Acres Supplemental: 66.5Acres
 If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):
 C-6288, C-6598, C-6186
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 649.2 Af

- 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*): NA

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

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

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- Pump (give horsepower and type): Well not yet drilled, undetermined
 Other means (describe): _____

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Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Owner believes there is a strong possibility of artesian flow, see attached data sheet SC 1039853 from Erik Thomasser. Diversion will be determined upon completion of the well and if artesian is present. The pump will depend on the pressure at the head as to the sizing. We anticipate having a totalizing meter at or near the well head if required.

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*)

Irrigation will require pivots, linear sprinklers, wheel lines and hand lines due to the irregular shape of the ground and tilled areas. There will be 8-10" buried pvc mainline to the pivots and risers to attach the 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 affected surface waters (*attach additional sheets if necessary*).

The water is not to be wasted, which is the reason for the controlled sprinklers, where ever possible.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: Spring of 2019 upon receipt of a permit
- Date construction will be completed: Spring of 2020
- Date beneficial water use will begin: Spring of 2020

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Irrigation will be closed system. Excavation of mainlines will pass over the creeks rather than cut under the creeks.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: Creek crossings will be over the top of creeks and backfilling of mainlines will be carefully monitored to keep damage to a minimum

- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: None anticipated

SECTION 9: WITHIN A DISTRICT

- Check here if the point of appropriation (POA) or place of use (POU) 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*).

Water resources monitored the construction of a test hole for the Baker project. Water resource well experts Bob Maynard, Phillip Marcy and Erik Thomasser all watched the test hole and have issued recommendations to the drillers for well construction. I refer to report SC 1039853 Sam Baker Test Hole Geophysics and construction recommendations, which is attached to this application. The results of the test hole strongly imply an artesian flow of ample water for this project.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

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.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- SECTION 9: Within a District
- SECTION 10: Remarks

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Include the following additional items:

- 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.
- Fees - Amount enclosed: \$ _____
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - 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 diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - 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)

Note: In addition to a groundwater application, a standard reservoir application is required to store groundwater in a reservoir. If an applicant proposes to divert water from a reservoir, a surface water application is also required.

6-10741

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

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G-18741

Land Use Information Form



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 Salem, Oregon 97301-1266
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PHONE (WK)		CELL 541-805-9504		FAX	
ADDRESS 59257 High Valley Road					
CITY Union		STATE Ore	ZIP 97883	E-MAIL*	

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:
4s	40E	21		430 0		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
4s	40E	21		440 0 450 1		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
4s	40E	22		450 1		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
						<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: 2.7 cfs 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:

Owner wishes to drill a new basalt well in order to apply new primary water and supplemental water to his lands .

G-1874



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.

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G-18741

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

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

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OCT 02 2018	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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.

NAME	Scott Hartell	TITLE:	Planning Director
SIGNATURE	Scott Hartell	PHONE:	541-963-1014
GOVERNMENT ENTITY	Union County Planning Dept.		
		DATE:	10-1-18

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: _____

16-21490
After recording return to:
Eastern Oregon Title, Inc.
1601 Adams Avenue
La Grande, Oregon 97850

20111059

Until a change is requested all tax statements shall be sent to the following address:

Samuel & Debra Baker
59257 High Valley Rd.
Union OR 97883

consideration: \$ 600,000.00

STATUTORY WARRANTY DEED

Jack S. Kleck, Grantor, conveys and warrants to Samuel W. Baker and Debra S. Baker, husband and wife, as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

SEE EXHIBIT "A" ATTACHED HERETO FOR DETAILED LEGAL DESCRIPTION

This property is free from liens and encumbrances, EXCEPT:

