

**Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 – Minimum Requirements Checklist**



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

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 24217**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2020 End Year: 2021.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- 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 (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

<input type="checkbox"/> Application fee not enclosed/or is insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation _____	
Staff: _____ 503-986-0_____	Date: <u>13476-</u> _____

Part 2 of 5 – Temporary Transfer Application Map Checklist

Your temporary transfer application will be returned if any of the map requirements listed below are not met.

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Please be sure that the temporary transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- 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 Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); 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 diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, 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 water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed temporary place of use that includes separate hachuring for each water right, 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 diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, 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°).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Doug Silbernagel / Eagle Eye Farms LLC		PHONE NO. 503-679-3436	ADDITIONAL CONTACT NO.
ADDRESS 20095 Hubbard Cutoff Ne			FAX NO.
CITY Aurora	STATE OR	ZIP 97002	E-MAIL dsilbernagl224@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.			

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

AGENT/BUSINESS NAME Doug Silbernagel / Eagle Eye Farms LLC		PHONE NO. 503-679-3436	ADDITIONAL CONTACT NO.
ADDRESS 20095 Hubbard Cutoff NE			FAX NO.
CITY Aurora	STATE OR	ZIP 97002	E-MAIL dsilbernagl224@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 transfer application and why:
Allow crop rotation to maximize economic value of water to be used ie move water to new ground so a higher value crop can be grown.

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

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


Applicant signature

Doug Silbernagel Member
Print Name (and Title if applicable)

6-4-2020
Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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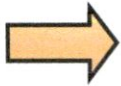
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water 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 and/or used.

ENTITY NAME Polk County	ADDRESS	
CITY Dallas	STATE Oregon	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add rows to tables within the form.

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Water Right Certificate # 24217

JUN 22 2020

Description of Water Delivery System

System capacity: .37 cubic feet per second (cfs) **OR**
163 gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is pumped from Rickreal Creek through buried mainline to reel irrigation system.**

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

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, 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)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		7 S	5 W	36	N W NE	100	Not identified on certificate
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- Place of Use (POU) Appropriation/Well (POA)
- Point of Diversion (POD) Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU) Point of Appropriation/Well (POA)
- Character of Use (USE) Additional Point of Appropriation (APOA)
- Point of Diversion (POD) Additional Point of Diversion (APOD)

Will all of the proposed changes affect the entire water right?

- 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 water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Temporary Changes to Water Right Certificate # _____

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

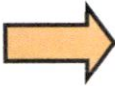
AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)																
The listing that appears on the Certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES																
List only that part or portion of the water right that will be changed.										are made.																
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
2	S	9	E	15	NE	NW	100	15.0	Irrigation	EXAMPLE	POD #1	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0	POD #5	1901	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	2	S	9	E	2	SW	NW	500		5.0	POD #6	1901	
														7	S	5	W	25	SE	SE	1400		7.0	Irrigation	POD 1	1951
														7	S	5	W	36	NE	NE	100		1.1	Irrigation	POD 1	1951
														7	S	5	W	36	SE	NE	100		14.8	Irrigation	POD 1	1951
														7	S	5	W	36	NE	SE	100		5.2	Irrigation	POD 1	1951
														7	S	4	W	31	SW	NW	100		1.0	Irrigation	POD 1	1951
TOTAL ACRES											TOTAL ACRES															
29.1											29.1															
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											OWRD															

Additional remarks: Entire 29.1 acre water right is being transferred.

For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers:



Pursuant to ORS 540.525, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) 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/Default.aspx)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) 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 the information will delay the processing of your transfer 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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**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

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State of Oregon)
)ss
County of Polk)

I J.A. Wolhaupter in my/our capacity as sole representative of Andy's Gift LLC,
mailing address p.o. Box 10, Amity, OR 97101,
telephone number 503-302-1999, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 24217
described in a Transfer Application (T-) submitted by Doug Silbernagel,
(transfer number, if known)
on the property in tax lot number(s) 100, 1400, Section 36, Township 7
South, Range 5 West, W.M., located at 535 Pacific Hwy W, Rickreall, OR 97351.
(site address)

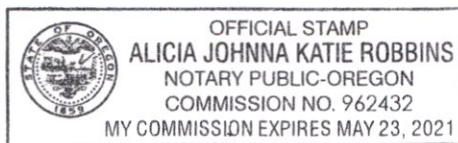
J.A. Wolhaupter
Signature of Affiant

6-12-20
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 12 day of June, 201
2020



[Signature]
Notary Public for Oregon

My commission expires May 23, 2021

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Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

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State of Oregon)
) ss
 County of POLK)

