

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed 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 new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Cert. 28702**
 Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation 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.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(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"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete
Other/Explanation _____	
Staff: _____	Date: ____/____/____

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Part 2 of 5 – Transfer Application Map

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

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

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- 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 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), 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 FarmTogether Shumaker, LLC			PHONE NO. (503) 428-2755	ADDITIONAL CONTACT NO. (503) 991-2772
ADDRESS 16192 Coastal Highway				FAX NO.
CITY Lewes	STATE DE	ZIP 19958	E-MAIL karen@raptorag.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 Will McGill Surveying LLC			PHONE NO. (503) 931-0210	ADDITIONAL CONTACT NO. (503) 510-3026
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 transfer application, and why:
It is proposed to move a portion of Certificate 28702 across the road to irrigate this property more efficiently from the existing well or a proposed new well.

Check One Box

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I 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 affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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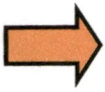
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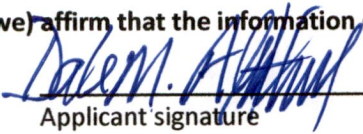
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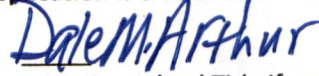
By my signature below, I confirm that I understand:

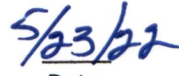
- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Albany, Democrat-Herald.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.


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





 Applicant signature


 Print Name (and Title if applicable)


 Date


 Applicant signature


 Print Name (and Title if applicable)

 Date

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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 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 water right(s) were conveyed.

Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

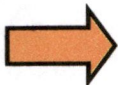
RECEIVING LANDOWNER NAME		PHONE NO.	ADDITIONAL CONTACT NO.	
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME	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 county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Linn County	ADDRESS 300 SW 4th Ave.	
CITY Albany	STATE OR	ZIP 97321

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 additional rows to tables within the form.

CERTIFICATE # 28702

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Description of Water Delivery System

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System capacity: 1.83 cubic feet per second (cfs) OR
 _____ 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. 30 HP pump delivers water through 8" down to 3" PVC mainline.

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)
Looney Well #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LINN 6279/6278	11	S	2	W	3	NW	NW	77	920' S and 90' E from NW corner, section 3
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN 4407	10	S	2	W	34	SW	SE	60	820' N and 2545' W from SE corner, section 34
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		10	S	2	W	34	SW	SE	60	1020' N and 2465' W from SE corner, section 34
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

- Yes Complete only the Proposed ("to" or "on" 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 Changes to Water Right Certificate # 28702

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right 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	POD(s) or 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	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
11	S	2	W	3	NE	NW	700	77	7.0	Irrigation	Looney Well #1	1957	POU/POA	10	S	2	W	34	SW	SE	1200	60	15.5	Irrigation	Well 1, 2	1957
11	S	2	W	3	NW	NW	700	77	18.2	Irrigation	Looney Well #1	1957	POU/POA	10	S	2	W	34	SE	SE	1200	60	9.7	Irrigation	Well 1, 2	1957
TOTAL ACRES:							25.2	TOTAL ACRES:							25.2											

Additional remarks: _____

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For Place of Use or Character 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: **Cert. 40569.**



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

Well log(s) are attached 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 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 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
Well 2	No		100'+/-	10"		min. 18'			gravel	

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LINN
6279

OBSERVATION WELL

FROM WELL D

WATER WELL REPORT

State Well No. 11/2W-3F

STATE OF OREGON G-626

State Permit No. G-538 (66231)

File Original and First Copy with the STATE ENGINEER, SALEM, OREGON

(1) OWNER:

Name Sam Looney
Address 1208 Oak Street
Albany, Oregon

(2) LOCATION OF WELL:

County Linn Owner's number, if any #2
NW 1/4 NW 1/4 Section 3 T. 11 S R. 2 W W.M.
Bearing and distance from section or subdivision corner

920'S & 90'E from NW corner Section 3

(3) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
1. Comment, describe material and procedure in Item 11.

PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(6) CASING INSTALLED:

Threaded Welded
10" Diam. from 0 ft. to 107 ft. Gage
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? Yes No
Type of perforator used Torch Slots
SIZE of perforations 1/2 in. by 8 in.
perforations from 0 ft. to 107 ft.
perforations from ft. to 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
Type Model No.
Slot size Set from ft. to ft.
Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Was well gravel packed? Yes No Size of gravel:
Gravel placed from ft. to ft.
Was a surface seal provided? Yes No To what depth? ft.
Material used in seal—
Did any strata contain unusable water? Yes No
Type of water? Depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level 10 ft. below land surface Date 11-10-57
Artesian pressure lbs. per square inch Date

Log Accepted by:

[Signed] _____ Date _____, 19____
(Owner)

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom? 11-10-57
Yield: 500 gal./min. with 67 ft. drawdown after 1 3/4 hrs.
" 350 " 49 " "
" 150 " 28 " "
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 10 inches.
Depth drilled 107 ft. Depth of completed well 107 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	10
clay	10	30
gravel, cemented	30	38
gravel, fine	38	70
gravel, coarse boulders	70	107

Owners Memo

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Work started 19 _____ Completed 19 _____

(13) PUMP:

Manufacturer's Name Turbine
Type: _____ H.P. 10 or 15

Well Driller's Statement:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Klaus - Bigley
(Person, firm, or corporation) (Type or print)

Address _____

Driller's well number _____

[Signed] _____
(Well Driller)

License No. _____ Date _____, 19____

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LINN
6278

WATER WELL DRILLERS REPORT
STATE OF OREGON

Do Not State Well No. 11/2W-30(1)
Fill In State Permit No. G538

(1) OWNER:

Name SAM & PAZ LOONEY
Address 1208 OAK ST /
ALBANY, OREGON

(2) LOCATION OF WELL:

County LINN Owner's number, if any Looney #1
R. F. D. or Street No. _____
Bearing and distance from section or subdivision corner
S. 48° 20' E 98.5 CHAINS FROM
THE N.W. SEC. 3, T. 11S. R. 2W.
BEING WITHIN THE NE 1/4 OF NW 1/4

(3) TYPE OF WORK (check):

New well Deepening Reconditioning Abandon
abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) EQUIPMENT:

Rotary
Cable
Dug Well

(6) CASING INSTALLED:

unthreaded Welded

FROM	ft. to	ft.	Diam.	Gage or Wall	Diameter of Bore	from ft.	to ft.
0	"	6"	Concrete Pipe				
6	"	4 1/2"	10" std				
"	"	"	"				
"	"	"	"				
"	"	"	"				

Type and size of shoe or well ring 10" x 4" shoe welded
Describe joint _____
Size of gravel: _____

(7) PERFORATIONS:

Type of perforator used Slotted & cutting torch

SIZE of perforations 10 in., length, by 1/4" in.

FROM	ft. to	ft.	perf per foot	No. of rows
3 1/2"	"	4 1/2"	2 1/2"	5"
"	"	"	"	"
"	"	"	"	"
"	"	"	"	"

SCREENS:

Give Manufacturer's Name, Model No. and Size

(8) CONSTRUCTION:

Was a surface sanitary seal provided? Yes No To what depth _____ ft.
Were any strata sealed against pollution? Yes No
If yes, note depth of strata
FROM _____ ft. to _____ ft.

METHOD OF SEALING

(9) WATER LEVELS:

Depth at which water was first found 12 ft.
Standing level before perforating 12 ft.
Standing level after perforating 20 ft.
Log Accepted by: _____

[Signed] Sam & Looney Dated 5/25/, 1957
Owner

(10) WELL TESTS: FROM WELL

Was a pump test made? Yes No If yes, by whom _____
Yield: gal./min. with _____ ft. draw down after _____ hrs.
" " " " " "
" " " " " "
Artesian flow _____ g.p.m.
Shut-in pressure _____ lbs. per square inch.
Ballor test _____ g.p.m. with _____ ft. drawdown
Temperature of water _____ Was a chemical analysis made? Yes No
Was electric log made of well? Yes No

(11) WELL LOG:

Diameter of well, 10 inches.
Total depth 48 ft. Depth of completed well 48 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.

ft. to	ft.
"	"
"	"
"	"
"	"
"	"
"	"
"	"
"	"
33	41
41	48

... WAS ORIGINALLY
DRILLED TO 33 FT WE
WELLED PIPE + PERFORATED
+ RAN SAME PIPE
WITH 8' ADDED
SAND + RIVER GRAVEL
SOFT BROWN SHALE

RECEIVED
JUN 19 1957
STATE ENGINEER
SALEM, OREGON

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Ground elevation at well site 265 feet above mean sea level.
Work started MAY 18 1957. Completed MAY 25 1957

Well Driller's Statement:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Kraus & Beagley D/G Co.
(Person, firm, or corporation) (Typed or printed)
Address ALBANY, OREGON
Driller's well number # 4
[Signed] Ed Beagley
(Well Driller)
License No. 208 Dated 5.30, 1957

NOTICE TO WATER WELL CONTRACTOR
The original and first copy
of this report are to be
filed with the

RECEIVED
JUN 3 1968

WATER WELL REPORT

LYNN
4407

To WELL

State Well No. 10/2w-34
State Permit No.

