



State of Oregon
Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Groundwater Registration Modification

Part 1 of 5 – Minimum Requirements Checklist

This Groundwater Registration Modification application will be returned if Parts 1 through 4 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

Check all included with this application (N/A = Not Applicable)

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Completed Applicant Information and Signature.
- Part 4 – Completed Groundwater Registration Modification Application – Groundwater Registration Information. (Only one Groundwater registration per application, unless the Groundwater registrations to be modified are layered).
- Completed Groundwater Registration Modification Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- Groundwater registration modification fees – Amount enclosed: \$ **1,250**.
 (\$875.00 for a place of use change only; \$1,250.00 for any other change or combination).

Attachments:

- N/A Request for Assignment Form and statutory fee. This form needs to be completed if the applicant owns the land to which the registration is appurtenant and is **not** the registration certificate holder of record. The Request for Assignment Form is available at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>.
 Assignment is not needed for any person or entity who can demonstrate authorization to request recognition of a modification (e.g. legal representative, power of attorney, agent, etc.) **or** the applicant is named on the certificate of registration, or has been assigned to the certificate of registration.
- N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

| | |
|--|--|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Assignment Form and fee not enclosed/insufficient |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |
| Other/Explanation _____ | |
| Staff: _____ | Date: / / |

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Part 2 of 4 – Groundwater Registration Modification Map Checklist

Your Groundwater Registration Modification application will be returned if any of the map requirements listed below are not met.

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads and railroads.
- Major water delivery system features from the point(s) of appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes hachuring, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the registration is being changed, a separate hachuring is needed for the portion of the registration left unchanged.
- N/A If you are proposing a modification in place of use, show the proposed place of use with hachuring including priority date and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of appropriation with distance and bearing or coordinates from a recognized survey corner.
- N/A If you are proposing a modification in point(s) of appropriation, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 3 of 4 – Applicant Information and Signature

Applicant Information

| | | | |
|--|--------------------|------------------------------------|---------------------------------------|
| APPLICANT/BUSINESS NAME Avellana Farms, LLC | | PHONE NO. (715) 955-3220 | ADDITIONAL CONTACT NO. |
| ADDRESS 2229 San Felipe St. Suite 1150 | | | FAX NO. |
| CITY Houston | STATE TX | ZIP 77019 | E-MAIL eric@greenleaffm.com |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. | | | |

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

| | | | |
|--|--------------------|------------------------------------|---|
| APPLICANT/BUSINESS NAME William E. McGill, CWRE | | PHONE NO. (503) 510-3026 | ADDITIONAL CONTACT NO. |
| ADDRESS 15333 Pletzer Rd. SE | | | FAX NO. |
| CITY Turner | STATE OR | ZIP 97392 | E-MAIL willmcgill.surveying@gmail.com |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. | | | |

Explain in your own words what you propose to accomplish with this modification; and why:
It is proposed to add Pump Well #3, Well A, and Well B as additional points of appropriation for all of GR 472 and change the place of use for 6.6 acres of GR 472.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

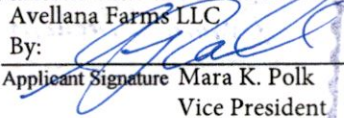
(Check one box)

- By signing this application, I (we) understand that, upon receipt of the draft preliminary determination and prior to Department approval of the Groundwater modification, I (we) will be required to provide landownership information and evidence that I am authorized to pursue the modification as identified in OAR 690-382-0400(16)(a); **OR**
- I (we) affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the Groundwater registration proposed for modification is appurtenant by condemnation and have attached supporting documentation.

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I understand that prior to Department approval of the groundwater registration modification, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the groundwater registration is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following paper: Stayton Mail.

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

Avellana Farms LLC
 By:  Mara K. Polk, Vice President November 4, 2019
 Applicant Signature Mara K. Polk Print Name (and Title if applicable) Date
 Vice President

 Applicant Signature Print Name (and Title if applicable) Date



Is the applicant the sole owner of the land on which the Groundwater registration modification or portion thereof, is located? Yes No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the Groundwater registration has been conveyed.*

**AFFIDAVIT FOR THE VOLUNTARY DIMINUTION OF AN
ENTIRE WATER RIGHT CERTIFICATE**

State of Texas)
)ss
County of Harris)

I/We (or authorized agent), Avellana Farms, LLC,
residing at 2229 San Felipe St. Suite 1150, Houston, TX 77019,
telephone number (715) 955-3220, being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 400, within the NENE/NWNE/SWNE/SENE/NESE, Section 25, Township 9S, Range 2W, of the Willamette Meridian, in Marion County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. Water right certificate number 20436 issued in the name of Otto Nelson, with a date of priority of January 6, 1948 for use of 0.277 cubic foot per second of water from Cold Creek (source) for the purpose of Irrigation (use) is appurtenant to my/our property;
3. I/We have obtained a better (e.g., better, more economical) source of water for the primary irrigation of these lands, and request the entire water right described be diminished from a right for primary irrigation to a right for supplemental irrigation of the same lands;
4. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: Santiam Water Control District); and
5. I/We agree that if this change is approved, it is permanent and the right to the use of water from Cold Creek (source) cannot be changed back to the primary source unless otherwise provided by law. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from Cold Creek (source) for primary irrigation of these lands.

Avellana Farms LLC
By: [Signature]
Signature of legal owner as listed on deed, or authorized agent
Mara K. Polk, Vice President

November 4, 2019
Date

Signature of legal co-owner as listed on deed
(if applicable)

Date

Subscribed and Sworn to Before Me this 4th day of November, 2019.

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Diana Staehely
Notary Public for Texas

09/30/22

PLEASE ATTACH A LEGIBLE COPY OF: 1) A DEED WHICH LISTS LANDOWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAXLOT MAP WITH THE WATER RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

Part 3 of 4 – Applicant Information and Signature

Applicant Information

| | | | |
|--|--------------------|------------------------------------|---------------------------------------|
| APPLICANT/BUSINESS NAME Avellana Farms, LLC | | PHONE NO. (715) 955-3220 | ADDITIONAL CONTACT NO. |
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Agent Information – The agent is authorized to represent the applicant in all matters relating to this application

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| APPLICANT/BUSINESS NAME William E. McGill, CWRE | | PHONE NO. (503) 510-3026 | ADDITIONAL CONTACT NO. |
| ADDRESS 15333 Pletzer Rd. SE | | | FAX NO. |
| CITY Turner | STATE OR | ZIP 97392 | E-MAIL willmcgill.surveying@gmail.com |
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Explain in your own words what you propose to accomplish with this modification; and why:
It is proposed to add Pump Well #3, Well A, and Well B as additional points of appropriation for all of GR 472 and change the place of use for 6.6 acres of GR 472.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

(Check one box)

- By signing this application, I (we) understand that, upon receipt of the draft preliminary determination and prior to Department approval of the Groundwater modification, I (we) will be required to provide landownership information and evidence that I am authorized to pursue the modification as identified in OAR 690-382-0400(16)(a);
- OR**
- I (we) affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the Groundwater registration proposed for modification is appurtenant by condemnation and have attached supporting documentation.

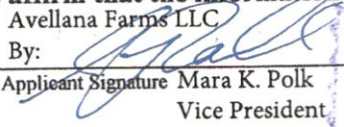
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I understand that prior to Department approval of the groundwater registration modification, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the groundwater registration is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following paper: Stayton Mail.