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I, DOUG SILBERNAGEL, in my capacity as APPLICANT,
 mailing address 20095 HUBBARD CUTOFF NE, AURORA OR 97002
 telephone number (503)679-3436, being first duly sworn depose and say:

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1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # 24217; **OR**

- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	1/4 1/4	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificate # _____ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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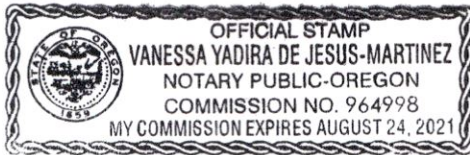
3. The water right was used for: (e.g., crops, pasture, etc.): SPECIALITY SEED CROPS
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

[Signature]
Signature of Affiant

6-5-2020
Date

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Signed and sworn to (or affirmed) before me this 5 day of June, 2020. OWRD



[Signature]
Notary Public for Oregon

My Commission Expires: August 24, 2021

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraServer.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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SIDNEY SILBERNEGEL
20095 HUBBARD CUTOFF RD NE
AURORA OR 97002-9413



Inquiries? Call your
Business Solutions Team
Toll free 1-866-870-3419,
M-F, 6am-6pm PT
pacificpower.net



BILLING DATE: Jul 31, 2018
ACCOUNT NUMBER: 69738053-001 7
DUE DATE: Aug 16, 2018
AMOUNT DUE: \$741.48



Your Balance With Us

Previous Account Balance	542.64
Payments/Credits	-542.64
New Charges	+741.48
Current Account Balance	\$741.48

Payments Received

DATE	DESCRIPTION	AMOUNT
Jul 26, 2018	Payment Received - Thank You	542.64
Total Payments		\$542.64

Detailed Account Activity

ITEM 1 - ELECTRIC SERVICE

535 S Pacific Hwy W # Pmp Rickreall OR
Seasonal Rec 4/29/09 20 Hp Schedule 41X
Service ID: 778442335-001

METER NUMBER	SERVICE PERIOD		ELAPSED DAYS	METER READINGS		METER MULTIPLIER	AMOUNT USED THIS MONTH
	From	To		Previous	Current		
77422841	Jun 19, 2018	Jul 19, 2018	30	3110	6687	1.0	3,577 kwh
77422841	Demand	Jul 19, 2018			11.704	1.0	12 kw
77422841	Reactive	Jul 19, 2018			7.63	1.0	8 kvar

Next scheduled read date: 08-20. Date may vary due to scheduling or weather.

NEW CHARGES - 07/18	UNITS	COST PER UNIT	CHARGE
Delivery Charge Secondary	3,577 kwh	0.0364100	130.24
Reactive Power Charge Sec (Season End Est Charge Sec Is \$210.00)	3 kvar	0.6500000	1.95
Supply Energy Sec Summer	3,577 kwh	0.0598300	214.01
Public Purpose		0.0300000	10.39
Energy Conservation Charge	3,577 kwh	0.0033200	11.88
Low Income Assistance	3,577 kwh	0.0006900	2.47
J C Boyle Dam Removal Surcharge for 14 day(s)	1,669 kwh	0.0003700	0.62
for 16 day(s)	1,908 kwh	0.0003800	0.73
Copco Iron Gate Dams Remv Schg for 14 day(s)	1,669 kwh	0.0011200	1.87

See reverse

Write account number on check & mail to: Pacific Power, PO Box 26000, Portland, OR 97256-0001

RETAIN THIS PORTION FOR YOUR RECORDS.
RETURN THIS PORTION WITH YOUR PAYMENT.

↑ INSERT THIS EDGE FIRST ↓



PACIFIC POWER
PO BOX 26000
PORTLAND OR 97256-0001



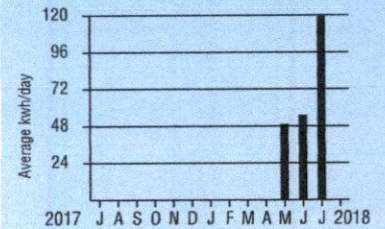
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Historical Data - ITEM 1



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUL 2018	JUL 2017
Avg. Daily Temp.	69	68
Total kwh	3577	0
Avg. kwh per Day	119	0
Cost per Day	\$12.55	\$0.00

Support renewable energy through the Blue Sky program and gain visibility via social media, newsletters and more. Enroll today at pacificpower.net/bluesky or call 1-800-769-3717.

Looking for other ways to pay?

Visit pacificpower.net/pay for all your options. You can choose to pay on your device using our mobile app, on our website, at a pay station in your community, or pay over the phone by calling 1-888-221-7070.

Late Payment Charge for Oregon
A late payment charge of 2.0% may be charged on any balance not paid in full each month.

