

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 <i>JEFFREY & DEBORAH SLUYTER</i>		PHONE (HM) <i>503-320-7204</i>	
PHONE (WK)	CELL <i>503-310-8453</i>	FAX	
MAILING ADDRESS <i>12540 SW CAMPBELL RD</i>			
CITY <i>HILLSBORO</i>	STATE <i>OR</i>	ZIP <i>97123</i>	E-MAIL * <i>JEFFSLUYTER@aol.com</i>

Organization

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

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.)

Received by OWRD

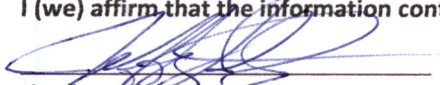
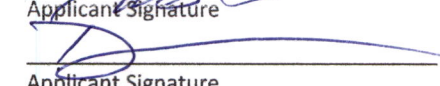
FEB 20 2024

Salem, OR

By my signature below I confirm that I understand:

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

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

	<i>JEFFREY SLUYTER</i>	<i>1-25-2024</i>
Applicant Signature	Print Name and Title if applicable	Date
	<i>DEBORAH SLUYTER</i>	<i>1-25-2024</i>
Applicant Signature	Print Name and Title if applicable	Date

For Department Use: App. Number: _____

Surface Water — Page 1

Rev. 07/21

RECEIVED

FEB 02 2024

OWRD

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.

*we have Permission To use
Bryon Gibson's water line
and easement*

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.

Received by OWRD

FEB 20 2024

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Salem, OR

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: Unamed source	Tributary to: Tillamook Bay
TRSQQ of POD: See below	
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).

POD located on Oregon State Forestry property

460' N and 45' East from the adjoining corners of
Sec 27 and Sec 34 located in the SW quarter of SE quarter
of Sec 27

T1N10W Willamette Meridian Tillamook County Oregon
State Forestry Gov. Tax Lot 4 (Tax Lot 300)

For Department Use: App. Number: _____

Surface Water — Page 2

Rev. 07/21

RECEIVED

FEB 02 2024

OWRD

B. Applications to Use Stored Water

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

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

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

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

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

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

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

This POD has been in use since 1987

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_trsqg_features/

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

Received by OWRD

FEB 20 2024

Salem, OR

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

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

☐ Yes ☒ No

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

For Department Use: App. Number: _____

Surface Water — Page 3

Rev. 07/21

RECEIVED

FEB 02 2024

OWRD

If yes,

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

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

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

☐ Yes ☒ No

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

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

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

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

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

Received by OWRD

FEB 20 2024

Salem, OR

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.

For Department Use: App. Number: _____

Surface Water — Page 4

Rev. 07/21

RECEIVED

FEB 02 2024

OWRD

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
Unnamed source # 1	Domestic No irrigation	as needed	2 ☐ cfs ☒ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af

RECEIVE

SEP 29 2023

OWRD
SALEM, OREGON

RECEIVED

FEB 02 2024

OWRD

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

Primary: _____ Acres Supplemental: _____ Acres Nursery Use: _____ Acres

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

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

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: **1**
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

Received by OWRD

FEB 20 2024

Salem, OR

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

☐ Pump (give horsepower and type):

☒ Other means (describe): **we have Permission to use Bryan Gibson water line**
Permit # 5-54888 Agreement Attached

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

B. Application Method

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

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.

2500 gal holding tank with 2 gal per min restriction with float valve

For Department Use: App. Number: _____

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: *as per existing permit # S-54888*

- ☐ 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:

- ☐ 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:

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

Describe planned actions:

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

RECEIVED

FEB 02 2024

OWRD

RECEIVED

SEP 29 2023

OWRD
SALEM, OREGON

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin:
b) Date construction will be completed:
c) Date beneficial water use will begin:

N/A

upon permit issuance

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.

N/A

Irrigation District Name	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).

upon receiving a water right, Bryan Gibson Permit # S-54888 will grant us use of his water line for conveyance of water. The existing water line is 1" and plenty big enough for both house holds.

SECTION 8---PROJECT SCHEDULE

This is an existing system. Waterline from Bryan Gibson's line will be extended to Sluyter residence upon issuance of permit.

The extension will take 1 day to complete. Water use will begin after construction is completed.

Received by OWRD

FEB 20 2024

Salem, OR

RECEIVED

Attachment 2: Land Use Information Form

Land Use Information Form

SEP. 29 2023
OWRD
SALEM, OREGON



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

RECEIVED

FEB 02 2024

OWRD

Applicant

NAME <u>Jeffrey + Deborah Sluyter</u>		PHONE (HM)	
PHONE (WK)	CELL <u>503-320-7204</u>	FAX	
ADDRESS <u>7300 Hobsonville Point Dr</u>			
CITY <u>Bay City</u>	STATE <u>OR</u>	ZIP <u>97107</u>	E-MAIL* <u>JeffSluyter@AOL.com</u>

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>T1N</u>	<u>R10W</u>	<u>27</u>	<u>SW ¼</u> <u>SE ¼</u>	<u>300</u>		☒ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
<u>T1N</u>	<u>R10W</u>	<u>34B</u>	<u>NE ¼</u> <u>NW ¼</u>	<u>400</u>		☐ Diverted	☐ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Received by OWRI

FEB 20 2024

Salem, OR

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) unnamed stream

Estimated quantity of water needed: 2 ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☒ Domestic for 1 household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe: 3000 gal Storage Tank

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.

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): Section 3.010 RR-2 Zone
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
RECEIVED FEB 02 2024 OWRD	RECEIVED SEP. 29 2023 OWRD SALEM, OREGON	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

NAME <u>Sheila Shoemaker</u>		TITLE: <u>Land use planner</u>
SIGNATURE <u>[Signature]</u>	PHONE: <u>503-842-3408</u>	DATE: <u>6/29/23</u>
GOVERNMENT ENTITY <u>Tillamook County</u>		

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

FEB 20 2024

Salem, OR

01/04/2017 03:27:41 PM

DEED-CLMSU

\$20.00 \$11.00 \$21.00 \$10.00 - Total = \$62.00



00163647201700000620040045

I hereby certify that the within
instrument was received for record and
recorded in the County of Tillamook,
State of Oregon.

Tassi O'Neil, Tillamook County Clerk

AFTER RECORDING RETURN TO:

Christian K. Hooley
Attorney at Law
P.O. Box 220
Tillamook, OR 97141

SEND TAX STATEMENTS TO:

Ann M. Harper
7600 Hobsonville Pt. Dr.
Bay City, OR 97107

CLAIMING SUCCESSOR DEED

ANN M. HARPER, Claiming Successor of the Small Testate Estate of Frank L. Harper, deceased, under Tillamook County Circuit Court Case No.: 16PB04482, pursuant to ORS 114.545(3), as Grantor, does hereby bargain, sell, and convey unto ANN M. HARPER, Individually, Grantee, such Grantee being the sole devisee of the above named decedent, all that certain real property located within Tillamook County, Oregon, more specifically described in the attached Exhibit A, incorporated herein by reference.

