

Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1261
503-986-0900
www.oregon.gov/OWRD

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

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Applicant

NAME TIMOTHY L. VAN LEEUWEN		PHONE (HM)	
PHONE (WK)	CELL (541) 979-6654	FAX	
ADDRESS 30466 CREEK BEND DR.			
CITY HALSEY	STATE OR	ZIP 97348	E-MAIL * TIMVANLEEUEWENFARMS@LIVE.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 WILL MCGILL SURVEYING LLC		PHONE (503) 510-3026	FAX
ADDRESS 15333 PLETZER RD. SE			CELL (503) 931-0210
CITY TURNER	STATE OR	ZIP 97392	E-MAIL * WILLMCGILL.SURVEYING@GMAIL.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.)

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

Applicant Signature

Print Name and Title if applicable

Date

Applicant Signature

Print Name and Title if applicable

Date

For Department Use: App. Number: _____

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.

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- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.

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- 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.

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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).*

Morris G. & Mary J. Kivela
 PO Box 68
 Halsey, OR 97348

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: McKenzie River (BOR Stored Water)	Tributary to: Willamette River
TRSQQ of POD: 17S 3W 9 NENE	
Source 2:	Tributary to:
TRSQQ of POD:	

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).

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) 986-0801.

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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:
The proposed rate is standard for irrigation and equipment will be kept in good operating condition with water use measurement.

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
McKenzie River (BOR Stored Water)	Irrigation	Mar. 1 - Oct. 31	171.7 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 171.7 Acres Supplemental: Acres

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

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 171.7

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

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): 300 and/or 125 and/or 50 HP turbine
 Other means (describe):

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

Muddy Creek Irrigation Project diverts water from the McKenzie River by one of or a combination of two turbine pumps (300, 125, & 50 HP) at their screened diversion point. The water is conveyed to the applicant via Muddy Creek Irrigation Ditch where it is rediverted by a 40 HP centrifugal pump and conveyed to the place of use via 6 or 8" above ground aluminum mainline.

B. Application Method

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

Wheel line, reel, big gun, lateral lines.

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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 volume of water requested is less than standard for irrigation. Equipment will be kept in good operating condition to minimize waste and ensure efficient use.

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: Diversion is screened per ODFW specs.

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: No excavation or clearing will be necessary for this project.

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: Operating equipment in a water body will not be necessary for this project.

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: Equipment will be kept in good operating condition to prevent run-off and waste.

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

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: Upon permit issuance
- b) Date construction will be completed: Request standard 5 year completion time
- c) Date beneficial water use will begin: 2021 irrigation season if permit is issued

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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 Muddy Creek Irrigation Project	Address 32255 Bowers Dr.	
City Harrisburg	State OR	Zip 97446

SECTION 10: REMARKS

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

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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: \$ 1,922.40
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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For Department Use: App. Number: _____

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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or groundwater registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Land Use Information Form

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

Applicant

NAME TIMOTHY L. VAN LEEUWEN			PHONE (HM)		
PHONE (WK)		CELL (541) 979-6654		FAX	
ADDRESS 30466 CREEK BEND DR.					
CITY HALSEY		STATE OR	ZIP 97348	E-MAIL* TIMVANLEEUEWENFARMS@LIVE.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:
13S	4W	26	NESW NWSW SESW	400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
13S	4W	27	NESE NWSE SWSE SESE	400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
13S	4W	34	NWNE	400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
13S	4W	34	NENE NWNE SWNE SENE NESE NWSE	100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
13S	4W	35	NENW NWNW	400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
13S	4W	35	NWNW SWNW	300	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming

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

Linn 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) McKenzie River (BOR Stored Water)

Estimated quantity of water needed: 171.7 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:

It is proposed to irrigate crops in TLs 100, 300, 400, & 400 with BOR Stored water diverted from the McKenzie River and conveyed via Muddy Creek Irrigation Project.

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For Local Government Use Only

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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.

