

FY 2024 Protection Fiscal Budget

Board of Forestry

June 7, 2013



Mike Shaw, Chief of Fire Protection



FY 2024 Fiscal Fire Protection Budgets

The Base Level

The “Local Fire Department”

Statewide Severity

Additional resources above the base funded by General Fund and OFLPF

Large Fire Cost

Blend: General Fund, Oregon Forestland Protection Fund, FEMA

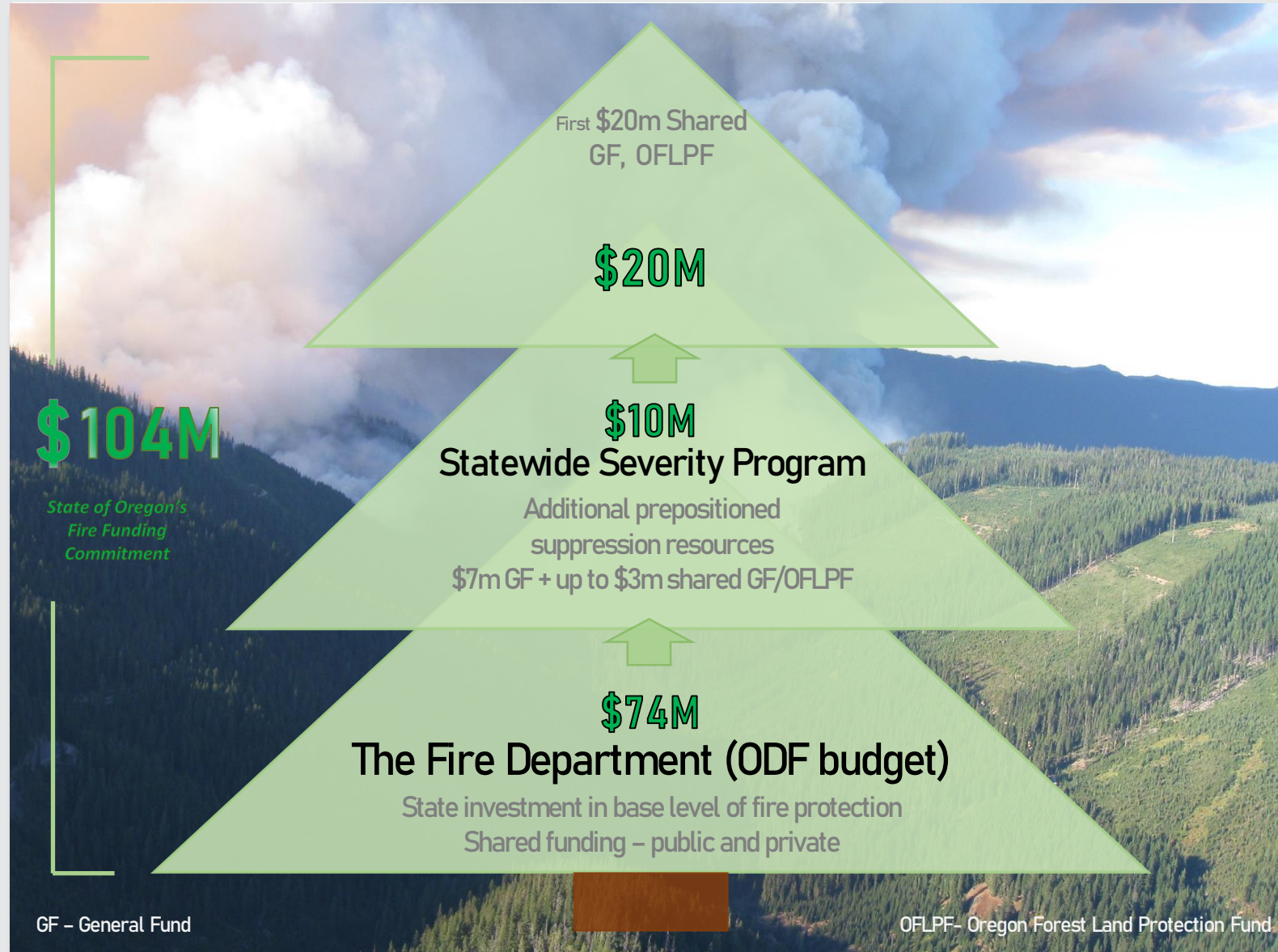


Funding partnership

- Complete and coordinated fire protection system
 - State office, area, districts, cooperators and landowners
- Complex blend of private and public dollars
 - Private landowners 50% / General Fund 50%
 - Public landowners 100%



