

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 JOHN DAVID APPEL | | | PHONE (HM) |
| PHONE (WK) | CELL 541-521-0426 | | FAX |
| MAILING ADDRESS 17049 MOUNTAIN VIEW LANE NE | | | |
| CITY WOODBURN | STATE OR | ZIP 97071 | E-MAIL* ANNIE@PAC-GREEN.COM |

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 DOANN HAMILTON / PACIFIC HYDRO-GEOLOGY, INC. | | | PHONE (503) 632-5016 | FAX (503) 632-5983 |
| ADDRESS 18487 S. VALLEY VISTA RD | | | CELL (503) 349-6946 | |
| CITY MULINO | STATE OR | ZIP 97042 | E-MAIL* PHGDMH@GMAIL.COM | |

Note: Attach multiple copies as needed

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

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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.

| | | |
|---------------------|------------------------------------|-----------|
| | John D. Appel | 4/18/2024 |
| Applicant Signature | Print Name and Title if applicable | Date |
| _____ | _____ | _____ |
| Applicant Signature | Print Name and Title if applicable | 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.

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- 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.

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

NA

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: 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 |
| WELL 1 | SENECAL CREEK | APPROXIMATELY 2,750 FEET | APPROXIMATELY 10 FEET |
| WELL 2 | SENECAL CREEK | APPROXIMATELY 3,500 FEET | APPROXIMATELY 10 FEET |
| | | | |
| | | | |
| | | | |

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).*

FOR WELL 1 SEE WELL LOG MARI 2242

Well 2 specifications provided in the table below are estimates and subject to change based on actual conditions encountered in the field. The objective will be to construct the well to develop water from the alluvial aquifer.

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: **0.10 CFS** (see Remarks) (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 1 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | MARI 2242 | <input type="checkbox"/> | 6 INCH | 0 TO 127 | 125 TO 127 | 0 TO 19 | 44 FT BLS PER WELL LOG JULY 10, 1989 | ALLUVIAL | 127 | | |
| WELL 2 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA | <input type="checkbox"/> | 6 INCH | 0 TO 150 | TBD | 0 TO 20 | NA | ALLUVIAL | 150 | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | TOTAL: | | 44.9 GPM | 52.5 AF |
| | <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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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.

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

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

Yes No

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

If yes, 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:
NA

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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) |
|---------|---------------|---------------------------|
| Nursery | Year round | 52.5 AF |
| | | |

For irrigation use only:

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

Primary: NA Acres Supplemental: NA Acres Nursery Use: 10.5 Acres

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

NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 52.5 AF

- If the use is **municipal or quasi-municipal**, attach **Form M**

- If the use is **domestic**, indicate the number of households: **NA** (**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*): **NA**

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

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

- Pump (give horsepower and type):
Well 1: Submersible 5Hp
Well 2: Submersible 5 Hp
 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 existing well 1 and proposed Well 2 using a 5 Hp submersible pump in each well to convey water through buried mainlines to supply impact sprinklers and drip irrigation.

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*)

Impact sprinklers and drip irrigation.

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*).

Irrigation of the nursery stock will be done with drip irrigation system using best management practices to prevent waste.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: Within three years after the permit is issued
- Date construction will be completed: Within five years after the permit has been issued
- Date beneficial water use will begin: Within five years after the permit has been issued

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 applied at the appropriate rate and duration to avoid excess use.
- 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:

There are no streams located near the proposed well or any other location requiring ground disturbance; therefore, no banks will need clearing.

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

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 NA | 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*).

Due to the limited surface water availability in the area, we propose a variable rate permit with rates limited month-by-month based on the water availability for Case Creek. We propose the following rate limits per month (see Permit G-18660 for an example of a permit recently approved for a variable rate):

November through April: 0.1 cfs

May: 0.062 cfs

June: 0.030 cfs

July: 0.029 cfs

August: 0.019 cfs

September: 0.011 cfs

October: 0.010 cfs

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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

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: **\$ 2,390.00**
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)

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Land Use Information Form



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

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| | | | | | |
|--|-------------|--------------|------------------------------|--|--|
| NAME JOHN DAVID APPEL | | | PHONE 541-521-0426 | | |
| MAILING ADDRESS 17049 Mountain View Lane NE | | | | | |
| CITY Woodburn | STATE OR | ZIP 97071 | EMAIL annie@pac-green.com | | |