STATE ENGINEER, SALEM, OREGON 97310
STATE ENGINEER (Please type or print)
SALEM, OREGON (Do not write above this line)

(1) OWNER:

Name Lynn Shumaker
Address Rt. 3, Scio, Oreg.

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

Threaded Welded
4" Diam. from 0 ft. to 34 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? Yes No.
Type of perforator used Oxy Acet.
Size of perforations 3/8 in. by B. in.
12 perforations from 27 ft. to 34 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WATER LEVEL: Completed well.

level 16 ft. below land surface Date 11-27-67
ian pressure lbs. per square inch Date

(9) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom?
gal./min. with ft. drawdown after hrs.
" " " " " "
" " " " " "
Bailer test 30 gal./min. with 6 ft. drawdown after 1 hrs.
Artesian flow g.p.m. Date
Temperature of water Was a chemical analysis made? Yes No

(10) CONSTRUCTION:

Well seal—Material used Cement
Depth of seal 20 ft.
Diameter of well bore to bottom of seal 12 in.
Were any loose strata cemented off? Yes No Depth
Was a drive shoe used? Yes No
Did any strata contain unusable water? Yes No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? Yes No Size of gravel:
Gravel placed from ft. to ft.

(11) LOCATION OF WELL:

County Linn. Driller's well number 284
1/4 1/4 Section 34 T. 10S R. 2W W.M.
Bearing and distance from section or subdivision corner

(12) WELL LOG:

Diameter of well below casing
Depth drilled 34 ft. Depth of completed well 34 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Soil	0	6	
Clay Small Gravel	6	26	20
Small Gravel	26	34	16

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Work started Nov 20 1967 Completed Nov 27 1967
Date well drilling machine moved off of well Nov 27 1967

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] [Signature] Date Nov 27, 1967
(Drilling Machine Operator)

Drilling Machine Operator's License No. 117

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 Long Drilling
(Person, firm or corporation) (Type or print)

Address 4120 Fletcher Rd. NE Salem, Oreg.

[Signed] [Signature]
(Water Well Contractor)

Contractor's License No. 2514018 Date Nov 27, 1967

1200 / 700 + 800

RECORDING REQUESTED BY:



400 SW 4th St, Ste 100
Corvallis, OR 97333

LINN COUNTY, OREGON	2021-12824
D-WD	05/25/2021 03:39:00 PM
Stn=10131 FORBISJ	\$20.00 \$11.00 \$10.00 \$60.00 \$19.00
	\$120.00
I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Steve Druckenmiller - County Clerk	

AFTER RECORDING RETURN TO:
FarmTogether Shumaker, LLC
c/o FarmTogether Management LLC,
16192 Coastal Highway
Lewes, DE 19958-3608

SEND TAX STATEMENTS TO:
FarmTogether Shumaker, LLC
c/o FarmTogether Management LLC,
16192 Coastal Highway
Lewes, DE 19958-3608

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TICOR TITLE: 471821106923

APN: 39194
61578
61586
926167
Map: 10S02W3400 01200
11S02W0300 00700

11S02W0300 00800
11S02W0300 00800
36887 Gilkey Road (Parcel I), Scio, OR 97374
36700 Gilkey Road (Parcel II), Scio, OR 97374
36500 Gilkey Road (Parcel III), Scio, OR 97374

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Vicenergy, LLC, a Texas limited liability company, Grantor, conveys and warrants to

FarmTogether Shumaker, LLC, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Linn, State of Oregon:

PARCEL I:

Beginning on the West boundary line and North 8.50 chains distant from the Southwest corner of the Donation Land Claim of George Howell and wife, Notification No. 1865, and Claim No. 60, in Township No. 10 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; and from thence running North on the West boundary line 8.06 chains; thence East 32 chains, more or less, to the center of Crabtree Creek; thence following the meanderings of said creek upstream and in the center thereof, to a point which is North 8.50 chains distant from the South boundary line of said Claim No. 60, thence West 34 chains, more or less, to the Place of Beginning, all lying and being situate in Linn County, Oregon.