Change of Mailing Address or Phone?
Check here & provide information on back.

Account Number: 69738053-001 7
Date Due: Aug 16, 2018

AMOUNT DUE: \$741.48

Please enter the amount enclosed.
SIDNEY SILBERNEGEL
20095 HUBBARD CUTOFF RD NE
AURORA OR 97002-9413

H 69738053 001 714 000074148

BILLING DATE: **Jul 31, 2018** ACCOUNT NUMBER: **69738053-001 7** DUE DATE: **Aug 16, 2018** AMOUNT DUE: **\$741.48**

NEW CHARGES - 07/18 - CONTINUED	UNITS	COST PER UNIT	CHARGE
for 16 day(s)	1,908 kwh	0.0011600	2.21
Total New Charges			376.37

ITEM 3 - ELECTRIC SERVICE

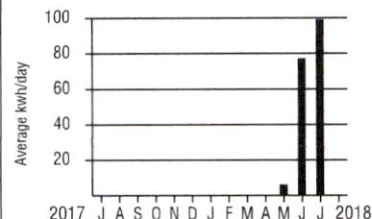
930 Independence Hwy # 25HP Independence OR
 Horse Power Rating : 0025.0 Schedule 41X
 Service ID: 404217157-001

METER NUMBER	SERVICE PERIOD		ELAPSED DAYS	METER READINGS		METER MULTIPLIER	AMOUNT USED THIS MONTH
	From	To		Previous	Current		
61484099	Jun 27, 2018	Jul 1, 2018		2705	3672	1.0	
79805527	Jul 2, 2018	Jul 31, 2018		0	2397	1.0	
Total			34				3,364 kwh
61484099	Demand	Jul 1, 2018			19.399	1.0	
79805527	Demand	Jul 31, 2018			19.486	1.0	19 kw
Total							19 kw
61484099	Reactive	Jul 1, 2018			9.599	1.0	
79805527	Reactive	Jul 31, 2018			9.594	1.0	10 kvar
Total							10 kvar

Next scheduled read date: 08-27. Date may vary due to scheduling or weather.

NEW CHARGES - 07/18	UNITS	COST PER UNIT	CHARGE
Delivery Charge Secondary	3,364 kwh	0.0364100	122.48
Reactive Power Charge Sec (Season End Est Charge Sec Is \$300.00)	2 kvar	0.6500000	1.30
Supply Energy Sec Summer Public Purpose	3,364 kwh	0.0598300	201.27
		0.0300000	9.75
Energy Conservation Charge	3,364 kwh	0.0033200	11.17
Low Income Assistance	3,364 kwh	0.0006900	2.32
J C Boyle Dam Removal Surcharg for 26 day(s)	2,572 kwh	0.0003700	0.95
for 8 day(s)	792 kwh	0.0003800	0.30
Copco Iron Gate Dams Remv Schg for 26 day(s)	2,572 kwh	0.0011200	2.88
for 8 day(s)	792 kwh	0.0011600	0.92

Historical Data - ITEM 3



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUL 2018	JUL 2017
Avg. Daily Temp.	72	70
Total kwh	3364	0
Avg. kwh per Day	99	0
Cost per Day	\$10.74	\$0.00

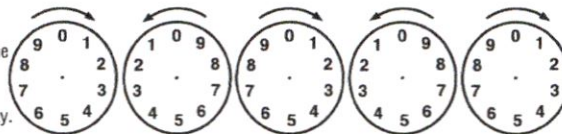
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New Mailing Address or Phone?

Please print your new information below and check the box on the reverse side of this Payment Stub. Thank you.

ACCOUNT NUMBER: **69738053-001 7**

If you feel your meter read is incorrect, draw lines where the hands appear on the dials or for digital meters record the numbers shown on the display.



LAST _____ FIRST _____ M.I. _____

NEW STREET ADDRESS _____

CITY _____

ST _____ ZIP _____ TELEPHONE NUMBER _____

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This product contains fiber from well-managed, independently certified forests.



Questions about your bill: Call toll free 1-866-870-3419 pacificpower.net

BILLING DATE: Jul 31, 2018 ACCOUNT NUMBER: 69738053-001 7 DUE DATE: Aug 16, 2018 AMOUNT DUE: \$741.48

NEW CHARGES - 07/18 - CONTINUED	UNITS	COST PER UNIT	CHARGE
City Of Independence Fee		0.0350000	11.77
Total New Charges			365.11

Effective July 6, 2018, the Oregon Public Utility Commission has approved a price decrease to the Klamath Dam Removal charges. These charges appear on your bill as JC Boyle Dam Removal and Copco & Iron Gate Dams Removal. Oregon law and the Klamath Hydroelectric Settlement Agreement authorizes the collection of the dam removal charges from customers. Your bill will reflect charges billed at old and new rates.

