

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.wrd.state.or.us

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law.our). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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APR 03 2014

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME MICHAEL & TAMI L. COON AND DONALD AND DONA COON		PHONE (HM)	
PHONE (WK)	CELL 541-231-2558	FAX	
ADDRESS 31310 PEORIA RD			RECEIVED BY OWRD APR 03 2014
CITY SHEDD	STATE OR	ZIP 97377	

Organization Information

SALEM, OR

NAME OAK PARK FARMS, Inc.		PHONE		FAX
ADDRESS 31310 PEORIA RD			CELL 541-231-2558	
CITY SHEDD	STATE OR	ZIP 97377	E-MAIL * HANS.COON@GMAIL.COM	

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

AGENT / BUSINESS NAME TRIMMER ENGINEERING INC		PHONE 541-754-2819		FAX
ADDRESS 3924 NW WALNUT PLACE			CELL	
CITY CORVALLIS	STATE OR	ZIP 97330	E-MAIL * TRIMMERW@GMAIL.COM	

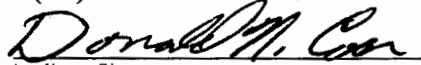
Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

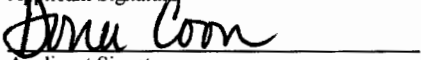
- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants 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 get 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 get water to which they are entitled.

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


Applicant Signature

Donald N. Coon
Print Name and title if applicable

4/2/2014
Date


Applicant Signature

Dona Coon
Print Name and title if applicable

April 2, 2014
Date

App. No. <u>S-87969</u>	For Department Use	Permit No. _____	Date _____
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Salem Oregon 97301-1266
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Applicant Information

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PHONE (WK)	CELL 541-231-2558		FAX	
ADDRESS 31310 PEORIA RD			RECEIVED BY OWRD APR 03 2014	
CITY SHEDD	STATE OR	ZIP 97377		E-MAIL * HANS.COON@GMAIL.COM

Organization Information

NAME OAK PARK FARMS, Inc.			PHONE	FAX	SALEM, OR
ADDRESS 31310 PEORIA RD			CELL 541-231-2558		
CITY SHEDD	STATE OR	ZIP 97377	E-MAIL * HANS.COON@GMAIL.COM		

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ADDRESS 3924 NW WALNUT PLACE			CELL	
CITY CORVALLIS	STATE OR	ZIP 97330	E-MAIL * TRIMMERW@GMAIL.COM	

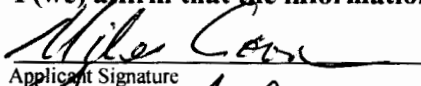
Note: Attach multiple copies as needed

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By my signature below I confirm that I understand:

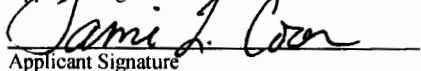
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- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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


Applicant Signature

Mike Coon
Print Name and title if applicable

4/2/14
Date


Applicant Signature

Tami Coon Secretary
Print Name and title if applicable

4/3/14
Date

For Department Use		
App. No. <i>2-87969</i>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

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

Yes

There are no encumbrances.

This land is encumbered by easements, rights of way, roads or other encumbrances.

No

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

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).

Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

Michael & Tami L. Coon, 31310 Peoria Rd, Shedd, OR 97377

Dona & Donald Coon, 31310 Peoria Rd, Shedd, OR 97377

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:

Source 1: McKenzie R

Tributary to: Willamette

Source 2: Muddy Creek

Tributary to: Willamette

Source 3: _____

Tributary to: _____

Source 4: _____

Tributary to: _____

U.S. Bureau of Reclamation
Contract for Stored Water in
Willamette Basin

Transported through Muddy
Creek to project 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

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

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Yes.

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No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

If *all* sources listed in item 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: 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	Irrigation	March 1 - October 31	1.81 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			200 <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

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated.
 Primary: 144.9 Acres Supplemental: _____ Acres
 List 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: _____

- 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:

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SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): 50 HP electric drive centrifugal

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Other means (describe): _____

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

The initial point of diversion is through the Muddy Creeks Irrigation Project POD near Coburg, Oregon. Water will be conveyed by contract through the MCIP ditch system and diverted at the Oak Park Farms POD. An infiltration gallery will be constructed and the pump installed. The water will be piped using a combination of buried PVC and surface aluminum pipe to a distribution systems of buried PVC pipe serving drip irrigation laterals with emitters at each tree.

