

# 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 NORTH RIVER FARMS LLC			PHONE (HM)
PHONE (WK) 713-955-3220			FAX
ADDRESS 2229 SAN FELIPE ST. SUITE 1150			
CITY HOUSTON	STATE TX	ZIP 77019	E-MAIL * mpolk@terservices.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 WILLIAM E. MCGILL, CWRE		PHONE (503) 510-3026	FAX
ADDRESS 15333 PLETZER RD. SE			CELL
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.

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

North River Farms LLC  
 BY: Mary Jo Sandlin  
 Applicant Signature Mary Jo Sandlin, President      Print Name and Title if applicable      Date 7-13-19

Applicant Signature      Print Name and Title if applicable      Date

For Department Use: App. Number: 5-88724

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**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).*

**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: Willamette River (BOR Stored Water)	Tributary to: Columbia River
TRSQQ of POD: 5S 3W 03 SENW & 6S 3W 16 NWSW	
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.)

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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/](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.

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

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

Yes  No

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**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.

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- 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:  
Keep equipment in good operating condition to minimize waste and install water use measuring device.

**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
Willamette River (BOR Stored Water)	Irrigation	Mar. 1 - Oct. 31	1.8 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
Willamette River (BOR Stored Water)	Supplemental Irrigation	Mar. 1 - Oct. 31	4.5 <input checked="" 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: 141.2 Acres                      Supplemental: 357.0 Acres  
 If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):  
 Cert. Nos. 31323, 24130, 24131, 26360, and 28950.  
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 1245.5 af

- 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): 75 HP Submersible
- Other means (describe): \_\_\_\_\_

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

Both PODs will consist of 75 HP submersible pumps supported by a pontoon, diverted to various sized buried mainline and applied to crops by drip and micro sprinklers.

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)  
Drip and micro 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 water requested is needed for crop irrigation. A high efficiency system will be installed with a water use measuring device.

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**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: New fish screening will be sized to the system and installed.
- 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: Minimal to no clearing will be necessary as these are authorized PODs for existing water rights.
- 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: Operation of equipment in the water will be minimal if needed as these are authorized PODs for existing water rights.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe planned actions: Care will be taken to keep equipment in good operating condition to prevent excessive run-off.
- 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: 2020 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. **North Farm only.**

Irrigation District Name <i>Palmer Creek Water District Improvement Co.</i>	Address <i>14395 SE Wallace Rd.</i>	
City <i>Dayton</i>	State <i>OR</i>	Zip <i>97114</i>

**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

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### 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: \$3,211.20  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://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 taxlot 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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# Land Use Information Form



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503-986-0900  
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## 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 NORTH RIVER FARMS LLC			PHONE (HM)		
PHONE (WK)		CELL (503) 550-1677		FAX	
ADDRESS 2229 SAN FELIPE ST., SUITE 1150					
CITY HOUSTON		STATE TX	ZIP 77019	E-MAIL* ERIC@GREENLEAFFM.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:
4S	3W	33	SWSW SESW	903	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
4S	3W	33	SWSE SESE SESW	100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
4S	3W	34	SWSW	100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
5S	3W	4	NWNW NENW	903	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
5S	3W	4	NWNW NENW NWNW NENW SWNW SESW SWNE NENE SENE NESW NWSE	100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
5S	3W	3	SWNW SESW NWNW	100	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming

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List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed.  
Yamhill 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) Willamette River (BOR Stored Water)

Estimated quantity of water needed: 3.8  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 use BOR Stored Water to irrigate crops in tax lots 903 & 100 in Yamhill Co.*

## 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): 7620 402
- 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.

permitted farm use

NAME: <u>Matt Vogt</u>	TITLE: <u>Assoc. Planner</u>
SIGNATURE:	PHONE: <u>503-434-7516</u>
GOVERNMENT ENTITY: <u>Yamhill County</u>	DATE: <u>7/18/2019</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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CITY HOUSTON	STATE TX	ZIP 77019	E-MAIL* ERIC@GREENLEAFFM.COM

**A. Land and Location**

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Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
6S	3W	16	SWSW NWSW SWNW NWNW	100	EFU	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming
6S	3W	17	SENW SWNE	403	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming
6S	3W	17	SWNE SENE NWSE SESW NESW NWNE NENE NESE SESE	100	EFU	<input type="checkbox"/> Diverted <input checked="" 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:  
*Polk County*

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**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) Willamette River (BOR Stored Water)

Estimated quantity of water needed: 2.4  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 use BOR Stored Water to irrigate crops in tax lots 403 & 100 in Polk Co.*

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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 landuse 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 notregulated by your comprehensive plan. Cite applicable ordinance section(s): PCZO 126.030(A) (Farm use / irrigation)
- 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.) no new construction proposed 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.

*\*Please see attached comments*

NAME <i>Miranda Muller</i>	TITLE: <i>Assistant Planner</i>
SIGNATURE <i>Miranda Muller</i>	PHONE: <i>503-623-9237</i>
GOVERNMENT ENTITY <i>Polk County</i>	DATE: <i>7/24/19</i>

**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: \_\_\_\_\_ Date: \_\_\_\_\_

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The subject property is located within the regulated floodplain. Any non-structural floodplain development (mining, dredging, filling, excavating, etc.) would require a land use permit to demonstrate compliance with PCZO 178.060.

Spring Valley Creek is also located on the subject property which is inventoried as a significant wetland according to Polk County's SRA map. Any activities listed in PCZO 182.070(A)(1) as a conflicting use within the required setback area would first require a management plan coordinated with ODFW and DSL.