Oregon's fire funding framework 2024



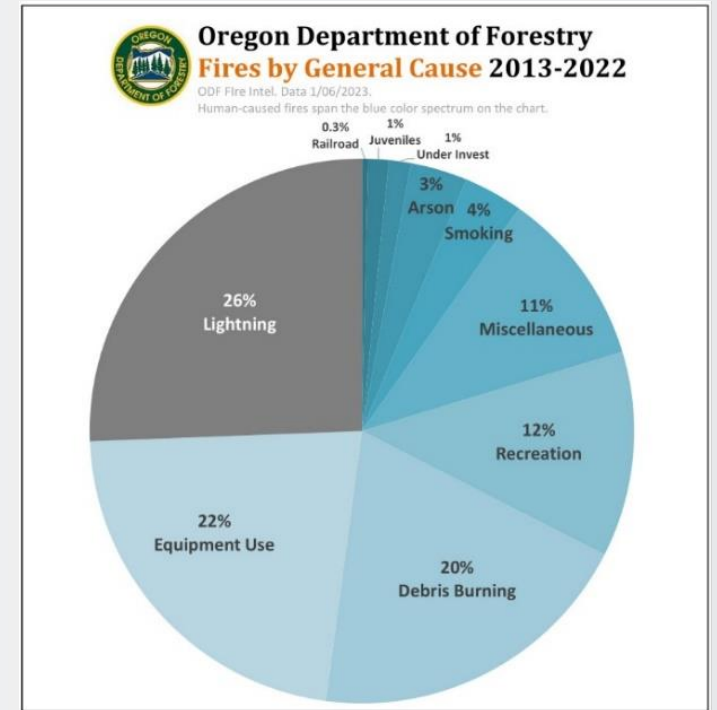
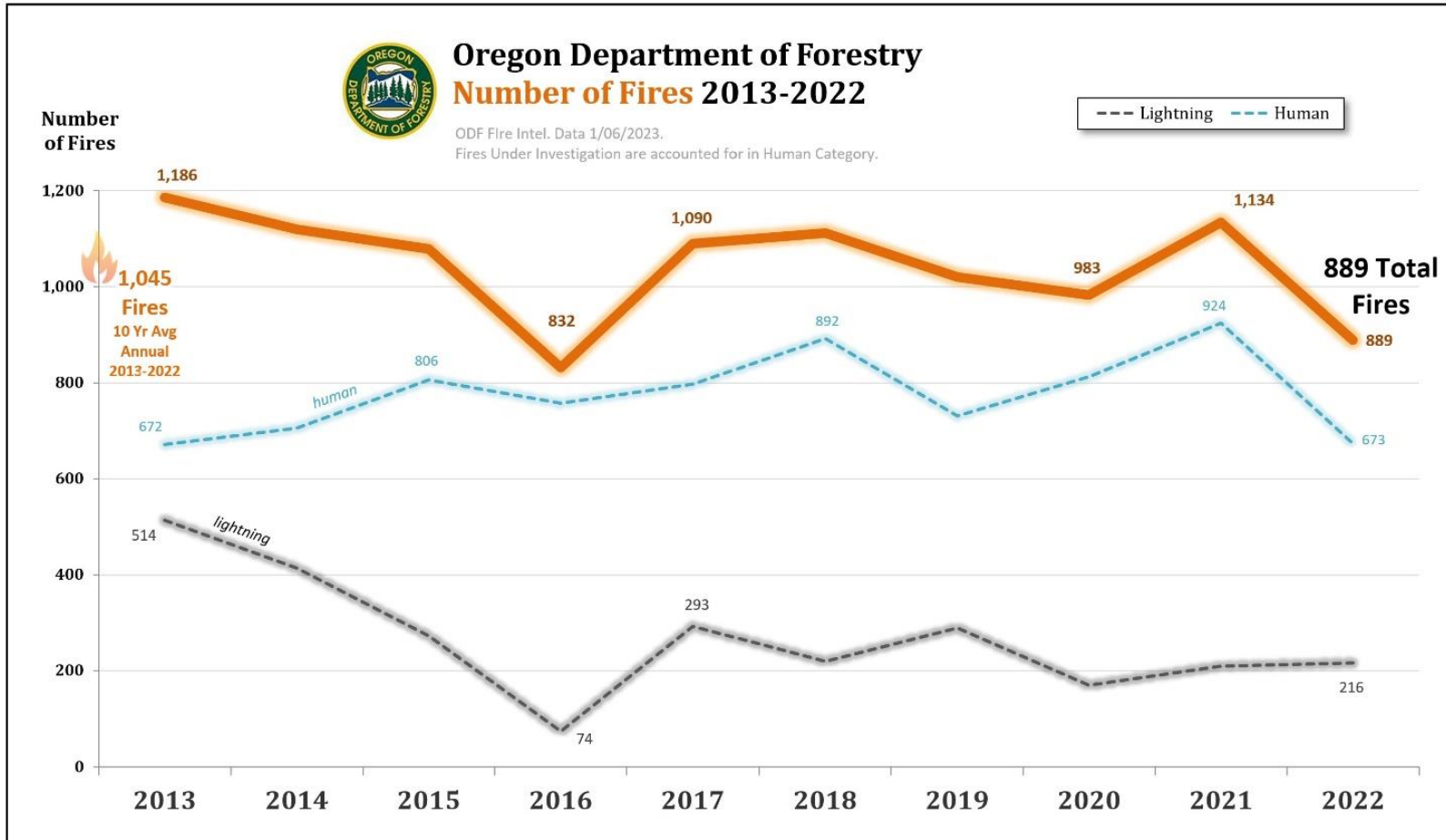


Budget development – “Base Level”

- District’s develop fiscal budget
- Review and guided by Associations / Boards
- Approved by the Board of Forestry
- Establishes the Level of Protection and associated Budget
- Legislative policy determines ratio (ORS 477.230)