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

| Township | Range | Section | ¼ ¼ | Tax Lot # | Plan Designation (e.g., Rural Residential/RR-5) | Water to be: | | | Proposed Land Use: |
|----------|-------|---------|-----|-----------|---|--|--|--|--------------------|
| 5S | 2W | 2A | | 900 | EFU | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Nursery |
| 5S | 2W | 2D | | 3400 | EFU | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Nursery |
| | | | | | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | |
| | | | | | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | |

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

| |
|---------------|
| Marion County |
|---------------|

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

Type of application to be filed with the Oregon Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Exchange of Water
 Allocation of Conserved Water

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

Estimated quantity of water needed: 0.10 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 Nursery Use

Briefly describe:

| |
|---|
| <u>New groundwater permit for irrigation of nursery stock and other nursery uses.</u> |
|---|

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

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.

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Please check the appropriate box below and provide the requested information

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- Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCC 17.136.010(A)
- Land uses to be served by the proposed water use(s), 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"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued |

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

Name: Nicole Inman Title: Associate Planner
 Signature: *Nicole Inman* Date: 4/25/2024
 Governmental Entity: Marion County Phone: 503-588-5038

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: _____
 Staff Name: _____ Title: _____
 Staff Signature: _____ Date: _____
 Governmental Entity: _____ Phone: _____



First American Title

Customer Service Department
503-476-8735
csfirst@firstam.com
Date: 04/18/2024

OWNERSHIP INFORMATION

Owner: Appel, John David
CoOwner:
Site: 17049 Mountain View Ln NE Woodburn OR 97071
Mail: 17049 Mountain View Ln NE Woodburn OR 97071

Parcel #: 514493
Ref Parcel #: 052W02D003400
TRS: 05S / 02W / 02 / SE
County: Marion

PROPERTY DESCRIPTION

Map Grid:
Census Tract: 010303 Block: 2021
Neighborhood:
School Dist: 103 Woodburn
Impr Type: 142 - Farm Homesite - Multi Story Above Grade
Subdiv/Plat:
Land Use: 551 - Specially assessed farm land, improved,
zoned EFU, SA, FT or UTF
Std Land Use: RSFR - Single Family Residence
Zoning: EFU - Exclusive Farm Use
Lat/Lon: 45.166461 / -122.895319
Watershed: Chehalem Creek-Willamette River
Legal: ACRES 5.00

ASSESSMENT AND TAXATION

Market Land: \$432,360.00
Market Impr: \$525,140.00
Market Total: \$957,500.00 (2023)
% Improved: 55.00%
Assessed Total: \$253,845.00 (2023)
Levy Code: 03600
Tax: \$3,406.82 (2023)
Millage Rate: 13.4209
Exemption:
Exemption Type: N/A

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After recording return to:
John David Appel
17049 Mountain View Lane NE
Woodburn, OR 97071

Until a change is requested all tax
statements shall be sent to the
following address:
John David Appel
17049 Mountain View Lane NE
Woodburn, OR 97071

File No.: 7084-3849651 (DL)
Date: December 01, 2021

THIS SPACE RESERVED FOR RECORDER'S USE

REEL 4573 PAGE 486
MARION COUNTY
BILL BURGESS, COUNTY CLERK
12-14-2021 01:00 pm.
Control Number 686259 \$ 101.00
Instrument 2021 00071663

3849651

FIRST AMERICAN

STATUTORY BARGAIN AND SALE DEED

John David Appel, Grantor, conveys to **John David Appel, an unmarried man**, Grantee, the following described real property:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

The true consideration for this conveyance is **\$0.00 Recording to Correct Vesting**. (Here comply with requirements of ORS 93.030)

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

Dated this 01st day of December, 2021.

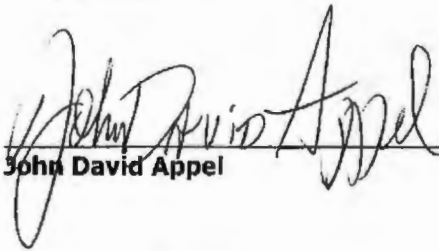
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APN: 514493

Bargain and Sale Deed
- continued

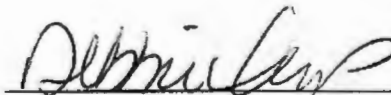
File No.: 7084-3849651 (DL)
Date: 12/01/2021



John David Appel

STATE OF Oregon)
County of Marion)ss.
)

This instrument was acknowledged before me on this 9th day of December, 2021
by **John David Appel**.