B. Application Method

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

Drip

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.

Irrigation scheduling will be used to determine the crop water demand and the irrigation system will be operated only when water is needed. The length of set will be adjusted to meet the needs of each tree. The volume of water applied at each tree will be less when the trees are young and will increase each year as the trees grow. Using less-than-full irrigation will be considered to reduce the water requirements. Backflow protection equipment will be installed on each well to prevent irrigation water from running back into the aquifer.

SECTION 6: 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 to prevent uptake of fish and other aquatic life.
Describe planned actions: The infiltration gallery will eliminate the need for fish screening.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: The construction will be away from the creek bank
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: No in-water construction
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: The drip irrigation will not have run off. A back flow prevent system will be used if any chemical products are injected in the irrigation system.

SECTION 7: PROJECT SCHEDULE

Date construction will begin: August 2014

Date construction will be completed: May 2015

Date beneficial water use will begin: May 2015

SECTION 8: WITHIN A DISTRICT

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

Irrigation District Name	Address	
City	State	Zip

SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application.

The location of the point of diversion may change slightly due to field conditions including availability of power, infiltration characteristics of the soil and the drip irrigation design. It will remain in Tax Lot 1200.

The location of the section lines and quarter-quarters was done using the Linn County tax map. This area of the county is covered completely by donation land claims.

Linn County tax maps show the same DLC (JH Brattain) numbered both #42 and #66.

TWN	N/S	RNG	E/W	WM	Sec	QQ	DLC	Tax Lot	Acres
12	S	4	W	W.M.	32	SENE	42/66	1200	0.5
12	S	4	W	W.M.	32	NESE	42/66	1200	6.1
12	S	4	W	W.M.	32	SESE	42/66	1200	5.9
12	S	4	W	W.M.	33	SWNW	42/66	1200	0.1
12	S	4	W	W.M.	33	NWSW	42/66	1200	33.2
12	S	4	W	W.M.	33	NESW	42/66	1200	0.3
12	S	4	W	W.M.	33	SWSW	42/66	1200	47.2
12	S	4	W	W.M.	33	SESW	42/66	1200	10.8
13	S	4	W	W.M.	4	NWNW	42/66	1200	30.0
13	S	4	W	W.M.	4	NENW	42/66	1200	7.0
13	S	4	W	W.M.	5	NENE	42/66	1200	3.8
TOTAL									144.9

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Land Use Information Form



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

Applicant: Oak Park Farms, Inc.
First Last

Mailing Address: 31310 Peoria Rd

Shedd OR 97377 Daytime Phone: 541-231-2558
City State Zip

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:
12 S	4 W	28	NWSW	1200	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	EFU
12 S	4 W	28	NESW	1200		RECEIVED BY OWRD	
12 S	4 W	28	SWSW	1200		APR 03 2014	
12 S	4 W	29	SESW	1200		SALEM, OR	
12 S	4 W	29	SENE	1200			
12 S	4 W	29	NESE	1200			
12 S	4 W	29	SESE	1200			
12 S	4 W	32	NENE	1200			
12 S	4 W	33	NWNW	1200		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
12 S	4 W	33	NENW	1200		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

Linn

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 Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) Muddy Creek

Estimated quantity of water needed: 1.8 cfs
 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:

The project will install a drip irrigation system to irrigate filberts.

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): CC 928.310
- 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.

FD14-0087

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Name: Alyssa Boles Title: Planner

Signature: *Alyssa Boles* Phone: 541-967-3816 Date: 4/1/14

Government Entity: Linn County

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: _____

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES
OFFICE OF COUNTY ASSESSOR, LINN COUNTY, OREGON.

✓
J

12	4W	33								
TWPS	RG.	SEC.	1/4	1/16	1200	552-4	SECTION OR LOT		TOWNSHIP or BLOCK	RANGE WM.
MAP NO.					TAX LOT NO. 552-14					
ACCOUNT NO.					CODE NO.		ADDITION		CITY	