Miranda Muller  
Assistant Planner

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RECORDING REQUESTED BY  
AND WHEN RECORDED, MAIL TO

NEW ISLAND CAPITAL REAL ASSETS LP  
Attention: Mary Jo Sandlin  
2229 San Felipe Street, Suite 1150  
Houston, TX 77019

UNTIL A CHANGE IS REQUESTED,  
MAIL TAX STATEMENTS TO:  
NEW ISLAND CAPITAL REAL ASSETS LP  
Attention: Mary Jo Sandlin  
2229 San Felipe Street, Suite 1150  
Houston, TX 77019

File No. 7081-3169602 (ALS)

Yamhill County Official Records	<b>201902069</b>
<b>DMR-DDMR</b>	
Stn=3 SUTTONS	<b>02/20/2019 09:39:00 AM</b>
6Pgs \$30.00 \$11.00 \$5.00 \$60.00	<b>\$106.00</b>
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**WARRANTY DEED**

POLVI FARMS INC., Grantor, conveys and warrants to NEW ISLAND CAPITAL REAL ASSETS LP, Grantee, that certain real property located in Yamhill County, Oregon / Polk County, Oregon, and more particularly described on Exhibit A attached hereto.

The true consideration for this conveyance is \$7,100,000.00. (Here comply with requirements of ORS 93.030)

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

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DATED this 16 day of Feb, 2019

GRANTOR:

POLVI FARMS, INC.

By: [Signature]

Name: Steven L. Polvi

Title: President

STATE OF OREGON )  
County of Folk ) ss.

The foregoing instrument was acknowledged before me on the 16<sup>th</sup> day of Feb, 2019, by Steven L. Polvi as President of Polvi Farms, Inc.

[Signature]  
Notary Public for Oregon  
My commission expires: 4-19-20



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**EXHIBIT A**

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

**TRACT 1: (Yamhill County)**

**PARCEL 1:**

Part of the John M. Forrest Donation Land Claim No. 52 and No. 58 in Township 4 and 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

**BEGINNING ON THE North line of said Claim 66.85 chains East of the Northwest corner of said Claim; thence West 66.85 chains to the Northwest corner of said Claim; thence South 03° West 25 chains; thence East parallel with the North line of said Claim, 66.85 chains to a point due South of the Place of Beginning; thence North 26 chains to the Place of Beginning.**

**SAVE AND EXCEPTING THEREFROM that portion of the premises conveyed to the State of Oregon by Deed recorded July 29, 1938, in Book 114, Page 365, Deed Records.**

**FURTHER SAVE AND EXCEPTING THEREFROM the following described tract of land:**

**Beginning at the southwest corner of the second tract of land described in deed to J. A. LAMBERT, September 20, 1870, which deed is recorded at Page 332 of Book "K", Deed Records of Yamhill County, said southwest corner on record as being 67.35 chains East and 18.50 chains South of the Northwest corner of the J. Forrest Donation Land Claim No. 52, said Township and Range; thence East 363.00 feet to an iron rod at the southeast corner of said LAMBERT tract; thence South 82°30'00" East 420.33 feet to a point in the center of the existing traveled centerline of Green Acres Road (County Road No. 467), from which an iron rod bears South 82°30'00" East 45.41 feet; thence North 71°21'58" East 370.73 feet along said road centerline; thence South 18°38'02" East 15.12 feet to a corner of fences; thence South 69°19'45" East 26.30 feet (passing an iron rod at 7.70 feet) to a 30 inch diameter Fir Tree at a corner of fences; thence South 13°25'58" East 50.89 feet, more or less, to a point on the north bank of the Lambert (formerly Willamette) Slough; thence at right angles to said, north bank South 31°39'35" East 63.72 feet, more or less, to a point on the south line of the first tract described in the aforesaid LAMBERT deed; thence East 69 feet, more or less, along said south line of LAMBERT to the center of said Lambert Slough; thence southwesterly up the center of said slough 436-feet more or less to a point on the north line of a tract of land described in deed to POLVI FARMS INC., and recorded as Parcel 2, of Film Volume 294, Page 1950, Deed and Mortgage Records; thence West 1193 feet, more or less along the north line of Parcels 1 and Parcel 2 of said POLVI FARMS INC. deed to an iron rod; thence North 00°11'46" East 79.86 feet to an iron rod; thence West 12.29 feet to an iron rod; thence North 00°11'46" East 346.88 feet to an iron rod; thence East 146.82 feet to the POINT OF BEGINNING.**

**PARCEL 2:**

Part of the John M. Forrest Donation Land Claim No. 52 and No. 58 in Township 4 South,

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APN: 187149

Statutory Warranty Deed  
- continued

File No.: 7081-3169602 (ALS)

Range 5 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

**BEGINNING** at a stake 14.94 chains North of the Southwest corner of said Claim; thence North 88-1/2° East 39.15 chains; thence North 12-1/2° East 6.77 chains to a stake; thence East 34 chains to a stake on the East line of said Claim; thence North 5.20 chains; thence East 10 chains to the center of Willamette Slough; thence Northeasterly down the center of said slough to the Southeast corner of a tract of land formerly owned by Lee Baker; thence West along the South boundary of the tract of land formerly owned by William Clemmens, 85.65 chains to the West line of said Claim; thence South 03° West 1.84 chains; thence North 87° West .98 of a chain; thence South 18.97 chains to the Place of Beginning.