There is no dollar consideration paid for this conveyance, the true and actual consideration being the distribution of the aforementioned Small Testate Estate under Tillamook County Circuit Court Case No.: 16PB04482.

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 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, AND SECTIONS 2 TO 9 AND 17 CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Received by OWRD

FEB 20 2024

Salem, OR

EXHIBIT A

Tax Map No.: 1N1034-AC-00901

PARCEL I: Beginning at the Northeast corner of Government Lot 2, Section 34, Township 1 North, Range 10 West of the Willamette Meridian, in Tillamook County, Oregon; thence East 570 feet; thence South 433 feet; thence West 570 feet; thence North 433 feet to the point of beginning.

PARCEL II: Beginning at the Northeast corner of Government Lot 2, Section 34, Township 1 North, Range 10 West of the Willamette Meridian, in Tillamook County, Oregon; thence South 433 feet; thence West 295 feet, more or less, to the Easterly line of the Southern Pacific Company railroad right of way; thence Northeasterly along the Easterly line of said railroad right of way to the North line of said Government Lot 2; thence East to the point of beginning.

SUBJECT, HOWEVER, to the following: (1) Rights of the public in and to that portion of said premises lying in streets, roads and highways; (2) Transmission Line Easement, including terms and provisions thereof, granted to Pacific Telephone and Telegraph Company, by instrument recorded September 5, 1946 in Book 99, page 349, Deed Records.

EXHIBIT A

Tax Map No.: IN1034-B0-00600

The South half of the Southeast Quarter and Lot 4 of Section 27 and the Northwest Quarter of the Northeast Quarter and Lot 1 of Section 34 in Township 1 North of Range 10 West of Willamette Meridian; and All of the tideland or land between the line of ordinary high tide and ordinary low tide west of and fronting and abutting on Lot 1 of Section 34 and Lot 4 of Section 27 in Township 1 North of Range 10 West of the Willamette Meridian; and All of the tideland west of and fronting and abutting on Lot 2 of Section 34 in Township 1 North of Range 10 West of the Willamette Meridian, and more particularly described as follows: Beginning at the southwest corner of said Lot 2, thence North $10^{\circ} 30'$ West 1.50 chains along ordinary high water mark, North 46° West 7.50 chains; North $56^{\circ} 45'$ East 13.00 chains to the northwest corner of said Lot 2, thence West 16.00 chains to low water mark; thence along low water mark South 21° East 9.70 chains South 35° East 10.52 chains; South 22° East 0.66 chains East 3.30 chains to the place of beginning. SAVING AND EXCEPTING, however, from the above described real property the following, to-wit: That part of the land hereinbefore described included within a right of way through said land, 100 feet wide, which right of way is 50 feet on each side of the center line of the railroad track of the Pacific Railway and Navigation Company as now located and built on the ground. AND LESS the following: All that portion of Lot 4, Section 27 lying East of Highway No. 101, and the South half of the Southeast Quarter of Section 27, all in Township 1 North, Range 10 West of the Willamette Meridian, and All that portion of Lot 1, Section 34, lying East of Highway No. 101, and the Northwest Quarter of the Northeast Quarter of Section 34, all in Township 1 North, Range 10 West, Willamette Meridian;

AND LESS the following: A parcel of land in and/or fronting on Sections 27 and 34, Township 1 North, Range 10 West, Willamette Meridian, Tillamook County, Oregon, the said parcel being that portion of Lot 4 of said Section 27 and Lot 1 of said Section 34, lying Westerly of the Southern Pacific Company right of way and included in a strip of land 200 feet in width, 100 feet on each side of the center line of the Oregon Coast Highway as said highway has been relocated, which centerline is described as follows: Beginning at Engineer's center line Station 145+66.61, said Station being 3695.2 feet North and 2270.1 feet West of the South quarter corner of said Section 27; thence on a spiral curve right (the long chord of which bears South $32^{\circ} 01' 20''$ East) 337.25 feet; thence on a 6740.68 foot radius curve right (the long chord of which bears South $20^{\circ} 38' 45''$ East) 2451.96 feet; thence on a spiral curve right (the long chord of which bears South $9^{\circ} 16' 10''$ East) 337.25 feet; thence South $8^{\circ} 47' 30''$ East, 3463.86 feet to Station 211+56.93; Also all tidelands appurtenant to Lot 4 of said Section 27 and Lots 1 and 2 of said Section 34 lying Westerly of the Southern Pacific Company right of way and included in the above described strip of land.

Page 1 of 2

Received by OWRD

FEB 20 2024

Salem, OR

EXECUTED by Grantor on the date set forth in the notary acknowledgment below.

Ann M Harper
ANN M. HARPER,

Claiming Successor of the Small Testate
Estate of Frank L. Harper, deceased, under
Tillamook County Circuit Court Case No.: 16PB04482

STATE OF OREGON)
) ss.
County of Tillamook)

Jan. 4th, 2017. Personally appeared the above named ANN M.
HARPER, Claiming Successor of the Small Testate Estate of Frank L. Harper, deceased, under
Tillamook County Circuit Court Case No.: 16PB04482, and acknowledged the foregoing
instrument to be her voluntary act and deed. Before me:

Lisa M. Hooley
Notary Public for Oregon



After recording, return to:

Edwin H. Grube
Kobin & Kobin
610 SW Alder Street, Suite 1010
Portland OR 97205

Until requested otherwise, send all to statements to:

Jeffrey and Deborah Sluyter
12540 SW Campbell Rd.
Hillsboro, OR 97123

Tillamook County, Oregon

05/11/2023 03:02:01 PM

2023-01967

DEED-DBS

\$5.00 \$11.00 \$10.00 \$61.00 - Total = \$87.00

I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

Tassi O'Neil, Tillamook County Clerk

BARGAIN AND SALE DEED - STATUTORY FORM
(Individual Grantor)

JEFFREY SLUYTER and DEBORAH SLUYTER, as tenants by the entirety, Grantors, convey to JEFFREY and DEBORAH SLUYTER, Trustees under the SLUYTER FAMILY REVOCABLE LIVING TRUST AGREEMENT, dated May 9, 2023, Grantees, the real property commonly known as 7300 Hobsonville Point Dr., Bay City, Tillamook County, Oregon 97107 and legally described as follows:

Parcel 2, PARTITION PLAT NO. 1999-55, situated in the Southeast one-quarter of the Southwest one-quarter of Section 27, and in the Northeast one-quarter of the Northwest 1/4 of Section 34, Township 1 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, recorded December 27, 1999 in Plat Cabinet B-631-0, Partition Plat Records of Tillamook County, Oregon

Tax Account Number: R0292739

Said property is free of encumbrances except COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD, if any.