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

Avellana Farms LLC
 By:  Mara K. Polk, Vice President November 4, 2019
 Applicant Signature Print Name (and Title if applicable) Date

 Applicant Signature Print Name (and Title if applicable) Date

Is the applicant the sole owner of the land on which the Groundwater registration modification or portion thereof, is located? Yes No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the Groundwater registration has been conveyed.*

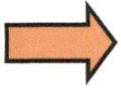
Check the appropriate box, if applicable:

Check here if the Groundwater registration proposed for modification is or will be located within or served by an irrigation or other water district.

| | | |
|---|-----------------------------------|---------------------|
| IRRIGATION DISTRICT NAME Santiam Water Control District | ADDRESS 284 E Water St. | |
| CITY Stayton | STATE OR | ZIP 97383 |

Check here if water for the Groundwater registration is supplied under a water service agreement or other contract with a federal agency or other entity.

| | | |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS | |
| CITY | STATE | ZIP |



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

| | | |
|-------------------------------------|---|---------------------|
| ENTITY NAME Marion County | ADDRESS 5155 Silverton Rd. NE | |
| CITY Salem | STATE OR | ZIP 97305 |

| | | |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS | |
| CITY | STATE | ZIP |

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Part 4 of 4 – Groundwater Registration Information

Please use a separate Part 4 for each registration being modified. See instructions on page 5, to copy and paste additional Part 4s, or to add additional rows to tables within the form.

Table 1. Location of Authorized and Proposed Point(s) of Appropriation (POA)

(Note: If the POA name is not specified in the registration, assign it a name or number here.)

| POA Name or Number | Is this POA Authorized by the registration or is it Proposed? | OWRD Well Log ID# (or Well ID Tag # L-____) | Twp | | Rng | | Sec | ¼ ¼ | | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) |
|---------------------|--|---|-----|---|-----|---|-----|-----|----|---------------------------|---|
| Pump Well #1 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | | 9 | S | 2 | W | 25 | NE | NE | 400 | N 84° 10' E 670 to the NE Cor. of Sec. 25 T9S R2W W.M. |
| Pump Well #2 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | | 9 | S | 2 | W | 25 | NE | NE | 400 | N 27° 23' E of the NE Cor. of Sec. 25 T9S R2W W.M. |
| Pump Well #3 | <input checked="" type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | MARI 14427 | 9 | S | 2 | W | 25 | SE | NE | 400 | S 15° 53' W 421 ft. to the SW Cor. of SE 1/4 NE 1/4 of Sec. 25 T9S. |
| Well A | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | MARI 68550 | 9 | S | 2 | W | 25 | NW | NE | 600 | 1980' W and 445' S from NE corner of section 25. |
| Well B | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | MARI 14417 | 9 | S | 2 | W | 24 | SW | SE | 600 | 2580' W and 1000' N from SE corner of section 24. |

Check all type(s) of modifications(s) proposed below (modification "CODES" are provided in parentheses):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation (well) (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |

Will all of the proposed changes affect the entire Groundwater registration?

- Yes Complete only the proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the registration to be changed.

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Table 2. Description of Modifications to Registration GR-472 (Certificate # GR-454)

List only the part of the registration that will be modified. For the acreage in each ¼ ¼, list the modification proposed. If more than one modification, specify the acreage associated with each modification. If more than one POA, specify the acreage associated with each POA.

| AUTHORIZED (the "from" or "off" lands) The listing that appears in the registration BEFORE PROPOSED CHANGES List only that part or portion of the groundwater registration that will be changed. | | | | | | | | | | | Proposed Changes (see "CODES" from previous page) | PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made. | | | | | | | | | | | | | | |
|--|-----|-----|---|----|---------|----------------|-------|-----------------------------------|--------------------------------------|---------------|---|--|----------|-----|---|---|---------|----------------|-------|-----------------|----------------------------------|---------------|-------|------------|-------------------------------|------|
| Twp | Rng | Sec | ¼ | ¼ | Tax Lot | Gvt Lot or DLC | Acres | Type of USE listed on Certificate | POA(s) (name or number from Table 1) | Priority Date | | Twp | Rng | Sec | ¼ | ¼ | Tax Lot | Gvt Lot or DLC | Acres | New Type of USE | POA(s) to be used (from Table 1) | Priority Date | | | | |
| 9 | S | 2 | W | 25 | NE | NE | 400 | | 13.63 | Irrigation | Pump Well #1 | 1946 | APOA | 9 | S | 2 | W | 25 | NE | NE | 400 | | 13.63 | Irrigation | Pump Well #1 & #3, Well A & B | 1946 |
| 9 | S | 2 | W | 25 | NE | NE | 300 | | 2.5 | Irrigation | Pump Well #1 | 1946 | APOA/POU | 9 | S | 2 | W | 25 | SW | NE | 400 | | 2.5 | Irrigation | Pump Well #1 & #3, Well A & B | 1946 |
| 9 | S | 2 | W | 25 | NE | NE | 400 | | 18.43 | Irrigation | Pump Well #2 | 1941 | APOA | 9 | S | 2 | W | 25 | NE | NE | 400 | | 18.43 | Irrigation | Pump Well #2 & #3, Well A & B | 1941 |
| 9 | S | 2 | W | 25 | NE | NE | 400 | | 2.4 | Irrigation | Pump Well #2 | 1941 | APOA/POU | 9 | S | 2 | W | 25 | SW | NE | 400 | | 2.4 | Irrigation | Pump Well #2 & #3, Well A & B | 1941 |
| 9 | S | 2 | W | 25 | SE | NE | 400 | | 6.21 | Irrigation | Pump Well #2 | 1941 | APOA | 9 | S | 2 | W | 25 | SE | NE | 400 | | 6.21 | Irrigation | Pump Well #2 & #3, Well A & B | 1941 |
| 9 | S | 2 | W | 25 | SE | NE | 400 | | 11.98 | Irrigation | Pump Well #3 | 1955 | APOA | 9 | S | 2 | W | 25 | SE | NE | 400 | | 11.98 | Irrigation | Pump Well #3, Well A & B | 1955 |
| 9 | S | 2 | W | 25 | NE | SE | 400 | | 1.63 | Irrigation | Pump Well #3 | 1955 | APOA | 9 | S | 2 | W | 25 | NE | SE | 400 | | 1.63 | Irrigation | Pump Well #3, Well A & B | 1955 |
| 9 | S | 2 | W | 25 | NE | SE | 400 | | 1.0 | Irrigation | Pump Well #3 | 1955 | APOA/POU | 9 | S | 2 | W | 25 | SE | NE | 400 | | 1.0 | Irrigation | Pump Well #3, Well A & B | 1955 |
| 9 | S | 2 | W | 25 | NE | SE | | | 0.7 | Irrigation | Pump Well #3 | 1955 | APOA/POU | 9 | S | 2 | W | 25 | SE | NE | 400 | | 0.5 | Irrigation | Pump Well #3, Well A & B | 1955 |
| | | | | | | | | | | | | | APOA/POU | 9 | S | 2 | W | 25 | SW | NE | 400 | | 0.2 | Irrigation | Pump Well #3, Well A & B | 1955 |
| TOTAL ACRES | | | | | | | | 58.48 | TOTAL ACRES | | | | | | | | 58.48 | | | | | | | | | |

Additional remarks: **It is proposed to leave the authorized POAs on their respective POU, but also add Pump Well #3, Well A, and Well B as APOAs to the entire GR 472 POU as it will appear following the change in POU.**

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Groundwater Registration # GR-472 (Certificate # GR-454)

For a modification in place of use or character of use:

Are there other water right certificates, water use permits, or Groundwater registrations associated with the “from” or “to” lands? Yes No

If YES, list the other certificate, water use permit, or other Groundwater registration numbers:
GR 1068, CERT. 27567, CERT. 20436



Pursuant to OAR 690-382-0200, any “layered” water use, such as an irrigation right that is supplemental to a primary irrigation right proposed for transfer, must be concurrently transferred with the registration or be cancelled. Any change to a water right must be filed separately in a transfer application. Any change to a water use permit must be filed separately with a permit amendment. Any modification to a Groundwater registration on the “to” lands must be filed separately with a Groundwater registration modification.