When you provide a check as payment, you authorize us to use the information from your check either to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as we receive your payment and you will not receive your check back from your financial institution. If you would like to opt out of this program and continue processing your payment as a check transaction, please call 1-800-895-0561. If you have opted out previously, please disregard this message.

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BILLING DATE: **Jul 31, 2018** ACCOUNT NUMBER: **69738053-001 7** DUE DATE: **Aug 16, 2018** AMOUNT DUE: **\$741.48**

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AFTER RECORDING RETURN TO:


SEND TAX STATEMENTS TO:

No Change

CONSIDERATION: \$ - 0 -

Space for Recording Label

RECORDED IN POLK COUNTY **2020-000665**
Valerie Unger, County Clerk

 \$121.00
00371612202000006650070072

REC-BS Cnt=1 Stn=1 K. WILLIAMS 01/15/2020 03:52:48 PM
\$35.00 \$10.00 \$11.00 \$60.00 \$5.00

BARGAIN AND SALE DEED
(Termination of Life Estate)

Sandra L. Norman, Grantor, conveys to Andy's Gift LLC, a Washington limited liability company, Grantee, all of Grantor's right, title and interest in the real property described in the Statutory Warranty Deed recorded in Polk County, Oregon, document #2017-011147.

The life estate established by deed recorded in Polk County, Oregon, document #2016-007877 was terminated on July 3, 2019, the date Richard E. Norman and Sandra L. Norman, husband and wife, moved from the premises. Richard E. Norman died January 8, 2020.

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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DATED: 1-10, 2020

Rhonda L. Herbert
Sandra L. Norman
By: Rhonda L. Herbert, Attorney in Fact

STATE OF OREGON,)
County of Polk) ss.

The foregoing instrument was acknowledged before me this 10th day of January, 2019, by Rhonda L. Herbert, Attorney in Fact for Sandra L. Norman.



Christina Eleis Bunnell
NOTARY PUBLIC FOR OREGON

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DURABLE POWER OF ATTORNEY

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I, Sandra L. Norman, of Rickreall, Oregon, appoint my spouse, Richard E. Norman as my Agent and attorney-in-fact ("my Agent"), with power and authority to:

1. Support. Make expenditures for my health, education, support, maintenance, and general welfare.

2. Managing and Disposing of Assets. Take possession of, retain, change the form of, manage, maintain, improve, lease, grant options on, encumber, sell, exchange, or otherwise dispose of any of my real or personal property or any interest in property, in any manner and on any terms my Agent considers to be in my best interests. Such real property shall include 535 So. Pacific Hwy, Rickreall, Polk County, OR 97371 or any subsequent residence or any other real property specifically described in Exhibit A attached hereto. No compensation may be paid to my agent that would require my agent to be licensed under Oregon Revised Statutes chapter 696 or other applicable law pertaining to professional real estate activity.

3. Checks and Notes. Receive, endorse, sign, sell, discount, deliver, and deposit checks, drafts, notes, and negotiable or nonnegotiable instruments, including any drawn on the Treasury of the United States or the state of Oregon or any other state or governmental entity.

4. Financial Institutions. Enter into any transaction with and contract for any services rendered by a financial institution, including continuing, modifying, or terminating existing accounts; opening new accounts; drawing, endorsing, or depositing checks, drafts, and other negotiable instruments; acquiring and transferring certificates of deposit; withdrawing funds deposited in my name alone or in my name and the name of any other person or persons; and providing or receiving financial statements. "Financial institutions" means banks, trust companies, savings banks, commercial banks, savings and loan associations, credit unions, loan companies, thrift institutions, mutual fund companies, investment advisors, brokerage firms, and other similar institutions.

5. Investments and Securities Transactions. Invest and reinvest in common or preferred stocks, bonds, mutual funds, common trust funds, money market accounts, secured and unsecured obligations, mortgages, and other real or personal property; engage in investment transactions with any financial institution; and hold my securities in the name of my Agent's nominee or in unregistered form.

6. Insurance and Annuity Contracts. Purchase, maintain, modify, renew, convert, exchange, borrow against, surrender, cancel, and collect or select payment options under any insurance or annuity contract. This power shall not extend to any insurance I own on the life of my Agent. Any receipt, release, or other instrument executed by my Agent in connection with any insurance or annuity contract shall be binding and conclusive upon all persons.

7. Voting. Appear and vote for me in person or by proxy at any corporate or other meeting.

8. Flower Bonds. Purchase U.S. Treasury bonds redeemable at par in payment of federal estate tax, and borrow funds and pledge the bonds as collateral to make the purchase.

