

Application for a Permit to Use Groundwater



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		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS			
CITY	STATE	ZIP	E-MAIL*

Organization

NAME MCKENZIE CRANBERRIES, INC.		PHONE 541-670-1441	FAX
ADDRESS 92619 AIRPORT ROAD 92935 Airport Rd			CELL
CITY SIXES	STATE OR	ZIP 97476	E-MAIL* RMCK101.RM@GMAIL.COM

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

AGENT / BUSINESS NAME GSI WATER SOLUTIONS, INC. ATTN: LEAH COGAN		PHONE 971-200-8529	FAX
ADDRESS 1600 SW WESTERN BLVD., SUITE 240			CELL
CITY CORVALLIS	STATE OR	ZIP 97333	E-MAIL* LCOGAN@GSIWS.COM

Note: Attach multiple copies as needed

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

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By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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.

Robert McKenzie
Applicant Signature

Robert McKenzie, President
Print Name and Title if applicable

12-25-2023
Date

SECTION 2: PROPERTY OWNERSHIP

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

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

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

N/A

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. **Please see Attachment B**

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
6	UNNAMED STREAM, TRIB. TO BOULDER CREEK	4,060	71

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

N/A

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.09 (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL 6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	10 IN. 6 IN.	0-20 20-104	84-94 94-99 99-104	0-20	17 FT (EST.)	SEDIMENTS OF THE PIONEER TERRACE	104 FT	40 GPM (0.09 CFS)	65.15
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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For Department Use: App. Number: _____

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 if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of appropriation (POA) 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 TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

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

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Is the well or proposed well 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, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the 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 well or proposed well located in an area where the Lower Columbia rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified 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, you will be required to provide the following information, if applicable.

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

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

Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

Yes No

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If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that 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.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Cranberry Use	Year-round	65.15

For irrigation use only:

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (*must match map*).

Primary: 90 Acres Supplemental: 0 Acres Nursery Use: 0 Acres

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

N/A

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 65.15

- If the use is **municipal or quasi-municipal**, attach **Form M** N/A
- If the use is **domestic**, indicate the number of households: N/A (**Exempt Uses:** Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): N/A

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and type): **2-hp submersible pump**
 Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. **Water will be pumped from the proposed well using a 2-hp submersible pump and conveyed to existing cranberry bogs for use in cranberry operations.**

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

Irrigation water will be applied via sprinkler systems, and cranberry bogs will be flooded for harvest.

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 aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

Water will be applied as needed to promote ideal cranberry crop production and prevent waste. Water use will be measured if required by OWRD. No adverse impacts to public uses of surface waters are anticipated.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: **Within 5 years of permit issuance**
- Date construction will be completed: **Within 5 years of permit issuance**
- Date beneficial water use will begin: **Within 5 years of permit issuance**

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent 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.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
 Describe: **Water will be used in existing cranberry bogs, and no run-off of waste or chemical products is anticipated.**

- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: **N/A**

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Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: N/A

SECTION 9: WITHIN A DISTRICT

Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name N/A	Address	
City	State	Zip

SECTION 10: REMARKS

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

Water will be used for cranberry operations under the requested permit in conjunction with Permits G-18818 and S-53011. The requested permit will provide the applicant with operational flexibility, and having the requested additional water supply is necessary for resilience to drought and climate change. Water use under all three permits combined will not exceed 3 acre-feet per acre.

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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: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- 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. [\(Attachment A\)](#)
- 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. [\(Attachment B\)](#)
- Fees - Amount enclosed: \$2,590
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items: [\(Attachment C\)](#)
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Attachment A

Land Use Information Form

Application for a Permit to Use Groundwater- McKenzie Cranberries, Inc.

Land Use Information Form



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

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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 ground water 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.

Land Use Information Form

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Applicant(s): McKenzie Cranberries, Inc.

Mailing Address: 92619 Airport Road

City: Sixes

State: OR

Zip Code: 97476

Daytime Phone: 541-670-1441

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:
<u>31S</u>	<u>15W</u>	<u>29</u>	<u>SWSE</u>	<u>3900</u>	<u>Agricultural (AFD)</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Cranberry</u>
<u>31S</u>	<u>15W</u>	<u>29</u>	<u>SESE</u>	<u>3800</u>	<u>Agricultural (AFD)</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Cranberry</u>
<u>31S</u>	<u>15W</u>	<u>32</u>	<u>NENE</u>	<u>100</u>	<u>Agricultural (AFD)</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Cranberry</u>
<u>31S</u>	<u>15W</u>	<u>32</u>	<u>NWNE</u>	<u>100</u>	<u>Agricultural (AFD)</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Cranberry</u>
<u>31S</u>	<u>15W</u>	<u>33</u>	<u>NWNW</u>	<u>500</u>	<u>Agricultural (AFD)</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Cranberry</u>

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

Curry 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 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) _____

Estimated quantity of water needed: 0.09
 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 Cranberry production

Briefly describe:

The Applicant is requesting a permit to use groundwater from a new well for an existing cranberry operation.