For modifications in point(s) of appropriation (well(s) or additional point(s) of appropriation:

- Well log(s) are attached for each well that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
 (Tip: You may search for well logs on the Department’s web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide adequate information is likely to delay the processing of your modification application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

| Proposed or Authorized POA Name or Number | Is well already built? (Yes or No) | If an existing well, OWRD Well ID Tag No. L-___ | Total well depth | Casing Diameter | Casing Intervals (feet) | Seal depth(s) (intervals) | Perforated or screened intervals (in feet) | Static water level of completed well (in feet) | Source aquifer (sand, gravel, basalt, etc.) | Well - specific rate (cfs or gpm). If less than full rate of water right |
|---|------------------------------------|---|------------------|-----------------|-------------------------|---------------------------|--|--|---|--|
| | | | | | | | | | | |
| | | | | | | | | | | |
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Well A.

MARI 68550

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

WELL I.D. LABEL# L 131607
START CARD # 1042725
ORIGINAL LOG # MARION 14434

(1) LAND OWNER Owner Well I.D. 5997
First Name _____ Last Name _____
Company Avellana Farms LLC

Address 2229 San Felipe St., Suite 150
City Houston State OR Zip 77019

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

(2a) PRE-ALTERATION
Dia + From To Gauge Stl Plstc Wld Thrd
Casing: 8 0 21 250
Material From To Amt sacks/lbs
Seal: _____

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

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
Depth of Completed Well 60 ft.

| BORE HOLE | | | SEAL | | | sacks/ |
|-----------|------|----|-----------|------|----|---------------|
| Dia | From | To | Material | From | To | Amt lbs |
| 16 | 0 | 60 | Bentonite | 0 | 18 | 59 S |
| | | | | | | Calculated 14 |
| | | | | | | Calculated |

How was seal placed: Method A B C D E
 Other Poured dry

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

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
Proposed Amount Pounds Actual Amount Pounds

(6) CASING/LINER
Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd
 12 2 60 250
Shoe Inside Outside Other Location of shoe(s) _____
Temp casing Yes Dia 16 From 0 To 60

(7) PERFORATIONS/SCREENS Perforations Method Torch cut

| Perf/Screen | Casing/Liner Dia | From | To | Scrwn/slot width | Slot length | # of slots | Tele/pipe size |
|-------------|------------------|------|----|------------------|-------------|------------|----------------|
| Perf | Casing | 18 | 60 | .438 | 12 | 850 | |

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)
500 _____ 60 _____ 1 _____

Temperature 58 °F Lab analysis Yes By _____
Water quality concerns? Yes (describe below) TDS amount 190
From To Description Amount Units

(9) LOCATION OF WELL (legal description)
County MARION Twp 9 S N/S Range 2 W E/W WM
Sec 25 NW 1/4 of the NE 1/4 Tax Lot 600
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD
 Street address of well Nearest address
8911 Santiam Loop SE - Aumsville, OR 97325

(10) STATIC WATER LEVEL

| Existing Well / Pre-Alteration | Date | SWL (psi) | + SWL (ft) |
|--------------------------------|------------|-----------|------------|
| Completed Well | 05-15-2019 | | 8 |

Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 12

| SWL Date | From | To | Est Flow | SWL (psi) | + SWL (ft) |
|------------|------|----|----------|-----------|------------|
| 05-15-2019 | 12 | 52 | 500 | | 8 |

(11) WELL LOG Ground Elevation _____

| Material | From | To |
|-----------------|------|----|
| Sandy loam | 0 | 6 |
| Cemented gravel | 6 | 12 |
| Gravel & sand | 12 | 22 |
| Gravel cemented | 22 | 60 |

Overshoot existing 8" 21' well. Pulled 8" casing.
Reconstructed well to 12" diameter 60' deep

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MAY 28 2019

JONES DRILLING CO., INC.
29400 SANTIAM HWY.
LEBANON, OR 97355
541-367-2560 541-451-2686
1-800-915-8388

Date Started 05-13-2019 Completed 05-15-2019

(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
License Number 1411 Date 5/23/19
Signed [Signature]

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
License Number 1684 Date 5/23/19
Signed [Signature]
Contact Info (optional) jonesdrilling@hotmail.com

13330

Well B

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the
STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date of well completion.

MAR 1.....
14417
MAR 1

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STATE ENGINEER
SALEM OREGON

WATER WELL REPORT NO. 1967 State Well No. 9/2w-24Q
STATE OF OREGON STATE ENGINEER State Permit No.

(1) OWNER: Leasee
Name John A. James Jim & Wm. Towery
Address Rte. 1, Rte. 1, Box 296
Annville, Ore Turner, Ore.

(2) LOCATION OF WELL:
County Marion Driller's well number 225
SW 1/4 SE 1/4 Section 24 T. 9S R. 2W W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):
Well Deepening Reconditioning Abandon
abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check): (5) TYPE OF WELL:
Domestic Industrial Municipal Rotary Driven
Irrigation Test Well Other Cable Jetted
Dug Bored

(6) CASING INSTALLED: Threaded Welded
10" Diam. from 0 ft. to 23 ft. Gage 250
" Diam. from " ft. to " ft. Gage
" Diam. from " ft. to " ft. Gage

(7) PERFORATIONS: Perforated? Yes No
Type of perforator used Acet. Torch
Size of perforations 1/2 in. by 8 in.
60 perforations from 10 ft. to 23 ft.
perforations from " ft. to " ft.
perforations from " ft. to " ft.
perforations from " ft. to " ft.

(8) SCREENS: Well screen installed? Yes No
Manufacturer's Name _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:
Well seal—Material used in seal Bentonite-puddled clay
Depth of seal 18 ft. Was a packer used? no
Diameter of well bore to bottom of seal 10 in.
Were any loose strata cemented off? Yes No Depth _____
Was a drive shoe used? Yes No
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____

(10) WATER LEVELS:
Static level 4 ft. below land surface Date 5/4/67
Artesian pressure _____ lbs. per square inch Date _____

(11) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom? Self
Yield: 450 gal./min. with 1/2 ft. drawdown after 1 hrs.
" " " " " "
" " " " " "
" " " " " "
Bailer test _____ gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow _____ g.p.m. Date _____
Temperature of water _____ Was a chemical analysis made? Yes No

(12) WELL LOG: Diameter of well below casing _____
Depth drilled 23 ft. Depth of completed well 23 ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

| MATERIAL | FROM | TO |
|----------------------|------|-----|
| Top soil | 0' | 3' |
| Clay - gravel (firm) | 3' | 11' |
| Silted gravel | 11' | 17' |
| River gravel (clean) | 17' | 22' |
| Cobbles - sand | 22' | 23' |

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Work started 5/3/67 19 Completed 5/4/67 19
Date well drilling machine moved off of well 5/4/67 19

(13) PUMP:
Manufacturer's Name _____
Type: _____ H.P. _____

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
NAME Pete Tolmasoff Well Drilling
(Person, firm or corporation) (Type or print)
Address Turner, Ore.
Drilling Machine Operator's License No. 320
[Signed] Pete J. Tolmasoff
(Water Well Contractor)
Contractor's License No. 410 Date 5/6/67, 19.....
13330

STATE ENGINEER
Salem, Oregon

MARI...
14427
MAKI

Well Record

pump well #3

STATE WELL NO. 9/2W-25ad
COUNTY Marion
APPLICATION NO. GR-472

OWNER: Otto Nelson Madge M. Nelson

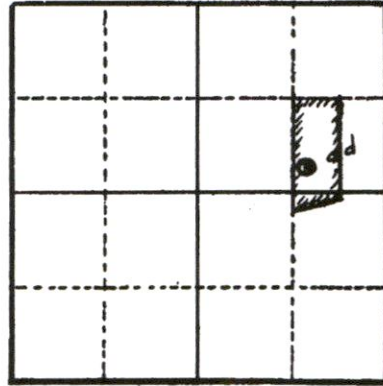
MAILING ADDRESS: Route 1, Box 114

LOCATION OF WELL: Owner's No. 3

CITY AND STATE: Aumsville, Oregon

SE 1/4 NE 1/4 Sec. 25 T. 9 S. R. 2 W., W.M.