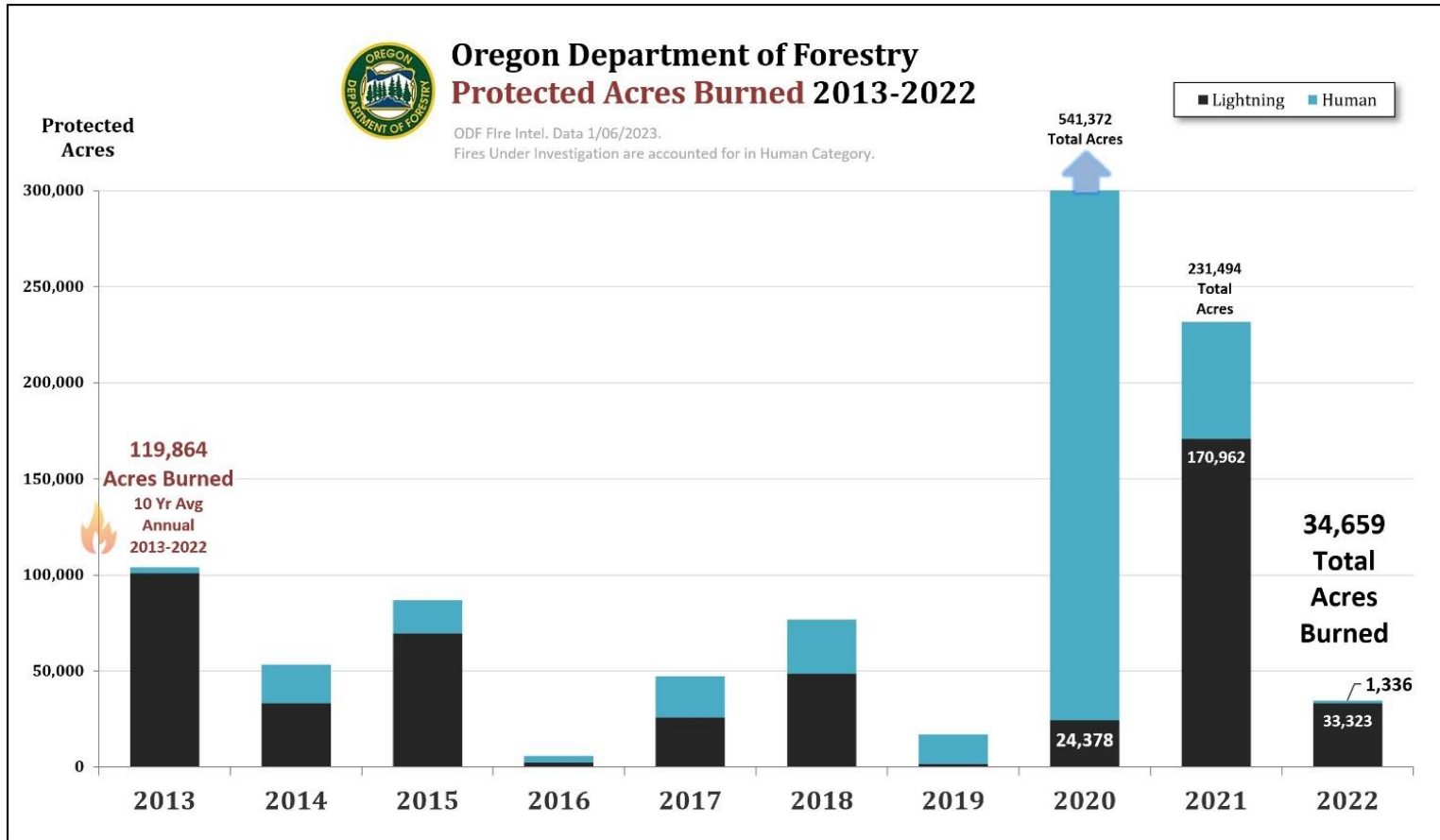


ODF recent fire history: Fires and causes





ODF recent fire history: Acres burned



47% of Oregon wildfires start on ODF protected lands, but only 16% of the state's acres burned are on ODF protected lands.



Spring 2023 Association Meetings

- Meetings were held in person, first time since pandemic
- 8 Associations recommended approval of fiscal budgets
- 4 Associations did not recommend approval of fiscal budgets



Recommendations

1. The Department recommends the Board approve all Fiscal Year 2024 forest protection district budgets and prorated acreage rates as presented in Attachment 1.
2. The Department recommends that in the event the Department's legislatively approved budget contains general fund revenue for a funding offset in support of the additional firefighting capacity provided by SB 762, that the Board directs the Department to adjust the approved prorated acreage rates to integrate such revenues prior to sending the certified rates to each County Assessor's Office.
3. The Department recommends that the Board adopt the proposed final order as written.

Roy M. Beyer
Wine Down Ranch, LLC
6500 NE McKay Creek Rd
Prineville, Oregon 97754

May 1, 2023

To Whom It May Concern:

My name is Roy Beyer and my wife and I own Wine Down Ranch north of Prineville in Crook County. I have been a member of the Central Oregon District, Oregon Department of Forestry (ODF) budget committee for 9 years. The ranch has 2000 acres of either forest or grazing classified acres for the state of Oregon (ODF) fire patrol assessment. We have managed the forested acres by thinning and juniper cutting to reduce the wildfire hazard potential. We also have a herd of cattle and graze the property to reduce the grasses and fine fire fuel levels.

For the last eight (8) years, the assessment rates have been relatively stable with some slight increases and decreases based on the level of fire activity from the previous year. With the passage of "SB762", the additional staffing hires and budget transfers to the Salem ODF office has resulted in an increased annual budget requirement for the Central Oregon District of almost 1.4 million dollars. For the fiscal year 2023, "SB762" came with some general fund dollars to cover the extra expenses required by the act. For the FY 2024 budget year, there is no proposed state budget funding to cover these extra "SB762" budget dollars. This increase in funding is being passed to the private forest and grazing landowners. **This is not right and/ or equitable.**

Private forest landowners like myself cannot afford a 37 percent increase in fire patrol costs. Our private forests in central Oregon have almost no monetary stumpage value due to low delivered log prices for ponderosa pine and the high transportation costs because of no local log processing mills in central Oregon. The benefits that come from keeping these forests "green" come as carbon sequestration, fish and wildlife habitat, clean air and water, aesthetics and keeping working lands working and not in new home sub-divisions. These are basically public values and benefit all Oregonians.

The "SB762" required funding should be continued to be funded by all Oregonians and the legislature needs to identify a new and equitable way to provide the funding resources to protect these public values. If they do not, then private forest ownership in central Oregon will be reduced to small acres and a lot more new homes in the forested areas.

As a budget committee member of the Central Oregon District of ODF and a dues paying member of the East Oregon Forest Protection Association, I voted "no" twice to the approval of the "Central Oregon District Fire Protection Fiscal Year 2024 Budget". The "SB762" fundings is an Oregon problem that is being passed onto the forest and grazing landowners. An all Oregon funding solution needs to be proposed and passed to cover this Oregon problem.

Thank you for your time and consideration.

Roy M. Beyer

June 7, 2023

Chair Kelly and members of the Board of Forestry

Re: Forest Protection Association Budgets

I had planned to journey to Sisters to present live testimony on the 2023/2024 forest protection association budgets. Realizing the time limits for that agenda item, it seemed best to devote my efforts to written testimony rather than to make an 8-hour round trip for 2 minutes of testimony.

My wife and I are small woodland owners (282 acres) 15 miles east of Myrtle Creek. I am also the President of the Douglas Forest Protective Association (DFPA), one of three operating associations in Oregon. These are my comments, not those of DFPA.

Douglas County is the largest west side county, ranging from the Pacific Ocean to the Cascade crest. Relative to size, our human population is relatively small, but we have lots of trees, cattle and sheep.