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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): **PARCELS ARE ZONED AFD (AGRICULTURAL) CRANBERRY BOGS ARE ALLOWED OUTRIGHT PER SECTION 3.060 OF CC ZONING ORD.**
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Name: Michael E. Fitzgerald Title: Interim Planning Director
 Signature: [Signature] Phone: 541 661-4421 Date: 11/30/23
 Government Entity: Curry 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: _____

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Attachment B

Legal Description

Application for a Permit to Use Groundwater- McKenzie Cranberries, Inc.

CURRY COUNTY, OREGON
LAND
Cnt=1 Pgs=3 RECC

2014-03017
10/01/2014 04:02 PM
\$67.00



I Renee' Kolen, County Clerk, certify that the within document was received and duly recorded in the official records of Curry County.



Renee' Kolen - Curry County Clerk

After recording return to:
Steve Wilgers, P.C.,
243 W. Commercial Ave.,
Coos Bay, OR 97420

Until a change is requested,
send all tax statements to:
NO CHANGE Mckenzie
PO Box 1362, Port Orford, OR 97465
The consideration is estate planning

Name and Address of Grantor: Beverly J. McKenzie, P.O. Box 187, Port Orford, OR 97465

Name and Address of Grantee: Beverly J. McKenzie, Trustee of Beverly J. McKenzie Revocable Trust, P.O. Box 187, Port Orford, OR 97465

BARGAIN AND SALE DEED

BEVERLY J. McKENZIE conveys to BEVERLY J. McKENZIE, Trustee of the Beverly J. McKenzie Revocable Trust all that real property situated in Curry County, State of Oregon, described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference.

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 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, 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

BARGAIN AND SALE DEED - 1

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WHEN RECORDED RETURN TO:
FIRST AMERICAN TITLE COMPANY
P.O. BOX 1750
BROOKINGS, OR 97415
231 4464-7D

424, OREGON LAWS 2007. AND SECTIONS 2 TO 9 AND 17, CHAPTER
855, OREGON LAWS 2010.

DATED this 29 day of Sept, 2014.

Beverly J. McKenzie
Beverly J. McKenzie

STATE OF OREGON)
) ss.
County of ~~Garry~~ COOS)

Personally appeared the above named Beverly J. McKenzie and acknowledged the foregoing instrument to be her voluntary act and deed. Before me this 29 day of September, 2014.



[Signature]
Notary Public for Oregon

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Exhibit "A"

Real property in the County of Curry, State of Oregon, described as follows:

PARCEL 1:

Commencing at the Southeast corner of the West Half of the West Half of the Southwest Quarter of Section 28, Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon; thence North 2640.00 feet, more or less to the Northeast corner of said West Half of the West Half of the Southwest Quarter; thence East along the East and West center line of said Section 28, a distance of 835.00 feet; thence South, parallel to the East line of said West Half of the West Half of the Southwest Quarter 2640.00 feet, more or less, to the South line of said Section 28; thence West 835.00 feet to the Point of Beginning.

PARCEL 2:

The West Half of the West Half of the Southwest Quarter of Section 28; and the East Half of the Southeast Quarter of Section 29, all in Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon.

PARCEL 4:

A parcel of land lying in the East Half of the Southwest Quarter of Section 29, Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon, described as follows: Beginning at the Southwest corner of the East Half of the Southwest Quarter; thence East along the South line of said Southwest Quarter 1320.0 feet, more or less, to the Southeast corner of said Southwest Quarter; thence North along the East line of the Southwest Quarter 990.0 feet; thence West 1320.0 feet, more or less, to a point on the West line of the East Half of the Southwest Quarter 990.0 feet North along said West line from the Point of Beginning; thence South along the West line of the East Half of the Southwest Quarter 990.0 feet to the Point of Beginning.

PARCEL 5:

Northwest Quarter of the Northeast Quarter, Section 32, Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon; and the East Half of the Northeast Quarter of Section 32, Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon. EXCEPTING THEREFROM that portion conveyed by Deeds recorded in Volume 49, Pages 35 and 513, Curry County Deed Records.