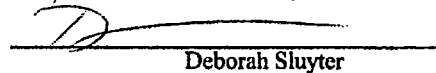
The true consideration for this conveyance is -0- for estate planning.

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.

Dated: May 9, 2023.

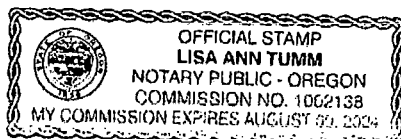

Jeffrey Sluyter

Dated: May 9, 2023.


Deborah Sluyter

STATE OF OREGON)
County of Multnomah) ss.

This instrument was acknowledged before me on May 9, 2023 by Jeffrey Sluyter and Deborah Sluyter.




Notary Public for Oregon

Received by OWRD

FEB 20 2024

Salem, OR

TWACC-2023-22

OREGON

COUNTY OF TILLAMOOK
LOAN NO. 0578814616



WHEN RECORDED MAIL TO:
FIRST AMERICAN MORTGAGE SOLUTIONS
1795 INTERNATIONAL WAY
IDAHO FALLS, ID 83402
PH. 208-528-9895

RECORD 2ND

Tillamook County, Oregon **2021-003561**

04/23/2021 01:24:06 PM

MTG-RECON

\$5.00 \$11.00 \$61.00 \$10.00 - Total = \$87.00



00213211202100035610010017

I hereby certify that the within
instrument was received for record and
recorded in the County of Tillamook,
State of Oregon.

Tassi O'Neil, Tillamook County Clerk

DEED OF RECONVEYANCE

THE UNDERSIGNED, FIRST AMERICAN TITLE INSURANCE COMPANY, located at 1 FIRST AMERICAN WAY, SANTA ANA, CA 92707, as Trustee or Successor Trustee, under that certain Deed of Trust dated FEBRUARY 10, 2017 executed by BRYAN J GIBSON, Trustor, to FIRST AMERICAN TITLE COMPANY OF OREGON, Original Trustee, for the benefit of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS DESIGNATED NOMINEE FOR COLUMBIA STATE BANK, BENEFICIARY OF THE SECURITY INSTRUMENT, ITS SUCCESSORS AND ASSIGNS, Original Beneficiary, and recorded on FEBRUARY 15, 2017 as Instrument No. 2017-001003 in the Records of the County Clerk's Office in and for the County of TILLAMOOK, State of OREGON.

LEGAL DESCRIPTION: AS DESCRIBED IN SAID DEED OF TRUST

PROPERTY ADDRESS: 6900 HOBSONVILLE PT DR, BAY CITY, OR 97107

WHEREAS, the Undersigned received from MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS DESIGNATED NOMINEE FOR COLUMBIA STATE BANK, BENEFICIARY OF THE SECURITY INSTRUMENT, ITS SUCCESSORS AND ASSIGNS, the Beneficiary under said Deed of Trust, a written request to reconvey, reciting that the obligation secured by said Deed of Trust has been fully paid and performed. NOW THEREFORE, the Undersigned does hereby grant, bargain, and convey said Deed of Trust, without any covenant or warranty, expressed or implied, to the person or persons legally entitled thereto, all the estate held by the Undersigned in and to said described premises by virtue of said Deed of Trust.

IN WITNESS WHEREOF, the Undersigned has caused this Instrument to be executed this APRIL 14, 2021.

FIRST AMERICAN TITLE INSURANCE COMPANY

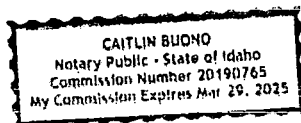
NATALIE FELT, VICE PRESIDENT

STATE OF IDAHO

COUNTY OF BONNEVILLE) ss.

On APRIL 14, 2021, before me, CAITLIN BUONO, personally appeared NATALIE FELT known to me to be the VICE PRESIDENT of FIRST AMERICAN TITLE INSURANCE COMPANY the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

CAITLIN BUONO (COMMISSION EXP. 03/29/2025)
NOTARY PUBLIC



POD: 20210407

SH80701171M - LR - OR



Page 1 of 1



Document 2 of 2

MIN: 10020812016118009
MERS PHONE: 1-888-679-6377

Received by OWRD

FEB 20 2024

Salem, OR

TILLAMOOK COUNTY
Real Legal Descriptions

Account # 292739
Map 1N1034B0 00400
Effective Date 01-Sep-2001 12:00 AM

Disclaimer This information is maintained for assessment and taxation purposes only. The county is not responsible for possible errors, omissions, misuse, or misinterpretation. The legal description shown will not show any changes and/or modifications thereto subsequent to the EFFECTIVE DATE.

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>	<u>Direction</u>	<u>Part</u>	<u>Part Type</u>
PARTITION PLAT 1999-55		PARCEL 2			

Legal Notes (09/01/2001 12:00:00 AM)
NEW LEGAL DESCRIPTION

Received by OWRD
FEB 20 2024
Salem, OR

TILLAMOOK COUNTY
Real Legal Descriptions

Account # 405564

Map 1N1034B0 00500

Effective Date 01-Sep-2001 12:00 AM

Disclaimer This information is maintained for assessment and taxation purposes only. The county is not responsible for possible errors, omissions, misuse, or misinterpretation. The legal description shown will not show any changes and/or modifications thereto subsequent to the EFFECTIVE DATE.

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>	<u>Direction</u>	<u>Part</u>	<u>Part Type</u>
PARTITION PLAT 1999-55		PARCEL 1			

Legal Notes (09/01/2001 12:00:00 AM)
NEW LEGAL DESCRIPTION

Received by OWRD

FEB 20 2024

Salem, OR

Tillamook County
2023 Real Property Assessment Report
 Account 312254

Map 1N10270000300
 Code - Tax ID 5608 - 312254
 Legal Descr See Record
 Mailing OREGON, STATE OF

Tax Status Non-Assessable
 Account Status Active
 Subtype NORMAL
 Deed Reference # See Record
 Sales Date/Price See Record
 Appraiser UNKNOWN

Property Class 960 MA SA NH
 RMV Class 600 02 01 600

Site	Situs Address	City
------	---------------	------

		Value Summary			
Code Area		RMV	MAV	AV	RMV Exception CPR %
5608	Land	359,310		Land	0
	Impr	0		Impr	0
Code Area Total		359,310	189,940	199,180	0
Grand Total		359,310	189,940	199,180	0

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
5608	0	☒		F	Classified Forest Land	100	245.10 AC	OA	359,310
Code Area Total							245.10 AC		359,310

Improvement Breakdown									
Code Area	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV	

Exemptions / Special Assessments / Notations									
Code Area 5608									
Exemptions (AV)							Amount		
■ STATE GOVERNMENT 307.090							0		

Received by OWRD
 FEB 20 2024
 Salem, OR

TILLAMOOK COUNTY
Real Legal Descriptions

Account # 312254
Map 1N102700 00300

Effective Date

Disclaimer This information is maintained for assessment and taxation purposes only. The county is not responsible for possible errors, omissions, misuse, or misinterpretation. The legal description shown will not show any changes and/or modifications thereto subsequent to the EFFECTIVE DATE.