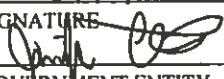
Please check the appropriate box below and provide the requested information

- 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): LCC 928.310C(1)
- 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
		<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.

Water for farm use is an outright use in the EFU zone pursuant to LCC 928.310C(1)

NAME <u>Jennifer Cepello</u>		TITLE: <u>Planner</u>
SIGNATURE 	PHONE: <u>541-967-3816</u>	DATE: <u>7/14/20</u>
GOVERNMENT ENTITY <u>Linn County.</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: _____

After recording return to:
Stephen L. Tabor, P.C.
P.O. Box 350
Sublimity, OR 97385

Until a change is requested
all tax statements shall be sent to:
Timothy L. VanLeeuwen
30466 Creek Bend Drive
Halsey, Oregon 97348

13504W 2600 + 2100
0400 08400

LINN COUNTY, OREGON	2014-16975
D-WD	12/31/2014 11:12:09 AM
Stn=10 S. WILSON	\$15.00 \$11.00 \$10.00 \$19.00 \$20.00
	\$75.00

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

WARRANTY DEED

KNOW ALL BY THESE PRESENTS, That GEORGE VanLEEuwEN and ELIZABETH VanLEEuwEN, TRUSTEES, of the GEORGE VanLEEuwEN REVOCABLE LIVING TRUST dated January 24, 1991, and the ELIZABETH VanLEEuwEN REVOCABLE LIVING TRUST dated January 24, 1991, each as to an undivided one-half interest, hereinafter called "Grantor", do hereby convey and warrant unto TIMOTHY L. VanLEEuwEN, hereinafter called "Grantee" and Grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Linn County, State of Oregon, and described as follows:

See Exhibit "A" attached hereto.

To Have and to Hold the same unto Grantee and Grantee's heirs, successors and assigns forever.

And Grantor hereby covenants to and with Grantee and Grantee's heirs, successors and assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances whatsoever except those set forth on Exhibit "A" attached hereto, and that Grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$985,000.

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

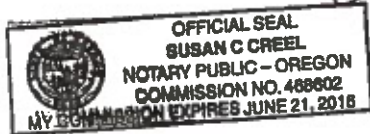
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2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

First American Title 2350130

IN WITNESS WHEREOF, the Grantor has executed this instrument this 31 day of December, 2014.
X George Van Leeuwen TTEE
X Elizabeth Van Leeuwen TTEE
George VanLeeuwen, Trustee Elizabeth VanLeeuwen, Trustee

STATE OF OREGON)
) ss.
County of Linn)

This instrument was acknowledged before me on December 31, 2014, by George VanLeeuwen and Elizabeth VanLeeuwen, Trustees of the George VanLeeuwen Revocable Living Trust and George VanLeeuwen and Elizabeth VanLeeuwen, Trustees of the Elizabeth VanLeeuwen Revocable Living Trust.
Susan C Creel
Notary Public for Oregon



Warranty Deed - Page 1

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Exhibit "A"

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THAT PART OF THE DONATION LAND CLAIM OF F. M. MORRIS, NOT. NO. 2591, CLAIM 73, IN TOWNSHIP 13 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, IN LINN COUNTY, OREGON. COMMENCING AT THE NORTHWEST CORNER OF SAID DONATION LAND CLAIM; THENCE RUNNING SOUTH ALONG THE WEST LINE OF SAID CLAIM TO THE CENTER OF MUDDY CREEK; THENCE DOWN THE CENTER OF SAID CREEK TO THE NORTH LINE OF SAID CLAIM; THENCE WEST ALONG THE SAID LINE TO THE PLACE OF BEGINNING; ALSO

COMMENCING AT THE SOUTHEAST CORNER OF THE DONATION LAND CLAIM OF JOHN P. SMITH, NOT. NO. 2582, CLAIM 55, IN TOWNSHIP 13 SOUTH, RANGE 4 WEST; THENCE EAST TO THE EAST LINE OF SECTION 34; THENCE NORTH TO THE SOUTH LINE OF THE DONATION LAND CLAIM NOT. NO. 72 OF JOHN B. YARBROUGH; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST LINE OF SAID JOHN P. SMITH'S DONATION LAND CLAIM; THENCE SOUTH TO THE PLACE OF BEGINNING, CONTAINING 54 ACRES, MORE OR LESS; ALSO