**PARCEL 3:**

Part of the William Logan Donation Land Claim No. 53 and No. 37 in Townships 4 and 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

**BEGINNING** at the Southeast corner of said Claim; thence North 87° West 15 chains; thence North 31° West 15.75 chains; thence North 54° East 10.41 chains; thence South 87° East 16 chains to the East line of said Claim; thence South 03° West 19.45 chains to the Place of Beginning.

**PARCEL 4:**

**BEGINNING** 14.94 chains North of the Southwest corner of the John M. Forrest Donation Land Claim No. 52 and 58 in Township 4 and 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon; thence West to the center of Palmer Creek; thence Northerly down the center of said creek to the North line of the John H. Thessing Donation Land Claim No. 51; thence East to the Northeast corner of said Thessing Claim; thence South 18.79 chains to the Place of Beginning.

**PARCEL 5:**

That portion of the following described tract which lies **EASTERLY** of the centerline of Palmer Creek:

**BEING** a part of the William Logan Donation Land Claim in Sections 32 and 33, Township 4 South, Range 3 West and Section 4, Township 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon and being more particularly described as follows:

**BEGINNING** at a point 33.18 chains East and 22.69 chains South 05°30' West of the Northwest corner of the William Logan Donation Land Claim; thence South 89°30' East 34.3 chains; thence North 04°11' West 2.7 chains; thence North 88°34' East, 17.25 chains; thence South 02°38' West 35.95 chains; thence North 89°45' West 16.59 chains; thence North 86°23' West 6.267 chains to Palmer Creek; thence down creek as follows: North 56°18' East, 2.791 chains; thence North 63°53' East, 2.805 chains; thence North 22°19' East 1.317 chains; thence North 34°29' West 1.577 chains; thence North 68°59' East, 2.001 chains; thence North 86°44' East 3.542 chains; thence North 02°19' West 1.277 chains; thence

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APN: 187149

Statutory Warranty Deed  
- continued

File No.: 7081-3169602 (ALS)

North 86°23' West, 2.01 chains, more or less, to angle corner in 69.1 acre tract to Chester Lyman in Volume 163, Page 393 of County Records; thence North 01°14' West 11.31 chains to Northeast corner of Lyman tract; thence North 86°23' West 35 chains, more or less; thence North 05°30' East 11.402 chains, more or less, to the Point of Beginning.

TRACT 2: (Polk County)

PARCEL 1:

BEGINNING AT THE SOUTHEAST CORNER OF THE B. F. MCLENCH DONATION LAND CLAIM NO. 47 IN TOWNSHIP 6 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, POLK COUNTY, OREGON; THENCE NORTH 50.29 CHAINS TO THE SOUTH LINE OF THE NORTH ONE-HALF (N 1/2) OF SAID B. F. MCLENCH CLAIM; THENCE WEST ALONG SAID DIVISION LINE, A DISTANCE OF 40.64 CHAINS, MORE OR LESS, TO THE CENTERLINE OF THE STATE HIGHWAY; THENCE NORTHERLY ALONG THE CENTER OF SAID HIGHWAY, A DISTANCE OF 16.5 CHAINS; THENCE EAST, A DISTANCE OF 13.75 CHAINS TO THE WEST BOUNDARY OF SAID B. F. MCLENCH DONATION LAND CLAIM NO. 47; THENCE NORTH ALONG SAID WEST BOUNDARY TO THE CENTERLINE OF AFOREMENTIONED STATE HIGHWAY; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO THE NORTH BOUNDARY OF SAID B. F. MCLENCH CLAIM; THENCE EAST TO THE NORTHEAST CORNER OF SAID B. F. MCLENCH CLAIM; THENCE EAST, A DISTANCE OF 9.26 CHAINS TO THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO THEO. AND IRENE DAUM, HUSBAND AND WIFE, IN VOLUME 139, PAGE 505, IN THE DEED RECORDS OF POLK COUNTY, OREGON; THENCE NORTH 14°00' EAST 19.32 CHAINS, ALONG THE EASTERLY BOUNDARY OF SAID DAUM TRACT, TO THE NORTHEAST CORNER THEREOF; THENCE EAST TO THE WEST BANK OF THE WEST CHANNEL SLOUGH OF THE WILLAMETTE RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID SLOUGH TO THE SOUTH BOUNDARY OF SECTION 16 OF SAID TOWNSHIP AND RANGE, AND ENCOMPASSING THOSE PORTIONS OF LOTS 5 AND 6 AND THE WEST ONE-HALF (W 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 16 WHICH LAY TO THE WEST OF SAID SLOUGH; THENCE WEST ALONG THE SOUTH BOUNDARY OF SAID SECTION 16 TO THE SECTION CORNER COMMON TO SECTIONS 16, 17, 20 AND 21 IN SAID TOWNSHIP AND RANGE; THENCE SOUTH TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 3, IN SECTION 20 IN SAID TOWNSHIP AND RANGE; THENCE WEST 4.14 CHAINS TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED TRACT OF LAND LYING WITHIN THE BOUNDARIES OF PUBLIC ROADS AND HIGHWAYS.

SAVE AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED PROPERTY CONVEYED TO THE STATE OF OREGON BY AND THROUGH IT'S DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION, BY DEED DATED APRIL 16, 1962, AND RECORDED APRIL 18, 1962 IN BOOK 181, PAGE 191, BOOK OF RECORDS, POLK COUNTY, OREGON.