PARCEL II:

Part of the Robert Clelen Claim No. 77 in Township 11 South, Range 2 West of the Willamette Meridian, in Linn County, Oregon described as follows:

Beginning at an iron pipe on the West line of and South 9.63 chains distant from the Northwest corner of Section 3 in said Township and Range; thence South 9.87 chains to an iron pipe; thence East 39.90 chains to a stone marked CS on the East line of the Northwest Quarter of said Section; thence North 9.87 chains to a point which is South 9.75 chains distant from the Northeast corner of the Northwest Quarter of the said Section; thence West 39.90 chains to the Place of Beginning.

PARCEL III:

A tract of land in the West half of Section 3, Township 11 South, Range 2 West of the Willamette Meridian, Linn County, Oregon, being a portion of the land described and conveyed per Volume 686, page 547, Microfilm Records of Linn County, and being more particularly described as follows:

Beginning at a point on the West line of the Robert Clelen Donation Land Claim No. 77 in said Township and Range, 1947.00 feet (118 rods) South of the North line of said Claim, (being Claim No. 45 is said Township 10 South); thence South on said West line 1947.00 feet; thence East to the East line of said Claim; thence North on said East Line 1947.00 feet; thence West to the Point of Beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS THREE MILLION TWO HUNDRED SEVENTY-NINE THOUSAND NINE HUNDRED SIXTY-FOUR AND 50/100 DOLLARS (\$3,279,964.50). (See ORS 93.030).

Subject to:

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

14018

STATUTORY WARRANTY DEED

(continued)

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.

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

Dated: 5/24/2021

Vicenergy, LLC, a Texas Limited Liability Company

BY: [Signature]
Authorized Signer

State of Florida
County of Walton

This instrument was acknowledged before me on May 24, 2021 by Dan Victor as Member of Vicenergy, LLC, a Texas Limited Liability Company.

[Signature]
Notary Public - State of ~~Oregon~~ Florida ~~Texas~~

My Commission Expires: _____

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EXHIBIT "A"
Exceptions

Subject to:

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

Account No.: 39194, 61578, 61586 and 926167

2. Rights of the public to any portion of the Land lying within the limits of streets, roads and highways.
3. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Crabtree Creek.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of Crabtree Creek.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of Crabtree Creek.

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

Granted to: Consumers Power, Inc., an Oregon corporation
Purpose: as stated in said easement
Recording Date: August 7, 1970
Recording No: Book 351, Page 607
Affects: Parcel I

5. An unrecorded oil and gas lease for the term therein provided, with certain covenants, conditions and provisions, together with easements, if any, as set forth therein, disclosed by document

Entitled: Memorandum of Oil and Gas Lease
Dated: November 15, 1975
Lessor: Lynn Shumaker and Orvillis Shumaker, husband and wife
Lessee: Mobil Oil Corporation, a New York corporation
Recording Date: February 25, 1976
Recording No.: Volume 128, Page 237
Fifty percent of the Lessee's interest in said Oil and Gas Lease was assigned by instrument,

Assignee: Quasar Petroleum Company of New Mexico
Recording Date: July 9, 1982
Recording No.: Volume 316, Page 124

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

Granted to: Linn County, a political subdivision of the State of Oregon
Purpose: as stated in said easement
Recording Date: August 8, 1980
Recording No: Volume 268, Page 650
Affects: Parcel I

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

Granted to: Consumers Power, Inc., an Oregon corporation
Purpose: as stated in said easement
Recording Date: February 25, 1987
Recording No: Volume 435, Page 795
Affects: Parcel III

8. Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Agreement for Easement

Recording Date: May 20, 2002
Recording No.: Volume 1294, Page 155

Parcel III

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EXHIBIT "A"
Exceptions

9. Hazardous Substances Certificate and Indemnity Agreement, including the terms and provisions thereof

Recording Date: September 23, 2011
Recording No.: 2011-13401

Parcel II

10. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: December 24, 2020
Recording No: 2020-26957

Parcel I

11. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$575,000.00
Dated: December 21, 2020
Trustor/Grantor: Vicenergy, LLC, a Texas limited liability company
Trustee: AmeriTitle, LLC
Beneficiary: Lynn Shumaker, Orvilliss Shumaker, and Kathryn D. Calkins, Trustees of the Lynn Shumaker Family Trust, dated January 12, 1995
Recording Date: December 24, 2020
Recording No: 2020-26958