9. Retirement Plans. Establish, modify, contribute to, select payment options under, make elections under, receive payments from, make rollovers to, and take any other steps I might take with respect to IRA accounts and other retirement plans.

10. Credit Cards. Cancel or continue my credit cards and charge accounts, use my credit cards to make purchases, and sign charge slips on my behalf.

11. Collections. Demand and collect any money or property owed to me and give a receipt or discharge for the money or property collected.

12. Debts. Pay my debts and other obligations.

13. Litigation. Sue upon, defend, compromise, or submit to arbitration any controversies in which I may be interested; and act in my name in connection with any complaint, proceeding, or suit.

14. Taxes and Assessments. Do the following with respect to the years 2004 through 2050: pay any tax or assessment; appear for and represent me, in person or by attorney, in all tax matters; execute any power of attorney forms required by the Internal Revenue Service, the Oregon Department of Revenue, or any other taxing authority; receive confidential information from any taxing authority; prepare, sign, and file federal, state, and local tax returns and reports for all tax matters, including income, gift, estate, inheritance, generation-skipping, sales, business, FICA, payroll, and property tax matters; execute waivers, including waivers of restrictions on assessment or collection of tax deficiencies and waivers of notice of disallowance of a claim for credit or refund; execute consents, closing agreements, and other documents related to my tax liability; make any elections available under federal or state tax law; and delegate authority or substitute another representative with respect to all matters described in this paragraph.

15. Borrowing. Borrow in any manner and on any terms my Agent considers to be in my best interests, and give security for repayment.

16. Government Benefits. Perform any act necessary or desirable in order for me or my spouse to qualify for and receive all types of government benefits, including Medicare, Medicaid, Social Security, veterans', and workers' compensation benefits, and to serve as my representative payee.

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17. Transfers to Spouse. Transfer my interest in individual and jointly held property to or for the sole benefit of my spouse. I intend to protect my spouse from impoverishment if I need long term care. This power includes the authority to transfer my interest in our residence.

18. Support For My Spouse. To enter into any agreement or stipulated support order to provide my spouse with sufficient income and resources to live in the community in the manner to which he is accustomed in the event that I need long term care.

19. Assistance in Home. Use my funds and property to pay for care and services that I may need in order to remain in my own home in the event that I require long term care. This power includes the authority to pay my Agent, family members and/or friends who provide in home care or services for me or who arrange for or manage care and services for me at the current fair market rates for the services they provide.

20. Long Term Care Outside the Home. Use my funds and property to contract and pay for long term care outside of my home if my Agent determines that I cannot receive the services that I may need in my home. If my spouse is in a long term care facility, I prefer to be in the same facility.

21. Gifts. Make gifts and consent to split gifts on my behalf, whether outright, in trust, or in custodianship, to or for the benefit of my spouse and my lineal descendants. Gifts made under this paragraph may be in any amount as long as such gifts are consistent with my existing estate plan to the extent reasonably possible. I understand that this power to make gifts creates a conflict of interest for my Agent and, in order to encourage the exercise of this power, I expressly waive any claims against my Agent relating to the exercise of said power.

22. Disclaimer. Disclaim any property, interest in property, or power to which I may be entitled; and take all steps required to make the disclaimer effective under state and federal laws, including Section 2518 of the Internal Revenue Code or any successor statute. In deciding whether to disclaim, my Agent shall consider the effect of disclaimer on taxes that may be payable, on qualification for government benefits, and on my existing estate plan.

23. Fiduciary Positions. Resign from or renounce on my behalf fiduciary positions, including personal representative, trustee, conservator, guardian, attorney-in-fact, and officer or director of a corporation; and discharge me from further responsibility by filing accountings with a court or settling by formal or informal methods.

24. Safe Deposit Box. Have access to and make deposits to or withdrawals from any safe deposit box rented in my name alone or in my name and the name of any other person or persons.

25. Mail. Redirect my mail.

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26. Custody of Documents. Take custody of important documents, including any Will, trust agreements, deeds, life insurance policies, and contracts.

27. Employees and Advisors. Employ, compensate, and discharge attorneys, accountants, investment advisors, property managers, custodians, physicians, dentists, nurses, household help, and others to render services to me or for my benefit.

28. Trusts. Transfer any of my real or personal property to the trustee of the Richard & Sandra Norman Family Trust, or establish a new revocable or irrevocable trust, or amend or terminate an existing trust, and transfer any real or personal property, including the right to receive income, to said trust, provided that the income and principal are payable during my lifetime solely to me and/or my spouse and that the trust is consistent with any existing estate plan to the extent possible.

29. Nomination of Guardian and Conservator. To the extent permitted by state law, I nominate my Agent to act as my guardian and conservator if I become incapacitated.