Created in 1912, DFPA protects 1.6 million acres of rural lands owned by tens of thousands of land owners. With that long history, land owners trust DFPA for fire protection, and as a Board member I take that trust very seriously. It is the reason the DFPA Board consists of active and engaged land owners, many of whom bring their own resources to help suppress fires. In fact, almost 600 land owner employees/contractors were trained to fight wildland fires in 2022. Land owners also provide heavy equipment to help DFPA suppress fires.

One of the Board's most important functions is to decide on an adequate level of protection for the District and then to establish a budget to achieve that level of protection. These two functions are the underpinnings of ensuring DFPA can successfully achieve its mission: "Provide the highest level of service to safeguard life, resources and property from wildland fire through practical prevention and aggressive fire suppression."

DFPA undertook a yearlong protection study process that concluded this spring. This served as the basis for the development of our 2023/2024 budget. Our previous budget (2022/2023) had increased by 7.05% (\$538,451). DFPA's Board and staff spent hours scrutinizing all aspects of our budget. In spite of our efforts, the current budget is up a whopping 21.20% (\$1,561,141).

Three categories of costs constitute \$1,304,399 of the cost increases. Our payroll expenses increased \$455,963 (12.75%) some of which was related to the loss of the SB 762 offset. Our insurance costs increased by \$356,912 (305%). The combined state

and area fire management costs increased by \$491,524 (106% increase in state and 37% increase in area).

Of these cost increases, the significant increase in state/area costs is of most concern. We were disappointed in the loss of the SB 762 offset, but at least the Board had a role in deciding how to best deploy those funds in service to our mission. The insurance cost increase was frustrating, but the Board understood the reason behind the increase and our staff was actively involved sourcing insurance that best meets our needs.

The state/area increase stands out. It was our largest single increase and that budget category now constitutes 12% of DFPA's operating budget. Unfortunately, it happened all at once, not organically over time and it was not decided in a collaborative process, but simply provided as a directive. This makes it difficult for a Board member to justify this large increase to local landowners as they see a sharp rise in their assessments. Only time will tell if we are getting real value for the money that is sent to Salem instead of being invested locally.

These large cost increases make it very difficult for DFPA to achieve some of our needed long-term goals. For example, some of the buildings at our headquarters site date to the 1930s (some were actually mule barns) and need to be replaced. Most of our buildings are overcrowded. This year we will complete the process of purchasing a suitable site for a new facility. We are now facing the task of raising funds to begin the build out of that site. It is challenging to plan such long-needed capital expenditures when sudden large cost increases occur.

DFPA has, and will continue to work productively with the local district staff on our primary mission – preventing and suppressing wildland fires. We appreciate their cooperative effort. I just ask the Board to be mindful of the impact of your budget decisions on our efforts at the local level.

Sincerely,
Ken Canon

[REDACTED]
Myrtle Creek, OR [REDACTED]
[REDACTED]
[REDACTED]



Collins Timber Company LLC

PO Box 1340
Lakeview, OR 97630-0178 USA
541.947.2018
CollinsWood.com

Oregon State Board of Forestry
2600 State Street
Salem, OR

June 7, 2023

Re: BOF Sisters Meeting Agenda Item 4: FY 2024 Forest Protection Association Budgets

Chair Kelly and Members of the Oregon State Board of Forestry,

I write to express concerns and advocate for relief regarding the proposed increases to fire protection rates for landowners. This should not be interpreted as criticism of Oregon Department of Forestry and the Klamath-Lake District; we at Collins have deep appreciation and respect for the local and state staff, which have been collaborative, attentive, and effective in fire response.

Collins is a fifth-generation, family-owned company that manages roughly 64,000 acres of forestland in Klamath and Lake Counties. The management of these lands has been FSC®-certified since 1998. We execute annual harvest operations both on our ground as well as in partnership with the Forest Service and local collaboratives, improving forest resiliency in the region. The scale and consistency of this work means that we are often able to quickly direct resources to assist with initial attack of wildfires.

Many letters have been submitted on this topic from local Forest Protection Associations. The planned increases in rates stemming from SB762 and the reallocation of state funds away from fire protection leaves landowners of all types having to make difficult decisions. Rather than repeat similar points, I will just say that Collins supports the letters from the Klamath Forest Protective Association and others, and will provide an example of how this affects us, specifically.

In 2021, roughly one third of our land was catastrophically burned in the Cougar Peak Fire. We are aiming to have this ground reforested by the end of the decade; this work, involving land clearing, site preparation, seed acquisition and seedling growth, and planting, is extremely cash intensive and it does not provide a return on investment for at least 40 years. Support for this work from state and Federal sources has been non-existent.

The increase in fees for Collins in 2025 from 2023 levels will be around \$50,000. This is cash that could instead purchase around 200,000 seedlings, per year, for wildfire reforestation. Is this really the kind of trade-off the State of Oregon wants to be forcing? Effective reforestation at scale clears hazards to access and roadways, reduces fuels for future fires, and reestablishes forestland with all of the benefits therein. All of this is a more effective use of funds, as it reduces the risk and burden of wildfire for the state, allowing more effective distribution of total resources.

Thank you for your attention, and please reach out if we can contribute to further discussion on this topic.

Sincerely,

Galen Smith
VP Resources
gsmith@collinsco.com



Oregon Operations

6400 Highway 66
Klamath Falls, Oregon 97601
www.greendiamond.com

Oregon Board of Forestry
2600 State Street
Salem, OR 97301
June 5, 2023

Re: Written comments for June 7th Board of Forestry Meeting on Forest Protection Association Budgets

Dear Chair Kelly and Board of Forestry Members:

I represent Green Diamond Resource Company. We are a fifth-generation, family-owned company that owns approximately 600,000 acres of forestland in Klamath and Lake Counties, with additional holdings in Hood River, Wasco, and Umatilla counties. I am writing regarding the forest protection association budgets portion of your agenda. We very much appreciate the letter that was submitted recently to the Legislature by the Board of Forestry. The letter does a great job of capturing the statewide issues involved with the “landowner offset” issue as it relates to fire protection rates. I would like to provide some color as to how it affects us as a company.