SAVE AND EXCEPT: BEGINNING AT AN IRON PIPE WHICH IS 2997.58 FEET SOUTH 2° 03' 30" WEST AND 434.55 FEET NORTH 87° 56' 30" WEST FROM THE NORTHWEST CORNER OF THE B. F. MCLENCH DONATION LAND CLAIM NO. 47 IN TOWNSHIP 6 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF POLK AND STATE OF OREGON; AND RUNNING THENCE NORTH 87° 56' 30" WEST 288.35 FEET TO AN IRON PIPE ON THE EAST

LINE OF THE STATE HIGHWAY; THENCE NORTH 12° 10' 30" WEST 185.70 FEET ALONG SAID EAST LINE TO AN IRON PIPE; THENCE SOUTH 87° 56' 30" EAST 334.0 FEET TO AN IRON PIPE; THENCE SOUTH 2° 03' 30" WEST 180.00 FEET TO THE PLACE OF BEGINNING.

PARCEL 2:

GOVERNMENT LOT (5) OF SECTION TWENTY-ONE (21), TOWNSHIP SIX (6) SOUTH, RANGE THREE (3) WEST OF THE WILLAMETTE MERIDIAN IN POLK COUNTY, OREGON.

PARCEL 3:

BEGINNING AT THE NORTHEAST CORNER OF THE BENJAMIN WINDSOR 20 ACRE TRACT; SAID CORNER BEING LOCATED SOUTH 33.34 CHAINS FROM THE NORTHEAST CORNER OF THE ANDREW J. THOMAS DONATION LAND CLAIM NO. 55 IN TOWNSHIP 6 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, POLK COUNTY, OREGON; THENCE WESTERLY ALONG THE NORTH BOUNDARY OF SAID WINDSOR TRACT, TO THE EASTERLY BOUNDARY OF THE SALEM-DAYTON STATE HIGHWAY; THENCE NORTHEASTERLY ALONG SAID HIGHWAY BOUNDARY TO ITS POINT OF INTERSECTION WITH THE EAST BOUNDARY OF SAID THOMAS DONATION LAND CLAIM; THENCE SOUTH ALONG SAID CLAIM BOUNDARY TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED PROPERTY CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION, BY DEED DATED APRIL 20, 1989, AND RECORDED MAY 10, 1989, IN BOOK 222, PAGE 775, BOOK OF RECORDS, POLK COUNTY, OREGON.

ALSO SAVE AND EXCEPT ANY PORTION OF ABOVE DESCRIBED TRACT OF LAND WHICH LIES WITHIN THE BOUNDARIES OF PUBLIC ROADS AND HIGHWAYS.

PARCEL 4:

BEGINNING AT AN IRON PIPE WHICH IS 2997.58 FEET SOUTH 2° 03' 30" WEST AND 434.55 FEET NORTH 87° 56' 30" WEST FROM THE NORTHWEST CORNER OF THE B. F. MCLENCH DONATION LAND CLAIM NO. 47 IN TOWNSHIP 6 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF POLK AND STATE OF OREGON; AND RUNNING THENCE NORTH 87° 56' 30" WEST 288.35 FEET TO AN IRON PIPE ON THE EAST LINE OF THE STATE HIGHWAY; THENCE NORTH 12° 10' 30" WEST 185.70 FEET ALONG SAID EAST LINE TO AN IRON PIPE; THENCE SOUTH 87° 56' 30" EAST 334.0 FEET TO AN IRON PIPE; THENCE SOUTH 2° 03' 30" WEST 180.00 FEET TO THE PLACE OF BEGINNING.

NOTE: This legal description was created prior to January 1, 2008.

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RECORDING REQUESTED BY  
AND WHEN RECORDED, MAIL TO

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

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

File No.

RECORDED IN POLK COUNTY		<b>2019-003763</b>
Valerie Unger, County Clerk		04/18/2019 10:47:11 AM
REC-WD	Cnt=1 Stn=5 K. WILLIAMS	\$116.00
\$30.00	\$11.00 \$10.00 \$60.00 \$5.00	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**WARRANTY DEED**

NEW ISLAND CAPITAL REAL ASSETS LP, Grantor, conveys and warrants to NORTH RIVER FARMS LLC, Grantee, that certain real property located in Yamhill County, Oregon / Polk County, Oregon, and more particularly described on Exhibit A attached hereto.

The true consideration for this conveyance is \$0. (Here comply with requirements of ORS93.030)

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

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NOTE: FIRST AMERICAN TITLE  
IS RECORDING THIS DOCUMENT AS AN  
ACCOMMODATION TO CLIENT ONLY AND  
WILL NOT ASSUME ANY RESPONSIBILITY  
AS TO ITS VALIDITY.

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DATED this 12<sup>th</sup> day of April, 2019

GRANTOR:

NEW ISLAND CAPITAL REAL ASSETS LP,

By: Spring Partners, LLC,  
Its: General Partner

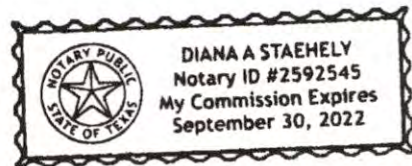
By: Mary Jo Sandlin  
Name: Mary Jo Sandlin  
Title: President

THE STATE OF TEXAS       §  
  §  
  §  
COUNTY OF HARRIS       §

On April 12, 2019 before me, Diana Staehely, personally appeared Mary Jo Sandlin, President of New Island Capital Real Assets LP, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person(s), or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Texas that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Diana Staehely  
Signature of Notary Public