Subdivision	Block	Lot	Direction	Part	Part Type
--------------------	--------------	------------	------------------	-------------	------------------

Received by OWRD
FEB 20 2024
Salem, OR

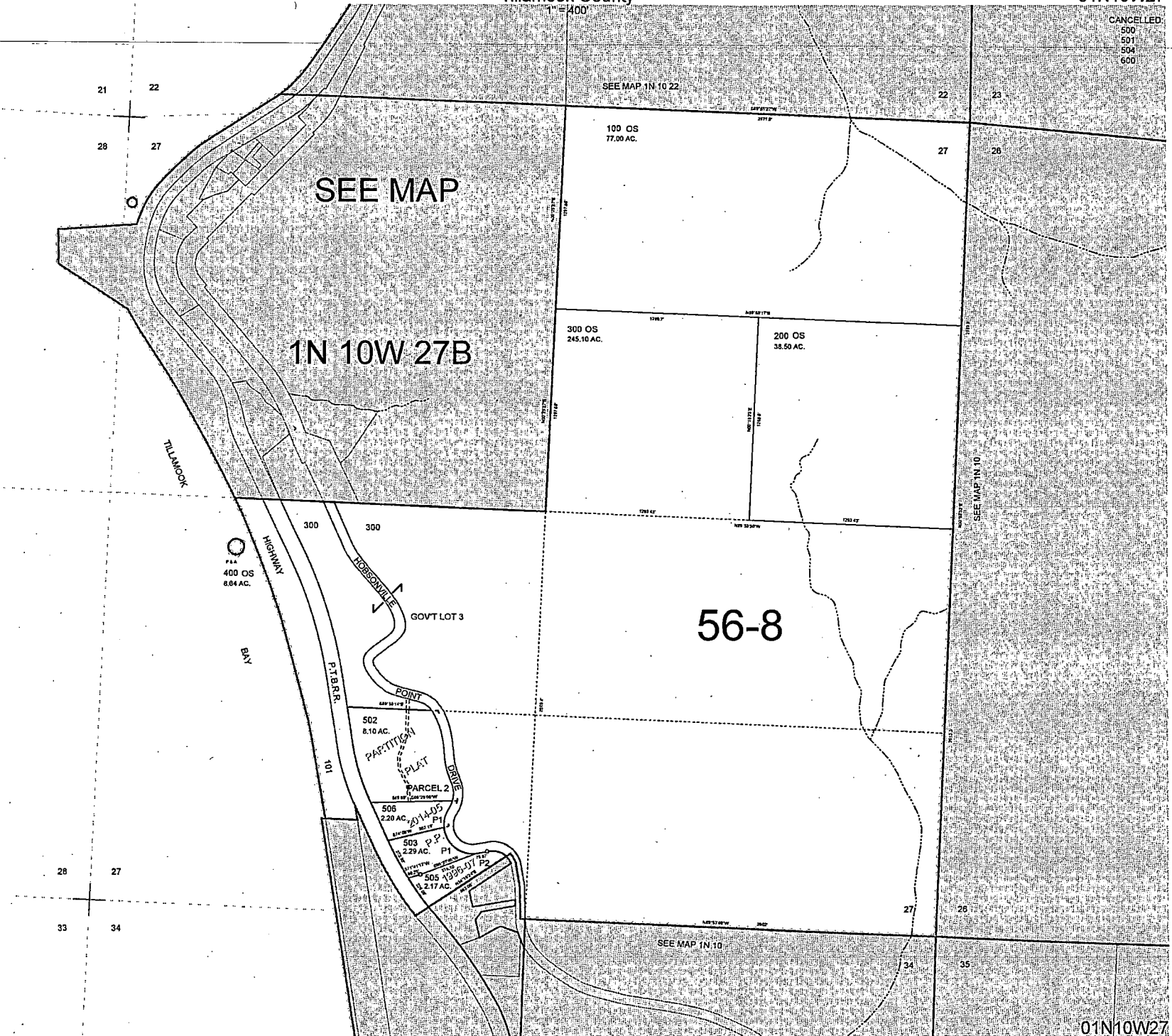
FOR ASSESSMENT AND TAXATION ONLY, NOT SUITABLE FOR
LEGAL, ENGINEERING, OR SURVEY PURPOSES