The rates without a legislative offset would be a significant, unplanned increase in fees on landowners. Without this investment, Green Diamond’s Klamath and Lake County holdings will see an approximately \$400,000 increase in fire protection fees. That is a staggering increase for any individual fee payer and one that jeopardizes our ability to operate in the black. Such a fee increase, if it could be absorbed, would force us to reevaluate our management priorities. Our lands in southern Oregon are in high elevation, low rainfall areas. A working forest can exist there, but the species composition and growth rates are far different than the working forests of the coastal areas.

Management constraints from an increase of this magnitude would have impacts on our entire operation. Our ability to afford forest health thinnings, replanting and restoration after the devastating Bootleg Fire, and compliance costs related to the new Private Forest Accord would all be in jeopardy. Simply put, a \$400,000 increase would mean that it costs more to protect our ownership from fire annually than it can generate as a working forest.

The rates differ in other parts of the state, but for our holdings in Klamath and Lake Counties, we are estimating an approximately a 30% increase from 2023 and about a 45% increase from 2022. The \$400,000 increase in Klamath and Lake Counties is additive to a nearly \$40,000 increase for our lands in Hood River, Wasco, and Umatilla counties.

We are not opposed to paying a fair share of fire costs. Having skin in the game is appropriate; however, the new rates seem out of balance. It raises the serious policy concern, for Green Diamond and the industry in general, of what happens when forestland costs more to protect from fire than it produces in revenue? I’m not sure of that answer, but I know that it’s not a sustainable outcome or an outcome that will be good for anyone concerned about the forested landscape and its communities and environment.

We are open to a longer, interim conversation about long-term wildfire funding and would be a willing participant at a policy conversation table that leads up to a 2025 solution. However, in the short-term, we need the time and space to have that conversation and craft a sustainable, long-term funding model.

Thank You,

Jason Callahan
Policy Manager
jason.callahan@greendiamond.com



May 31, 2023

Cal Mukumoto, State Forester
Oregon Department of Forestry

VIA EMAIL ONLY TO: kiel.r.nairns@odf.oregon.gov

RE: FOREST PROTECTION DISTRICT BUDGET APPEAL

NO HEARING REQUESTED

Dear Mr. Mukumoto:

Picnic Creek Ranch, LLC (PCR) by and through member Shaun W Robertson, herewith files this appeal of the Oregon Department of Forestry (ODF), Central Oregon District's (COD) proposed fiscal year 2024 budget as per ORS 477.260 and OAR 629-041-0035. This appeal is timely since it was filed within 30 days of the COD's public budget meeting held on May 2, 2023 in the ODF district office in Prineville. Appellant has standing to file this appeal since Picnic Creek Ranch LLC owns lands in Grant County that are assessed Fire Patrol Taxes.

Appellant seeks a remedy that: 1) reclassifies certain of its lands; 2) removes certain of its lands from classification entirely; and 3) returns their individual fire patrol assessment on the revised classifications to pre-Senate Bill 762 levels (FY21).

Preface & General Remarks:

Today's woke institutional culture seems to demand that anyone judging popular public policy or the service of public servants must apologize beforehand or risk being "cancelled". I don't feel that compulsion. Support for local ODF staff, particularly the fire crews, and criticism of the budget that funds their services are not mutually exclusive and disapproval of the collective system is not synonymous with disparaging individuals. The common refrain among politicians that "landowners don't want to pay for fire prevention until they need it" is specious. Protesting exponentially escalating costs, particularly those that fund functions with little to no relationship to actual fire suppression, is not commensurate with "not wanting to pay anything". In fact, landowners pay plenty, including personally funding an unceasing stream of, often schizophrenic, demands from Oregon officials—elected or otherwise.

In addition to our ongoing land stewardship obligations that allow us to produce goods and services in demand by the general public for sale in the private marketplace—in a state that highly disincentivizes the free market—we are required to shoulder the many burdens of landscape conservation, provisioning the highest quality aquatic and terrestrial habitats, restoring vegetation, increasing carbon sequestration, improving water and air quality, securing endangered species habitats, providing public recreation, contributing to generous employee

programs, and etc. *ad infinitum*. Our “reward”? More regulation, new taxes and assessments (even for complying with mandates such as recovering vegetation), and constant criticism from people who not only can’t do what we do but are incapable of ever defining what is “good enough”, but who are totally certain that they know exactly what is wrong with our honest efforts.

Fundamentally, it's a broken system and Oregon’s tax and spend, fire prevention and suppression scheme is great example of the old adage that you can’t expect different results from doing the same things over and over.

Issues:

- Oregon’s stated forest policy (ORS 477.005) is the “preservation of the forests and the conservation of the forest resources through the prevention and suppression of forest fires”. To accomplish the purpose of this policy, the State has declared that the primary mission of the ODF’s “complete and coordinated forest protection system” is, in order of priority, “saving lives” and “protecting forest resources”. Structural protection is only an “indirect” benefit of meeting the mission priorities and “shall not inhibit protection of forest resources”.

Yet, at least viewing ODF from outside the agency, it seems that each year ODF moves further from its core statutory mission not only by emphasizing suppression at the expense of prevention programs¹, introducing certain personnel management measures that are unrelated to saving lives and protecting forests, growing its “leadership and administrative” and “business” services, and by adopting facilities and equipment standards that are far beyond what is minimally acceptable and reasonable to accomplish a basic and reasonable level of fire protection services². At a recent meeting to discuss rural fire programs, an individual closely associated with one of ODF’s fire programs remarked that ODF ‘can’t get rid of barely used equipment fast enough so that they can purchase all new stuff’. Just a common rural myth? Perhaps. Although popular enough to maybe hold some truth—especially in the era of COVID and “inflation reduction” spending amounting to trillions in new public debt.

Regardless, as the chair of the NE Oregon District Budget Committee Chris Heffernan stated in his excellent protest letter of April 25, 2022 “[w]e continue to be frustrated by a system where we incur 50% of the base level costs yet have no voice in, such as the recent cost of living increases, area support, state office support, pandemic pay and other payroll expense”. Those are costs passed by a predominantly Democrat legislature and have nothing to do with the statutory base level of fire protection.