INDENT EACH NEW COURSE TO THIS POINT	LEGAL DESCRIPTION	DATE OF ENTRY ON THIS CARD	DEED RECORD		ACRES REMAINING
			Volume	Page	
↓	Beg on S li of & E 12.61 chs distant frm SW cor of J. H. Brattain C1 66, T 13 S, R 4 W th E along S li of sd C1 34.01 chs to SE cor of S projection of sd C1 th N 2.80 chs to int cor on S li of sd C1 th N 11° E 10. 50 chs th E 2 chs th N 8° E 11 chs th N 80° W 3.50 chs th N 92 links th E 52 links to cen of Muddy Creek th NWly down the cen of sd creek 62 chs tap whc is 12.61 chs E of W li of sd C1 th S 60 chs to beg 182.29 A Less 6.00 A in cemetery (Tax Lot 1201) Less 3.17 A in rd Lvg NOTE: No desc available for cemetery mentioned as an exception. That part in 552-4 (Ac) 57.62 That part in 552-14 (Ac) 115.50 Order #83-557 M-120-85 JVD 19835 6-10-85 code chng(split)	1-1-61	265	284	173.12

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Linn County Assessor's TAXLOT DATABASE prior to Sept 2009

Map/TL: 12S04W33 01200

Account: 231106

Also Tax Lot 1201,described within DN2007-25266.....Contg 6.00 Ac

Code	Type	Acres
55204	L	57.62
55214	L	121.50
Total		179.12

Tax Lot Changes

Owner Entry: 2/29/2008 Voucher: EV2008-90 Ref: DN2007_25266
 Doc: Acres: 179.12 Chgd: 02/29/2008 09:36 moreyl
 Coon, Donald N & Dona M (50% interest) Coon, Michael V & Tami L (50% interest)

Misc Entry: 2/29/2008 Voucher: EV2008-90 Ref: DN2007_25266
 Doc: Acres: 179.12 Chgd: 02/29/2008 09:38 moreyl
 Also Tax Lot 1201 Contg 6.00 Ac (B-169) (M-31-08) Partial Exemption (Active) (Tax Lot 1201 was really an easement only as described in prior documents)

Owner Entry: 10/29/2007 Voucher: DATA/AK Ref: DN2007_25266
 Doc: WD 10/22/2007 Acres: Chgd: 10/29/2007 03:27 kinga
 COON, DONALD N & DONA M (AN UNDIVIDED 50% INTEREST) COON, MICHAEL V & TAMI L (AN UNDIVIDED 50% INTEREST)

Owner Entry: 8/20/2007 Voucher: DATA/AK Ref: DN2007_19736
 Inactive Doc: B&S 8/10/2007 Acres: Chgd: 10/29/2007 03:25 kinga
 FLETCHER, STEVE, TR (OF THE FAY FLETCHER TRUST)

Owner Entry: 8/20/2007 Voucher: DATA/AK Ref: DN2007_19735
 Inactive Doc: Acres: Chgd: 08/20/2007 02:59 kinga
 REMOVED FLETCHER, JAMES C DEC'D 12/22/1991

End

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TRIMMER

ENGINEERING, Inc.

Civil Engineering ■ Water Resources ■ Irrigation ■ Conservation ■ Water Rights ■ Flow Measurement

April 1, 2014

TO: Bill Parks
U.S. Bureau of Reclamation
Attn: PN-3324
1150 North Curtis Rd
Boise, ID 83706-1234

Phone: 208-378-5344

FROM: Walt Trimmer

SUBJECT: Oak Park Farms, Inc. Willamette Basin Water Contract.

Please accept this application for Wilamette Basin stored water. We are simultaneously applying to the Oregon Water Resources Department for the water right to use the proposed contracted water. We will send the application number as soon as it is assigned. We are also contracting with the Muddy Creeks Irrigation Project, P.O. Box 225, Harrisburg, Oregon, 97446, to divert and convey the water through their system and into Muddy Creek for us to use.

Please find the following attached:

- Contract Data Sheet;
- Water right drawings 1 & 2 showing the point of diversion and the area proposed to be irrigated with the contracted water;
- Check for \$100.00.

If you need any additional materials or have any questions do not hesitate to let me know.

