

Return to: ERNST BROS
ATTN RANDY SMITH
PO Box 637
GILCHRIST OR 97737

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State of Oregon, County of Klamath
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Linda Smith, County Clerk
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STATE OF OREGON WELL INFORMATION FORM
(FILE WITH COUNTY CLERK'S OFFICE)

Pursuant to ORS 537.788, owners of property on which a well is located shall, within 60 days following the construction and/or alteration of a new well or upon property transfer, record the following information in the property deed records at the appropriate County Clerks Office. Either the deed recording number or legal description of the property may be used to identify the property.

Property Owner Name(s): ERNST BROS. LLC

Mailing Address: PO Box 637 Gilchrist OR 97737

Deed Recording Number (or legal description): M94-151

Well Identification Number(s): L53523, L45875, L39184

Rights and Responsibilities: Oregon law finds that ownership and the rights to reasonable control of water within this state belongs to the public to be managed by the Water Resources Department. Most uses of water require a water right issued by the Water Resources Department. However, state law allows some uses of groundwater without benefit of a water right. Contact the Department for more information. The Water Resources Department cannot guarantee the presence of water in the desired amount on a specific property.

In addition to the above, owners of properties on which a well is located are responsible for maintaining that well in a proper manner. Some basic requirements are listed below:

1. All wells shall be maintained in a condition where they are not a threat to public health or safety, a source of contamination, or a waste of the groundwater resource.
2. All wells shall be securely covered to prevent any foreign substance from entering the well.
3. All wells shall be equipped with an access port or airline so that static water level information can be determined at any time.
4. Well casing must be protected from damage and meet minimum extension requirements.
5. Wells may only be permanently abandoned by a licensed and bonded well constructor or a landowner with a valid permit and bond. Well abandonment must be carried out in accordance with state rules.

If you would like further information about water rights, maintaining / abandoning your well, or wish to receive a copy of the administrative rules concerning well construction, please contact the Oregon Water Resources Department by phone at (503) 378-8455, or by mail at 158 12th Street NE, Salem, OR 97301-4172.

I have read the above describing my basic rights and responsibilities related to well ownership.

Signature of Property Owner(s): Wayne G. Ernst, Managing Member

State of Oregon, County of Klamath

This instrument was acknowledged before me on December 1st, 2003 (date) by WAYNE G. ERNST

(name of person(s)) as MANAGING MEMBER type of authority - if applicable) of ERNST BROTHERS, LLC (name of party on behalf of whom instrument was executed - if applicable)

Before Me:

Alice L. Bishop
Notary Public for South Valley Bank & Trust - Oregon
My commission expires August 16, 2006

Seal, if any:



Recording Office Use Only