BEGINNING AT THE SOUTHEAST CORNER OF SAID 54 ACRE TRACT; THENCE EAST TO MUDDY CREEK; THENCE DOWN SAID CREEK TO THE WEST LINE OF DONATION LAND CLAIM NO. 73, OF F. M. MORRIS; THENCE NORTH ALONG SAID WEST LINE TO THE SOUTH LINE OF THE DONATION LAND CLAIM OF JOHN B. YARBROUGH; THENCE WEST ABOUT 2.78 CHAINS TO THE NORTHEAST CORNER OF THE ABOVE DESCRIBED 54 ACRE TRACT; THENCE SOUTH TO THE PLACE OF BEGINNING; ALSO

BEGINNING AT THE SOUTHEAST CORNER OF THE DONATION LAND CLAIM OF JOHN P. SMITH IN TOWNSHIP 13 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN; THENCE RUNNING NORTH 10.00 CHAINS; THENCE WEST 6.31 CHAINS; THENCE SOUTH 10.00 CHAINS; THENCE EAST 6.31 CHAINS TO THE PLACE OF BEGINNING; ALSO

COMMENCING AT THE SOUTHWEST CORNER OF JOHN YARBROUGH'S DONATION LAND CLAIM NOT. NO. 2576, CLAIM NO. 72 IN TOWNSHIP 13 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, AND RUNNING THENCE EAST TO THE CENTER OF THE MAIN CHANNEL OF MUDDY CREEK; THENCE DOWN THE CENTER OF SAID CREEK TO THE WEST LINE OF SAID DONATION LAND CLAIM; THENCE SOUTH TO THE PLACE OF BEGINNING; EXCEPT 4.56 ACRES CONVEYED BY A. P. MAXWELL TO JOHN F. SMITH BY DEED RECORDED IN VOL. K, PAGE 622 IN DEED RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM THE FOLLOWING:

BEGINNING AT THE SOUTHEAST CORNER OF THE DONATION LAND CLAIM OF JOHN F. SMITH #55, IN SECTION 34, TOWNSHIP 13 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN; THENCE WEST 6.31 CHAINS; THENCE NORTH 10 CHAINS; THENCE EAST 7.97 CHAINS; THENCE SOUTH 10 CHAINS; THENCE WEST 1.66 CHAINS TO THE PLACE OF BEGINNING IN LINN COUNTY, OREGON.

TOGETHER WITH THE ACCESS EASEMENT RECORDED: MAY 15, 2006 AS INSTRUMENT NO. 2006-11571.

Subject to the following:

1. Regulations, including levies, liens, assessments, rights of way and easements of the Linn Soil and Water Conservation District. (Assessments, when levied, will be included in the Ad Valorem taxes.)
2. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Muddy Creek.

3. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Muddy Creek or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.

4. Access and Landing Strip Easement Agreement and the terms and conditions thereof:

Between: George VanLeeuwen and Elizabeth VanLeeuwen, Trustees, George VanLeeuwen Revocable Living Trust dated January 24, 1991 Elizabeth VanLeeuwen Revocable Living Trust dated January 24, 1991

And: Kenneth E. Wetgen and Eleanor Wetgen, Trustees Kenneth E. Wetgen Living Trust dated 6/22/98 Eleanor Wetgen Living Trust dated 6/22/98

Recording Information: May 15, 2006 as Instrument No. 2006-11570.

5. Road maintenance provisions, as disclosed by apparent appurtenant Easement, and the terms and conditions thereof, contained in instrument: Recorded: May 15, 2006 as Instrument No. 2006-11571.

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JUL 29 2020

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13504W 3500 00300

VOL 0738 PAGE 71

After recording return to grantee herein.
Until a change is requested send all tax
statements to grantee herein.