1. The assessment roll and the tax roll disclosed 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 for the years in which the land was subject to the special land use assessment.
2. Rights of the public in and to that portion of this property lying below the high water mark of creeks, as they cross this property.
3. Right-of-way for Union County Road No. 66 (High Valley Road) crossing the Northerly side of this property.
4. Right-of-Way Easement, including the terms and provisions thereof, granted to California-Pacific Utilities Company, a corporation, dated March 12, 1948, recorded August 27, 1948, in Book 117, Page 186, Deed Records of Union County, Oregon, for the right to construct, reconstruct, operate and maintain electric power lines and/or gas or water mains, and all necessary poles, towers and appurtenances over, under and upon a strip of land 8 feet in width.
5. Right of Way Easement, granted to General Telephone Company of the Northwest, Inc, a corporation, including the terms and provisions thereof, dated September 14, 1977, recorded September 15, 1977, as Microfilm Document No. 71702, Records of Union County, Oregon, for underground cable and necessary fixtures located on this property.
6. Access to a creek on this property, as granted by Agreement, including the terms and provisions thereof, between Patricia A. Seale Wright and Jerry Wright, wife and husband, and James T. Hinson and Roberta A. Hinson, husband and wife, dated June 1, 1980, recorded June 3, 1980, as Microfilm Document No. 92591, Records of Union County, Oregon.
7. Right-of-Way Easement, including the terms and provisions thereof, granted to C P National, a corporation, dated August 12, 1981, recorded August 31, 1981, as Microfilm Document No. 102383, Records of Union County, Oregon, for the right to construct, reconstruct, operate and maintain electric power lines and/or gas or water mains, and all necessary poles, towers and appurtenances over, under and upon a strip of land 15 feet in width.
8. Right-of-Way Easement, including the terms and provisions thereof, granted to Oregon Trail Electric Consumers Cooperative, Inc., a cooperative corporation, dated May 18, 1998, recorded May 22, 1998, as Microfilm Document No. 982495, Records of Union County, Oregon, for the right to construct, operate and maintain an electric transmission and/or distribution line across this property, 15 feet in width.

"BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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

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OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009."

The true consideration for this conveyance is \$600,000.00. (Here comply with requirements of ORS 93.030)

Dated this 31 day of March, 2011

Jack S. Kleck
Jack S. Kleck

STATE OF OREGON)
)ss.
COUNTY OF UNION)

Signed or attested before me on this 31 day of March, 2011 by Jack S. Kleck.



M. Schonbacher
Notary Public for the State of Oregon
My commission expires: 9-15-13

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EXHIBIT "A"

IN TOWNSHIP 4 SOUTH, RANGE 40 EAST OF THE WILLAMETTE MERIDIAN, IN UNION COUNTY, OREGON:

Section 21:

The East half of the Southeast quarter and that portion of the East half of the Northeast quarter lying Southerly of the centerline of County Road No. 66.

Section 22:

That portion of the Southwest quarter of the Northwest quarter lying Southerly of the centerline of County Road No. 66;

ALSO, the South half of the Southeast quarter of the Northwest quarter;

EXCEPTING THEREFROM that portion conveyed by Boundary Line Agreement and Quitclaim Deed, recorded October 19, 1979, as Microfilm Document No. 88176, Records of Union County, Oregon.

ALSO, the Southeast quarter of the Northeast quarter, and the entire South half.

Section 23:

The Southwest quarter of the Northwest quarter, and the Northwest quarter of the Southwest quarter;

Section 27:

The Northeast quarter of the Northwest quarter, and the entire Northeast quarter.

(04S40-4501)

STATE OF OREGON

County of Union

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

ROBIN A. CHURCH

Union County Clerk

by:

DOC#:

RCPT:

4/01/2011

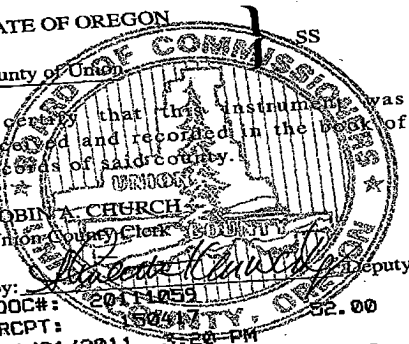
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2011059

52.00

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KNOW ALL MEN BY THESE PRESENTS, That Wallace Baker and Esther Baker, husband and wife, grantors, in consideration of ten dollars and other consideration, paid by Herman Baker and Charlotte Baker, husband and wife, grantees, do hereby grant, bargain, sell and convey unto the said grantees, as tenants by the entirety, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Union and State of Oregon, bounded and described as follows, to-wit:

One acre, more or less in the southeast corner of the southeast quarter of the northwest quarter; the east half of the east half of the southwest quarter; and the west half of the southeast quarter of section twenty-one (21); and the northwest quarter of the northeast quarter; and the northeast quarter of the northwest quarter of section twenty-eight (28); all being in township four (4) South, Range forty (40) East of the Willamette Meridian, containing 201 acres, more or less. Together with all tenements, hereditaments and appurtenances thereto belonging, including all water and water rights and water ditches had and enjoyed in connection therewith.

To Have and to Hold the above described and granted premises unto the said grantees as tenants by the entirety, their heirs and assigns forever.

And the grantors, covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances, except a mortgage to the Federal Land Bank of Spokane, which mortgage the grantees assume and agree to pay

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever, other than as above mentioned.

Witness our hand and seal this 17th day of June, 1954

Wallace Baker (SEAL)
Esther Baker (SEAL)

STATE OF OREGON,

County of Union

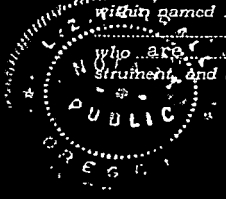
On this 17th day of June, 1954

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Wallace Baker and Esther Baker, husband and wife

who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

[Signature]
Notary Public for Oregon.
My Commission expires January 2nd, 1957



WARRANTY DEED

(FORM No. 716)