30. Perform Other Acts to Carry Out the Powers Granted. Execute and deliver any written instrument and perform any other act necessary or desirable to carry out any of the powers granted under this power of attorney, as fully as I might do personally. I ratify and confirm all acts performed pursuant to this power of attorney.

31. Third Party Reliance. Third parties who rely in good faith on the authority of my Agent under this power of attorney shall not be liable to me, to my estate, or to my heirs, successors, or assigns. Third parties without actual notice of revocation may conclusively rely on the continued validity of this power of attorney. If requested, my Agent shall furnish, and a third party may conclusively rely on, an affidavit or certificate stating that (1) I was competent at the time this power of attorney was executed, (2) the power of attorney has not been revoked, (3) my Agent continues to serve as attorney-in-fact under the power of attorney, and (4) my Agent is acting within the scope of authority granted under the power of attorney. My Agent may sue or pursue other action against any third party who refuses to honor this power of attorney after such an affidavit or certificate has been provided.

32. Missing. If I am determined missing without a determination of death, then my agent shall continue to operate under the terms of this durable power of attorney until I am determined to be dead by the appropriate authorities.

33. Alternate Agent. If my spouse is unable or unwilling to act as my Agent, I appoint my daughter, Rhonda L. Herbert as my agent and attorney in fact. If Rhonda L. Herbert is unable or unwilling to act as my Agent, I appoint my son, Jeffrey D. Norman, as my agent and attorney in fact. If Jeffrey D. Norman is unable or unwilling to act as my Agent, I appoint my son, Robert S. Norman as my agent and attorney in fact. If Robert S. Norman is unable or unwilling to act as my Agent, I appoint my son-in-law, John Herbert Jr., as my agent and attorney in fact. An alternate agent may act during any period when my Agent is temporarily

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unable to act. The term "my Agent" in this power of attorney shall include any alternate agent who is authorized to act under this paragraph.

34. Durability. The powers granted to my Agent under this power of attorney shall continue to be exercisable even though I have become disabled or incompetent.

35. Governing Law. The validity and construction of this power of attorney shall be determined under Oregon law.

I have signed this power of attorney this 25th day of January, 2006.

Sandra L. Norman
Sandra L. Norman

STATE OF OREGON)
) ss.
County of Marion)

On this 25th day of January, 2006, before me personally appeared Sandra L. Norman and acknowledged to me that she executed this power of attorney freely and voluntarily.

Kathryn M. Belcher
Notary Public for Oregon
My commission expires: 11/20/07



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TICOR TITLE 471817061443

RECORDING REQUESTED BY:



315 Commercial St SE, Ste 150
Salem, OR 97301

GRANTOR'S NAME:
Richard & Sandra Norman Family Trust

GRANTEE'S NAME:
Andy's Gift, LLC, a Washington limited liability company

AFTER RECORDING RETURN TO:
Order No.: 471817061443-LN
Andy's Gift, LLC, a Washington limited liability company
PO Box 10
Amity, OR 97101

SEND TAX STATEMENTS TO:
Andy's Gift, LLC, a Washington limited liability company
PO Box 10
Amith, OR 97101

APN: 158918
157854
158020
165079
165066
Map: 07525-D0-01400
07430-C0-05400
07431-00-00400
07536-00-00200
07536-00-00100

535 Pacific Hwy S, Rickreall, OR 97371

RECORDED IN POLK COUNTY **2017-011147**
Valerie Unger, County Clerk
09/15/2017 03:44:02 PM
REC-WD Cnt=1 Stn=0 V. UNGER
\$30.00 \$11.00 \$10.00 \$20.00 \$5.00 **\$76.00**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Richard E Norman and Sandra L. Norman, Trustees of the Richard & Sandra Norman Family Trust, Grantor, conveys and warrants to Andy's Gift LLC, a Washington limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Polk, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE MILLION FOUR HUNDRED THOUSAND AND NO/100 DOLLARS (\$1,400,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

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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STATUTORY WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 9/15/2017

Richard & Sandra Norman Family Trust

BY: Richard E. Norman
Richard E Norman, Trustee

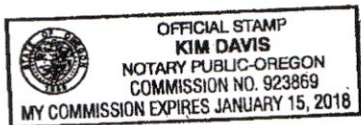
BY: Sandra L. Norman
Sandra L Norman, Trustee

State of OR
County of Polk

This instrument was acknowledged before me on 9/15/2017
by Richard E. Norman and Sandra L. Norman, Trustees of the Richard & Sandra Norman Family Trust.

