

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME Lewis DLC Farm, LLC c/o Andrew Bryant, member		PHONE (HM)	
PHONE (WK)	CELL 503.936.6977		FAX
ADDRESS PO Box 516			
CITY St. Paul	STATE Oregon	ZIP 97137	E-MAIL * andyb@teleport.com

Organization

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

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

AGENT / BUSINESS NAME Jeanne Boatwright		PHONE 503.363.9225	FAX
ADDRESS Boatwright Engineering, Inc. 2613 12th Street SE			CELL
CITY Salem	STATE Oregon	ZIP 97302	E-MAIL * jeanne@boatwrightengr.com

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.

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



Andrew Bryant
Applicant Signature

Lewis DLC Farm, LLC
Andrew Bryant, member
Print Name and Title if applicable

12/15/2022
Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

None

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: Lewis Pond (Permit R-1515)	Tributary to: Unnamed Stream, tributary to the Luckiamute River
TRSQQ of POD: T9S, R5W, Sec 18, SE-NW	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

Lewis Pond (Permit R-1515) (T-12531) Documents Attached.

NOTE: The Claim of Beneficial Use for the Transfer is being submitted at the same time as this application.

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B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

Yes. No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

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Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If **yes, you are notified** that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Lewis Pond	IR	Mar 1- Oct 31	8.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.

Primary: **140.3** Acres Supplemental: **0** Acres Nursery Use: **0** Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): **NA**

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: **8.0**

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: **NA**
- If the use is **mining**, describe what is being mined and the method(s) of extraction: **NA**

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): **To be determined**
 Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Water will be pumped from the reservoir into the distribution pipe system

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

Water will be applied to the nut orchard by drip application. Other crops may be irrigated with conventional impact sprinklers.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

The amount of water requested, 8.0 acre-feet of permitted, stored, water, is all that is available and is far from the volume that is needed to meet the allowed duty of 2.5 acre-feet per acre.

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For Department Use: App. Number: _____

With the volume of water severely limited, wasting water is not an option. It will be prevented by using a drip system for the nut orchard and managed, judicious use on any other area in order to maximize the small amount of water available.

Use will be measured with a flow meter, if required as a permit condition.

As stated above, waste cannot be allowed. Runoff will be prevented by use of drip application and proper judicious application and management of any other application method. Both of the onsite natural drainageways are separated from the farm fields and/or protected by vegetated riparian areas, which will be maintained. The north-south creek is intermittent and dry in the summertime. No affect to surface waters is foreseen and, therefore, no damage to public use of those water is anticipated.

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.

Describe planned actions: **NA No water is being used from a stream or lake.**

- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation:

NA No water is being used from a stream or lake.

- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.

Describe planned actions and additional permits required for project implementation:

NA No water is being used from a stream or lake.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.

Describe planned actions:

As stated above, runoff will be prevented by use of drip application and proper judicious application and management of any other application method. Both of the onsite natural drainageways are separated from the farm fields and/or protected by vegetated riparian areas, which will be maintained.

- List other federal and state permits or contracts to be obtained, if a water right permit is granted.

None

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SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: **Permit date, or, following season when ground is sufficiently dry to install drip system.**
- b) Date construction will be completed: **Permit date plus 5-years.**
- c) Date beneficial water use will begin: **Permit date, or following IR season**

SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name Other Water District: Luckiamute Domestic Water Cooperative	Address 8585 Suver Road	
City Monmouth	State Oregon	Zip 97361

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. *(Attach additional sheets if necessary).*

None

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ **1548.00**
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Today's Date: Friday, December 2, 2022

Base Application Fee.		\$610.00
Acre feet of Stored Water to be diverted.	8	\$328.00
	Subtotal:	\$938.00
Permit Recording Fee. ***		\$610.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,548.00

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Land Use Information Form



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

Applicant

NAME Lewis DLC Farm, LLC c/o Andrew Bryant, member		PHONE (HM)	
PHONE (WK)	CELL 503.936.6977	FAX	
ADDRESS PO Box 516			
CITY St. Paul	STATE Oregon	ZIP 97137	E-MAIL * andyb@teleport.com

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
					See Attached List	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Polk County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Groundwater Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Groundwater
 Surface Water (name) _____