Bearing and distance from section or subdivision
corner South 15°53' West 421 feet to SW Corner
of SE 1/4 NE 1/4 of Section 25



Section 25

Altitude at well 335 feet Interpolated

TYPE OF WELL: Drilled Date Constructed 4-1-55

Depth drilled 26 feet Depth cased 26 feet

CASING RECORD:

8-inch casing set from 0 to 26 feet

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FINISH:

6" x 1/2" slots set from 20 to 26 feet

AQUIFERS:

gravel from 3 to 26 feet

WATER LEVEL:

6 feet below land surface

PUMPING EQUIPMENT: Type 3" x 4" Centrifugal H.P. 10
Capacity G.P.M.

WELL TESTS:

Drawdown 3 ft. after pumping 384 hours G.P.M.
Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation 15.31 acres Temp. °F. 19

SOURCE OF INFORMATION GR-454

DRILLER or DIGGER

ADDITIONAL DATA:

Log Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

sand loam 0 to 3 feet
gravel 3 to 26 feet

13330 -

RECORDING REQUESTED BY
AND WHEN RECORDED, MAIL TO

AVELLANA FARMS LLC
Attention: Mary Jo Sandlin
2229 San Felipe Street, Suite 1150
Houston, TX 77019

REEL 4182 PAGE 461
MARION COUNTY
BILL BURGESS, COUNTY CLERK
04-04-2019 02:00 pm.
Control Number 546489 \$ 96.00
Instrument 2019 00013999

UNTIL A CHANGE IS REQUESTED,
MAIL TAX STATEMENTS TO:
AVELLANA FARMS LLC
Attention: Mary Jo Sandlin
2229 San Felipe Street, Suite 1150
Houston, TX 77019

SPACE ABOVE THIS LINE FOR RECORDER'S USE

WARRANTY DEED

FINALLY BACK TO ME, LLC, Grantor, conveys and warrants to AVELLANA FARMS LLC, Grantee, that certain real property located in Marion County, Oregon, and more particularly described on Exhibit A attached hereto, free of all liens and encumbrances.

The true consideration for this conveyance is \$713,280.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

FIRST AMERICAN - 3148480

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DATED this 4th day of April, 2018.

GRANTOR:

FINALLY BACK TO ME, LLC

BY: Alice L. Tower

NAME: Alice L. Tower

TITLE: Member

STATE OF OREGON)
County of Marion) ss.

The foregoing instrument was acknowledged before me on the 4th day of April, 2018, by Alice L. Tower as member of Finally Back to Me



[Signature]
Notary Public for Oregon
My commission expires: 7/25/2022

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EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Marion, State of Oregon, described as follows:

AN AREA OF LAND LOCATED IN THE NORTHEAST AND SOUTHEAST QUARTERS OF SECTION 25, TOWNSHIP 9 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3 INCH BRASS CAP MARKING THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 9 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON; THENCE ALONG THE NORTH LINE OF SAID SECTION, SOUTH 89°33'45" WEST 100.01 FEET; THENCE LEAVING SAID SECTION LINE, SOUTH 01°00'49" EAST 20.14 FEET TO A 5/8 INCH IRON ROD ON THE INTERSECTION OF THE SOUTHERLY AND WESTERLY RIGHT OF WAY OF SANTIAM LOOP SE AND SANTIAM LANE, THENCE ALONG THE SOUTHERLY RIGHT OF WAY OF SANTIAM LOOP SE, SOUTH 89°33'45" WEST 284.03 FEET TO A 5/8 INCH IRON ROD AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTH 89°33'45" WEST 938.91 FEET; THENCE LEAVING SAID RIGHT OF WAY, SOUTH 01°00'49" EAST 2940.42 FEET TO THE NORTH BANK OF THE NORTH SANTIAM RIVER; THENCE ALONG SAID NORTH BANK FOR THE FOLLOWING FIVE CALLS, NORTH 54°09'14" EAST 88.11 FEET; THENCE NORTH 66°33'10" EAST 159.58 FEET; THENCE NORTH 70°10'17" EAST 153.92 FEET; THENCE NORTH 76°29'58" EAST 285.83 FEET; THENCE NORTH 80°44'27" EAST 17.03 FEET; THENCE LEAVING SAID NORTH BANK, NORTH 01°00'49" EAST 1407.97 FEET; THENCE NORTH 89°42'03" EAST 561.48 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF SANTIAM LANE; THENCE ALONG SAID WESTERLY RIGHT OF WAY, NORTH 01°00'49" WEST 924.91 FEET TO A 5/8 INCH IRON ROD; THENCE LEAVING SAID WESTERLY RIGHT OF WAY, NORTH 88°11'20" WEST 306.43 FEET TO A 5/8 INCH IRON ROD; THENCE NORTH 02°26'34" EAST 365.56 FEET TO THE POINT OF BEGINNING.

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REEL: 4182

PAGE: 461

April 04, 2019, 02:00 pm.

CONTROL #: 546489

**State of Oregon
County of Marion**

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 96.00

**BILL BURGESS
COUNTY CLERK**

THIS IS NOT AN INVOICE.

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Business Registry Business Name Search

07-29-2019

09:20

[New Search](#)

Business Entity Data

| Registry Nbr | Entity Type | Entity Status | Jurisdiction | Registry Date | Next Renewal Date | Renewal Due? |
|---------------------------------------|-------------|---------------|--------------|---------------|-------------------|--------------|
| 1523850-93 | FLLC | ACT | TEXAS | 02-08-2019 | 02-08-2020 | |
| Entity Name AVELLANA FARMS LLC | | | | | | |
| Foreign Name | | | | | | |

[New Search](#)

Associated Names

| Type | PPB | PRINCIPAL PLACE OF BUSINESS | | | | |
|---------------|-----------------------------|-----------------------------|-------|----------------|--------------------------|--|
| Addr 1 | 2229 SAN FELIPE ST STE 1150 | | | | | |
| Addr 2 | | | | | | |
| CSZ | HOUSTON | TX | 77019 | Country | UNITED STATES OF AMERICA | |

Please click [here](#) for general information about registered agents and service of process.

| Type | AGT | REGISTERED AGENT | Start Date | 02-08-2019 | Resign Date | |
|------------------|------------------------------|------------------------|------------|----------------|--------------------------|--|
| Of Record | 003292-27 | C T CORPORATION SYSTEM | | | | |
| Addr 1 | 780 COMMERCIAL ST SE STE 100 | | | | | |
| Addr 2 | | | | | | |
| CSZ | SALEM | OR | 97301 | Country | UNITED STATES OF AMERICA | |

| Type | MAL | MAILING ADDRESS | | | | |
|---------------|-----------------------------|-----------------|-------|----------------|--------------------------|--|
| Addr 1 | 2229 SAN FELIPE ST STE 1150 | | | | | |
| Addr 2 | | | | | | |
| CSZ | HOUSTON | TX | 77019 | Country | UNITED STATES OF AMERICA | |

| Type | MGR | MANAGER | | | Resign Date | |
|---------------|-----------------------------|---------|---------|----------------|--------------------------|--|
| Name | MARY | JO | SANDLIN | | | |
| Addr 1 | 2229 SAN FELIPE ST STE 1150 | | | | | |
| Addr 2 | | | | | | |
| CSZ | HOUSTON | TX | 77019 | Country | UNITED STATES OF AMERICA | |

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[New Search](#)

Name History

| Business Entity Name | Name Type | Name Status | Start Date | End Date |
|----------------------|-----------|-------------|------------|----------|
| AVELLANA FARMS LLC | EN | CUR | 02-08-2019 | |

Please read [before ordering Copies.](#)

[New Search](#)

Summary History

| Image Available | Action | Transaction Date | Effective Date | Status | Name/Agent Change | Dissolved By |
|-----------------|---------------------------|------------------|----------------|--------|-------------------|--------------|
| | APPLICATION FOR AUTHORITY | 02-08-2019 | | FI | Agent | |

AVELLANA FARMS LLC
CONSENT OF SOLE MANAGER

The undersigned, being the sole Manager of Avellana Farms LLC, a Texas limited liability company (the "Company"), does hereby adopt and consent to the adoption of the following resolutions. Any capitalized term not defined in this Consent shall have the meaning ascribed to such term in the Company Agreement.