KEY TITLE NO. 19-25058
ESCROW NO. 24-62431
TAX ACCT. NO.
MAP #

GRANTEE'S NAME AND ADDRESS:

MORRIS G. KIVELA
30811 American Dr
Halsey, Or. 97348-9750

AFTER RECORDING MAIL TO:
MORRIS G. KIVELA
1483 N. 13th
Coos Bay, Or. 97420

WARRANTY DEED -- STATUTORY FORM
(INDIVIDUAL or CORPORATION)

JOEL W. LEMON AND ALICE A. LEMON, Trustees of the LEMON FAMILY TRUST under a
Trust Agreement dated 5-19-94. Grantor,

conveys and warrants to:

MORRIS G. KIVELA and MARY JANE KIVELA, husband and wife, Grantee.

the following described real property free of encumbrances except as
specifically set forth herein:

SEE EXHIBIT "A" WHICH IS MADE A PART HEREOF BY THIS REFERENCE

THIS INSTRUMENT WILL 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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST
PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$219,000.00. However, if the
actual consideration consists of or includes other property or other value
given or promised, such other property or value was part of the/the whole of
the (indicate which) consideration.

If grantor is a corporation, this has been signed by authority of the Board of
Directors.

Dated this 1st day of March, 1995.

GRANTOR(S):

Joel W. Lemon
JOEL W. LEMON, TRUSTEE

Alice A. Lemon
ALICE A. LEMON, TRUSTEE

STATE OF OREGON, County of Coos) ss.

This instrument was acknowledged before me on March 1, 1995,
by JOEL W. LEMON, TRUSTEE and ALICE A. LEMON, TRUSTEE

Mary E. Benz
Notary Public for Oregon

My commission expires: 4-13-98



Return to Ky 1925008

13-4w-35 #300

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JUL 29 2020
OWRD

MAR 02 1995

EXHIBIT "A"

Beginning at the Southeast corner of the David W. Allingham DLC No. 54 in Township 13 South, Range 4 West, Willamette Meridian, Linn County, Oregon; thence North 0°01' West 2811.80 feet to the Northeast corner of said DLC; thence South 89°18' East 487.20 feet to a point in the center of Muddy Creek; thence down the center of Muddy Creek as follows: South 26°00' East 118.00 feet; thence South 80°00' East 98.00 feet; thence South 27°00' East 60.00 feet; thence South 20°00' West 63.00 feet; thence South 31.00 feet; thence South 28°00' East 40.00 feet; thence South 88°00' East 39.00 feet; thence North 73°45' East 77.37 feet to a point in the center of Muddy Creek at the Northerly end of the center of a high water channel of Muddy Creek; thence along the center of said highwater channel as follows: South 31°41' West 217.50 feet; thence South 18°28' West 183.60 feet; thence South 8°09' West 235.40 feet to a point in the center of Muddy Creek at the Southerly end of said high water channel; thence up the center of Muddy Creek as follows: South 42°29' East 134.75 feet; thence South 25°37' East 345.83 feet; thence South 31°41' East 237.95 feet; thence South 30°15' East 159.80 feet; thence South 23°34' East 162.38 feet; thence South 14°59' East 208.91 feet; thence South 11°23' East 209.89 feet; thence South 48°34' West 84.64 feet; thence South 25°40' West 124.37 feet; thence South 14°17' West 209.07 feet; thence South 13°57' West 225.78 feet to a point in the center of said Muddy Creek on the North line of the Caleb Gray DLC No. 53 in said Township and Range; thence North 89°57' West 962.10 feet to the place of beginning.

SUBJECT TO:

1. Regulations, including levies, liens, assessments, rights of way, and easements of Linn Soil and Water Control District.
2. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Muddy Creek and and the ownership of the State of Oregon in and to that portion lying below the high water mark thereof.
4. Any adverse claim based on the assertion that some portion of said land is now or at any time has been within the boundaries of Muddy Creek, or the assertion that any portion of said land has been created by artificial means or has accreted to such portions so created.
5. The rights of the public in and to that portion of the premises herein described lying within the limits of roads, streets and highways.