Parcels I and III

12. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$575,000.00
Dated: December 21, 2020
Trustor/Grantor: Vicenergy, LLC, a Texas limited liability company
Trustee: AmeriTitle, LLC
Beneficiary: Lynn Shumaker, Orvilliss Shumaker, and Kathryn D. Calkins, Trustees of the Orvilliss Shumaker Family Trust, dated January 12, 1995
Recording Date: December 24, 2020
Recording No: 2020-26959

Parcels I and III

13. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$900,000.00
Dated: December 21, 2020
Trustor/Grantor: Vicenergy, LLC, a Texas limited liability company
Trustee: AmeriTitle, LLC
Beneficiary: Shumaker Family Farms LLC
Recording Date: December 24, 2020
Recording No: 2020-26960

Parcel II

14. Additional existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.

15. SUBJECT TO the Life Estate of Lynn Shumaker and Orvilliss Shumaker, as to Parcel 1, as reserved in Warranty Deed recorded December 24, 2020 as Document No. 2020-26957, Linn County Deed Records.

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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.

State of Oregon)
) ss
 County of LINN)

I, KEVIN PORTER, in my capacity as GENERAL MANAGER,
 mailing address 5201 N SOONER RD., EDMOND, OK 73034
 telephone number (503)991-2772, being first duly sworn depose and say:

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 OWRD

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 # 28702; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	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)

14018

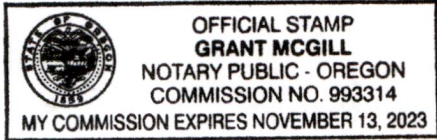
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

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

5/23/2022
Date

Signed and sworn to (or affirmed) before me this 23 day of May, 2022.