RECITALS

WHEREAS, pursuant to Section 10(e) of the limited liability company agreement of the Company (the "Company Agreement"), the Manager shall appoint such officers of the Company as the Manager may deem desirable or appropriate and may give any of them such further designations or alternate titles as the Manager deems to be desirable;

WHEREAS, pursuant to Section 10(f) of the Company Agreement, unless otherwise provided by the Manager appointing any officer, each officer shall hold office until his or her successor is appointed and qualified or until his or her earlier resignation or removal;

WHEREAS, pursuant to Section 10(g) of the Company Agreement, the officers of the Company shall have such powers and duties in the management of the Company as shall be stated in a resolution of the Managers, which is not inconsistent with the Company Agreement and, to the extent not so stated, such powers and duties as generally pertain to their respective offices, subject to the control of the Managers;

WHEREAS, the Manager of the Company desires to appoint Mary Jo Sandlin as President of the Company with the powers and duties stated herein, to serve at the request of the Company;

WHEREAS, the Manager of the Company desires to appoint Mara K. Polk as Secretary of the Company with the powers and duties stated herein, to serve at the request of the Company;

WHEREAS, the Manager of the Company desires to appoint Alice Bailey, Mara K. Polk, Debra Theotokatos and Yolanda Thomas as Vice-Presidents of the Company with the powers and duties stated herein.

NOW, THEREFORE, BE IT RESOLVED, that each of the officers appointed in this Consent shall serve in accordance with the provisions of the Company Agreement and this Consent and, unless otherwise provided herein, shall have such powers and duties as generally pertain to their respective offices, subject to the control of the Manager, and shall hold office until his or her successor is appointed and qualified or until his or her earlier resignation or removal;

RESOLVED FURTHER, that Mary Jo Sandlin is hereby appointed to serve as President of the Company, with broad powers to conduct the general and active management of the operations and affairs of the Company;

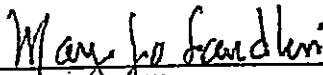
RESOLVED FURTHER, that Mara K. Polk is hereby appointed to serve as Secretary of the Company, with the powers and duties to attest to signatures of other officers of the Company and to perform any other duties as requested by the Manager;

RESOLVED FURTHER, that Alice Bailey and Mara K. Polk are hereby appointed to serve as Vice Presidents of the Company, each with the powers and duties to conduct the general and active management of the operations and affairs of the Company, subject to any direction by the President, provided that such authority shall not include the authority to act as signatory on any bank or brokerage account of the Company or any account administered by the Company;

RESOLVED FURTHER, that Debra Theotokatos and Yolanda Thomas are hereby appointed to serve as Vice Presidents of the Company, with the powers and duties of each of them as Vice-Presidents being limited to the right to be named and the power to act as signatory on all bank accounts, safe deposit boxes, and brokerage accounts held in the name of the Company.

IN WITNESS WHEREOF, the sole Manager has executed this consent to be effective as of March 31, 2019.

SOLE MANAGER



Mary Jo Sandlin

**AFFIDAVIT FOR THE VOLUNTARY CANCELLATION
OF A PORTION OF A WATER RIGHT CERTIFICATE (ORS 540.621)**

State of Oregon)
)ss
County of Marion)

I/We (or authorized agent), Finally Back To Me, LLC, residing at 13023 N. Santiam Ln. SE, Aumsville, OR 97325, telephone number (503) 409-6075, being first duly sworn depose and say:

1. I/We are the legal and deeded owner(s) of the property described as tax lot number 300, within the NENE ¼¼, Section 25, Township 9 (S), Range 2 (W), of the Willamette Meridian, in Marion County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit.
2. I/We wish to cancel the following portion(s) of the water right certificate number 27567 issued to Otto or Madge Nelson with a date of priority of August 5, 1957.

A place of use, or use.

- For the use of (specify irrigation, domestic, etc.) Supplemental Irrigation

FOR IRRIGATION OR NURSERY USE:

- Total number of acres to be cancelled 2.5
- Location of acres to be cancelled must be clearly identified on a copy of the final proof map.
- In the amount of 0.03 cubic foot per second
- From the water source (s) a well

AND/OR (less common)

One or more of the authorized points of diversion (surface water) or points of appropriation (groundwater) authorized under the certificate.

- For the use of (specify irrigation, domestic, etc.) _____
 - From the water source (s) _____
 - Located within the _____ ¼¼, Section _____, Township _____ (N/S), Range _____ (E/W)
- . Location Description (if given on the certificate) _____

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- The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (*if the right is located within a district or reclamation project, name it here: **Santiam Water Control District***)
- The portion of the water right being cancelled is served by an irrigation district. The signature of the district manager on the line below indicates the concurrence of the district to the cancellation of the portion of the water right served by the district.

Signature of district manager Printed Name Date

- If the water right is issued in the name of an irrigation district then the affiant must have the concurrence of the district to the cancellation of the portion of the water right. (*Signature of district manager on the line below documents consent of the district.*)

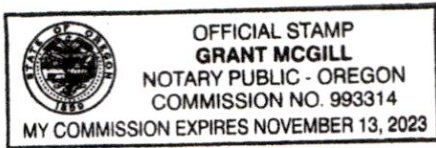
Signature of district manager Printed Name Date

- I/We have abandoned any and all interest in the portion of the water right described in Item 2, above, and request that portion of the right be canceled.

Albi L. Sawyer 12-23-19
Signature of legal owner as listed on deed, or authorized agent Date

Signature of legal co-owner as listed on deed Date
(If applicable)

Subscribed and Sworn to Before Me this 23 day of December, 2019.



Grant McGill
Notary Public for Oregon

My Commission Expires 11/13/23

PLEASE ATTACH A LEGIBLE COPY OF:

- A deed which lists landowners and includes a legal description of affected lands, and
- A copy of a water right final proof map, or a tax lot map, or an adjudication map with the abandoned portion of the right clearly drawn and identified.
- IF ACTING AS AN AUTHORIZED AGENT, include a copy of Power of Attorney or other documents granting authority to act on behalf of the legal owner(s).**

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COURT



15333 Pletzer Rd. SE, Turner, OR 97392
(503) 510-3026, willmcgill.surveying@gmail.com

The applicant, Avellana Farms LLC, requests that the affidavit for the voluntary cancellation of a portion of a water right certificate for certificate 27567 only be completed contingent upon the approval of the groundwater registration modification application submitted for GR 472.

William E. McGill

William E. McGill, CWRE

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STATE OF OREGON
COUNTY OF Marion
CERTIFICATE OF WATER RIGHT

This Is to Certify, That OTTO or MADGE NELSON

of Route 2, Box 677, Salem, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well a tributary of North Santiam River for the purpose of Supplemental irrigation of 16.1 acres

under Permit No. G-621 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from August 5, 1957

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.20 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Township 9 South, Range 2 West, W.M. Well is S. 60°33' W., 802 ft. from N.E. corner, Section 25.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

16.1 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 25
Township 9 South, Range 2 West, W.M.