Notary Public for Oregon
My commission expires: Jun 15, 2023

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EXHIBIT A

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

PARCEL I

BEGINNING AT A STEEL BAR AT A POINT WHICH IS 40.80 CHAINS SOUTH 66°45' EAST AND 15.66 CHAINS SOUTH 23°15' WEST FROM THE NORTHWEST CORNER OF LOUIS VANDALL DONATION LAND CLAIM IN TOWNSHIP 5 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, IN MARION COUNTY, OREGON; SAID POINT BEING ALSO IN THE WESTERLY LINE OF THAT CERTAIN 100 ACRE TRACT OF LAND CONVEYED TO J. B. KENNEDY BY DEED RECORDED IN VOLUME 67, PAGE 199, DEED RECORDS FOR SAID COUNTY; THENCE SOUTH 66°45' EAST 12.79 CHAINS TO A STEEL BAR; THENCE SOUTH 23°15' WEST 3.915 CHAINS; THENCE NORTH 66°45' WEST 12.79 CHAINS; THENCE NORTH 23°15' EAST 3.915 CHAINS TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT A STRIP OF LAND 20 FEET WIDE, LYING ALONG THE EAST SIDE OF THE ABOVE DESCRIBED TRACT TO BE KEPT OPEN AS PUBLIC ROAD.

NOTE: THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 1, 2008.

PARCEL II

BEGINNING AT A POINT WHICH IS 2692.80 FEET SOUTH 66° 45' EAST AND 419.14 FEET SOUTH 23° 15' WEST FROM THE NORTHWEST CORNER OF THE LOUIS VANDALL DONATION LAND CLAIM IN TOWNSHIP 5 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON, SAID POINT BEING ON THE WEST LINE OF A TRACT OF LAND CONVEYED TO GERALD ZOLLNER BY DEED RECORDED IN VOLUME 531, PAGE 365, DEED RECORDS FOR SAID COUNTY AND STATE; THENCE SOUTH 23° 15' WEST 604.42 FEET TO THE SOUTHWEST CORNER OF SAID ZOLLNER'S TRACT OF LAND; THENCE SOUTH 66° 4-5' EAST 412.07 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO HAROLD OWINGS, BY DEED RECORDED IN VOLUME 649, PAGE 353, DEED RECORDS FOR SAID COUNTY AND STATE; THENCE NORTH 23° 15' EAST ALONG THE WEST LINE OF SAID OWINGS TRACT OF LAND, 604.42 FEET TO A POINT WHICH IS 30.00 FEET SOUTH 23° 15' WEST FROM THE NORTHWEST CORNER OF SAID OWINGS TRACT OF LAND; THENCE NORTH 66° 45' WEST 412.07 FEET TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT THAT PORTION CONVEYED TO MARION COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF OREGON, BY DEED RECORDED JULY 19, 1990 IN REEL 785, PAGE 293, MICROFILM RECORDS, MARION COUNTY, OREGON.

ALSO SAVE AND EXCEPT: BEGINNING AT A POINT AT THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO JOHN W. AND DIANE ZOLLNER, BY DEED RECORDED IN REEL 3, PAGE 1207, MARION COUNTY RECORDS, AT A POINT WHICH HAS BEEN RECORDED TO BE 2450.48 FEET NORTH 66° 45' WEST AND 429.14 FEET SOUTH 23° 15' WEST FROM THE NORTHWEST CORNER OF THE LOUIS B. VANDEN DONATION LAND CLAIM NO. 64, IN SECTION 2, TOWNSHIP 5 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON; THENCE SOUTH 23° 15' WEST ALONG THE SOUTHERLY PROJECTION OF THE EASTERLY LINE OF SAID ZOLLNER TRACT, 30.00 FEET; THENCE NORTH 66° 45' WEST

Page 3 of 4

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APR 30 2024

OWRD

APN: 514493

Bargain and Sale Deed
- continued

File No.: 7084-3849651 (DL)
Date: 12/01/2021

PARALLEL TO THE NORTH LINE OF SAID CLAIM, 238.32 FEET TO THE EASTERLY LINE OF A TRACT OF LAND CONVEYED TO MARION COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF OREGON, BY DEED DESCRIBED IN REAL 785, PAGE 293, MARION COUNTY RECORDS; THENCE NORTH 23° 15' EAST ALONG SAID EASTERLY LINE 30.00 FEET TO A POINT AT THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO MARION COUNTY A POLITICAL SUBDIVISION OF THE STATE OF OREGON, BY DEED DESCRIBED IN REEL 785, PAGE 295, MARION COUNTY RECORDS, SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF SAID ZOLLNER'S TRACT; THENCE SOUTH 66° 45' EAST -ALONG SAID SOUTHERLY LINE 238.32 FEET TO THE POINT OF BEGINNING.