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JUL 29 2020

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STATE OF OREGON
County of Linn

I hereby certify that the attached was received and duly recorded by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By PH, Deputy PAGE 71

40
MAR 2 3 49 PM '95

MAR 02 1995

02-15-94

13504W3400
00100

1-1-74
WARRANTY DEED
KNOW ALL MEN BY THESE PRESENTS, That CLARE M. CORNELY, ALICE M. CORNELY, BERTHA A. CORNELY, and RUTH M. LILLARD hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by **TIMOTHY LEE VanLEEUWEN and LORI LYNN VanLEEUWEN, husband and wife**, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of **Linn** and State of Oregon, described as follows, to-wit:

The East half of the Donation Land Claim of David W. Allingham and wife, same being Notification No. 2812, Claim No. 54, in Township 13 South of Range 4 West of the Willamette Meridian, in Linn County, State of Oregon, SAVE AND EXCEPT County Roadway and containing 156 acres, more or less, situated in County of Linn, State of Oregon.

SUBJECT TO:

Oil and gas lease, including the terms and provisions thereof, as disclosed by a Memorandum, dated October 6, 1975, recorded February 25, 1976, in volume 128, Page 157, Linn County Microfilm Records, between Ruth Lillard, a married woman, as Lessor, and Mobile Oil Corporation, a New York corporation, as Lessee;

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

EXCEPT EASEMENTS AND RESTRICTIONS OF RECORD,

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ **258,600.00**.
(However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the consideration (indicate which). If the sentence between the symbols @ or not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this **1st** day of **February**, 19 **84** if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Clare M. Cornely
Clare M. Cornely
(If executed by a corporation, file corporate seal)

Alice M. Cornely
Alice M. Cornely
Bertha A. Cornely
Bertha A. Cornely
Ruth M. Lillard
Ruth M. Lillard

STATE OF OREGON, } ss.
County of **Linn**
February **1st**, 19 **84**

STATE OF OREGON, County of _____ } ss.
Personally appeared _____, 19 _____
_____ who, being duly sworn,
each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____ a corporation,
and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Personally appeared the above named **CLARE M. CORNELY, ALICE M. CORNELY, BERTHA A. CORNELY & RUTH M. LILLARD**

Notary Public for Oregon
Walter Maguire
Notary Public for Oregon
My commission expires: 10-11-86

Notary Public for Oregon
My commission expires: _____

CLARE M. CORNELY, ALICE M. CORNELY, BERTHA A. CORNELY & RUTH M. LILLARD

STATE OF OREGON, } ss.
County of _____

GRANTOR'S NAME AND ADDRESS
TIMOTHY LEE VanLEEUWEN and LORI LYNN VanLEEUWEN

I certify that the within instrument was received for record on the _____ day of _____, 19 _____, at _____ o'clock _____ M., and recorded in book/real/volume No. _____ on page _____ or as document/fee/file/instrument/microfilm No. _____ Record of Deeds of said county. Witness my hand and seal of County affixed.

GRANTEE'S NAME AND ADDRESS
After recording return to
Tim + Lori Van Leeuwen
30466 Sweet Bend Rd
Halsey Or 97348
NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

Until a change is requested all tax statements shall be sent to the following address:
as above

By _____ Deputy

FEB 15 1994

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02-15-94

VOL 0682 PAGE 492

Oil and gas lease, including the terms and provisions thereof, as disclosed by a Memorandum, dated October 6, 1975, recorded February 25, 1976, in Volume 128, Page 159, Linn County Microfilm Records, between Clare M. Cornely, a single person as Lessor, and Mobil Oil Corporation, a New York corporation, as Lessee;

Oil and gas lease, including the terms and provisions thereof, as disclosed by a Memorandum, dated October 6, 1975, recorded February 25, 1976, in Volume 128, Page 161, Linn County Microfilm Records, between Theodore A. Cornely, a single person, and Bernard J. Cornely, a single person, and Frank X. Cornely, a single person, and Alice M. Cornely, a single person, and Bertha A. Cornely, a single person, as Lessors, and Mobil Oil Corporation, a New York corporation, as Lessee;