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The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. SEPTEMBER 23 1960

LEWIS A. STANLEY

State Engineer

RECORDING INFORMATION

REEL 4179 PAGE 248
MARION COUNTY
BILL BURGESS, COUNTY CLERK
03-25-2019 09:25 am
Control Number 545020 \$ 91.00
Instrument 2019 00012286

Name of transaction: BARGAIN AND SALE DEED

Grantor: Finally Back To Me, LLC
13023 N. Santiam Lane SE
Aumsville, OR 97325

Grantee: Finally Back To Me, LLC
13023 N. Santiam Lane SE
Aumsville, OR 97325

After recording
return to: Finally Back To Me, LLC
13023 N. Santiam Lane SE
Aumsville, OR 97325

Send tax
statements to: Finally Back To Me, LLC
13023 N. Santiam Lane SE
Aumsville, OR 97325

BARGAIN AND SALE DEED
(For Purposes of Lot Line Adjustment - East Area A Tax Lot 300 Resultant)

KNOW ALL MEN BY THESE PRESENTS, Finally Back To Me, LLC, as owner of the property described in Exhibit A, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Finally Back To Me, LLC, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of grantor's interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of Marion, State of Oregon, described as follows, to-wit:

See "Exhibit A" attached hereto.

The true and actual consideration paid for this transfer is other property and value given.

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 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 21 day of March 2019.

Alice Towery

Alice Towery, Member
Finally Back To Me, LLC:

RECEIVED
DEC 26 2019
OWRD

STATE OF OREGON)
) ss.
County of Linn)

This instrument was acknowledged before me on March 21, 2019 by Alice Towery, Member, Finally Back To Me, LLC.

Desiree Marie Whitlow

Notary Public - State of Oregon
My commission expires: 3/31/23



EXHIBIT "A"

RESULTANT AREA A (TAX LOT 300, ASSESSORS MAP 09 2W 25)

AN AREA OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 9 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3 INCH BRASS CAP MARKING THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 9 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON; THENCE ALONG THE NORTH LINE OF SAID SECTION, SOUTH 89°33'45" WEST 100.01 FEET; THENCE LEAVING SAID SECTION LINE, SOUTH 01°00'49" EAST 20.14 FEET TO THE POINT OF BEGINNING, A 5/8 INCH IRON ROD AT THE INTERSECTION OF THE SOUTH AND WEST RIGHT OF WAYS OF SANTIAM LOOP SOUTHEAST AND SANTIAM LANE RESPECTIVELY; THENCE ALONG SAID SOUTH RIGHT OF WAY, SOUTH 89°33'45" WEST 284.03 FEET TO A 5/8 INCH IRON ROD; THENCE LEAVING SAID RIGHT OF WAY, SOUTH 02°26'34" WEST 365.56 FEET TO A 5/8 INCH IRON ROD; THENCE SOUTH 88°11'20" EAST 306.43 FEET TO A 5/8 INCH IRON ROD ON THE WEST RIGHT OF WAY OF SANTIAM LANE; THENCE ALONG SAID RIGHT OF WAY, NORTH 01°00'49" WEST 377.14 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED AREA CONTAINS ± 2.52 ACRES.



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Udell Engineering & Land Surveying, LLC
63 East Ash Street, Lebanon, OR 97355
Ph: 541-451-5125 • Fax: 541-451-1366

REEL: 4179

PAGE: 248

March 25, 2019, 09:25 am.

CONTROL #: 545020

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 91.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

RECEIVED

DEC 26 2019

OWRD

13330 -

Business Registry Business Name Search

07-29-2019

[New Search](#)

Business Entity Data

09:21

| Registry Nbr | Entity Type | Entity Status | Jurisdiction | Registry Date | Next Renewal Date | Renewal Due? |
|--|-------------|---------------|--------------|---------------|-------------------|--------------|
| 846115-90 | DLLC | ACT | OREGON | 03-30-2012 | 03-30-2020 | |
| Entity Name FINALLY BACK TO ME, LLC | | | | | | |
| Foreign Name | | | | | | |

[New Search](#)

Associated Names

| Type | PPB | PRINCIPAL PLACE OF BUSINESS | | | |
|---------------|-------------------|-----------------------------|-------|----------------|--------------------------|
| Addr 1 | 8911 SANTIAM LP R | | | | |
| Addr 2 | | | | | |
| CSZ | AUMSVILLE | OR | 97325 | Country | UNITED STATES OF AMERICA |

Please click [here](#) for general information about registered agents and service of process.

| Type | AGT | REGISTERED AGENT | Start Date | 04-11-2013 | Resign Date |
|---------------|-----------------------|------------------|------------|----------------|--------------------------|
| Name | ALICE L TOWERY | | | | |
| Addr 1 | 13023 N SANTIAM LN SE | | | | |
| Addr 2 | | | | | |
| CSZ | AUMSVILLE | OR | 97325 | Country | UNITED STATES OF AMERICA |

| Type | MAL | MAILING ADDRESS | | | |
|---------------|-----------------------|-----------------|-------|----------------|--------------------------|
| Addr 1 | 13023 N SANTIAM LN SE | | | | |
| Addr 2 | | | | | |
| CSZ | AUMSVILLE | OR | 97325 | Country | UNITED STATES OF AMERICA |

| Type | MEM | MEMBER | | Resign Date |
|---------------|-----------------------|--------|-------|---|
| Name | ALICE L TOWERY | | | |
| Addr 1 | 13023 N SANTIAM LN SE | | | |
| Addr 2 | | | | |
| CSZ | AUMSVILLE | OR | 97325 | Country UNITED STATES OF AMERICA |

RECEIVED
DEC 26 2019
OWRD

[New Search](#)

Name History

| Business Entity Name | Name Type | Name Status | Start Date | End Date |
|-------------------------|-----------|-------------|------------|----------|
| FINALLY BACK TO ME, LLC | EN | CUR | 03-30-2012 | |

Please read before ordering [Copies](#).

[New Search](#)

Summary History

| Image Available | Action | Transaction Date | Effective Date | Status | Name/Agent Change | Dissolved By |
|-----------------|-------------------------------------|------------------|----------------|--------|-------------------|--------------|
| | ANNUAL REPORT PAYMENT | 03-26-2019 | | SYS | | |
| | AMNDMT TO ANNUAL RPT/INFO STATEMENT | 01-16-2019 | | FI | | |

13330 -

**AFFIDAVIT FOR THE VOLUNTARY DIMINUTION OF AN
ENTIRE WATER RIGHT CERTIFICATE**

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DEC 26 2019

OWRD

State of Texas)
)ss
County of Harris)

I/We (or authorized agent), Avellana Farms, LLC,
residing at 2229 San Felipe St. Suite 1150, Houston, TX 77019,
telephone number (715) 955-3220, being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 400, within the NENE/NWNE/SWNE/SENE/NESE, Section 25, Township 9S, Range 2W, of the Willamette Meridian, in Marion County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. Water right certificate number 20436 issued in the name of Otto Nelson, with a date of priority of January 6, 1948 for use of 0.277 cubic foot per second of water from Cold Creek (source) for the purpose of Irrigation (use) is appurtenant to my/our property;
3. I/We have obtained a better (e.g., better, more economical) source of water for the primary irrigation of these lands, and request the entire water right described be diminished from a right for primary irrigation to a right for supplemental irrigation of the same lands;
4. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: Santiam Water Control District); and
5. I/We agree that if this change is approved, it is permanent and the right to the use of water from Cold Creek (source) cannot be changed back to the primary source unless otherwise provided by law. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from Cold Creek (source) for primary irrigation of these lands.

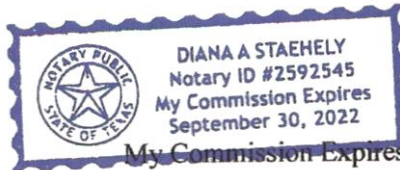
Avellana Farms LLC
By: [Signature]
Signature of legal owner as listed on deed, or authorized agent
Mara K. Polk, Vice President

November 4, 2019
Date

Signature of legal co-owner as listed on deed
(if applicable)

Date

Subscribed and Sworn to Before Me this 4th day of November, 2019.