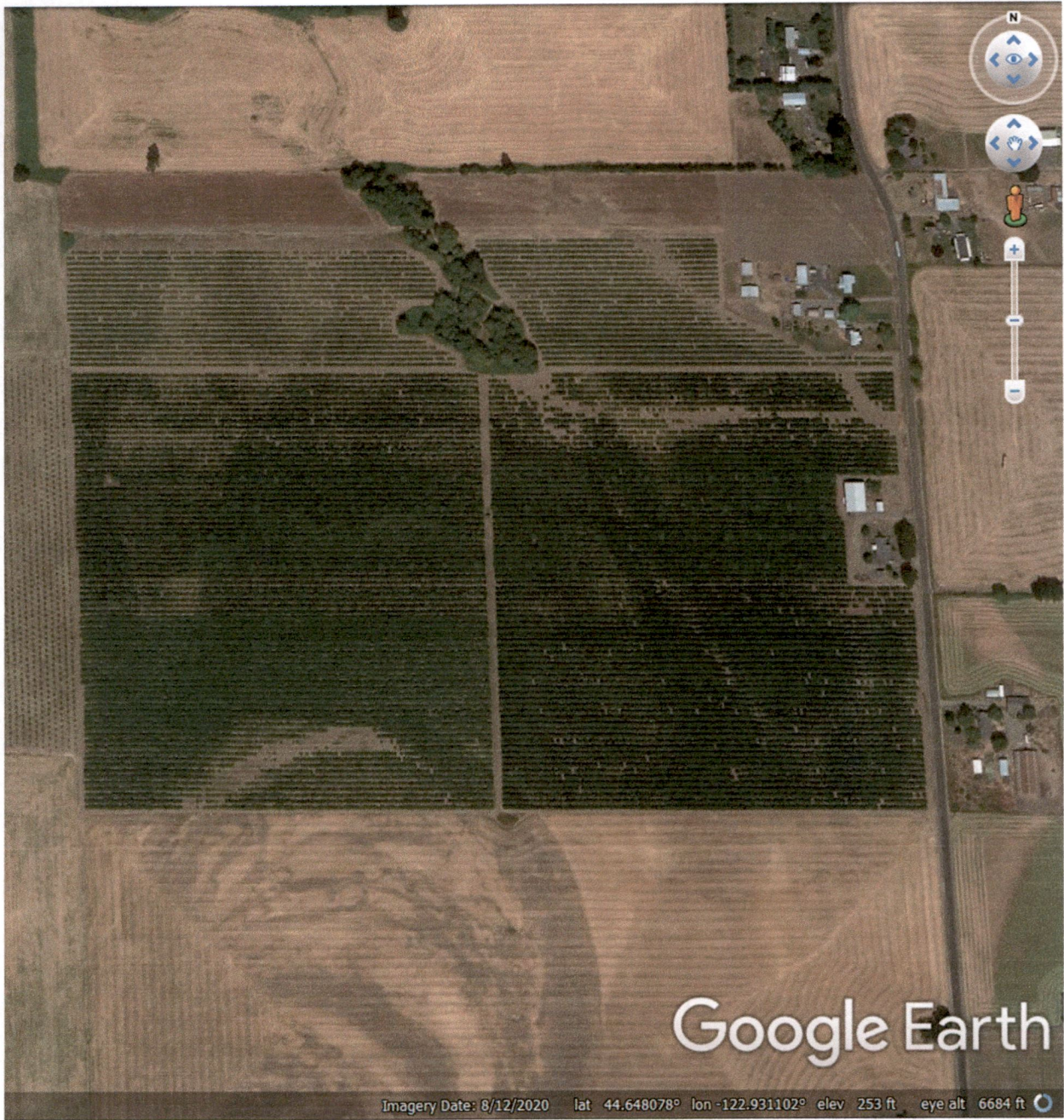


[Signature]
Notary Public for Oregon
My Commission Expires: 11/13/2023

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 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 checked="" 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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Google Earth

Imagery Date: 8/12/2020 lat 44.648078° lon -122.931102° elev 253 ft eye alt 6684 ft

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AFFIDAVIT FOR THE VOLUNTARY DIMINUTION OF AN ENTIRE WATER RIGHT CERTIFICATE

State of Oregon)
) ss
County of Linn)

I/We (or authorized agent), FarmTogether Shumaker, LLC, residing at 16192 Coastal Highway, Lewes, DE 19958, telephone number (503) 428-2755, being first duly sworn depose and say:

- 1. I/We are the legal owner(s) of the property described as tax lot number 1200, within the SWSE/SESE, Section 34, Township 10S, Range 2W, of the Willamette Meridian, in Linn 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 40569 issued in the name of Lynn E. & Orvillis F. Shumaker, with a date of priority of July 10, 1970, for use of 0.29 cubic foot per second of water from Crabtree 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:); and
5. I/We agree that if this change is approved, it is permanent and the right to the use of water from Crabtree 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 Crabtree Creek (source) for primary irrigation of these lands.

Signature of legal owner as listed on deed, or authorized agent Date 5/23/22

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

Subscribed and Sworn to Before Me this 23 day of May, 2022.

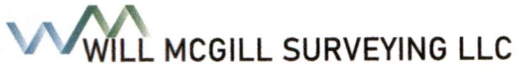


Notary Public for Oregon
My Commission Expires 9/23/24

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT 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).

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15333 Pletzer Rd. SE
Turner, OR 97392
503-931-0210
503-510-3026
willmcgill.surveying@gmail.com

As agent for the applicant, FarmTogether Shumaker LLC, we request that the voluntary diminution of the entire certificate 40569 only be completed contingent upon the approval of the corresponding water right transfer. Upon approval, certificate 28702 will become the primary source of irrigation on the subject property, tax lot 1200.

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Grant A. McGill

Grant A. McGill

William E. McGill

William E. McGill, CWRE

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STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That LYNN E. & ORVILLIS F. SHUMAKER
97374

of **Route 3, Box 95, Scio**, 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 **Crabtree Creek**

a tributary of **South Santiam River** for the purpose of **irrigation of 23.3 acres**

under Permit No. **35352** 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 **July 10, 1970**

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 **0.29 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 **SE $\frac{1}{4}$ SE $\frac{1}{4}$** , as projected within **Howell DLC 60, Section 34, T. 10 S., R. 2 W., W. M., 3310 feet South and 2040 feet West from NW Corner, Howell DLC 60.**

The amount of water used for irrigation, together with the amount secured under any other right existir 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:

**15.5 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
7.8 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Both as projected within Howell DLC 60
Section 34
T. 10 S., R. 2 W., 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. **June 28, 1974**