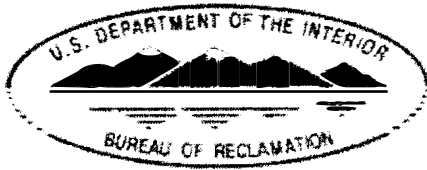
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APR 03 2014

SALEM, OR

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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*

1. Applicant Information:

A. Landowners

- 1) Name of landowner(s): OAK PARK FARMS, INC
- 2) Address: 31310 PEORIA RD, SHEDD, OR 97377
- 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? 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: _____ **RECEIVED BY OWRD**
- 3) Mailing Address of Organization: _____ **APR 03 2014**
- 4) Taxpayer Identification Number: _____
(Social Security Number or Employer Identification Number) **SALEM, OR**
- 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): MCKENZIE RIVER

3. Proposed point of diversion: 140' feet S and 120 feet E
of NE corner of Section 9, Township 17 S, Range 310,
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: IN PROCESS / WILL SEND WHEN KNOWN

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: 200 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
12 S	4 W	32	SE NE	0.5	FILBERTS
12 S	4 W	32	NE SE	6.1	
12 S	4 W	32	SE SE	5.9	
12 S	4 W	33	SW NW	0.1	
12 S	4 W	33	NW SW	33.2	
12 S	4 W	33	NE SW	0.3	
12 S	4 W	33	SW SW	47.2	
12 S	4 W	33	SE SW	10.8	
13 S	4 W	4	NW NW	30.0	
13 S	4 W	4	NE NW	7.0	
13 S	4 W	5	NE NE	3.0	
			TOTAL	144.9	

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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)*].

DRY LAND IN CRASS FOR SEED

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: PROJECT PLANS TO BUILD INFILTRATION GALLERY AT POD TO AVOID DIRECTLY PUMPING FROM CREEK

12. Telephone number where you can be reached during the day: 541-231-2588

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.

5-8789



Lawyers Title Insurance Corporation
 Albany Branch
 220 5th Avenue SW
 Albany, OR 97321

Escrow Officer: Robin Sullivan

Escrow No.: 25g0034520
 Settlement Date: 10/23/2007

BUYER/BORROWER PRELIMINARY SETTLEMENT STATEMENT

Buyer/Borrowers(s): Donald N. Coon and Dona M. Coon, Michael V. Coon and Tami L. Coon
 Seller(s): The Fay Fletcher Trust U/A dated June 11, 1991
 Property: NO SITUS ADDRESS
 SHEDD, OR 97377
 (See attached exhibit "A")

	DEBIT	CREDIT
Contract Sales Price	\$650,000.00	
County property taxes 10/23/2007 to 07/01/2008	\$733.46	
Deposit or earnest money		\$10,000.00
Principal amount of new loan(s)		\$640,000.00
Loan Origination Fee 0.5% to Northwest Farm Credit Services	\$3,200.00	
Settlement or closing fee to Lawyers Title Insurance Corporation	\$500.00	
Title insurance to Lawyers Title Insurance Corporation	\$100.00	
Courier/Overnight Delivery Fee to Lawyers Title Insurance Corporation	\$15.00	
Recording Services to Lawyers Title Insurance Corporation	\$150.00	
***** Sub Total	\$654,698.46	\$650,000.00
Balance Estimated Due From Buyer/Borrower		\$4,698.46
Total	\$654,698.46	\$654,698.46

ACCEPTED AND APPROVED

Donald N. Coon
 Donald N. Coon
 DATE: 10/23/07

Dona M. Coon
 Dona M. Coon
 DATE: 10/22/07

Michael V. Coon
 Michael V. Coon
 DATE: 10/22/07

Tami L. Coon
 Tami L. Coon
 DATE: 10/22/07

Lawyers Title Insurance Corporation

By: _____
 Robin Sullivan
 Escrow Officer

Date: _____

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S-07969

A. Settlement Statement

U.S. Department of Housing
and Urban Development

OMB No. 2502-0265

B. Type of Loan

1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> FmHA	3. <input type="checkbox"/> Conv Unins	6. File Number 25g0034520	7. Loan Number 39554-447	8. Mortgage Ins Case Number
4. <input type="checkbox"/> VA	5. <input type="checkbox"/> Conv Ins.	6. <input type="checkbox"/> Seller Finance			

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing, they are shown here for informational purposes and are not included in the totals.