Place Notary Seal Above

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**EXHIBIT A**

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

**TRACT 1: (Yamhill County)**

**PARCEL 1:**

Part of the John M. Forrest Donation Land Claim No. 52 and No. 58 in Township 4 and 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

**BEGINNING ON THE North line of said Claim 66.85 chains East of the Northwest corner of said Claim; thence West 66.85 chains to the Northwest corner of said Claim; thence South 03° West 25 chains; thence East parallel with the North line of said Claim, 66.85 chains to a point due South of the Place of Beginning; thence North 26 chains to the Place of Beginning.**

**SAVE AND EXCEPTING THEREFROM that portion of the premises conveyed to the State of Oregon by Deed recorded July 29, 1938, in Book 114, Page 365, Deed Records.**

**FURTHER SAVE AND EXCEPTING THEREFROM the following described tract of land:**

**Beginning at the southwest corner of the second tract of land described in deed to J. A. LAMBERT, September 20, 1870, which deed is recorded at Page 332 of Book "K", Deed Records of Yamhill County, said southwest corner on record as being 67.35 chains East and 18.50 chains South of the Northwest corner of the J. Forrest Donation Land Claim No. 52, said Township and Range; thence East 363.00 feet to an iron rod at the southeast corner of said LAMBERT tract; thence South 82°30'00" East 420.33 feet to a point in the center of the existing traveled centerline of Green Acres Road (County Road No. 467), from which an iron rod bears South 82°30'00" East 45.41 feet; thence North 71°21'58" East 370.73 feet along said road centerline; thence South 18°38'02" East 15.12 feet to a corner of fences; thence South 69°19'45" East 26.30 feet (passing an iron rod at 7.70 feet) to a 30 inch diameter Fir Tree at a corner of fences; thence South 13°25'58" East 50.89 feet, more or less, to a point on the north bank of the Lambert (formerly Willamette) Slough; thence at right angles to said, north bank South 31°39'35" East 63.72 feet, more or less, to a point on the south line of the first tract described in the aforesaid LAMBERT deed; thence East 69 feet, more or less, along said south line of LAMBERT to the center of said Lambert Slough; thence southwesterly up the center of said slough 436-feet more or less to a point on the north line of a tract of land described in deed to POLVI FARMS INC., and recorded as Parcel 2, of Film Volume 294, Page 1950, Deed and Mortgage Records; thence West 1193 feet, more or less along the north line of Parcels 1 and Parcel 2 of said POLVI FARMS INC. deed to an iron rod; thence North 00°11'46" East 79.86 feet to an iron rod; thence West 12.29 feet to an iron rod; thence North 00°11'46" East 346.88 feet to an iron rod; thence East 146.82 feet to the POINT OF BEGINNING.**

**PARCEL 2:**

Part of the John M. Forrest Donation Land Claim No. 52 and No. 58 in Township 4 South,

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Statutory Warranty Deed  
- continued

Range 5 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

**BEGINNING** at a stake 14.94 chains North of the Southwest corner of said Claim; thence North 88-1/2° East 39.15 chains; thence North 12-1/2° East 6.77 chains to a stake; thence East 34 chains to a stake on the East line of said Claim; thence North 5.20 chains; thence East 10 chains to the center of Willamette Slough; thence Northeasterly down the center of said slough to the Southeast corner of a tract of land formerly owned by Lee Baker; thence West along the South boundary of the tract of land formerly owned by William Clemmens, 85.65 chains to the West line of said Claim; thence South 03° West 1.84 chains; thence North 87° West .98 of a chain; thence South 18.97 chains to the Place of Beginning.

**PARCEL 3:**

Part of the William Logan Donation Land Claim No. 53 and No. 37 in Townships 4 and 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

**BEGINNING** at the Southeast corner of said Claim; thence North 87° West 15 chains; thence North 31° West 15.75 chains; thence North 54° East 10.41 chains; thence South 87° East 16 chains to the East line of said Claim; thence South 03° West 19.45 chains to the Place of Beginning.

**PARCEL 4:**

**BEGINNING** 14.94 chains North of the Southwest corner of the John M. Forrest Donation Land Claim No. 52 and 58 in Township 4 and 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon; thence West to the center of Palmer Creek; thence Northerly down the center of said creek to the North line of the John H. Thessing Donation Land Claim No. 51; thence East to the Northeast corner of said Thessing Claim; thence South 18.79 chains to the Place of Beginning.

**PARCEL 5:**

That portion of the following described tract which lies **EASTERLY** of the centerline of Palmer Creek:

**BEING** a part of the William Logan Donation Land Claim in Sections 32 and 33, Township 4 South, Range 3 West and Section 4, Township 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon and being more particularly described as follows:

**BEGINNING** at a point 33.18 chains East and 22.69 chains South 05°30' West of the Northwest corner of the William Logan Donation Land Claim; thence South 89°30' East 34.3 chains; thence North 04°11' West 2.7 chains; thence North 88°34' East, 17.25 chains; thence South 02°38' West 35.95 chains; thence North 89°45' West 16.59 chains; thence North 86°23' West 6.267 chains to Palmer Creek; thence down creek as follows: North 56°18' East, 2.791 chains; thence North 63°53' East, 2.805 chains; thence North 22°19' East 1.317 chains; thence North 34°29' West 1.577 chains; thence North 68°59' East, 2.001 chains; thence North 86°44' East 3.542 chains; thence North 02°19' West 1.277 chains; thence

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- continued

North 86°23' West, 2.01 chains, more or less, to angle corner in 69.1 acre tract to Chester Lyman in Volume 163, Page 393 of County Records; thence North 01°14' West 11.31 chains to Northeast corner of Lyman tract; thence North 86°23' West 35 chains, more or less; thence North 05°30' East 11.402 chains, more or less, to the Point of Beginning.