SECTION 27 T.1N. R.10W. W.M.
Tillamook County

WORK COPY

01N10W27

CANCELLED
500
501
504
600



Received by OWRD

FEB 20 2024

Salem, OR

01N10W27
REVISED 7/24/14, WS

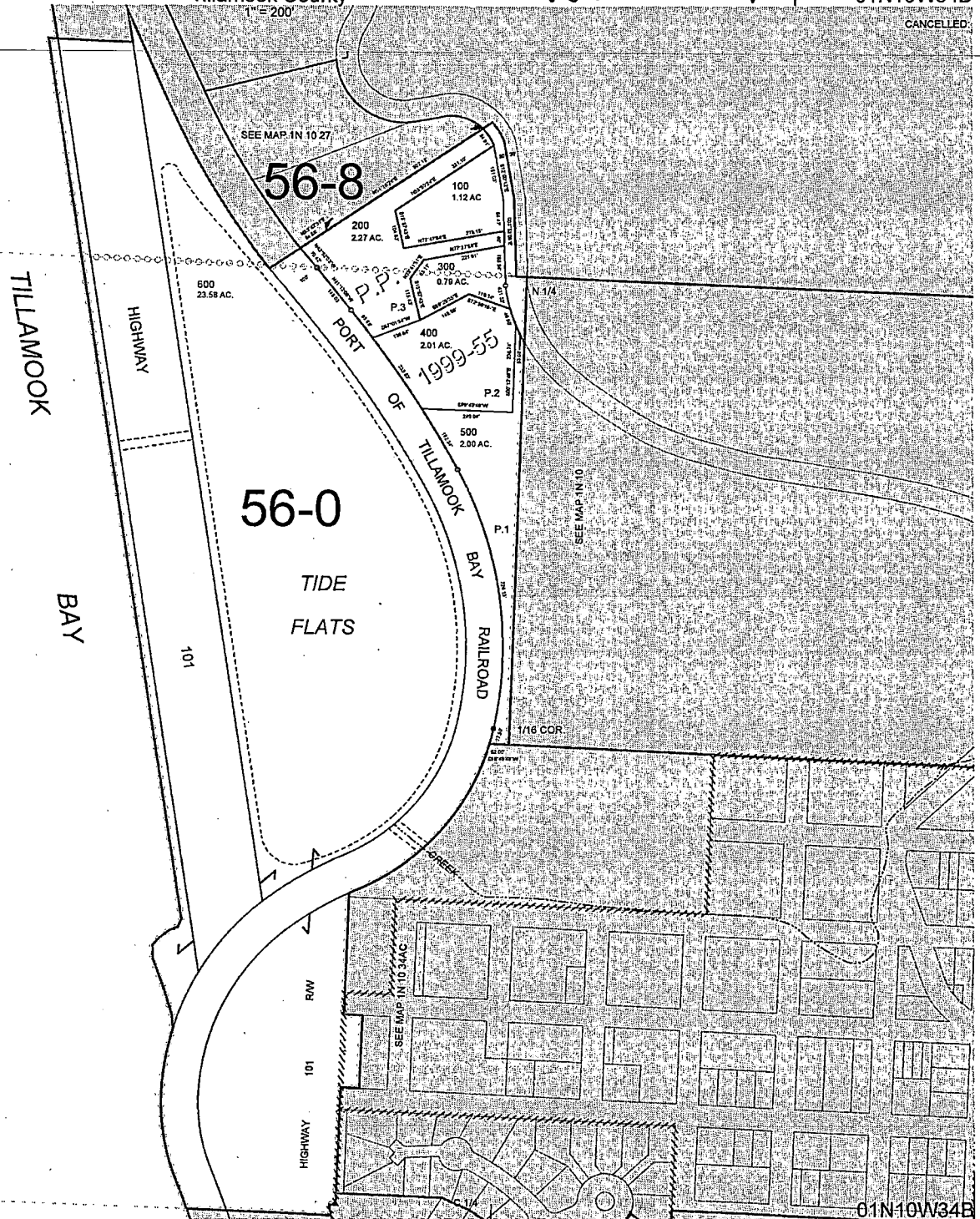
FOR ASSESSMENT AND TAXATION ONLY, NOT SUITABLE FOR
LEGAL, ENGINEERING, OR SURVEY PURPOSES

N.W.1/4 SEC.34 T.1N. R.10W. W.M.
Tillamook County

* WORK COPY *

01N10W34B

CANCELLED



Received by OWRD

FEB 20 2024

Salem, OR

01N10W34B
REVISED 5/1/15, WS

RECEIVED

FEB 02 2024

OWRD

RECEIVED

SEP 29 2023

OWRD
SALEM, OREGON

<i>Space above for Recorder's use</i>	
After recording return to:	Send Tax Statements To:
Bryan J. Gibson 6900 Hobsonville Point Road Bay City, OR 97107	No Change Tax Account #312254

WATERLINE EASEMENT

In consideration of One Dollar (\$1.00), the STATE OF OREGON, acting by and through its State Board of Forestry and the Oregon Department of Forestry, GRANTOR, grants to BRYAN J. GIBSON and KRISTEN J. COYLE-GIBSON, GRANTEES, a non-exclusive easement in gross, personal to the GRANTEES and located as follows across the following real property (the "Property") of the GRANTOR:

Portions of the Southwest quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and Government Lot 4 (Tax Lot 300) of Section 27, Township 1 North, Range 10 West, Willamette Meridian, Tillamook County, Oregon, said easement being 10 feet in width, as shown on Exhibit "A" which is attached hereto and incorporated herein.

hereafter referred to as the "Easement".

This Easement is subject to all prior easements or encumbrances of record and the following terms:

1. The sole purpose of this Easement is to allow for the installation, maintenance and use by GRANTEES of a single waterline and related facilities, for taking water from a point of diversion shown on Exhibit "A" and transporting it to GRANTEES' property in Section 34 (Tax Lot 500), Township 1 North, Range 10 West, Willamette Meridian, Tillamook County, Oregon.
2. This Easement is personal to GRANTEES and may not be assigned or transferred by GRANTEES. Any attempted assignment or transfer of this Easement shall be void and of no effect.

Received by OWRD

FEB 20 2024

Salem, OR

Waterline Easement # 314.291255

Page 1 of 5

3. GRANTEES' access to the Property is limited to that which is necessary for the installation, maintenance and use of the single waterline and related facilities. GRANTOR reserves the exclusive right to grant further easements across the Property or from the same point of diversion.
4. GRANTEES shall comply with all federal, state, and local laws and regulations which in any manner affect the activities of GRANTEES under this Easement.
5. GRANTEES shall provide GRANTOR with a copy of the Water Right Permit and/or Water Right Certificate issued by the State of Oregon Water Resources Department authorizing the appropriation of the water by the GRANTEES at the point of diversion shown on Exhibit "A".
6. GRANTEES shall defend, save, hold harmless, and indemnify GRANTOR, the State of Oregon, and their officers, employees and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature whatsoever resulting from, arising out of, or relating to the activities of GRANTEES or their officers, employees, subcontractors, or agents under this Easement. GRANTEES shall have control of the defense and settlement thereof, but neither GRANTEES nor any attorney engaged by GRANTEES shall defend the claim in the name of GRANTOR, the State of Oregon or any agency of the State of Oregon, nor purport to act as legal representative of GRANTOR, the State of Oregon or any of its agencies, without the prior written consent of the Oregon Attorney General. GRANTOR may, at its election and expense, assume its own defense and settlement in the event that it determines that GRANTEES are prohibited from defending GRANTOR or are not adequately defending GRANTOR's interests, an important government principle is at issue or it is deemed by GRANTOR to be in the best interest of GRANTOR to do so.
7. GRANTEES are responsible for all maintenance, repair and replacement of the waterline and related facilities necessitated by ordinary wear and tear or damage from any cause, including causes arising directly or indirectly from the activities of GRANTOR, its members, officers, employees, permittees or licensees under paragraph 9 of this Easement. GRANTEES shall maintain the waterline and related facilities in a safe condition at all times. Any modifications, improvements or additions to the waterline and related facilities will require prior written approval of the GRANTOR.
8. Unless otherwise agreed in writing, the waterline and all related facilities are the property of GRANTEES and shall be removed by GRANTEES within ninety (90) days from the date this Easement is terminated. Any of GRANTEES' property remaining on the Property ninety (90) days after termination, shall become the property of GRANTOR. GRANTEES shall be responsible for any and all costs incurred by GRANTOR in the removal and disposal of said property. Upon termination, GRANTEES shall restore the Property to a condition, which in the judgment of GRANTOR, is as good as existed prior to the commencement of the Easement, unless otherwise agreed to in writing by the GRANTOR. GRANTEES shall complete the restoration of the Property in a time period designated by GRANTOR. If GRANTEES fail to restore the Property in accordance with this Easement, GRANTOR may do so, and GRANTEES shall be responsible to GRANTOR for all restoration costs.