D. Name & Address of Borrower Donald N. Coon and Dona M. Coon 31308 Pearla Rd Shedd, OR 97377 See Addendum	E. Name & Address of Seller The Fay Fletcher Trust U/A dated June 11, 1991 2255 S. 2200 E. Salt Lake City, UT 84109	F. Name & Address of Lender Northwest Farm Credit Services PO Box 285 Harrisburg, OR 97446
--	---	---

G. Property Location (See attached exhibit "A") NO SITUS ADDRESS SHEDD, OR 97377	H. Settlement Agent Name Lawyers Title Insurance Corporation Albany Branch 220 5th Avenue SW Albany, OR 97321 Tax ID: 54-0278740 Place of Settlement Lawyers Title Insurance Corporation 220 5th Avenue SW Albany, OR 97321	I. Settlement Date 10/23/2007 Fund: 10/25/2007
---	---	--

J. Summary of Borrower's Transaction		K. Summary of Seller's Transaction	
100. Gross Amount Due from Borrower		400. Gross Amount Due to Seller	
101. Contract Sales Price	\$650,000.00	401. Contract Sales Price	
102. Personal Property		402. Personal Property	
103. Settlement Charges to borrower	\$3,965.00	403.	
104.		404.	
105.		405.	
Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106. City Property Taxes		406. City Property Taxes	
107. County property taxes 10/23/07 to 07/01/08	\$733.46	407. County property taxes 10/23/07 to 07/01/08	
108. HOA Assessments		408. HOA Assessments	
109. Other		409. Other	
110.		410.	
111.		411.	
112.		412.	
113.		413.	
114.		414.	
115.		415.	
116.		416.	
120. Gross Amount Due From Borrower	\$654,698.46	420. Gross Amount Due to Seller	
200. Amounts Paid By Or in Behalf Of Borrower		500. Reductions in Amount Due to Seller	
201. Deposit or earnest money	\$10,000.00	501. Excess Deposit	
202. Principal amount of new loan(s)	\$640,000.00	502. Settlement Charges to Seller (line 1400)	
203. Existing loan(s) taken subject to		503. Existing Loan(s) Taken Subject to	
204. DEPOSIT OF FUNDS TO CLOSE	\$4,698.46	504. Payoff of first mortgage loan	
205.		505. Payoff of second mortgage loan	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City Property Taxes		510. City Property Taxes	
211. County property taxes		511. County property taxes	
212. HOA Assessments		512. HOA Assessments	
213. Other		513. Other	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. Total Paid By/For Borrower	\$654,698.46	520. Total Reduction Amount Due Seller	
300. Cash At Settlement From/To Borrower		600. Cash At Settlement To/From Seller	
301. Gross Amount due from borrower (line 120)	\$654,698.46	601. Gross Amount due to seller (line 420)	
302. Less amounts paid by/for borrower (line 220)	\$654,698.46	602. Less reductions in amt. due seller (line 520)	
303. Cash Borrower	\$0.00	603. Cash To Seller	

Section 5 of the Real Estate Settlement Procedures Act (RESPA) requires the following: • HUD must develop a Special Information Booklet to help persons borrowing money to finance the purchase of residential real estate to better understand the nature and costs of real estate settlement services; • Each lender must provide the booklet to all applicants from whom it receives or for whom it prepares a written application to borrow money to finance the purchase of residential real estate; • Lenders must prepare and distribute with the Booklet a Good Faith Estimate of the settlement costs that the borrower is likely to incur in connection with the settlement. These disclosures are mandatory.

Section 4(a) of RESPA mandates that HUD develop and prescribe this standard form to be used at the time of loan settlement to provide full disclosure of all charges imposed upon the borrower and seller. These are third party disclosures that are designed to provide the borrower with pertinent information during the settlement process in order to be a better shopper. The Public Reporting Burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. The information requested does not lend itself to confidentiality.