Diana Staehely
Notary Public for Texas

09/30/22
My Commission Expires

PLEASE ATTACH A LEGIBLE COPY OF: 1) A DEED WHICH LISTS LANDOWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAXLOT MAP WITH THE WATER RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).
Affidavit-EntireDiminishment Oct 2017



15333 Pletzer Rd. SE, Turner, OR 97392
(503) 510-3026, willmcgill.surveying@gmail.com

The applicant, Avellana Farms LLC, requests that the affidavit for the voluntary diminution of an entire water right certificate for certificate number 20436 only be completed contingent upon the approval of the groundwater registration modification application submitted for GR 472.

William E. McGill

William E. McGill, CWRE

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13330 -

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That OTTO NELSON

of Route 1, Box 80, Aumsville, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Cold Creek a tributary of North Santiam River for the purpose of irrigation under Permit No. 18130 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 6, 1948.

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.277 cubic foot per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in ~~the~~ Lot 1 (SE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 25, Township 9 South, Range 2 West, W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ~~one-eightieth~~ of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

1.8 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$
16.8 acres in Lot 1 (SE $\frac{1}{4}$ NE $\frac{1}{4}$)
3.6 acres in Lot 10 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 25
Township 9 South, Range 2 West, W. M.

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The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 31st day of May, 19 54

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 15, page 20436

13330

RECORDING REQUESTED BY
AND WHEN RECORDED, MAIL TO

AVELLANA FARMS LLC
Attention: Mary Jo Sandlin
2229 San Felipe Street, Suite 1150
Houston, TX 77019

REEL 4182 PAGE 461
MARION COUNTY
BILL BURGESS, COUNTY CLERK
04-04-2019 02:00 pm.
Control Number 546489 \$ 96.00
Instrument 2019 00013999

UNTIL A CHANGE IS REQUESTED,
MAIL TAX STATEMENTS TO:
AVELLANA FARMS LLC
Attention: Mary Jo Sandlin
2229 San Felipe Street, Suite 1150
Houston, TX 77019

SPACE ABOVE THIS LINE FOR RECORDER'S USE

WARRANTY DEED

FINALLY BACK TO ME, LLC, Grantor, conveys and warrants to AVELLANA FARMS LLC, Grantee, that certain real property located in Marion County, Oregon, and more particularly described on Exhibit A attached hereto, free of all liens and encumbrances.

The true consideration for this conveyance is \$713,280.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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FIRST AMERICAN - 3148480

DATED this 4th day of April, 2018.

GRANTOR:

FINALLY BACK TO ME, LLC

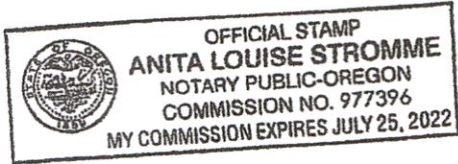
BY: Alice L. Towery

NAME: Alice L. Towery

TITLE: Member

STATE OF OREGON)
County of Multnomah) ss.

The foregoing instrument was acknowledged before me on the 4th day of April, 2018, by Alice L. Towery as member of Finally Back to Me



[Signature]
Notary Public for Oregon
My commission expires: 7/25/2022

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DEC 26 2019
OWRD

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Marion, State of Oregon, described as follows:

AN AREA OF LAND LOCATED IN THE NORTHEAST AND SOUTHEAST QUARTERS OF SECTION 25, TOWNSHIP 9 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3 INCH BRASS CAP MARKING THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 9 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON; THENCE ALONG THE NORTH LINE OF SAID SECTION, SOUTH 89°33'45" WEST 100.01 FEET; THENCE LEAVING SAID SECTION LINE, SOUTH 01°00'49" EAST 20.14 FEET TO A 5/8 INCH IRON ROD ON THE INTERSECTION OF THE SOUTHERLY AND WESTERLY RIGHT OF WAY OF SANTIAM LOOP SE AND SANTIAM LANE, THENCE ALONG THE SOUTHERLY RIGHT OF WAY OF SANTIAM LOOP SE, SOUTH 89°33'45" WEST 284.03 FEET TO A 5/8 INCH IRON ROD AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTH 89°33'45" WEST 938.91 FEET; THENCE LEAVING SAID RIGHT OF WAY, SOUTH 01°00'49" EAST 2940.42 FEET TO THE NORTH BANK OF THE NORTH SANTIAM RIVER; THENCE ALONG SAID NORTH BANK FOR THE FOLLOWING FIVE CALLS, NORTH 54°09'14" EAST 88.11 FEET; THENCE NORTH 66°33'10" EAST 159.58 FEET; THENCE NORTH 70°10'17" EAST 153.92 FEET; THENCE NORTH 76°29'58" EAST 285.83 FEET; THENCE NORTH 80°44'27" EAST 17.03 FEET; THENCE LEAVING SAID NORTH BANK, NORTH 01°00'49" 1407.97 FEET; THENCE NORTH 89°42'03" EAST 561.48 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF SANTIAM LANE; THENCE ALONG SAID WESTERLY RIGHT OF WAY, NORTH 01°00'49" WEST 924.91 FEET TO A 5/8 INCH IRON ROD; THENCE LEAVING SAID WESTERLY RIGHT OF WAY, NORTH 88°11'20" WEST 306.43 FEET TO A 5/8 INCH IRON ROD; THENCE NORTH 02°26'34" EAST 365.56 FEET TO THE POINT OF BEGINNING.

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DEC 26 2019

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REEL: 4182

PAGE: 461

April 04, 2019, 02:00 pm.

CONTROL #: 546489

**State of Oregon
County of Marion**

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 96.00

**BILL BURGESS
COUNTY CLERK**

THIS IS NOT AN INVOICE.

**RECEIVED
DEC 26 2019
OWRD**

13330 -

Business Registry Business Name Search

07-29-2019

[New Search](#)

Business Entity Data

09:20

| Registry Nbr | Entity Type | Entity Status | Jurisdiction | Registry Date | Next Renewal Date | Renewal Due? |
|---------------------------------------|-------------|---------------|--------------|---------------|-------------------|--------------|
| 1523850-93 | FLLC | ACT | TEXAS | 02-08-2019 | 02-08-2020 | |
| Entity Name AVELLANA FARMS LLC | | | | | | |
| Foreign Name | | | | | | |

[New Search](#)

Associated Names

| | | | | | |
|---------------|-----------------------------|-----------------------------|-------|----------------|--------------------------|
| Type | PPB | PRINCIPAL PLACE OF BUSINESS | | | |
| Addr 1 | 2229 SAN FELIPE ST STE 1150 | | | | |
| Addr 2 | | | | | |
| CSZ | HOUSTON | TX | 77019 | Country | UNITED STATES OF AMERICA |

Please click [here](#) for general information about registered agents and service of process.

| | | | | | | | |
|------------------|------------------------------|------------------------|-------|-------------------|--------------------------|--------------------|--|
| Type | AGT | REGISTERED AGENT | | Start Date | 02-08-2019 | Resign Date | |
| Of Record | 003292-27 | C T CORPORATION SYSTEM | | | | | |
| Addr 1 | 780 COMMERCIAL ST SE STE 100 | | | | | | |
| Addr 2 | | | | | | | |
| CSZ | SALEM | OR | 97301 | Country | UNITED STATES OF AMERICA | | |

| | | | | | | |
|---------------|-----------------------------|-----------------|-------|----------------|--------------------------|--|
| Type | MAL | MAILING ADDRESS | | | | |
| Addr 1 | 2229 SAN FELIPE ST STE 1150 | | | | | |
| Addr 2 | | | | | | |
| CSZ | HOUSTON | TX | 77019 | Country | UNITED STATES OF AMERICA | |

| | | | | | | |
|---------------|-----------------------------|---------|---------|--------------------|--------------------------|--|
| Type | MGR | MANAGER | | Resign Date | | |
| Name | MARY | JO | SANDLIN | | | |
| Addr 1 | 2229 SAN FELIPE ST STE 1150 | | | | | |
| Addr 2 | | | | | | |
| CSZ | HOUSTON | TX | 77019 | Country | UNITED STATES OF AMERICA | |

RECEIVED
DEC 26 2019

[New Search](#)

Name History

| Business Entity Name | Name Type | Name Status | Start Date | End Date |
|----------------------|-----------|-------------|------------|----------|
| AVELLANA FARMS LLC | EN | CUR | 02-08-2019 | |

Please read before ordering [Copies](#).