Estimated quantity of water needed: **8.0 Ac-Ft**
 cubic feet per second
 gallons per minute
 acre-feet

Intended use of water: Irrigation
 Commercial
 Industrial
 Domestic for _____ household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe: **Use of water from permitted reservoir (Lewis Pond) to irrigate nut orchard and other crops.**



Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
PCZO 136.030(A)

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

NAME <u>Eric Knudson</u>	TITLE: <u>Assistant Planner</u>
SIGNATURE 	PHONE: <u>503.623.9237</u>
DATE: <u>12/8/2022</u>	
GOVERNMENT ENTITY <u>Polk County Planning Division</u>	

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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AFTER RECORDING RETURN TO:

Daniel A. Ritter, P.C.
530 Center Street NE, Suite 700
Salem, OR 97301-3740

MAIL TAX STATEMENTS TO:

Lewis DLC Farm, LLC
P.O. Box 1286
Sherwood, OR 97140-1286

RECORDED IN POLK COUNTY
Valerie Unger, County Clerk

2006-013072



\$31.00

00162284200600130720020020

08/08/2006 11:54:11 AM

REC-D Cnt=1 Strn=1 K. WILLIAMS
\$10.00 \$10.00 \$11.00

DEED

TUKWILLA GROWERS, LLC, an Oregon Limited Liability Company, hereinafter called the Grantor, conveys to LEWIS DLC FARM, LLC, an Oregon limited liability company, hereinafter called the Grantee, the following described real property.

This deed is executed and delivered unto Grantee as a contribution to the capital of such limited liability company and no monetary consideration has been paid to Grantor.

The real property is situated in the county of Polk, state of Oregon, and is described as follows:

(15350 Airlie Road, Monmouth, Oregon; Parcel Numbers 567431 and 567432)

Beginning at the Northeast corner of the John Lewis Donation Land Claim No. 54, Township 9 South, Range 5 West of the Willamette Meridian; thence South 01° 24' 02" West, along the East line of said Claim, a distance of 1345.18 feet to the true point of beginning; thence North 89° 09' 53" West, 13.19 feet to a 5/8" iron rod on the Westerly right-of-way line of Airlie Road; thence continuing North 89° 09' 53" West, 2025.80 feet to a 5/8" iron rod; thence South 01° 36' 52" West, 902.41 feet to a 5/8" iron rod; thence North 87° 18' 51" West, 1918.55 feet to a 5/8" iron rod on the West line of the John Lewis Donation Land Claim No. 40, Township 9 South, Range 6 West of the Willamette Meridian; thence South 01° 36' 52" West, along said West line, a distance of 1384.80 feet to a 5/8" iron rod at the Southwest corner of the North half of said Claims 40 and 54; thence South 89° 53' 09" East, along the South line of said North half, a distance of 3822.62 feet to a 5/8" iron rod at the Southwest corner of that tract described by deed recorded as Book 185, Page 786 of the Polk County Deed Records; thence North 01° 24' 02" East, 142.00 feet to a 5/8" iron rod at the Northwest corner of said deed; thence South 89° 53' 09" East, along the North lines of said deed and deed recorded as Book 130, Page 416 of the Polk County Deed Records, a distance of 113.87 feet to a 5/8" iron rod on the Westerly right-of-way line of Airlie Road; thence continuing South 89° 53' 09" East 30.01 feet to the East line of said Claim No. 54; thence North 01° 24' 02" East, 2033.24 feet to the true point of beginning.

EXCEPTING THEREFROM: Any of the above described premises lying within a public roadway.

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SUBJECT TO covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public records, including those shown on any recorded plat or survey.

Grantor covenants that Grantor is seized of an indefeasible estate in the real property described above in fee simple, that Grantor has the right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantor, provided that the foregoing covenants are limited to the extent of coverage available to Grantor under any applicable standard or extended policies of title insurance, it being the intention of the Grantor to preserve any existing title insurance coverage.

The following is the notice as required by Oregon law: "BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352."

The foregoing language is included for the purpose of compliance with Oregon statutory requirements only and is not intended to affect the rights and obligations of the parties to this transaction.

In construing this deed and where the context so requires, the singular includes the plural.

DATED this 2 day of August, 2006.