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L. Settlement Charges					
700. Total Sales/Broker's Commission based on price	\$650,000.00	@ % = \$0.00			
Division of Commission (line 700) as follows:					
701.		to			
702.		to			
703. Commission Paid at Settlement					\$0.00
800. Items Payable in Connection with Loan					
801. Loan Origination Fee	0.5%	to	Northwest Farm Credit Services		\$3,200.00
802. Loan Discount	%	to			
803. Appraisal Fee		to			
804. Credit Report		to			
805. Lender's Inspection Fee		to			
806. Mortgage Insurance Application		to			
807. Assumption Fee		to			
808. Tax Service Fee		to			
809. Flood Certification		to			
810. Underwriting Fee		to			
811. Broker Loan Fee		to			
812. Processing Fee		to			
813. Administration Fee		to			
814. Wire Fee		to			
815. Yield Spread Premium paid by Lender		to			
816. Yield Spread Prem.pd by Ldr. thru escrow		to			
900. Items Required by Lender To Be Paid In Advance					
901. Interest from		to	@ /day		
902. Mortgage Insurance Premium for		months	to		
903. Hazard Insurance Premium for		years	to		
904. Flood Insurance Premium			to		
905.			to		
1000. Reserves Deposited With Lender					
1001. Hazard insurance		months @	per month		
1002. Mortgage insurance		months @	per month		
1003. City property taxes		months @	per month		
1004. County property taxes		months @	\$88.77 per month		
1005. HOA Assessments		months @	per month		
1006. Other		months @	per month		
1007.		months @	per month		
1008.		months @	per month		
1009.	0	months @			
1010.	0	months @			
1011. Aggregate Adjustment					
1100. Title Charges					
1101. Settlement or closing fee		to	Lawyers Title Insurance Corporation		\$500.00
1102. Abstract or title search		to			
1103. Title examination		to			
1104. Title insurance binder		to			
1105. Document Preparation		to			
1106. Notary fees		to			
1107. Attorney's fees		to			
(includes above items numbers:)		
1108. Title insurance		to	Lawyers Title Insurance Corporation		\$100.00
(includes above items numbers:)		
1109. Lender's coverage			\$640,000.00/\$100.00		
1110. Owner's coverage			\$650,000.00/\$1,575.00		
1111. Additional Escrow Fee		to			
1112. Manufactured Home Escrow Fee		to			
1113. Release Services Fee (LTIC)		to			
1114. Courier/Overnight Delivery Fee		to	Lawyers Title Insurance Corporation		\$15.00
1115. Local Government Lien Search Charge		to	Lawyers Title Insurance Corporation		
1116. Document Services Fee (TN)		to			
1117. Site Inspection Fee		to			
1118. Release Services Fee (TN)		to			
1200. Government Recording and Transfer Charges					
1201. Recording Fees	Deed ; Mortgage ; Rel		to		
1202. City/County Tax Stamps	Deed ; Mortgage		to		
1203. State Tax/Stamps	Deed ; Mortgage		to		
1204. Recording Services		to	Lawyers Title Insurance Corporation		\$150.00
1205. Manufactured Home BCD Transfer Fee		to			
1300. Additional Settlement Charges					
1301. Survey		to			
1302. Pest Inspection		to			
1303. 2007-08 Taxes #0231106		to	Linn County Tax Collector		
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)					\$3,965.00

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I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a completed copy of pages 1, 2 and 3 of this HUD-1 Settlement Statement.

Exhibit "A" with Exceptions

PARCEL I:

Part of the J.H. Brattain Donation Land Claim No. 42 in Section 33, Township 12 South, Range 4 West of the Willamette Meridian, Linn County, Oregon, more particularly described as follows, to-wit:

Beginning on the South line of said Brattain Donation Land Claim, 12.61 chains East of the Southwest corner thereof; thence East along claim line 34.01 chains to the most Southerly Northeast corner of said Donation Land Claim; thence North 2.8 chains to the interior angle corner of the South line of said Donation Land Claim, said point being the Southwest corner of the S.E. Gordon tract described in Book 27, Page 160, Deed Records; thence along the Westerly boundary of said Gordon tract, the following courses and distances: North 11° East 10.5 chains; East 2.00 chains; North 8° East 11.00 chains; North 80° West 3.5 chains and North 92 links; thence leaving the West boundary of said Gordon tract, East a distance of .5 chains to the center of Muddy Creek; thence Northwesterly following the center line of said creek, 62 chains to a point in the center of said creek with is 12.61 chains East of the West boundary of the said Brattain Donation Land Claim; thence South 60 chains to the place of beginning.

SAVING AND EXCEPTING THEREFROM that portion set aside for cemetery purposes as provided in deed from George W. Brattain to Clarence E. Brattain, recorded on August 25, 1915 in Book 107, Page 349, Linn County Deed Records

Subject to:

1. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.
Tax Identification : 0231106
2. The subject property lies within the boundaries of Linn Soil and Water District and is subject to the levies and assessments thereof.
3. The rights of the public in and to that portion of the herein described property lying within the limits of roads and highways.
4. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Muddy Creek.
5. Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 to 274.940.
6. Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of Muddy Creek.
7. Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of Muddy Creek.
8. Way of necessity or other right of access to and from the cemetery disclosed by deed from George W. Brattain to Clarence E. Brattain, recorded on August 25, 1915 in Book 107, Page 349, Linn County Deed Records.

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