If the Legislature desires ODF to have the nicest offices, latest equipment, salaries that exceed the private wages paid in the rural communities where they work, expanded employee

¹ Such as administrative support for controlled burning efforts on private land.

² These issues and more are identified each budget cycle by landowners, the general public and ODF themselves (e.g., “Issues to the Base Budget” [FY2013-15 Fire Protection Program budget narrative] which highlighted conflicts created by inequitable and disproportionate funding in eastside forests to mission creep as a result of changing policies) without resolution.

benefits³, cost of living allowances that exceed inflationary rates being paid for goods and services by landowners, service provisioning beyond core mission⁴, and a new focus on the urban-wildlands interface, then the Legislature should come up with funding from the general public since those benefits have little to nothing to do with the actual costs of annual fire prevention and suppression and are not widely demanded by landowners.

- Central to ODF's fire patrol assessment scheme is its Forestland Classification, which requires a "periodic investig[ation]" and study of all lands within the boundaries of the county to determine which of the land is "forestland". Furthermore, this determination is to consider such facts as climate, rainfall, fire hazards, and economic and social factors relating to the land, among others (ORS 526.320). In addition to a required hearing, affected landowners have the right to appeal final classifications.

The forestland classifications for Grant County have not been updated since the 1960's (pers. comm. with ODF staff in Salem and John Day). Even a superficial search immediately turns up relevant studies, reports and other documents prepared by the State, including ODF's prior budget narratives, replete with declaratory evidence that climate, fire hazards, and other forestland classification determining factors have all changed dramatically over the last decade.

Since ODF, through the counties, assesses costs to landowners based on the forestland classification and since the forestland classification is outdated and may no longer be relevant or valid, ODF's assessment may contain serious flaws that impact individual landowners as well as how costs are spread across the private landscape.

Regarding PCR's property specifically: 1) ODF has classified and is assessing land that is presently farmed and irrigated (see attachment 1) such that the land does not meet the definition of "forestland" (OAR 629-045-0035(6)); 2) land that is classified and assessed as Class 2 has been cleared for agricultural uses other than farming and is being managed to support vegetation that does not include tree species native to the locale and, therefore, should be reclassified to Class 3 and assessed at a lower rate (OAR 629-045-0030(4)(b)); 3) stocking levels and yield capability of certain lands classed as Class 2 appear to have substantially less incremental growth than potential site productivity as described by the literature⁵; 4) some classified lands enclose areas of less than 40 acres in size (OAR 629-045-0040 (1)(b); attachment 2).

³ For example, Oregon ranks tenth out of all fifty states in providing government employee pension benefits, thirteenth in average employee benefits in dollar terms, and thirteenth in average annual compensation for government employees with compensation rates 26.3% higher than compensation for comparable jobs in the private sector. Biggs, Andrew G. PhD. 2022. State employee compensation in the fifty states with a special focus on Connecticut. Rpt prepared for Nutmeg Research.

⁴ E.G. "climate change", "social equity and environmental justice", and etc., which are State initiatives

⁵ Which has substantially different criteria than that established by the ODF for all forestlands. See Powell, David C. 1999. Suggested stocking levels for forest stands in northeastern Oregon and southeastern Washington: an implementation guide for the Umatilla National Forest. USDA For Serv PNW Reg. F14-SO-TP-03-99. And Powell, David C. Site productivity estimates for upland forest plant associations of Blue and Ochoco mountains. USDA FS PNW Reg. F14-SO-WP-SILV-5.

- A portion of PCR’s property zoned both Class 2 and 3, has a divided timber estate (attachment 3). Under Oregon statute, severable interests owned separate from the realty are not subject to taxation or assessment (ORS 308.115). PCR previously attempted to resolve this issue with ODF staff directly (attachment 4) but were informed that a separate assessment would require permission of the severed estate owner. That opinion is not consistent with the applicable statute.
- Oregon is one of only two western states that uses an outmoded model of landowner assessments for fire suppression⁶ while other states either use landowner assessments for fire prevention programs or do not assess landowners directly at all. Oregon’s static forestland classification system treats landowners similarly, regardless of management, with no crediting system for positive stewardship that lessens fire risk or increases individual fire suppression capacity⁷. Furthermore, this seriously flawed funding model focuses on treating symptoms, not causes. On average 13,300 acres of ODF protected lands burned from 2003 to 2012 but from 2013 to 2022, that rate increased 800% to 119,864 acres burning each year⁸ and ODF’s budget for suppression exploded accordingly⁹. These serious failures, combined with constantly expanding unfunded missions (for agency staff) and mandates (for landowners), inherent disincentives for cost controls, and enlargement of-and attention to-the wildland urban interface (attachment 5) creates a highly inequitable system that disadvantages forestland owners¹⁰.
- ODF is laying blame for its significant increase in private assessments largely to the unfunded mandate from the 2021 Oregon Legislature who “...required an ‘increase in overall wildfire response capacity’ through Senate Bill 762”. However, ODF is overlooking--unintentionally or otherwise--the proviso of section 30a that exempts increasing capacity when financing is not provided:

- *Wildfire Response Capacity*

Section 30a. The State Forestry Department:

....

(2) Shall increase the department's wildfire readiness and response capacity, including increases to fire suppression response personnel, aviation assets and necessary

⁶ Cook, Philip S. and Dennis R. Becker, Ph.D. 2017. State funding for wildfire suppression in the western U.S. Univ. of Idaho, Coll of Nat Res. PAG Rpt No 7. Moscow, ID.

⁷ As ODF pointed out in its FY2013-15 budget narrative “[a] A key piece to the complete and coordinated fire protection system **that doesn’t show in budgets or get collected as revenues** is the “in-kind” support from landowners. Each year, landowners spend millions of dollars to maintain readiness of their own qualified personnel, as well as equipment, gates, road maintenance, pump chances etc., so that they can assist in the protection of their lands and their neighbors’ lands. [emphasis added]

⁸ 1993-2022 ODF Protected Acres Burned – Past 3 Decades. <https://www.oregon.gov/odf/fire/documents/odf-protected-acres-burned-by-decade-chart.pdf>

⁹ ODF’s COD suppression cost per acre rate in 2022 was \$31,177 (COD FY24 Budget Narrative), over 22-times the average cost of regional fuel reduction projects.