Tukwilla Growers, LLC, an Oregon Limited Liability Company

By: Andrew F. Bryant
Andrew F. Bryant, Manager

STATE OF OREGON }
County of Marion } ss.

On this 2 day of August, 2006, before me personally appeared the above named ANDREW F. BRYANT, MANAGER OF TUKWILLA GROWERS, LLC, and acknowledged the foregoing instrument to be his voluntary act and deed.



Judy K Snider
Notary Public for Oregon
My Commission Expires: June 15, 2006

AMENDED ANNUAL REPORT



Corporation Division
www.filinginoregon.com

E-FILED
Jun 03, 2022
OREGON SECRETARY OF STATE

REGISTRY NUMBER

37079498

REGISTRATION DATE

07/07/2006

BUSINESS NAME

LEWIS DLC FARM, LLC

BUSINESS

FARMING

MAILING ADDRESS

PO BOX 516
ST PAUL OR 97137 USA

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

PRIMARY PLACE OF BUSINESS

15310 AIRLINE RD
MONMOUTH OR 97361 USA

JURISDICTION

OREGON

REGISTERED AGENT

ANDREW F BRYANT

4934 RAY BELL RD
SAINT PAUL OR 97137 USA

If the Registered Agent has changed, the new agent has consented to the appointment.

MEMBER

1569482 - YAMHILL ENVIRONMENTAL SERVICE, LTD.

4934 RAYBELL RD NE
ST PAUL OR 97137 USA

MEMBER

LENORE M BRYANT

4934 RAYBELL RD NE
ST PAUL OR 97137 USA

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MEMBER

ANDREW BRYANT

4934 RAYBELL RD NE
ST PAUL OR 97137 USA

I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

ANDREW F BRYANT

TITLE

MANAGER

DATE

06-03-2022

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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: LEWIS DLC FARM, LLC

P.O. Box 516, St. Paul OR 97137

Transaction Type: RESERVOIR

Fees Received: \$ 1548.00

Cash Check: Check No. 2691

Name(s) on Check: TUKIWILLA GROWERS, LLC
Andrew & Lenore Bryant

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

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If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,
OWRD Customer Service Staff

Submission received by: Corie Lovrien
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
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AFTER RECORDING RETURN TO:

Daniel A. Ritter, P.C.
530 Center Street NE, Suite 700
Salem, OR 97301-3740

MAIL TAX STATEMENTS TO:

Lewis DLC Farm, LLC
P.O. Box 1286
Sherwood, OR 97140-1286

RECORDED IN POLK COUNTY
Valerie Unger, County Clerk

2006-013072



\$31.00

08/08/2006 11:54:11 AM

REC-D Cnt=1 Str=1 K. WILLIAMS
\$10.00 \$10.00 \$11.00

DEED

TUKWILLA GROWERS, LLC, an Oregon Limited Liability Company, hereinafter called the Grantor, conveys to LEWIS DLC FARM, LLC, an Oregon limited liability company, hereinafter called the Grantee, the following described real property.

This deed is executed and delivered unto Grantee as a contribution to the capital of such limited liability company and no monetary consideration has been paid to Grantor.

The real property is situated in the county of Polk, state of Oregon, and is described as follows:

(15350 Airlie Road, Monmouth, Oregon; Parcel Numbers 567431 and 567432)

Beginning at the Northeast corner of the John Lewis Donation Land Claim No. 54, Township 9 South, Range 5 West of the Willamette Meridian; thence South 01° 24' 02" West, along the East line of said Claim, a distance of 1345.18 feet to the true point of beginning; thence North 89° 09' 53" West, 13.19 feet to a 5/8" iron rod on the Westerly right-of-way line of Airlie Road; thence continuing North 89° 09' 53" West, 2025.80 feet to a 5/8" iron rod; thence South 01° 36' 52" West, 902.41 feet to a 5/8" iron rod; thence North 87° 18' 51" West, 1918.55 feet to a 5/8" iron rod on the West line of the John Lewis Donation Land Claim No. 40, Township 9 South, Range 6 West of the Willamette Meridian; thence South 01° 36' 52" West, along said West line, a distance of 1384.80 feet to a 5/8" iron rod at the Southwest corner of the North half of said Claims 40 and 54; thence South 89° 53' 09" East, along the South line of said North half, a distance of 3822.62 feet to a 5/8" iron rod at the Southwest corner of that tract described by deed recorded as Book 185, Page 786 of the Polk County Deed Records; thence North 01° 24' 02" East, 142.00 feet to a 5/8" iron rod at the Northwest corner of said deed; thence South 89° 53' 09" East, along the North lines of said deed and deed recorded as Book 130, Page 416 of the Polk County Deed Records, a distance of 113.87 feet to a 5/8" iron rod on the Westerly right-of-way line of Airlie Road; thence continuing South 89° 53' 09" East 30.01 feet to the East line of said Claim No. 54; thence North 01° 24' 02" East, 2033.24 feet to the true point of beginning.