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JUL 29 2020

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STATE OF OREGON
County of Linn

I hereby certify that the attached has been received and duly recorded by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By , Deputy

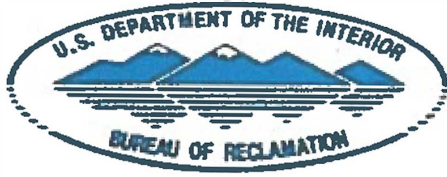
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FEB 15 11 34 AM '94

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FEB 15 1994

CONTRACT DATA SHEET



U.S. Bureau of Reclamation
Attn: PN-3324
1150 North Curtis Road
Boise, ID 83706-1234
208-378-5344

RECLAMATION
Managing Water in the West

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1. Applicant Information:

A. Landowners

- 1) Name of landowner(s): Timothy L. Van Leeuwen
- 2) Address: 30466 Creek Bend Dr., Halsey, OR 97348
- 3) Mailing Address (if different): _____
- 4) Taxpayer Identification Number(s): _____
(Social Security Number or Employer Identification Number)¹
- 5) Do you own all of the land where you propose to divert and make use of water? No

B. Water User Organizations (Such as Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: Muddy Creek Irrigation Project
- 2) Name & Title of Applicant: Timothy L. Van Leeuwen, landowner/member
- 3) Mailing Address of Organization: 32255 Bowers Dr., Harrisburg, OR 97446
- 4) Taxpayer Identification Number: 93-0545101
(Social Security Number or Employer Identification Number)

5) Please provide the following information:

- (a) A description of the area served by the organization (location, total acreage, # of water users, prominent crops, etc.)
- (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

(a) 9,000 acres from Armitage Park, Coburg, OR to almost Corvallis, OR (b) see attached board letter

2. Source of Water (name of stream, river): McKenzie River

3. Proposed point of diversion: 4440' feet South and 5250' feet East
of SE corner of DLC 79, Township 17S, Range 3W,
Willamette Meridian.

4. A water right permit to divert storage water is required. Application or file number with OWRD if you have applied for a permit to divert storage water: Application submitted to OWRD. Number not yet assigned.

5. Include a map of lands and diversion points. [Same as required by Oregon Water Resources Department (OWRD) for application for surface/ground water permit].

6. Do you currently hold a right to natural flows for irrigating the property described herein? No
If yes, what is/are the priority date(s)? _____

7. Total quantity of water from storage requested: 171.7 acre-feet.

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8. Location of land to be irrigated in each 40-acre tract:

JUL 29 2020

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
SEE ATTACHED MAP AND TABLE					

OWRD

9. What is the present use of the land identified above? [*farming; idle* (fallow cultivated land); *native* (appears never to have been tilled); *planted pasture or other* (please specify)].
Farming

10. Is the land identified above currently being irrigated? No If yes, what is the source? (*natural flows, wells, etc.*) _____

11. Diversion must be screened to prevent uptake of fish and other aquatic life. Describe plan(s) to comply with State/Federal fish screen standards: _____
The POD is already screened per ODFW specs.

12. Telephone number where you can be reached during the day: (541) 979-6654 Timothy Van Leeuwen, landowner
(503) 510-3026 Will McGill, CWRE

Before returning the completed Contract Data Sheet to the address provided on page 1, please check that you have done the following:

- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE², MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION

¹ Section 31001.(i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.

² The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be revised to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. In the event that the costs to the United States of evaluating the application are in excess of the minimum contract administration fee, an estimate of the reimbursable costs for which advance payment is required will be provided to the applicant.