**TRACT 2: (Polk County)**

**PARCEL 1:**

**BEGINNING AT THE SOUTHEAST CORNER OF THE B. F. MCLENCH DONATION LAND CLAIM NO. 47 IN TOWNSHIP 6 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, POLK COUNTY, OREGON; THENCE NORTH 50.29 CHAINS TO THE SOUTH LINE OF THE NORTH ONE-HALF (N 1/2) OF SAID B. F. MCLENCH CLAIM; THENCE WEST ALONG SAID DIVISION LINE, A DISTANCE OF 40.64 CHAINS, MORE OR LESS, TO THE CENTERLINE OF THE STATE HIGHWAY; THENCE NORTHERLY ALONG THE CENTER OF SAID HIGHWAY, A DISTANCE OF 16.5 CHAINS; THENCE EAST, A DISTANCE OF 13.75 CHAINS TO THE WEST BOUNDARY OF SAID B. F. MCLENCH DONATION LAND CLAIM NO. 47; THENCE NORTH ALONG SAID WEST BOUNDARY TO THE CENTERLINE OF AFOREMENTIONED STATE HIGHWAY; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO THE NORTH BOUNDARY OF SAID B. F. MCLENCH CLAIM; THENCE EAST TO THE NORTHEAST CORNER OF SAID B. F. MCLENCH CLAIM; THENCE EAST, A DISTANCE OF 9.26 CHAINS TO THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO THEO. AND IRENE DAUM, HUSBAND AND WIFE, IN VOLUME 139, PAGE 505, IN THE DEED RECORDS OF POLK COUNTY, OREGON; THENCE NORTH 14°00' EAST 19.32 CHAINS, ALONG THE EASTERLY BOUNDARY OF SAID DAUM TRACT, TO THE NORTHEAST CORNER THEREOF; THENCE EAST TO THE WEST BANK OF THE WEST CHANNEL SLOUGH OF THE WILLAMETTE RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID SLOUGH TO THE SOUTH BOUNDARY OF SECTION 16 OF SAID TOWNSHIP AND RANGE, AND ENCOMPASSING THOSE PORTIONS OF LOTS 5 AND 6 AND THE WEST ONE-HALF (W 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 16 WHICH LAY TO THE WEST OF SAID SLOUGH; THENCE WEST ALONG THE SOUTH BOUNDARY OF SAID SECTION 16 TO THE SECTION CORNER COMMON TO SECTIONS 16, 17, 20 AND 21 IN SAID TOWNSHIP AND RANGE; THENCE SOUTH TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 3, IN SECTION 20 IN SAID TOWNSHIP AND RANGE; THENCE WEST 4.14 CHAINS TO THE PLACE OF BEGINNING.**

**SAVE AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED TRACT OF LAND LYING WITHIN THE BOUNDARIES OF PUBLIC ROADS AND HIGHWAYS.**

**SAVE AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED PROPERTY CONVEYED TO THE STATE OF OREGON BY AND THROUGH IT'S DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION, BY DEED DATED APRIL 16, 1962, AND RECORDED APRIL 18, 1962 IN BOOK 181, PAGE 191, BOOK OF RECORDS, POLK COUNTY, OREGON.**

**SAVE AND EXCEPT: BEGINNING AT AN IRON PIPE WHICH IS 2997.58 FEET SOUTH 2° 03' 30" WEST AND 434.55 FEET NORTH 87° 56' 30" WEST FROM THE NORTHWEST CORNER OF THE B. F. MCLENCH DONATION LAND CLAIM NO. 47 IN TOWNSHIP 6 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF POLK AND STATE OF OREGON; AND RUNNING THENCE NORTH 87° 56' 30" WEST 288.35 FEET TO AN IRON PIPE ON THE EAST**

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Statutory Warranty Deed  
- continued

LINE OF THE STATE HIGHWAY; THENCE NORTH 12° 10' 30" WEST 185.70 FEET ALONG SAID EAST LINE TO AN IRON PIPE; THENCE SOUTH 87° 56' 30" EAST 334.0 FEET TO AN IRON PIPE; THENCE SOUTH 2° 03' 30" WEST 180.00 FEET TO THE PLACE OF BEGINNING.

PARCEL 2:

GOVERNMENT LOT (5) OF SECTION TWENTY-ONE (21), TOWNSHIP SIX (6) SOUTH, RANGE THREE (3) WEST OF THE WILLAMETTE MERIDIAN IN POLK COUNTY, OREGON.

PARCEL 3:

BEGINNING AT THE NORTHEAST CORNER OF THE BENJAMIN WINDSOR 20 ACRE TRACT; SAID CORNER BEING LOCATED SOUTH 33.34 CHAINS FROM THE NORTHEAST CORNER OF THE ANDREW J. THOMAS DONATION LAND CLAIM NO. 55 IN TOWNSHIP 6 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, POLK COUNTY, OREGON; THENCE WESTERLY ALONG THE NORTH BOUNDARY OF SAID WINDSOR TRACT, TO THE EASTERLY BOUNDARY OF THE SALEM-DAYTON STATE HIGHWAY; THENCE NORTHEASTERLY ALONG SAID HIGHWAY BOUNDARY TO ITS POINT OF INTERSECTION WITH THE EAST BOUNDARY OF SAID THOMAS DONATION LAND CLAIM; THENCE SOUTH ALONG SAID CLAIM BOUNDARY TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED PROPERTY CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION, BY DEED DATED APRIL 20, 1989, AND RECORDED MAY 10, 1989, IN BOOK 222, PAGE 775, BOOK OF RECORDS, POLK COUNTY, OREGON.