Received by OWRD

FEB 20 2024

Salem, OR

Waterline Easement # 314.291255

Page 2 of 5

RECEIVED

FEB 02 2024

OWRD

RECEIVED

SEP 29 2023

OWRD
SALEM, OREGON

9. GRANTEES agree that GRANTOR, its officers, employees, agents, permittees and licensees, at their sole discretion, may, at any time, carry out any and all land management activities deemed necessary by GRANTOR, including but not limited to logging, slash disposal and pesticide and herbicide applications on the Property. GRANTEES assume all risk arising out of such activities and agree that GRANTOR shall not be responsible for any damage to the waterline and related facilities caused by the activities of GRANTOR, its officers, members, employees, agents, permittees or licensees. In the event the waterline and related facilities interfere with GRANTOR's use of the Property, GRANTEES shall within ninety (90) days after receipt of written notice from GRANTOR and at GRANTEES' sole cost and expense, remove the waterline and related facilities or move the waterline and related facilities to a location designated by GRANTOR. Except as outlined herein, GRANTEES may not otherwise change the location of this Easement or relocate the waterline and related facilities without GRANTOR'S prior written permission.
10. GRANTEES assume all risk arising out of or relating to the use of the Property for Easement purposes and GRANTOR shall have no liability to GRANTEES or others for any condition of the Property, including but not limited to: (i) the quality and quantity of water; (ii) the practicality or feasibility of the waterline contemplated to be constructed by GRANTEES; (iii) the existence or need for any approvals from other local, state or federal regulatory bodies; (iv) the presence or absence of any hazardous materials as defined under federal or state law ("Hazardous Materials"); or (v) the physical condition of the Property.
11. GRANTEES may not remove, injure, damage or destroy any timber on the Property unless approved in advance by GRANTOR in writing and after GRANTEES have made payment therefore. In addition, GRANTEES shall not remove, injure, damage or destroy any other property, including but not limited to native plants or animals, located on the Property, except as permitted in advance by GRANTOR in writing. Any such unauthorized removal, injury, damage or destruction of the Property shall be immediately corrected and repaired by GRANTEES or payment shall be made by GRANTEES to GRANTOR as directed by GRANTOR.
12. GRANTEES shall pay when due all assessments that may be legally charged on public lands which are levied against the Property as a result of this Easement, whether or not such assessments have been levied against GRANTEES or GRANTOR by the assessing agency. In the event that GRANTEES fail to pay any such taxes or assessments, GRANTOR shall have the right to pay the taxes or assessments and recover that amount from GRANTEES. GRANTEES shall reimburse GRANTOR within thirty (30) days from date billed.
13. GRANTEES further covenant and agree as follows: (i) to comply with all applicable laws, regulations, codes and ordinances; (ii) not to store or dispose of any Hazardous Materials on or under the Property; (iii) to promptly notify GRANTOR in the event any Hazardous Materials are spilled or otherwise deposited on or under the Property; (iv) and to cooperate with local and state authorities in neutralizing and remediating any such spill or deposit of Hazardous Materials.

Received by OWRD

FEB 20 2024

Waterline Easement # 314.291255

Page 3 of 5

Salem, OR

RECEIVED

FEB 02 2024

OWRD

RECEIVED

SEP 29 2023

OWRD
SALEM, OREGON

14. Termination:

- a. The GRANTOR has the right to terminate this Easement, effective upon issuance of written notice of termination to GRANTEES, if any of the following events occur:
 1. GRANTEES fail to use the Easement for a period of one (1) year or otherwise abandon it; or
 2. GRANTEES fail, neglect, or refuse to perform any of the conditions or requirements herein contained within thirty (30) days after the GRANTOR has given written notice to comply; or
 3. GRANTEES assign or attempt to assign this Easement; or
 4. GRANTOR determines that the termination of the Easement is necessary to allow GRANTOR to properly manage the Property.
- b. This Easement shall automatically terminate if GRANTEES convey or lose title to GRANTEES' property (or any part thereof) as described in provision number one of this Easement.
- c. Upon GRANTOR's written notice of termination, GRANTEES or GRANTEES' personal representative shall execute a recordable document evidencing termination of said Easement.

15. Any notice required to be given under this Easement shall be provided as follows:

If to GRANTOR to: Oregon Department of Forestry
State Forests Division
2600 State Street, Bldg. D
Salem, OR 97310

RECEIVED
SEP 29 2023
OWRD
SALEM, OREGON

If to GRANTEES to: Bryan Gibson and Kristen Coyle-Gibson
6900 Hobsonville Point Road
Bay City, OR 97107

Or to such other address as GRANTOR or GRANTEES may provide from time to time.

Received by OWRD
FEB 20 2024
Salem, OR

RECEIVED
FEB 02 2024
OWRD

Executed this 19th day of June, 2013.

GRANTOR:

STATE OF OREGON, acting by and
through its State Board of Forestry and
Oregon Department of Forestry

Michael A. Bordelon

Michael A. Bordelon
Division Chief
State Forests Division

GRANTEES:

B. J. Gibson

Bryan J. Gibson

Kristen J. Coyle-Gibson

Kristen J. Coyle-Gibson

ACKNOWLEDGMENTS

STATE OF OREGON)
) ss.
County of Marion)

Received by OWRD

FEB 20 2024

Salem, OR

RECEIVED

SEP 29 2023

OWRD
SALEM, OREGON

The instrument was acknowledged before me on this 20th day of August, 2013, by
Michael A. Bordelon as the authorized representative of GRANTOR.



Patricia S. Cate

Notary Public for Oregon

My Commission expires: 6/23/16

STATE OF OREGON)
) ss.
County of Tillamook)

The instrument was acknowledged before me on this 19 day of June, 2013, by
Bryan J. Gibson and Kristen J. Coyle-Gibson.