.....**Chris L. Wheeler**.....
State Engineer

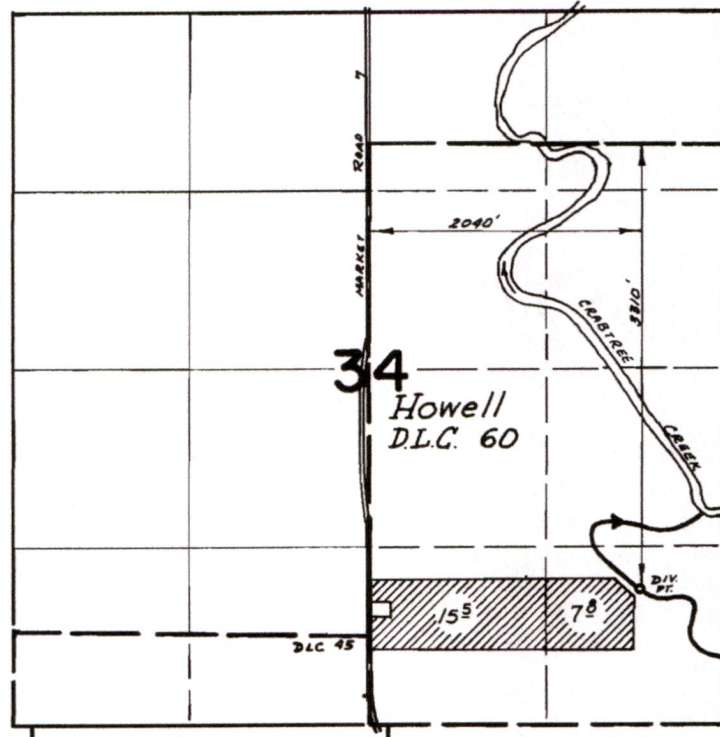
Recorded in State Record of Water Right Certificates, Volume **32**, page **14018** ~~40569~~

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T.10S., R.2W., W.M.



FINAL PROOF SURVEY
UNDER

Application No. 47191 Permit No. 35352
IN NAME OF

LYNN E. AND ORVILLIS F. SHUMAKER

Surveyed Aug 30 1972, by D. Norby

JPM-6LL-234

2

14018

1200 / 700 + 800

RECORDING REQUESTED BY:



400 SW 4th St, Ste 100
Corvallis, OR 97333

LINN COUNTY, OREGON	2021-12824
D-WD	
Stn=10131 FORBISJ	05/25/2021 03:39:00 PM
\$20.00 \$11.00 \$10.00 \$60.00 \$19.00	\$120.00
I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Steve Druckenmiller - County Clerk	

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AFTER RECORDING RETURN TO:
FarmTogether Shumaker, LLC
c/o FarmTogether Management LLC,
16192 Coastal Highway
Lewes, DE 19958-3608

SEND TAX STATEMENTS TO:
FarmTogether Shumaker, LLC
c/o FarmTogether Management LLC,
16192 Coastal Highway
Lewes, DE 19958-3608

APN: 39194
61578
61586
926167
Map: 10S02W3400 01200
11S02W0300 00700

11S02W0300 00800
11S02W0300 00800
36887 Gilkey Road (Parcel I), Scio, OR 97374
36700 Gilkey Road (Parcel II), Scio, OR 97374
36500 Gilkey Road (Parcel III), Scio, OR 97374

Ticor Title: 471821106923

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Vicenergy, LLC, a Texas limited liability company, Grantor, conveys and warrants to

FarmTogether Shumaker, LLC, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Linn, State of Oregon:

PARCEL I:

Beginning on the West boundary line and North 8.50 chains distant from the Southwest corner of the Donation Land Claim of George Howell and wife, Notification No. 1865, and Claim No. 60, in Township No. 10 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; and from thence running North on the West boundary line 8.06 chains; thence East 32 chains, more or less, to the center of Crabtree Creek; thence following the meanderings of said creek upstream and in the center thereof, to a point which is North 8.50 chains distant from the South boundary line of said Claim No. 60, thence West 34 chains, more or less, to the Place of Beginning, all lying and being situate in Linn County, Oregon.

PARCEL II:

Part of the Robert Clelen Claim No. 77 in Township 11 South, Range 2 West of the Willamette Meridian, in Linn County, Oregon described as follows:

Beginning at an iron pipe on the West line of and South 9.63 chains distant from the Northwest corner of Section 3 in said Township and Range; thence South 9.87 chains to an iron pipe; thence East 39.90 chains to a stone marked CS on the East line of the Northwest Quarter of said Section; thence North 9.87 chains to a point which is South 9.75 chains distant from the Northeast corner of the Northwest Quarter of the said Section; thence West 39.90 chains to the Place of Beginning.