ALSO SAVE AND EXCEPT ANY PORTION OF ABOVE DESCRIBED TRACT OF LAND WHICH LIES WITHIN THE BOUNDARIES OF PUBLIC ROADS AND HIGHWAYS.

PARCEL 4:

BEGINNING AT AN IRON PIPE WHICH IS 2997.58 FEET SOUTH 2° 03' 30" WEST AND 434.55 FEET NORTH 87° 56' 30" WEST FROM THE NORTHWEST CORNER OF THE B. F. MCLENCH DONATION LAND CLAIM NO. 47 IN TOWNSHIP 6 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF POLK AND STATE OF OREGON; AND RUNNING THENCE NORTH 87° 56' 30" WEST 288.35 FEET TO AN IRON PIPE ON THE EAST LINE OF THE STATE HIGHWAY; THENCE NORTH 12° 10' 30" WEST 185.70 FEET ALONG SAID EAST LINE TO AN IRON PIPE; THENCE SOUTH 87° 56' 30" EAST 334.0 FEET TO AN IRON PIPE; THENCE SOUTH 2° 03' 30" WEST 180.00 FEET TO THE PLACE OF BEGINNING.

NOTE: This legal description was created prior to January 1, 2008.

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# APPLICATION FOR AUTHORITY



Corporation Division  
[www.filinginoregon.com](http://www.filinginoregon.com)

**E-FILED**  
Feb 19, 2019

**OREGON SECRETARY OF STATE**

## REGISTRY NUMBER

152755899

## TYPE

FOREIGN LIMITED LIABILITY COMPANY

## 1. ENTITY NAME

NORTH RIVER FARMS LLC

## 2. MAILING ADDRESS

2229 SAN FELIPE ST  
STE 1150  
HOUSTON TX 77019 USA

## 3. NAME & ADDRESS OF REGISTERED AGENT

329227 - C T CORPORATION SYSTEM  
  
780 COMMERCIAL ST SE  
STE 100  
SALEM OR 97301 USA

## 4. MEMBERS/MANAGERS

### MANAGER

MARY JO SANDLIN  
  
2229 SAN FELIPE ST  
STE 1150  
HOUSTON TX 77019 USA

## 5. MANAGEMENT

This Limited Liability Company will be manager-managed by one or more managers

## 6. DATE OF ORGANIZATION

02-14-2019

## 7. DURATION

PERPETUAL

## 8. JURISDICTION

TX

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**9. PRIMARY PHYSICAL LOCATION**

2229 SAN FELIPE ST  
STE 1150  
HOUSTON TX 77019 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**

MARA K. POLK

**TITLE**

AUTHORIZED AGENT

**DATE SIGNED**

02-19-2019

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# CONTRACT DATA SHEET



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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*

### 1. Applicant Information:

#### A. Landowners

- 1) Name of landowner(s): North River Farms LLC
- 2) Address: 2229 San Felipe St. Ste.1150, Houston, TX 77019
- 3) Mailing Address (if different): \_\_\_\_\_
- 4) Taxpayer Identification Number(s): \_\_\_\_\_  
(Social Security Number or Employer Identification Number) \_\_\_\_\_
- 5) Do you own all of the land where you propose to divert and make use of water? Yes

#### 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: \_\_\_\_\_
- 2) Name & Title of Applicant: \_\_\_\_\_
- 3) Mailing Address of Organization: \_\_\_\_\_
- 4) Taxpayer Identification Number: \_\_\_\_\_  
(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.

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

3. Proposed point of diversion: POD 1: 1900' feet S and 1570' feet E  
POD 2: 1475' feet N and 395' feet E  
of NW corner of Section 3, Township 5S, Range 3W  
SW corner of Section 16, Township 6S, 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].

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6. Do you currently hold a right to natural flows for irrigating the property described herein? Yes  
If yes, what is/are the priority date(s)? Certs. 31323 (2/11/1957), 24130 (4/10/1952), 24131 (4/5/1955), 26360 (2/3/1958), and 28950 (5/2/1958).
7. Total quantity of water from storage requested: 1245.5 acre-feet.
8. Location of land to be irrigated in each 40-acre tract:

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP		
6S	3W	17	SENW SWNE SENE NESW	NWSE NESE NWNE NENE	11.5 25.4 26.0 24.9 30.7 27.0 4.9 18.3	hazelnuts, blueberries, & tree fruit	
6S	3W	16	NWNW SWNW NWSW SWSW		0.7 8.3 4.2 6.3	hazelnuts, blueberries, & tree fruit	
4S	3W	33	SWSW SESW SWSE SESE		4.6 4.6 2.7 2.2	hazelnuts, blueberries, & tree fruit	
4S	3W	34	SWSW		1.0	hazelnuts, blueberries, & tree fruit	
5S	3W	3	NWNW SWNW SENW		14.7 18.3 1.8	hazelnuts, blueberries, & tree fruit	
5S	3W	4	NWNW NENW NWNW NENE	SWNW SENW SWNE SENE	NESW NWSE	16.6 11.1 13.9 29.6 37.0 13.2 29.6 33.0 32.6 37.2	hazelnuts, blueberries, & tree fruit

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? Partially If yes, what is the source? (*natural flows, wells, etc.*) The land proposed to be covered by supplemental is currently being irrigated.
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: A new fish screen will be purchased that will be sized to the pump equipment and will be pre-approved by the Oregon Department of Fish and Wildlife.
12. Telephone number where you can be reached during the day: (503) 550-1677 North River Farms LLC (503) 510-3026 Will McGill Surveying LLC, 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 FEE <sup>2</sup>, MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION

<sup>1</sup> 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.