NOTE: THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

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REEL: 4573

PAGE: 486

December 14, 2021, 01:00 pm.

CONTROL #: 686259

**State of Oregon
County of Marion**

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 101.00

**BILL BURGESS
COUNTY CLERK**

THIS IS NOT AN INVOICE.

**Received
APR 30 2024**

OWRD



After recording return to:
John David Appel
17049 Mountain View Lane NE
Woodburn, OR 97071

THIS SPACE RESERVED FOR RECORDER'S USE

REEL 4573 PAGE 488
MARION COUNTY
BILL BURGESS, COUNTY CLERK
12-14-2021 01:06 pm.
Control Number 686260 \$ 96.00
Instrument 2021 00071665

Until a change is requested all tax
statements shall be sent to the
following address:
John David Appel
17049 Mountain View Lane NE
Woodburn, OR 97071

File No.: 7084-3844302 (DL)
Date: December 07, 2021

3844302
FIRST AMERICAN

STATUTORY WARRANTY DEED

Ivan Matveev and Anna Matveev, Grantor, conveys and warrants to **John David Appel**, an **unmarried man**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$385,000.00**. (Here comply with requirements of ORS 93.030)

Received
APR 30 2024
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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 this 9th day of December, 20 21.

Ivan Matveev
Ivan Matveev

Anna Matveev
Anna Matveev

STATE OF Oregon)
County of Marion) ss.

This instrument was acknowledged before me on this 9th day of December, 20 21
by **Ivan Matveev and Anna Matveev.**

Deborah Lathrop

Notary Public for Oregon
My commission expires: Jan 15, 2023



Received
APR 30 2024

OWRD

EXHIBIT A

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

Beginning at a point which is 2692.80 feet South 66° 45' East and 419.14 feet South 23° 15' West from the Northwest corner of the Louis Vandall Donation Land Claim in Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, geld point being on the West line of a tract of land conveyed to Gerald Zollner by deed recorded in Volume 531, Page 365, Deed Records for said County and State; thence South 23° 15' West 604.42 feet to the Southwest corner of said Zollner's Tract of land; thence South 66° 4-5' East 412.07 feet to the Southwest corner of a tract of land conveyed to Harold Owings, by deed recorded in Volume 649, Page 353, Deed Records for said County and State; thence North 23° 15' East along the West line of said Owings Tract of land, 604.42 feet to a point which is 30.00 feet South 23° 15' West from the Northwest corner of said Owings Tract of land; thence North 66° 45' West 412.07 feet to the place of beginning.

SAVE and EXCEPT that portion conveyed to Marion County, a political subdivision of the State of Oregon, by deed recorded July 19, 1990 in Reel 785, Page 293, Microfilm Records, Marion County, Oregon.

ALSO SAVE AND EXCEPT: Beginning at a point at the Southeast corner of a tract of land conveyed to John W. and Diane Zollner, by deed recorded in Reel 3, Page 1207, Marion County Records, at a point which has been recorded to be 2450.48 feet North 66° 45' West and 429.14 feet South 23° 15' West from the Northwest Corner of the Louis B. Vanden Donation Land Claim No. 64, in Section 2, Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; thence South 23° 15' West along the Southerly projection of the Easterly line of said Zollner tract, 30.00 feet; thence North 66° 45' West parallel to the North line of said Claim, 238.32 feet to the Easterly line of a tract of land conveyed to Marion County, a political subdivision of the State of Oregon, by deed described in Reel 785, Page 293, Marion County Records; thence North 23° 15' East along said Easterly line 30.00 feet to a point at the Southeast corner of a tract of land conveyed to Marion County a political subdivision of the State of Oregon, by deed described in Reel 785, Page 295, Marion County Records, said point also being on the Southerly line of said Zollner's Tract; thence South 66° 45' East -along said Southerly line 238.32 feet to the point of beginning.

NOTE: This Legal Description was created prior to January 01, 2008.