EXCEPTING THEREFROM: Any of the above described premises lying within a public roadway.

RECEIVED

DEC 15 2022

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SUBJECT TO covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public records, including those shown on any recorded plat or survey.

Grantor covenants that Grantor is seized of an indefeasible estate in the real property described above in fee simple, that Grantor has the right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantor, provided that the foregoing covenants are limited to the extent of coverage available to Grantor under any applicable standard or extended policies of title insurance, it being the intention of the Grantor to preserve any existing title insurance coverage.

The following is the notice as required by Oregon law: "BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352."

The foregoing language is included for the purpose of compliance with Oregon statutory requirements only and is not intended to affect the rights and obligations of the parties to this transaction.

In construing this deed and where the context so requires, the singular includes the plural.

DATED this 2 day of August, 2006.

Tukwilla Growers, LLC, an Oregon Limited Liability Company

By: Andrew F. Bryant
Andrew F. Bryant, Manager

STATE OF OREGON)
County of Marion) ss.

On this 2 day of August, 2006, before me personally appeared the above named ANDREW F. BRYANT, MANAGER OF TUKWILLA GROWERS, LLC, and acknowledged the foregoing instrument to be his voluntary act and deed.



Judy K Snider
Notary Public for Oregon
My Commission Expires: June 15, 2007

AMENDED ANNUAL REPORT



Corporation Division
www.filinginoregon.com

E-FILED
Jun 03, 2022
OREGON SECRETARY OF STATE

REGISTRY NUMBER

37079498

REGISTRATION DATE

07/07/2006

BUSINESS NAME

LEWIS DLC FARM, LLC

BUSINESS

FARMING

MAILING ADDRESS

PO BOX 516
ST PAUL OR 97137 USA

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

PRIMARY PLACE OF BUSINESS

15310 AIRLINE RD
MONMOUTH OR 97361 USA

JURISDICTION

OREGON

REGISTERED AGENT

ANDREW F BRYANT

4934 RAY BELL RD
SAINT PAUL OR 97137 USA

If the Registered Agent has changed, the new agent has consented to the appointment.

MEMBER

1569482 - YAMHILL ENVIRONMENTAL SERVICE, LTD.

4934 RAYBELL RD NE
ST PAUL OR 97137 USA

MEMBER

LENORE M BRYANT

4934 RAYBELL RD NE
ST PAUL OR 97137 USA

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DEC 15 2022

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MEMBER

ANDREW BRYANT

4934 RAYBELL RD NE
ST PAUL OR 97137 USA

I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

ANDREW F BRYANT

TITLE

MANAGER

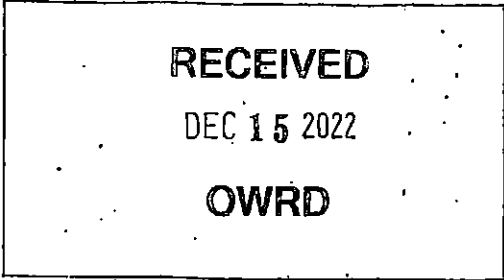
DATE

06-03-2022

RECEIVED

DEC 15 2022

OWRD



Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: LEWIS DLC FARM, LLC

P.O. Box 516, St. Paul OR 97137

Transaction Type: reservoir

Fees Received: \$ 1548.00

Cash Check; Check No. 2691

Name(s) on Check: TUKIWILLA GROWERS, LLC
Andrew & Lenore Bryant

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