¹⁰ Although landowners in the WUI pay a modest increase in fees, it doesn’t appear to be sufficient to address the disparity between landowners and funding systems. Cook and Becker (2017) discussed issues of inequity, incentives, and cost controls.

administrative support personnel, to the extent the department receives funding for the increase. [emphasis added]

There is nothing in the legislative history of SB762 that suggests it was the intent of the legislature to force landowners to shoulder the burden of their unfunded mandates.

Conclusion:

After nearly 37 years of public policy work, I've come to the immutable conclusion that public meetings and hearings with government agencies are mostly *pro forma* affairs intended to check procedural boxes and facilitate whatever decision the agency favors originally (that is unless you are supporting what the agency intended to do anyway, in which case you then become a "valued stakeholder"). ODF will either treat the rejections and appeals it received from the four forest protective associations and landowners seriously or it won't; my participating in an appeal hearing is not likely to change anything. However, regardless of ODF's decision, I will still support the local firefighters who, along with landowners, serve as the first line of defense for local fire suppression at the same time that I'll continue to advocate for the fair and equitable forest protection system promised to landowners decades ago and which the State moves further away from each biennium.

Sincerely,

/s/ Shaun W Robertson, Member
Picnic Creek Ranch, LLC
Mount Vernon & Fox, Oregon

Class 3

Attachment 1: Irrigated & Farmed Lands Classified as Forestland Picnic Creek Ranch

Class 3

Class 2

Legend

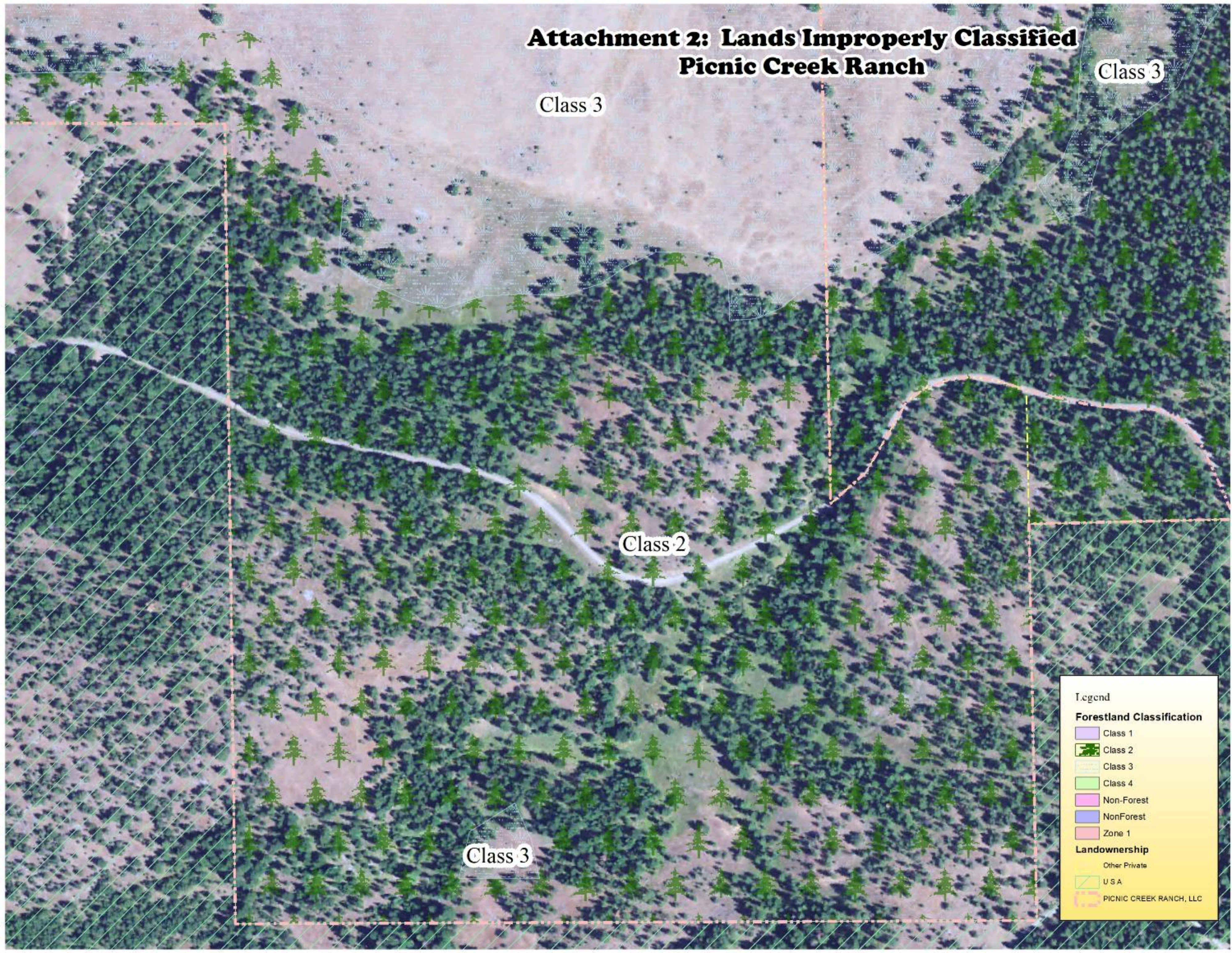
Forestland Classification

- Class 1
- Class 2
- Class 3
- Class 4
- Non-Forest
- NonForest
- Zone 1

Landownership

- Other Private
- U S A
- PICNIC CREEK RANCH, LLC

Attachment 2: Lands Improperly Classified Picnic Creek Ranch



Class 3

Class 3

Class 2

Class 3

Legend	
Forestland Classification	
	Class 1
	Class 2
	Class 3
	Class 4
	Non-Forest
	NonForest
	Zone 1
Landownership	
	Other Private
	U S A
	PICNIC CREEK RANCH, LLC