PARCEL III:

A tract of land in the West half of Section 3, Township 11 South, Range 2 West of the Willamette Meridian, Linn County, Oregon, being a portion of the land described and conveyed per Volume 686, page 547, Microfilm Records of Linn County, and being more particularly described as follows:

Beginning at a point on the West line of the Robert Clelen Donation Land Claim No. 77 in said Township and Range, 1947.00 feet (118 rods) South of the North line of said Claim, (being Claim No. 45 is said Township 10 South); thence South on said West line 1947.00 feet; thence East to the East line of said Claim; thence North on said East Line 1947.00 feet; thence West to the Point of Beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS THREE MILLION TWO HUNDRED SEVENTY-NINE THOUSAND NINE HUNDRED SIXTY-FOUR AND 50/100 DOLLARS (\$3,279,964.50). (See ORS 93.030).

Subject to:

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

14018

STATUTORY WARRANTY DEED
(continued)

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.

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

Dated: 5/24/2021

Vicenergy, LLC, a Texas Limited Liability Company

BY: [Signature]
Authorized Signer

State of Florida

County of Walton

This instrument was acknowledged before me on May 24, 2021 by Dan Victor as Member of Vicenergy, LLC, a Texas Limited Liability Company.

[Signature]
Notary Public - State of ~~Oregon~~ ~~Texas~~ Florida

My Commission Expires: _____



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EXHIBIT "A"

Exceptions

Subject to:

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

Account No.: 39194, 61578, 61586 and 926167

2. Rights of the public to any portion of the Land lying within the limits of streets, roads and highways.
3. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Crabtree Creek.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of Crabtree Creek.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of Crabtree Creek.

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

Granted to: Consumers Power, Inc., an Oregon corporation
Purpose: as stated in said easement
Recording Date: August 7, 1970
Recording No: Book 351, Page 607
Affects: Parcel I

5. An unrecorded oil and gas lease for the term therein provided, with certain covenants, conditions and provisions, together with easements, if any, as set forth therein, disclosed by document

Entitled: Memorandum of Oil and Gas Lease
Dated: November 15, 1975
Lessor: Lynn Shumaker and Orvillis Shumaker, husband and wife
Lessee: Mobil Oil Corporation, a New York corporation
Recording Date: February 25, 1976
Recording No.: Volume 128, Page 237
Fifty percent of the Lessee's interest in said Oil and Gas Lease was assigned by instrument,

Assignee: Quasar Petroleum Company of New Mexico
Recording Date: July 9, 1982
Recording No.: Volume 316, Page 124

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

Granted to: Linn County, a political subdivision of the State of Oregon
Purpose: as stated in said easement
Recording Date: August 8, 1980
Recording No: Volume 268, Page 650
Affects: Parcel I

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

Granted to: Consumers Power, Inc., an Oregon corporation
Purpose: as stated in said easement
Recording Date: February 25, 1987
Recording No: Volume 435, Page 795
Affects: Parcel III

8. Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Agreement for Easement

Recording Date: May 20, 2002
Recording No.: Volume 1294, Page 155

Parcel III

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EXHIBIT "A"

Exceptions

9. Hazardous Substances Certificate and Indemnity Agreement, including the terms and provisions thereof

Recording Date: September 23, 2011
Recording No.: 2011-13401

Parcel II

10. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: December 24, 2020
Recording No: 2020-26957

Parcel I

11. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$575,000.00
Dated: December 21, 2020
Trustor/Grantor: Vicenergy, LLC, a Texas limited liability company
Trustee: AmeriTitle, LLC
Beneficiary: Lynn Shumaker, Orvilliss Shumaker, and Kathryn D. Calkins, Trustees of the Lynn Shumaker Family Trust, dated January 12, 1995
Recording Date: December 24, 2020
Recording No: 2020-26958

Parcels I and III

12. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$575,000.00
Dated: December 21, 2020
Trustor/Grantor: Vicenergy, LLC, a Texas limited liability company
Trustee: AmeriTitle, LLC
Beneficiary: Lynn Shumaker, Orvilliss Shumaker, and Kathryn D. Calkins, Trustees of the Orvilliss Shumaker Family Trust, dated January 12, 1995
Recording Date: December 24, 2020
Recording No: 2020-26959

Parcels I and III

13. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$900,000.00
Dated: December 21, 2020
Trustor/Grantor: Vicenergy, LLC, a Texas limited liability company
Trustee: AmeriTitle, LLC
Beneficiary: Shumaker Family Farms LLC
Recording Date: December 24, 2020
Recording No: 2020-26960

Parcel II

14. Additional existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.

15. SUBJECT TO the Life Estate of Lynn Shumaker and Orvilliss Shumaker, as to Parcel 1, as reserved in Warranty Deed recorded December 24, 2020 as Document No. 2020-26957, Linn County Deed Records.

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