Kim Davis
Notary Public - State of Oregon

My Commission Expires: 1/15/2019



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EXHIBIT "A"
Legal Description

PARCEL I:

Beginning at an iron rod 24.25 chains West and 40.41 chains North of the Southeast corner of the Donation Land Claim of James Kimsey and Wife, Notification No. 99, Claim No. 54, in Section 6 in Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence West 4.83 chains to an iron pipe; thence South 89° 38' West 24.09 chains to an iron pipe; thence South 4.26 chains to the North boundary of the right of way of Southern Pacific Railroad Co.; thence along the right of way North 82° 08' East 29.20 chains; thence North .40 links to the place of beginning.

ALSO a part of the Donation Land Claim of James Kimsey and wife, Notification No. 99 in Township 7 South, Range 4 West and 5 West of the Willamette Meridian in Polk County, Oregon and more particularly described as beginning at an iron pipe which is North 89° 45' West 23.95 chains from the Northeast corner of said Kimsey Donation Land Claim, which said point is on the North boundary line of said Kimsey Donation Land Claim; and running thence South 0° 15' East 28.37 chains; thence North 88° 20' West 5.35 chains; thence South 0° 34' East 15.40 chains to an iron pipe; thence South 89° 38' West 24.09 chains to an iron pipe on the East line of Kimsey's land; thence North 35.56 chains; thence North 52° 0' East 8.80 chains; thence North 20° 0' East 3.85 chains to a point on the North boundary of said Kimsey Donation Land Claim; thence South 89° 45' East 20.77 chains to the place of beginning.

ALSO beginning 44.72 chains North 89° 45' West from the Northeast corner of the James Kimsey Donation Land Claim No. 53 in Township 7 South, Range 4 West of the Willamette Meridian, Polk County, Oregon; and running thence South 20° West 3.85 chains; thence South 52° West 8.80 chains; thence North 9.40 chains to the North line of said Donation Land Claim; thence South 89° 45' East 8.25 chains to the place of beginning.

EXCEPTING THEREFROM the right of way of the Salem Falls City and Western Railway Co., said right of way being 40 feet in width, being 20 feet on each side of the center line of said railroad track.

PARCEL II:

Beginning at a 3/4" bolt on the South line of the Nathaniel Ford Donation Land Claim No. 44 and 37 in Township 7 South, Range 4 and 5 West, of the Willamette Meridian in Polk County, Oregon at a point 903.38 feet North 89° 11- 1/2' West from the Southeast corner of said Donation Land Claim; thence North 89° 11-1/2' West 6.62 feet; thence North 25.0 feet; thence North 89° 11-1/2' West 950.0 feet; thence South 25 feet; North 89° 11-1/2' West 30.54 feet to a 3/4 inch bolt; thence North 0° 34' East 466.44 feet to a 3/4 inch bolt; thence South 89° 11-1/2' East 982.54 feet to a bolt; thence South 466.42 feet to the place of beginning.

TOGETHER WITH the following described parcel:

Beginning at a point 910 feet West of the Southeast corner of the Donation Land Claim of Nathaniel Ford and wife, No. 122, Claim No. 44 in Township 7 South, Range 4 West of the Willamette Meridian in Polk County, Oregon and running thence North 25 feet; thence West 950 feet; thence South 25 feet; thence East 950 feet to the place of beginning.

EXCEPTING portions conveyed to Richard E. Norman, et ux, by deed recorded May 2, 1968 in Volume 210, Page 354, Deed Records for Polk County, Oregon.

PARCEL III:

Beginning at a spike in the pavement at the Northeast corner of the Donation Land Claim of James Kimsey and wife, Notification No. 99, Claim No. 53, in Township 7 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; running thence West 991 feet; thence South 25 feet; thence East 991 feet; thence North 25 feet to the place of beginning.

PARCEL IV:

That portion of the following described property lying South of the Southerly line of the present Dallas-Salem Highway, otherwise known as Highway No. 223, to-wit: Beginning at a point 36.25 chains East of the Southwest corner of the "L" of the Donation Land Claim of Nathaniel Ford and wife Notification No. 122, Claim No. 37, in Township 7 South, Range 5 West of the Willamette Meridian in Polk County, Oregon; running thence North 20.00 chains; thence West 4.55 chains, thence North 3.56 chains, to an iron pin; thence East 3.16-1/2 chains to an iron pin; thence South 3.16-1/2 chains to an iron pin; thence North 76° 45' East 4.25 chains to an iron pin; thence South 2.27 chains; thence East 5.03 chains, to a point in the center of the LaCreole River; thence down said river along the center thereof to a point which is 3.00 chains West and 18.28 chains, North of the Section corner common to Sections 30, 31, 25, and 36 and in Township 7 South, Ranges 4 and 5 West of the Willamette Meridian; thence South 22.42 chains to the South line of said Nathaniel Ford D.L.C.; thence West 20.25 chains along said line to the place of beginning.