TO

STATE OF OREGON,

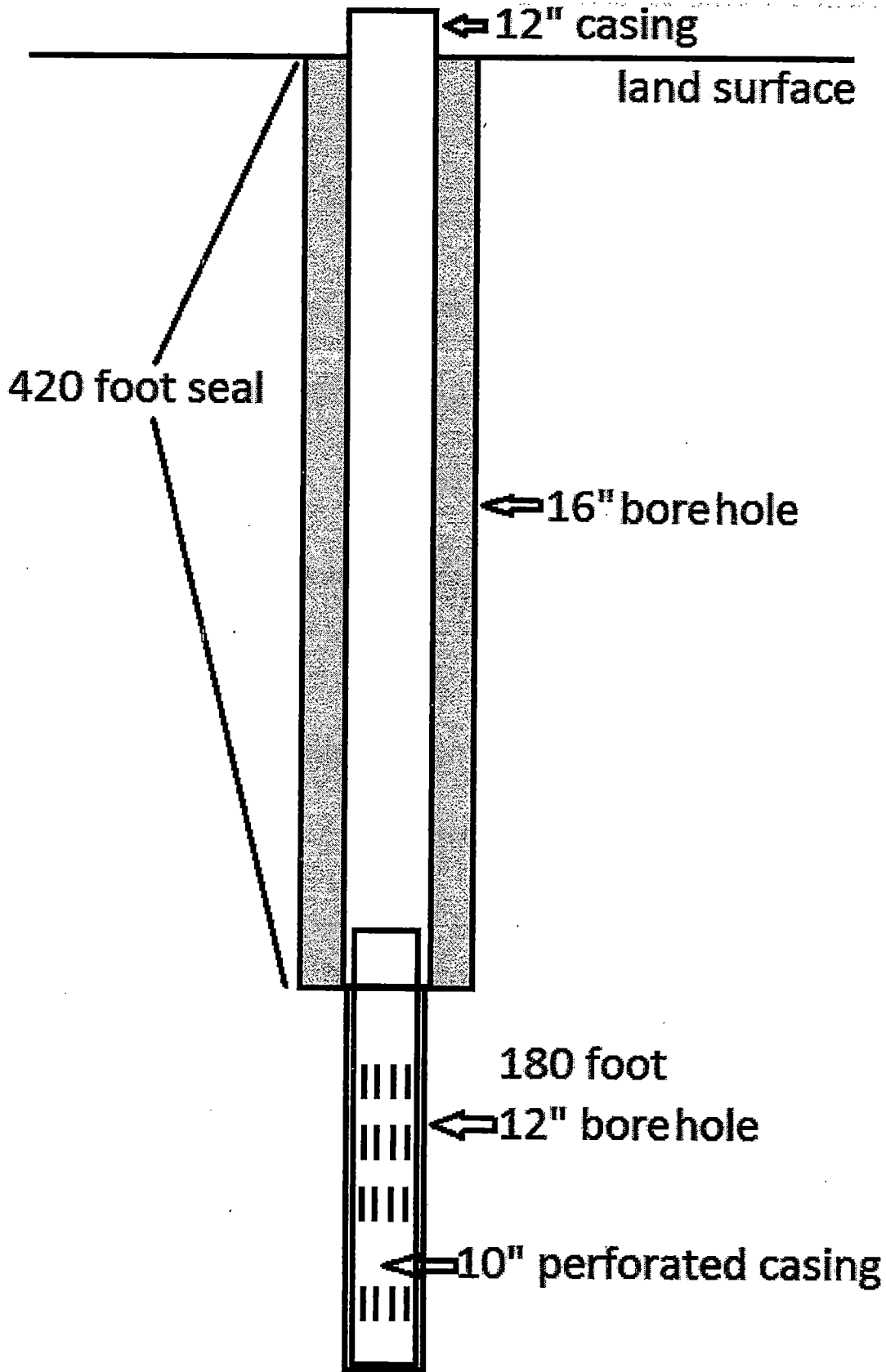
County of Union

I certify that the within instrument was received for record on the 17th day of June, 1954 at 1:30 o'clock P.M. and recorded in book 132 on page 279, Record of Deeds of said County.

WITNESS my hand and seal of County affixed.

C. I. CRANFORD
County Clerk - Register
By [Signature]
Deputy
GEO. STEVENS LAW FIRM, P.O., PORTLAND, ORE.

12" Irrigation Well



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CERTIFICATION OF VITAL RECORD

144767

IT 099054

OREGON DEPARTMENT OF HUMAN RESOURCES HEALTH DIVISION CENTER FOR HEALTH STATISTICS 138- CERTIFICATE OF DEATH

I.D. TAG NO.

Local File Number 037

State File Number

Form with fields for decedent name (Mary Charlotte BAKER), sex (Female), date of death (Mar 15, 1992), age (58), birthplace (Union, OR), date of birth (Jun 19, 1933), place of death (Grande Ronde Hospital), marital status (Married), spouse (Lyman "Scotty"), and cause of death (Septic Shock due to Strep pneumoniae organism).

ORIGINAL - VITAL STATISTICS COPY

45-2 Rev 7/91

THIS IS A TRUE AND EXACT REPRODUCTION OF THE DOCUMENT OFFICIALLY REGISTERED AT THE OFFICE OF THE UNION COUNTY REGISTRAR.

DATE ISSUED March 19, 1992

Signature of Garnet L. Shaw, County Registrar, Union County, Oregon.



ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

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Subject: Fw: FW: SC 1039853: Sam Baker Test Hole Geophysics, DHV, and Construction Recommendations

From: Mary Acquistapace (mary31669@yahoo.com)

To: jason@earthandwaterworks.net;

Date: Thursday, August 30, 2018 8:14 AM

----- Forwarded Message -----

From: MAYNARD Robert D * WRD <Robert.D.Maynard@oregon.gov>
To: Mary Acquistapace (mary31669@yahoo.com) <mary31669@yahoo.com>
Sent: Wednesday, August 29, 2018, 8:29:07 AM PDT
Subject: FW: SC 1039853: Sam Baker Test Hole Geophysics, DHV, and Construction Recommendations

Here is Erik's proposed sealing depths on the Baker Well

Bob

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From: THOMASSER Erik A * WRD
Sent: Monday, August 27, 2018 3:07 PM
To: MARCY Phillip I * WRD; MAYNARD Robert D * WRD; JEFFERY Joel W * WRD
Subject: SC 1039853: Sam Baker Test Hole Geophysics, DHV, and Construction Recommendations