<sup>2</sup> 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.

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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 landuse 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 notregulated by your comprehensive plan. Cite applicable ordinance section(s): PCZO 136.030(A) (Farm use / irrigation)
- 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."** no new construction proposed

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

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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.

*\*Please see attached comments*

NAME <i>Miranda Muller</i>	TITLE: <i>Assistant Planner</i>
SIGNATURE <i>Miranda Muller</i>	PHONE: <i>503-623-9237</i>
GOVERNMENT ENTITY <i>Polk County</i>	DATE: <i>7/24/19</i>

**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: \_\_\_\_\_

# CONTRACT DATA SHEET



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

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**RECLAMATION**  
*Managing Water in the West*

1. Applicant Information:

A. Landowners

- 1) Name of landowner(s): North River Farms LLC
- 2) Address: 2229 San Felipe St. Ste.1150, Houston, TX 77019
- 3) Mailing Address (if different): \_\_\_\_\_
- 4) Taxpayer Identification Number(s): 37-1927516  
(Social Security Number or Employer Identification Number)<sup>1</sup>
- 5) Do you own all of the land where you propose to divert and make use of water? Yes

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: \_\_\_\_\_
- 2) Name & Title of Applicant: \_\_\_\_\_
- 3) Mailing Address of Organization: \_\_\_\_\_
- 4) Taxpayer Identification Number: \_\_\_\_\_  
(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.

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

3. Proposed point of diversion: POD 2: 1475' feet N and 395' feet E  
of SW corner of Section 16, Township 6S, 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? Yes  
If yes, what is/are the priority date(s)? Certs. 24130 (4/10/1952), 24131 (4/5/1955), 26360 (2/3/1958), and 28950 (5/2/1958).
7. Total quantity of water from storage requested: 486.25 acre-feet.
8. Location of land to be irrigated in each 40-acre tract:

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP																								
6S	3W	17	<table border="0"> <tr> <td>SESW</td> <td>NWSE</td> <td>SESE</td> </tr> <tr> <td>SWNE</td> <td>NESE</td> <td></td> </tr> <tr> <td>SENE</td> <td>NWNE</td> <td></td> </tr> <tr> <td>NESW</td> <td>NENE</td> <td></td> </tr> </table>	SESW	NWSE	SESE	SWNE	NESE		SENE	NWNE		NESW	NENE		<table border="0"> <tr> <td>11.5</td> <td>25.4</td> <td>6.3</td> </tr> <tr> <td>26.0</td> <td>24.9</td> <td></td> </tr> <tr> <td>30.7</td> <td>27.0</td> <td></td> </tr> <tr> <td>4.9</td> <td>18.3</td> <td></td> </tr> </table>	11.5	25.4	6.3	26.0	24.9		30.7	27.0		4.9	18.3		hazelnuts, blueberries, & tree fruit
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Farming
10. Is the land identified above currently being irrigated? Partially If yes, what is the source? (*natural flows, wells, etc.*) The land proposed to be covered by supplemental is currently being irrigated.
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12. Telephone number where you can be reached during the day: (503) 510-3026 Will McGill Surveying LLC, CWRE (503) 550-1677 North River Farms LLC

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- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE <sup>2</sup>, MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION

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# 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:

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- 2) Name & Title of Applicant: \_\_\_\_\_
- 3) Mailing Address of Organization: \_\_\_\_\_
- 4) Taxpayer Identification Number: \_\_\_\_\_  
(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.

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

3. Proposed point of diversion: POD 1: 1900' feet S and 1570' feet E  
of NW corner of Section 3, Township 5S, 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].*

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6. Do you currently hold a right to natural flows for irrigating the property described herein? Yes  
If yes, what is/are the priority date(s)? Cert. 31323 (2/11/1957)

7. Total quantity of water from storage requested: 759.25 acre-feet.

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

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
4S	3W	33	SWSW SESW SWSE SESE	4.6 4.6 2.7 2.2	hazelnuts, blueberries, & tree fruit
4S	3W	34	SWSW	1.0	hazelnuts, blueberries, & tree fruit
5S	3W	3	NWNW SWNW SENW	14.7 18.3 1.8	hazelnuts, blueberries, & tree fruit
5S	3W	4	NWNW NENW NWNE NENE	16.6 29.6 29.6 32.6	hazelnuts, blueberries, & tree fruit

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? Partially If yes, what is the source? (*natural flows, wells, etc.*) The land proposed to be covered by supplemental is currently being irrigated.

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: A new fish screen will be purchased that will be sized to the pump equipment and will be pre-approved by the Oregon Department of Fish and Wildlife.

12. Telephone number where you can be reached during the day: (503) 510-3026 Will McGill Surveying LLC, CWRE (503) 550-1677 North River Farms LLC

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 FEE <sup>2</sup>, MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION

<sup>1</sup> 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.

<sup>2</sup> 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.

RECEIVED

AUG 02 2019

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