PROPOSED PLACE OF USE					
Township	Range	Section	QQ	Acres	Group
13S	4W	26	NESW	2.5	Tall Fescue, Clover, Wheat
			NWSW	3.7	
			SESW	0.2	
13S	4W	27	NESE	9.7	Tall Fescue, Clover, Wheat
			NWSE	0.4	
			SWSE	0.5	
			SESE	1.2	
13S	4W	34	NENE	3.5	Tall Fescue, Clover, Wheat
			NWNE	5.0	
			SWNE	25.5	
			SENE	34.6	
			NESE	38.9	
			NWSE	31.8	
13S	4W	35	NENW	3.2	Tall Fescue, Clover, Wheat
			NWNW	6.0	
			SWNW	5.0	

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JUL 29 2020

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JUL 29 2020

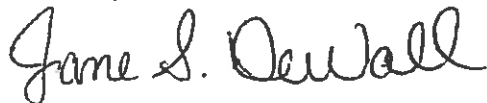
OWRD

Muddy Creeks Irrigation Project
PO Box 225
Harrisburg, OR 97446
7/13/20

To whom it may concern:

Muddy Creeks Irrigation Project approved up to 174 acres of new water rights for Tim Van Leeuwen along Muddy Creek. These acres were approved on 3/29/2016 at the regular Muddy Creeks meeting. (See minutes attached) When the permit is issued and Muddy Creeks office is notified, bills will be sent. Muddy Creeks will deliver the water for the acres needed.

Sincerely,



Jane S. DeWall

Muddy Creeks Irrigatio Project
Secretary

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JUL 29 2020

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3/29/2016

The Muddy Creeks Irrigation Board met at Malpass Warehouse, March 29, 2016 for the regular monthly meeting with the following board members present: Board Members -Dave Malpass, Don Estergard, Mike Stevenson, Dean Bowers, Tobin Bowers, Wayne Swango, Guest-Tim VanLeeuwen, and Secretary-Jane DeWall.

The minutes for the February 2016 meeting were read. Don Estergard made a motion to approve the minutes, Tobin Bowers seconded the motion. Motion Carried.

The Financial Statement was presented for the month of March. Dean Bowers made a motion to approve the financial statement, Wayne Swango seconded the motion. Motion Carried.

Tim VanLeeuwen was present to ask for delivery of 174 Acres water, which would be 138 approx acres on his home place, and 36 acres to true up Wetgen Place and Kivela place. These are all on Main Muddy and will have an Oregon Water Right with BOR water. Wayne Swango made a motion to agree to pump this water, Don Estergard seconded the motion. Motion Carried.

Jane asked the board if they would be interested in putting money into a CD at Key Bank at 1.25% for 24 months or 1.5 for 36 months. With much discussion and review of the Income/Expense forecast, Dean Bowers made a motion to put \$80,000 into a 24 month CD at Keybank, with Jane DeWall and Dean Bowers as signers. Wayne Swango seconded the motion. Motion Carried with Mike Stevenson and Wayne Swango opposing the motion.

Jane DeWall went over all the completions we have had with the 125hp pump and electrical:

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JUL 29 2020

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- *Pump and Motor are in and running.
- *Screen Water Pump and Motor have been replaced and are running
- *Two motors for the screens pulled and repaired, are not back in yet.
- *All Big Bills paid
- *Still have bills for Malpass hrs for several days of work at the headworks and Applied for the Clamps

No one is to open the Motor Control unit at any time. Everything can run from controls outside, but Lite Electric would ask that they be called if we need to get into the Controls. He has a lot of timing units and such in the unit that he would like to keep adjusted.

Dean Bowers asked if we have gotten a copy of the digging permit yet. Jane DeWall will research it.

Jane DeWall said Walt Trimmer is not dependable at this time and she will stay on that to see where he is with the new users permits.

Bob Malpass was going to report on ditch maintenance, but left the meeting early because of illness.

Jane DeWall reported that she had talked with Marie Bowers about their plans on the ditch running from Wilkins to Estergard near the mill. She said she would get back to us.

Jane gave the board a handout of Quotations from McDiarmid Controls with costs of Replacements of the motors at the headworks. The insurance company had asked what these might be for the equipment schedule.

With no further business, the meeting was adjourned.

Jane S. DeWall