OWRD

Good afternoon,

After processing and analyzing the data collected on 8/24/18 in addition to the cuttings and rough log provided by Jason Acquistapace, I have the following recommendations for the possible outcome scenarios regarding Mr. Baker's new well:

1. **Deeper Completion (555' – 592' wbz):** In order to satisfy 690-210-0155 and properly confine the artesian pressure the well will need to be sealed a minimum of 5' into the confining strata immediately overlying the 555' – 592' wbz. Given the low competency of the units encountered from 454' – 555' and the listed "basalt rock black hard" interval from 407' – 454' as well as the resistivity high anomaly/spontaneous potential low anomaly to 416' blsd (this suggests high competency and low permeability at 416'), I recommend that if the well is to be constructed such that it accesses the 555' – 592' high-pressure artesian wbz, then the well should be continuously cased and continuously sealed to a minimum depth of 416' blsd.
2. **Shallow Completion (386' – 392' wbz):** Since the well has been open to the lower high-pressure flowing artesian aquifer the existing surface seal from 0' – 40' has been compromised, and it will need to be redone after the partial abandonment takes place. Given that a possible (and somewhat likely) outcome is that the well will be temporarily partially abandoned to stifle the up-hole intraborehole flow while the groundwater application is processed, it is my recommendation that we work with the contractor to allow him to place a plug at ~445' blsd and concrete the borehole up to ~425' to abandon back out of the high-pressure flowing artesian aquifer developed from 555' – 592' blsd, and avoid cleaning out the borehole to TD to place gravel backfill through the deeper production zone. The borehole is bridged at 464' blsd. However, there is nothing taking place stratigraphically or hydraulically from 464' – 555' that would be a cause for concern from an aquifer health standpoint. Therefore, it would be prudent to facilitate the partial temporary abandonment such that it leaves the well both in a stable state that is causing no damage to the aquifer system and is primed for the construction required for the deeper completion.

All of the data is located in S:\Thomasser_Erik\Geophysics\Sam Baker Test Hole 082418

- 9722NL data, spreadsheet, and log

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- 8144C data, spreadsheet, and log
- DHV
- Display 7 presentation for 8144C
- Pics of the Display 7 logs for both 8144C and 9722NL
- Rough Log
- Screenshot of the DHV @ 416' blsd

Phil, for some reason we didn't get flow data from 362' – 464' blsd. We saw it in the live log while displaying the data on site, but it is absent from the raw binary data. The good news is that it was all consistent up-hole flow rates through that interval (and really the entire hole outside of turbulence from diameter changes and the leaking surface seal). I'll give you a call on Tuesday or Wednesday, and we can chat about this.

Cheers,

Erik A. Thomasser, GiT, PG

Field Services Division: North Central Region

Oregon Water Resources Department

116 SE Dorion Ave.

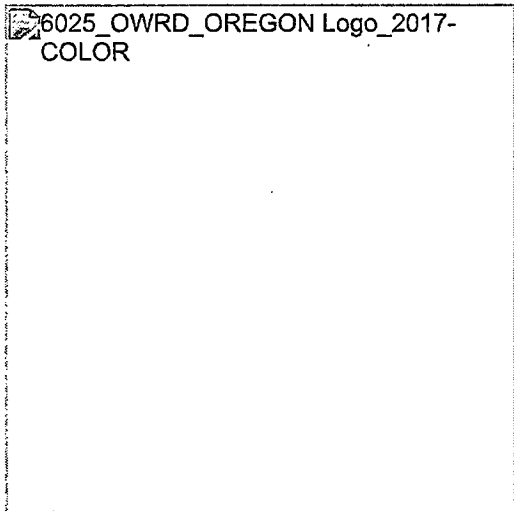
Pendleton, OR 97801

(541) 278-5456 Office

(541) 278-0287 Fax

(541) 969-9896 Mobile

Erik.A.Thomasser@oregon.gov



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Oregon Water Resources Department
Ground Water Application

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- [Return](#) [Contact Us](#)

Today's Date: Wednesday, September 26, 2018

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	2.7	\$1,050.00
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) **	1	
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

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