Stacie Allyn Fricia

Notary Public for Oregon

My Commission expires: 12/26/15

Waterline Easement # 314.291255

Page 5 of 5

RECEIVED

FEB 02 2024

OWRD

RECEIVED

FEB 02 2024

OWRD

RECEIVED

SEP 29 2023

OWRD
SALEM, OREGON

Easement

Between

JEFFREY D. SLUYTER DEBORAH S. SLUYTER

And

BRYAN GIBSON _____

This agreement made and entered in on JULY 29, 2023

By and between Jeffrey and Deborah Sluyter, hereinafter called the first party, and Bryan Gibson hereinafter called the second party, WITNESSETH:

Whereas: The first party is the record owner of the following described real property in Tillamook County, State of Oregon, to-wit:

GRANTOR PROPERTY DESCRIPTION: IN10-34B-400

And has the unrestricted right to grant the easement hereinafter described relative to the real estate; and the second party is the record owner of the following described real property in that county and state, to-wit:

GRANTEE PROPERTY DESCRIPTION: IN10-34B-500

The first party hereby grants, assigns and sets over to the second party a private ingress and egress easement over the following described portion of the first party's property. To-wit:

EASEMENT AREA DESCRIPTION

A one inch water pipe takes water from a collection point located on State Forestry land (IN10-27-300). The water pipe continues along an unnamed creek bed under Hobsonville Point Rd and onto parcel one (IN10-34B-200), after 500 ft. the pipe diverts away from the creek bed to follow the path of the old highway onto parcel two (IN10-34B-400) owned by the first party. The water pipe crosses onto the second party's property (IN10-34B-500) at a point 40 ft. NW of the second party's house. A total distance of approximately 1,000 ft.

The second party shall have all right of ingress and egress to and from the real estate (including the right from time to time except as hereinafter provide, to cut, trim, trees, brush, and other obstructions) necessary for the second party's operation and maintenance of the easement hereby granted. Except as to the right herein granted, the first party shall have the full use and control of the above described real estate.

The second party agrees to save and hold the first party harmless from any and all claims of third parties arising from the second party's use of the rights herein granted.

The period of this easement shall be granted in perpetuity.

Received by OWRD

FEB 20 2024

Salem, OR

RECEIVED

SEP 29 2023

OWRD
SALEM, OREGON

RECEIVED

FEB 02 2024

OWRD

During the existence of this easement, maintenance of the easement and cost of repair of the easement, if damaged by natural disasters or other events for which all holders of an interest in the easement are blameless, shall be the responsibility of the second party.

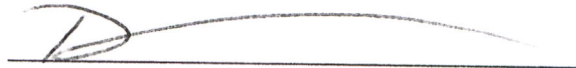
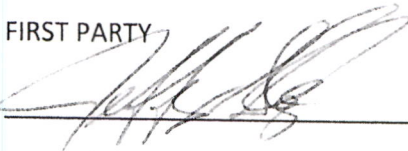
During the existence of this easement, holders of an interest in the easement who are responsible for damage to the easement because of negligence or abnormal use shall repair the damage at their sole expense.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the parties hereto but also their respective heirs, executors, administrators, assigns, and successors in interest.

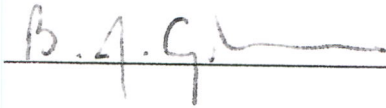
In construing this agreement, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this agreement shall apply to individual and to corporations.

IN WITNESS WHEREOF, the parties have hereunto set their hand in duplicate on the day and year first written above

FIRST PARTY



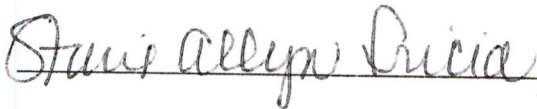
SECOND PARTY



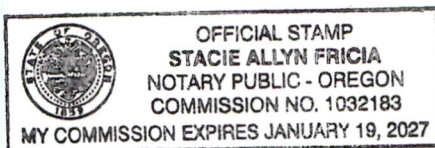
State of Oregon

County of Tillamook

This instrument was acknowledged before me on July 29, 2023



Notary Public for Oregon



Received by OWRD
FEB 20 2024
Salem, OR

After Recording Return to:

Bryan Gibson
6900 Hobsonville Point Rd
Bay City, OR 97107
Easement

Tillamook County, Oregon

08/11/2023 10:35:04 AM

2023-003582

DEED-ESMAT

\$10.00 \$11.00 \$01.00 \$10.00 - Total = \$97.00



00237452202300036820030032

I hereby certify that the within
instrument was received for record and
recorded in the County of Tillamook,
State of Oregon.

Tassi O'Neill, Tillamook County Clerk

Between

Ann Harper

And

BRYAN GIBSON

This agreement made and entered in on 1~~st~~ August 9, 2023

By and between Ann Harper, hereinafter called the first party, and Bryan Gibson hereinafter called the second party, WITNESSETH:

Whereas: The first party is the record owner of the following described real property in Tillamook County, State of Oregon, to-wit:

GRANTOR PROPERTY DESCRIPTION: IN10-34B-200 *See book 414 page 107 for full legal description*

And has the unrestricted right to grant the easement hereinafter described relative to the real estate; and the second party is the record owner of the following described real property in that county and state, to-wit:

GRANTEE PROPERTY DESCRIPTION: IN10-34B-500 *See document 2016-0454 for full legal description*

The first party hereby grants, assigns and sets over to the second party a private ingress and egress easement over the following described portion of the first party's property. To-wit:

EASEMENT AREA DESCRIPTION

A one inch water pipe takes water from a collection point located on State Forestry land (IN10-27-300). The water pipe continues along an unnamed creek bed under Hobsonville Point Rd and onto parcel one (IN10-34B-200), after 500 ft. the pipe diverts away from the creek bed to follow the path of the old highway onto parcel two (IN10-34B-400) owned by the first party. The water pipe crosses onto the second party's property (IN10-34B-500) at a point 40 ft. NW of the second party's house. A total distance of approximately 1,000 ft.

The second party shall have all right of ingress and egress to and from the real estate (including the right from time to time except as hereinafter provide, to cut, trim, trees, brush, and other obstructions) necessary for the second party's operation and maintenance of the easement hereby granted. Except as to the right herein granted, the first party shall have the full use and control of the above described real estate.

The second party agrees to save and hold the first party harmless from any and all claims of third parties arising from the second party's use of the rights herein granted.

The period of this easement shall be granted in perpetuity.

Consideration ϕ

Received by OWRD

FEB 20 2024

Salem, OR

During the existence of this easement, maintenance of the easement and cost of repair of the easement, if damaged by natural disasters or other events for which all holders of an interest in the easement are blameless, shall be the responsibility of the second party.