SAVE AND EXCEPT: Parcels 1 and 2 of Partition Plat No. 1994-0020, recorded June 23, 1994 in Volume 1994,

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EXHIBIT "A"
Legal Description

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Page 20, Book of Records for Polk County, Oregon, as Fee No. 389228.

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PARCEL V:

Beginning at a point 25 feet South of the Northeast corner of the Donation Land Claim of James Kimsey and wife, Not. No. 99, Claim No. 53 in Township 7 South, Range 4 West of the Willamette Meridian, Polk County, Oregon; thence West a distance of 991 feet; thence North a distance of 25 feet to the North line of said Kimsey Donation Land Claim; thence West a distance of 589.70 feet; thence South 15' East a distance of 19.20 chains; thence East a distance of 23.91 chains to the East line of said Kimsey Donation Land Claim; thence North a distance of 1242.20 feet to the place of beginning.

SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways, including those certain tracts of land conveyed to the State of Oregon, by and through its State Highway Commission.

FURTHER SAVE AND EXCEPT:

Beginning at a point 6.39 chains South of the Northeast corner of the James Kimsey Donation Land Claim in Township 7 South, Range 4 West of the Willamette Meridian in the County of Polk, State of Oregon; running thence South along center of County Road 3.17 chains; thence West 6.34 chains; thence North 3.17 chains; thence East 6.34 chains to the place of beginning.

FURTHER SAVE AND EXCEPT: Any portion of said premises as lies within the boundaries of the Mill Race as described in that certain deed recorded February 6, 1866, in Volume 4, Page 711, Deed Records for Polk County, Oregon.

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EXHIBIT "B"
Exceptions

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Subject to:

A Life Estate in Parcels I, II and III for Richard E. Norman and Sandra L. Norman, as tenants by the entirety

The Land has been classified as farmland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public to any portion of the Land lying within streets, roads and highways.

Any adverse claim based upon the assertion that:

- A) Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Mill Race and Rickreall Creek or has been formed by accretion or reliction to any such portion.
 - B) Some portion of said property has been created by deposit of artificial fill.
- And Excepting;
- C) The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the premises herein described, lying below the high water line of the Mill Race and Rickreall Creek.
 - D) The right, title and interest of the State of Oregon in and to any portion lying below the high water line of Mill Race and Rickreall Creek.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Mountain States Power Company
Purpose: Poles and anchors
Recording Date: April 27, 1951
Recording No.: Book 144, page 521
(Affects Parcel II and III)

Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantor: W.A. Middleton
Grantee: State of Oregon by and through the State Highway Division
Recording Date: August 21, 1958
Recording No.: Book 3, Page 211
(Affects Parcel I)

Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantor: Dean Allen
Grantee: State of Oregon by and through the State Highway Division
Recording Date: August 1, 1960
Recording No.: Book 174-690
(Affects Parcel V)

Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantor: William A. Middleton and Della R. Middleton, husband and wife
Grantee: State of Oregon by and through the State Highway Division
Recording Date: August 31, 1960
Recording No.: Book 175-64
(Affects Parcel II and III)

Covenants, conditions, restrictions and maintenance agreement created by instrument, including the terms and provisions thereof,

Recording Date: August 5, 1968
Recording No.: Book 212, Page 540
Purpose: Water easement-reservoir type well for water supply
(Affects Parcel V)

13476

EXHIBIT "B"
Exceptions

Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantor: Elsie M. Monson
Grantee: State of Oregon by and through the State Highway Division
Recording Date: October 29, 1971
Recording No.: Book 23, Page 406 and 409
(Affects Parcel IV)

Maintenance Agreement for easement as created by instrument, including the terms and provisions thereof

Recording Date: May 17, 1973
Recording No.: Book 43, page 744
(Affects Parcel II and III)

Road Maintenance Agreement

Recording Date: January 25, 1993
Recording No.: Book 263, page 1058
(Affects Parcels II and III)

The effect, if any, of property line adjustment as set forth in deed,

Recording Date: October 24, 2011
Recording No.: 2011-009787

The effect, if any, of property line adjustment as set forth in deed

Recording Date: October 24, 2011
Recording No.: 2011-009788

The effect, if any, of easement as set forth in deed

Recording Date: December 6, 2011
Recording No.: 2011-011272

Note: Said easement is invalid unless conveyed to a third party.

Covenants, conditions, restrictions and maintenance agreement created by instrument, including the terms and provisions thereof,

Entitled: Deed Creating Life Estate
Recording Date: July 20, 2016
Recording No.: 2016-007877

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