PARCEL 6:

That part of the East Half of the Northwest Quarter of Section 32 lying East of the established road marking the Easterly boundary of the tract of land conveyed to Calvin Jarvis Blair in deed recorded March 1, 1948, in Volume 32, Page 566, Curry County Deed Records, all in Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon. EXCEPTING THEREFROM that portion lying within the boundaries of Airport Road.

PARCEL 9:

Commencing at the Southeast corner of the West Half of the West Half of the Northwest Quarter of Section 33, Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon; thence North 2640.00 feet, more or less, to the Northeast corner of said West Half of the West Half of the Northwest Quarter; thence East along the North line of Section 33, a distance of 835.00 feet; thence South 2640.00 feet, more or less, to the East and West center line of said Section 33; thence West 835.00 feet to the Point of Beginning. EXCEPTING THEREFROM that portion conveyed by deed recorded in Volume 50, Page 620, Curry County Deed Records and described as follows: Beginning at a point which marks the center of Section 33, Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon; thence due West 1457.00 feet to a point which marks the point of beginning; thence due West 208.00 feet; thence due North 208.00 feet; thence due East 208.00 feet; thence due South 208.00 feet to the Point of Beginning.

PARCEL 10:

The West Half of the West Half of the Northwest Quarter of Section 33, Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon. EXCEPTING THEREFROM that portion conveyed by deed recorded in Volume 53, Page 148, Curry County Deed Records

PARCEL 11:

Beginning at a point on the North boundary of the Northeast Quarter of the Southwest Quarter of Section 29, Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon, which said point is 76 feet East of the Northwest corner of said Northeast Quarter of the Southwest Quarter; thence South 208 feet; thence East 280 feet; thence South 208 feet; thence East 208 feet; thence North 416 feet; thence West 488 feet to the Point of Beginning.

WARRANTY DEED

ROBERT G. MCKENZIE, III and SCOTT HENRY MCKENZIE, Grantors, convey and warrant to ROBERT G. MCKENZIE, III and GLORIA J. MCKENZIE, husband and wife, Grantees, as tenants by the entirety, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference incorporated herein.

(Tax Account No. _____)

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

The true and actual consideration for this conveyance is other property or value which is the whole consideration therefor.

Until a change is requested all tax statements should be sent to the following address: 92619 Airport Road, Sixes, Oregon 97426.

DATED this 13 day of August, 1993.

Robert G. McKenzie, III
Robert G. McKenzie, III

Scott Henry McKenzie
Scott Henry McKenzie

STATE OF OREGON)
County of Curry) ss.
August 17, 1993.

Personally appeared before me the above named Robert G. McKenzie, III who acknowledged the foregoing instrument as his voluntary act and deed.



Norma Anderson
Notary Public for Oregon
My Commission Expires: 10-7-94

After Recording Return To: Lawrence F. Finneran, P.O. Box 359, Coos Bay, Oregon 97420

1 - Warranty Deed

RECEIVED

DEC 11 2023

OWRD

STATE OF OREGON

County of Curry)

ss.

8-13-, 1993.

Personally appeared before me the above named Scott Henry McKenzie who acknowledged the foregoing instrument as his voluntary act and deed.

Kim Cuyou
Notary Public for Oregon
My Commission Expires: 1-1-96

RECEIVED

DEC 11 2023

OWRD

2 - Warranty Deed

EXHIBIT "A"

PARCEL 1

The West half of the Southeast quarter, Section 29, Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon.

PARCEL 2

Northwest quarter of the Northeast quarter, Section 32, Township 31 South, Range 15 West, Willamette Meridian, Curry County, Oregon. ALSO: A parcel of land beginning at the Southwest corner of the Southeast quarter of the Northeast quarter of Section 32, Township 31 South, Range 15 West, Willamette Meridian; thence North 1452.0 feet; thence East 600.0 feet; thence South 1452.0 feet to the Airport Road; thence West 600.0 feet to the Point of Beginning.

EXCEPTING THEREFROM that parcel sold to Robert J. Crossman, et ux, by Deed recorded January 9, 1961, in Volume 60, Page 429, Curry County Deed Records.