During the existence of this easement, holders of an interest in the easement who are responsible for damage to the easement because of negligence or abnormal use shall repair the damage at their sole expense.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the parties hereto but also their respective heirs, executors, administrators, assigns, and successors in interest.

In construing this agreement, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this agreement shall apply to individual and to corporations.

IN WITNESS WHEREOF, the parties have hereunto set their hand in duplicate on the day and year first written above

FIRST PARTY

Ann Harper

SECOND PARTY

B. A. G. L.

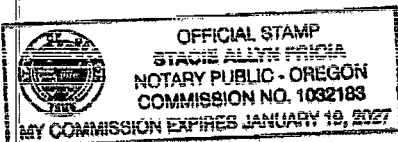
State of Oregon

County of Tillamook

This instrument was acknowledged before me on August 9, 2023

Stacie Allyn Fricia

Notary Public for Oregon



Received by OWRD
FEB 20 2024
Salem, OR

UNNAMED STREAM.

FLOW

WATER
COLLECTION
NORTH 44° 6'
EAST 75'

IN 10-27-300

MOSSVILLE POINT RD

IN 10-348-200
(HARPER)

1/4 CORNER
S 27
②7
S 34

IN 10-348-400
(SLUYTER)

1" POLY PIPE

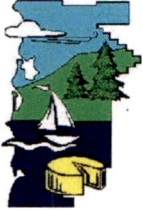
CENTERLINE RAILROAD

TO TILLAMOOK BAY

(Gibson)

IN 10-348-500

N
SCALE 1" = 100'



Tillamook County Department of Community Development
1510-B Third Street. Tillamook, OR 97141 | Tel: 503-842-3408 Fax: 503-842-1819
www.co.tillamook.or.us

PLANNING APPLICATION

Applicant ☒ (Check Box if Same as Property Owner)

Name: Jeffrey Slugter Phone: 503-322-7224
Address: 7300 Hobsonville Point Dr
City: Bay City State: OR Zip: 97107
Email: Jeff.Slugter@AOL.com

Property Owner

Name: Jeffrey Slugter Phone: _____
Address: 12540 SW Campbell Rd
City: Hillsboro State: OR Zip: 97123
Email: Jeff.Slugter@AOL.com

Request: water right Application

OFFICE USE ONLY	
Date Stamp	RECEIVED
	JUN 29 2023
	BY: <u>Sluina</u>
☒ Approved	☐ Denied
Received by:	<u>SS</u>
Receipt #:	<u>132604</u>
Fees:	<u>75.00</u>
Permit No:	<u>851-23-000196-PLNG</u>

RECEIVED

FEB 02 2024

Type I

- ☐ Beach and Dune Hazard Report Review
- ☐ Extension of Time Review
- ☐ Final Plat Approval
- ☐ Geologic Hazard Report Review
- ☒ Land Use Compatibility Statement
- ☐ Land Use Verification Letter
- ☐ Preliminary Plat Time Extension
- ☐ Replacement Dwelling in Resource Zone
- ☐ Review for Dwelling in Resource Zone

OWRD

RECEIVED

SEP. 29 2023

**OWRD
SALEM, OREGON**

Location:

Site Address: 7300 Hobsonville point RD

Map Number: 1N 10 34B 400
Township Range Section Tax Lot(s)

Clerk's Instrument #: _____

Authorization

This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

Property Owner Signature (Required)

Applicant Signature

Date

Date

Received by OWRD

FEB 20 2024

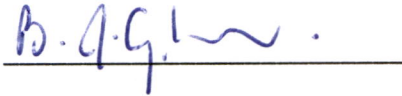
RECEIVED

FEB 02 2024

OWRD

June 3, 2023

I Bryan Gibson, agree to allow Jeffrey and Deborah Sluyter (Tax Lot 400) to share my waterline from the POD upon their receipt of a Water Right from the State of Oregon.



Bryan Gibson
Tax Lot 500
NW 1/4 Section 34,
T1N R10W, W.M.
Permit # S-54888

Received by OWRD

FEB 20 2024

Salem, OR

EXHIBIT "A"

Waterline Easement #314.291255
Forestry to Gibson
Section 27, T1N, R10W, W.M.
Tillamook County

N

SCALE 1" = 100'

UNNAMED STREAM.

Flow

WATER
COLLECTION
NORTH 460'
EAST 45'
IN10-27-300

MOOSEVILLE POINT RD

Ref
Point

IN10-34B-200

1/4 CORNER

S 27
(27)
S 34

CENTERLINE RAILROAD

IN10-34B-400

1" POLYPIPE

Received by OWRD

FEB 20 2024

Salem, OR

TO TILLAMOOK BAY.

(GIBSON)

IN10-34B-500

RECEIVED

FEB 02 2024

OWRD

SECTION 2—ADDITIONAL APPLICATION INFO.

Affected Landowners

Oregon State Forestry
State Forest Division
2600 State Street Bldg. D
Salem, OR 97310

Property Information

460' + 45' East from
corner of Sec 27—34
Located in SW ¼ of SE ¼ of
Sec 27 Lot 300

Easement #314.2191255

POD

Ann Harper
7600 Hobsonville Point Rd.
Bay City, OR 97107

TIN R10W 34B Lot 200
NW ¼ Sec 34

Easement #549955

Proposed Point of Use

Jeffrey & Deborah Sluyter
7300 Hobsonville Point Rd.
Bay City, OR 97107

TIN R10W 34B Lot 400
NE ¼ of the NW ¼ Sec 34

Easement #554888

Bryan Gibson
6900 Hobsonville Point Rd.
Bay City, OR 97107

TIN R10W 34B Lot 500
NE ¼ of NW ¼ Sec 34

Received by OWRD
FEB 20 2024
Salem, OR

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

Received by OWRD
FEB 20 2024
Salem, OR
RECEIVED
SEP 29 2023
OWRD
SALEM, OREGON

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. *Attached*
- ☒ Fees - Amount enclosed: \$ 2110.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☐ Map that includes the following items:
 - ☒ Permanent quality and drawn in ink
 - ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - ☒ North Directional Symbol
 - ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
 - ☒ Reference corner on map
 - ☒ Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

RECEIVED
FEB 02 2024
OWRD



Received by OWRD

FEB 20 2024

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Jeffrey & Deborah Sluyter
12540 SW Campbell Rd Hillsboro, OR 97123

Transaction Type: Application

Fees Received: \$ 2110.00

☐ Cash

☒ Check:

Check No. 5180

Name(s) on Check: Same as Above

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

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

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

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

Sincerely,

OWRD Customer Service Staff

Submission received by: Nick R.
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.