[New Search](#)

Summary History

| Image Available | Action | Transaction Date | Effective Date | Status | Name/Agent Change | Dissolved By |
|-----------------|---------------------------|------------------|----------------|--------|-------------------|--------------|
| | APPLICATION FOR AUTHORITY | 02-08-2019 | | FI | Agent | |

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**AVELLANA FARMS LLC
CONSENT OF SOLE MANAGER**

The undersigned, being the sole Manager of Avellana Farms LLC, a Texas limited liability company (the "Company"), does hereby adopt and consent to the adoption of the following resolutions. Any capitalized term not defined in this Consent shall have the meaning ascribed to such term in the Company Agreement.

RECITALS

WHEREAS, pursuant to Section 10(e) of the limited liability company agreement of the Company (the "Company Agreement"), the Manager shall appoint such officers of the Company as the Manager may deem desirable or appropriate and may give any of them such further designations or alternate titles as the Manager deems to be desirable;

WHEREAS, pursuant to Section 10(f) of the Company Agreement, unless otherwise provided by the Manager appointing any officer, each officer shall hold office until his or her successor is appointed and qualified or until his or her earlier resignation or removal;

WHEREAS, pursuant to Section 10(g) of the Company Agreement, the officers of the Company shall have such powers and duties in the management of the Company as shall be stated in a resolution of the Managers, which is not inconsistent with the Company Agreement and, to the extent not so stated, such powers and duties as generally pertain to their respective offices, subject to the control of the Managers;

WHEREAS, the Manager of the Company desires to appoint Mary Jo Sandlin as President of the Company with the powers and duties stated herein, to serve at the request of the Company;

WHEREAS, the Manager of the Company desires to appoint Mara K. Polk as Secretary of the Company with the powers and duties stated herein, to serve at the request of the Company;

WHEREAS, the Manager of the Company desires to appoint Alice Bailey, Mara K. Polk, Debra Theotokatos and Yolanda Thomas as Vice-Presidents of the Company with the powers and duties stated herein.

NOW, THEREFORE, BE IT RESOLVED, that each of the officers appointed in this Consent shall serve in accordance with the provisions of the Company Agreement and this Consent and, unless otherwise provided herein, shall have such powers and duties as generally pertain to their respective offices, subject to the control of the Manager, and shall hold office until his or her successor is appointed and qualified or until his or her earlier resignation or removal;

RESOLVED FURTHER, that Mary Jo Sandlin is hereby appointed to serve as President of the Company, with broad powers to conduct the general and active management of the operations and affairs of the Company;

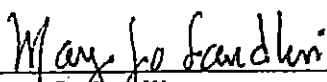
RESOLVED FURTHER, that Mara K. Polk is hereby appointed to serve as Secretary of the Company, with the powers and duties to attest to signatures of other officers of the Company and to perform any other duties as requested by the Manager;

RESOLVED FURTHER, that Alice Bailey and Mara K. Polk are hereby appointed to serve as Vice Presidents of the Company, each with the powers and duties to conduct the general and active management of the operations and affairs of the Company, subject to any direction by the President, provided that such authority shall not include the authority to act as signatory on any bank or brokerage account of the Company or any account administered by the Company;

RESOLVED FURTHER, that Debra Theotokatos and Yolanda Thomas are hereby appointed to serve as Vice Presidents of the Company, with the powers and duties of each of them as Vice-Presidents being limited to the right to be named and the power to act as signatory on all bank accounts, safe deposit boxes, and brokerage accounts held in the name of the Company.

IN WITNESS WHEREOF, the sole Manager has executed this consent to be effective as of March 31, 2019.

SOLE MANAGER



Mary Jo Sandlin

Application for Water Right Transfer Consent by Deeded Landowner



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

State of Oregon)
)ss
County of Marion)

RECEIVED
DEC 26 2019
OWRD

I Alice L. Towery in my/our capacity as Registered Agent,
mailing address 13023 N. Santiam Ln. SE, Aumsville, OR 97325,
telephone number (503) 409-6075, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Groundwater Registration 472
described in a Transfer Application (T-_____) submitted by Avellana Farms, LLC,
(transfer number, if known)
on the property in tax lot number(s) 300, Section 25, Township 9
South, Range 2 West, W.M., located at 13023 N. Santiam Ln. SE, Aumsville, OR 97325.
(site address)


Signature of Affiant

12-23-19
Date

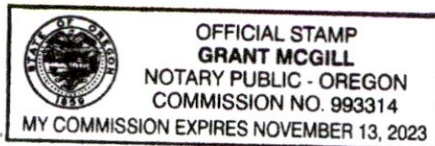
Signature of Affiant

Date

Subscribed and Sworn to before me this 23 day of December, 2019.



Notary Public for Oregon



My commission expires 11/13/23.

Business Registry Business Name Search

07-29-2019

New Search

Business Entity Data

09:21

| Registry Nbr | Entity Type | Entity Status | Jurisdiction | Registry Date | Next Renewal Date | Renewal Due? |
|--|-------------|---------------|--------------|---------------|-------------------|--------------|
| 846115-90 | DLLC | ACT | OREGON | 03-30-2012 | 03-30-2020 | |
| Entity Name FINALLY BACK TO ME, LLC | | | | | | |
| Foreign Name | | | | | | |

RECEIVED

DEC 26 2019

OWRD

New Search

Associated Names

| Type | PRINCIPAL PLACE OF BUSINESS | | | Country |
|---------------------------------|-----------------------------|----|-------|--------------------------|
| PPB | PRINCIPAL PLACE OF BUSINESS | | | UNITED STATES OF AMERICA |
| Addr 1 8911 SANTIAM LP R | | | | |
| Addr 2 | | | | |
| CSZ | AUMSVILLE | OR | 97325 | UNITED STATES OF AMERICA |

Please click [here](#) for general information about registered agents and service of process.

| Type | AGT REGISTERED AGENT | Start Date | Resign Date |
|---|----------------------|------------|-------------|
| AGT | REGISTERED AGENT | 04-11-2013 | |
| Name ALICE L TOWERY | | | |
| Addr 1 13023 N SANTIAM LN SE | | | |
| Addr 2 | | | |
| CSZ | AUMSVILLE | OR | 97325 |
| Country UNITED STATES OF AMERICA | | | |

| Type | MAL MAILING ADDRESS | Country |
|---|---------------------|--------------------------|
| MAL | MAILING ADDRESS | UNITED STATES OF AMERICA |
| Addr 1 13023 N SANTIAM LN SE | | |
| Addr 2 | | |
| CSZ | AUMSVILLE | OR 97325 |
| Country UNITED STATES OF AMERICA | | |

| Type | MEM MEMBER | Resign Date |
|---|------------|-------------|
| MEM | MEMBER | |
| Name ALICE L TOWERY | | |
| Addr 1 13023 N SANTIAM LN SE | | |
| Addr 2 | | |
| CSZ | AUMSVILLE | OR 97325 |
| Country UNITED STATES OF AMERICA | | |

New Search


Name History

| Business Entity Name | Name Type | Name Status | Start Date | End Date |
|-------------------------|-----------|-------------|------------|----------|
| FINALLY BACK TO ME, LLC | EN | CUR | 03-30-2012 | |

Please read before ordering [Copies](#).

New Search

Summary History

| Image Available | Action | Transaction Date | Effective Date | Status | Name/Agent Change | Dissolved By |
|---|-------------------------------------|------------------|----------------|--------|-------------------|--------------|
| | ANNUAL REPORT PAYMENT | 03-26-2019 | | SYS | | |
|  | AMNDMT TO ANNUAL RPT/INFO STATEMENT | 01-16-2019 | | FI | | |