16,321

BOOK 38 PAGE 3

KNOW ALL MEN BY THESE PRESENTS, That -BLUE MOUNTAIN LAND CO.-

a corporation duly organized and existing under the laws of the State of -Oregon- in consideration of -EIGHT HUNDRED EIGHTY-FIVE and No/100- Dollars,

to it paid by -HARLAND WILLIAMS of Mt. Vernon, Oregon-

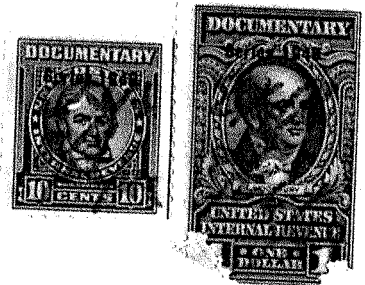
does hereby grant, bargain, sell and convey to said -Harland Williams, grantee, his

heirs and assigns forever, the following real property, with the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; and also all the estate, right, title and interest, at law and equity, therein and thereto, situated in the County of -Grant-, and State of Oregon, bounded and described as follows, to-wit:

NE 1/4 of Section 31 and the SW 1/4 SE 1/4 of Section 30, all in Twp. 11 South, R. 29 E., W. M., containing 200 acres according the public survey, excepting and reserving therefrom, however, a strip of land 30 feet in width being 15 feet on each side of the center line of that certain roadway as now constructed by the grantor and established and located at this time upon and across the said 200 acre tract above described.

In connection with such reservation the grantor hereby agrees to construct and maintain adequate cattle guards wherever said 30-foot right-of-way shall intersect any fences now constructed along the exterior boundaries of said said 200 acre tract.

Also excepting and reserving from the lands hereby conveyed all the timber in perpetuity now standing or at any time hereafter to be grown in the future together with rights of ingress and egress for the purpose of logging and removing said timber.



TO HAVE AND TO HOLD the same to the said -Harland Williams, a single man- -his- heirs and assigns forever. And the said -Blue Mountain Land Co., the grantor above named- does covenant with the said -Harland Williams, the above named grantee- and -his- legal representatives forever, that it is lawfully seized in fee simple of the above described and granted premises, and has a valid right to convey same; that the said real property is free from all encumbrances, except as above set forth

and that it will, and its successors shall WARRANT AND DEFEND the same to the said grantee, -his- heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, BLUE MOUNTAIN LAND CO., pursuant to a resolution of its Board of Directors, duly and legally adopted, has caused these presents to be signed by its President and Secretary, and its corporate seal to be hereunto affixed this 25th day of August A. D. 1949.

In the presence of

Handwritten signatures of witnesses, including one that appears to be 'H. C. ...'.

BLUE MOUNTAIN LAND CO.

By [Signature] President

BLUE MOUNTAIN LAND CO.

By [Signature] Secretary

STATE OF OREGON,

County of Grant } ss.

On this 26th day of August, 1949, before me appeared J. D. Welch, Jr. and Harry C. Welch both to me personally known, who being duly sworn, did say that he, the said J. D. Welch, Jr. is the President, and he, the said Harry C. Welch is the Secretary of BLUE MOUNTAIN LAND CO. the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and J. D. Welch, Jr. and Harry C. Welch acknowledged said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, this the day and year first in this, my certificate, written.

S. H. Howell
Notary Public for Oregon.

My commission expires 4/6/51



#16.321

CORPORATION
WARRANTY DEED

BLUE MOUNTAIN LAND CO.

TO

HARLAND WILLIAMS

STATE OF OREGON, } ss.

County of Grant
I certify that the within instrument was received for record on the 27th day of August A. D. 1949, at 12:45 o'clock P. M., and recorded in book 58 on page 5-6, Record of Deeds of said County.

WITNESS my hand and seal of County affixed.

John D. Lusk
County Clerk
Recorder of Conveyances.

By Cecilia Conley
Deputy.

STEVENS-NESS LAW PUB. CO., PORTLAND 03148

HOWELL & WILSON
Attorneys at Law
John Day, Oregon

INDEXED

Subject: RE: Fire Assessment

From: HUGHES Hailey * ODF <Hailey.HUGHES@odf.oregon.gov>

Date: 2/25/2022, 11:50 AM

To: "PCRanch@ortelco.net" <PCRanch@ortelco.net>

CC: BLAIR Allison * ODF <Allison.BLAIR@odf.oregon.gov>, COOK Chris D * ODF <Chris.D.COOK@odf.oregon.gov>

Shaun – I read through the deed you provided and reached out to my respective ODF contacts regarding your question/situation. I have also included in this email my supervisor Allison Blair/ John Day Unit Forester, and Chris Cook/ John Day Wildland Fire Supervisor for Oregon Department of Forestry's John Day Unit. They additionally are resources and contacts that are available to you if you have questions.

Oregon Department of Forestry does recognize there are cases where timber ownership is separate from the actual land sale or exchange of property. ODF is willing to accommodate a separation in the timbered assessment if it is identified specifically within the sale or contract of sale by both parties and or documentation can be provided if this is an agreed upon separation of assessment. Based upon the relationship you described with Mr. Woodward you may still have opportunity to make this change with new documentation.

Additionally, I wanted to provide the statute for your information that may better describe the responsibility Oregon Department of Forestry has regarding its roles and obligation for assessment and protection, **ORS 477.210 Duty of owner to protect forestland; forester's duty to provide protection upon noncompliance.**

Please let us know if this provides the answers you needed or if you have additional questions.

From: Shaun & Colleen Robertson <PCRanch@ortelco.net>

Sent: Friday, February 11, 2022 7:30 AM

To: HUGHES Hailey * ODF <Hailey.HUGHES@odf.oregon.gov>

Subject: Fire Assessment

Hailey,

This is the deed for the property we purchased in Fox that has the severed timber estate. Since we do not own the timber on this parcel, we do not want to pay the fire assessment. Jim Woodward from Mitchell is the owner of the timber. I've spoken to him and his wife and they are great people and we don't want to cause them any problems, we just don't want to pay for services that benefit someone else.

Please let me know what you can do to help.

Thanks,
Shaun

Wildland Urban Interface 1996--2017 Central Oregon District

Legend

- 1996
- 2017

ODF Fire Districts

- Others
- Central Oregon