SUBJECT TO AND EXCEPTING:

1. 1993-94 real property taxes, a lien not yet payable.
2. Rights of the public in and to any portion of the herein described property lying within the limits of public roadways, if any, and/or rights of private parties over any portion lying within existing roadways or driveways not disclosed by the public records.
3. Rights of way for existing power lines, if any.
4. Any lien or encumbrance caused or created by Robert G. McKenzie, III, either before or after this deed.
5. Trust Deed, including the terms and provisions thereof, dated January 23, 1992, having Western Bank as beneficiary and Robert G. McKenzie, III and Scott H. McKenzie as Grantors, recorded January 27, 1992, as instrument no. 92-728, Real Property Records of Curry County, Oregon.

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DEC 11 2023

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Exhibit "A"
Page - 1

1993 INSTRUMENT 93 04369

STATE OF OREGON
COUNTY OF CURRY

I RENEÉ KOLEN, COUNTY CLERK, CERTIFY
THAT THE WITHIN DOCUMENT WAS
RECEIVED AND DULY RECORDED IN THE
OFFICIAL RECORDS OF CURRY COUNTY AT

10:43 AM 08-17-93

BY: MW DEPUTY

FEE \$ 40.00

PAGES: 3



RECEIVED

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Attachment C

Application Map

Application for a Permit to Use Groundwater- McKenzie Cranberries, Inc.



Water Solutions, Inc.

Via electronic mail

December 6, 2023

Katie Ratcliffe
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Ratcliffe:

GSI Water Solutions, Inc. is submitting the enclosed permit application on behalf of McKenzie Cranberries, Inc. (Applicant). The Applicant is requesting a permit to use up to 0.09 cfs of groundwater from a proposed new well for cranberry operations on 90.0 acres.

The permit application fee will be mailed to OWRD after we receive the temporary number for this application. The fee was calculated as follows:

\$1,570 – base application fee
\$410 – \$410 per cfs or fraction thereof x 1
\$610 – permit recording fee

Total = \$2,590

If you have any questions regarding this application, please contact me at 541-257-9005.

Sincerely,

A handwritten signature in black ink that reads "Leah Cogan".

Leah Cogan
Water Resources Analyst

CC: Robert McKenzie, McKenzie Cranberries, Inc.

Enclosures: Permit application and attachments

RECEIVED

DEC 11 2023

OWRD

Molly Monroe

From: Leah Cogan
Sent: Thursday, December 7, 2023 2:24 PM
To: Molly Monroe
Subject: FW: Water right application - McKenzie Cranberries

Hi Molly,

We received the temporary application number below to include when you mail the check for McKenzie Cranberries.

Thank you,

Leah Cogan
Water Resources Analyst
direct: 971.200.8529 | mobile: 541.272.9888
GSI Water Solutions, Inc. | www.gsiws.com

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DEC 11 2023

OWRD

From: REECE Nick A * WRD <Nick.A.REECE@water.oregon.gov>
Sent: Thursday, December 7, 2023 2:22 PM
To: Leah Cogan <lcogan@gsiws.com>; WRD_DL_customerservice <WRD_DL_customerservice@water.oregon.gov>
Cc: Robert McKenzie <rmck101.rm@gmail.com>; mckenziecranberries@frontier.com
Subject: RE: Water right application - McKenzie Cranberries

Hello,

OWRD has received and accepted the Groundwater e-application for **McKenzie Cranberries, Inc.** The temporary application number is: **NR-12**

Please print this email and include a copy of it when mailing in the payment. The fees due for this application are: **\$ 1980.00**(If opting to include recording fee: **\$2590.00**)

A copy of the fee calculator is included for your reference:

Base Application Fee.		\$1,570.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	.09	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
	Subtotal:	\$1,980.00
Permit Recording Fee. ***		\$610.00
* the 1st Water Use is included in the base cost. ** the 1st groundwater point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,590.00

Thank you,

Nick Reece

Public Service Representative 4

725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-986-0810



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: Leah Cogan <lcogan@gsiws.com>

Sent: Wednesday, December 6, 2023 12:08 PM

To: WRD_DL_customerservice <wrd_dl_customerservice@water.oregon.gov>

Cc: Robert McKenzie <rmck101.rm@gmail.com>; mckenziecranberries@frontier.com; Leah Cogan <lcogan@gsiws.com>

Subject: Water right application - McKenzie Cranberries

Good afternoon,

GSI Water Solutions, Inc. is electronically submitting the attached application for a permit to use groundwater on behalf of McKenzie Cranberries. The permit application fee of \$2,590 will be mailed to OWRD when we receive the temporary number for this application. Please let me know if you have any questions.

Thank you,

Leah Cogan

Water Resources Analyst

direct: 971.200.8529 | mobile: 541.272.9888

1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333

GSI Water Solutions, Inc. | www.gsiws.com

pronouns: she, her