

Name Willamette Valley Land, LLC S-88305
 PO Box 99
 By Lafayette, OR 97127
 Address _____

Application No. S-88305
 Permit No. S-55076
 Certificate No. _____

FEES PAID

Date	Amount	Receipt No.
<u>10-19-10</u>	<u>1839.00</u>	<u>121049</u>
<u>12-29-2022</u>	<u>\$130.00</u>	<u>139832</u>
	Cert. Fee	

_____ C-22

Priority OCTOBER 19, 2016
 County Lincoln WM# 2

Date _____
DENIED _____
MISFILED _____ Volume Page
WITHDRAWN _____
CANCELLED _____

FEES REFUNDED

Date	Amount	Receipt No.

RELATED FILES

ASSIGNMENTS

Date	To Whom	Address

DEVELOPMENT

Date

Completion August 15, 2022
 Extended to _____

 Final Proof received _____
 Proposed Cert. Mailed _____

REMARKS

MAP LOCATION

SLS 10/24/2016



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

December 30, 2022

Willamette Valley Land, LLC
C/O Paul Kuehne
PO Box 99
Lafayette, OR 97127

On December 29, 2022, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

Application S-88305; Permit S-55076

The COBU included a report and map. In the future the Department will review your submittal. At that time, we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: <https://www.oregon.gov/owrd/programs/waterrights/ra/pages/default.aspx>.

Customer Service phone: (503) 986-0900

Enclosed is your receipt for the \$230.00 COBU recording fee.

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file S-88305

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:S-88305	WRD Reviewer:Corie L.
Transfer #:	
Date Received:12/29/2022	
CWRE Name:Eric Urstadt	
Priority Date (s):10/19/2016	

Fees Required:

- YES NO A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- YES NO A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
 Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

MONEY SLIP

DATE: _____ RECEIPT #: _____

RECEIVED FROM: _____ APPLICATION: _____
PLUMB
TRANSFER

CASH CHECK # _____ OTHER (IDENTIFY) _____
 TOTAL RECEIVED _____

0001 TREASURY 479 MISC CASH ACCT _____

0407 COPIES _____
 OTHER (IDENTIFY) _____

0203 Minimum Loan _____ 0204 Min Water Right Plan _____ 0205 Cons Water _____

0001 TREASURY 479 MISC OPERATING ACCT _____

MISCELLANEOUS	4611	
0407 COPY & TAPE FEES		
0410 RESEARCH FEES		
0408 MISC REVENUE (IDENTIFY)		
TC102 DEPOSIT LAB (IDENTIFY)		
0240 EXTENSION OF TIME		
WATER RIGHTS		
0201 SURFACE WATER		
0202 GROUND WATER		
0203 TRANSFER		
WELL CONSTRUCTION		
0210 WELL DRILL CONSTRUCTION		
LANDOWNER'S PERMIT		
0200 OTHER (IDENTIFY)	0204	7000.00

0001 TREASURY 0407 HYDROELECTRIC _____

0203 POWER LICENSE FEE (FORMED) _____
 0204 HYDRO LICENSE FEE (FORMED) _____

HYDRO APPLICATION _____

SPECIAL INSTRUCTIONS: _____

Report Review:

- On form provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

RETURN TO APPLICANT - LETTER ATTACHED

Groundwater File Review:

- Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
- Pump Test required (Priority Date on or after December 20, 1988)
- Pump Test submitted
- Pump Test not submitted

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **139832**

INVOICE # _____

RECEIVED FROM: Willamette Valley Land H.C.
BY: Paul Kuehner

APPLICATION	<u>5-88305</u>
PERMIT	
TRANSFER	

CASH: CHECK: # 1412 OTHER: (IDENTIFY)

TOTAL REC'D \$ 230.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$ _____	0220	\$ _____

0200 OTHER (IDENTIFY) COBU \$ 230.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____
0231 HYDRO LICENSE FEE (FWWRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **139832**

DATED: 12-29-2000 BY: [Signature]

**CLAIM OF
BENEFICIAL USE
for Surface Water Permits
claiming more than 0.1 cfs**



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

**A fee of \$230 must accompany this form for permits
with priority dates of July 9, 1987, or later.**

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Go to "Resources for Water Right Examiners (CWRE)" Page
<https://www.oregon.gov/OWRD/programs/WaterRights/COBU/Pages/default.aspx>
The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see
<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

**SECTION 1
GENERAL INFORMATION**

1. File Information:

APPLICATION # S-88305	PERMIT # S-55076	PERMIT AMENDMENT # T- N/A (=Not Applicable)
---------------------------------	----------------------------	---

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2. Property Owner (current owner information):

APPLICANT/BUSINESS NAME Willamette Valley land, LLC c/o Paul Kuehne		PHONE NO. 503.864.4422	ADDITIONAL CONTACT NO. N/A
ADDRESS PO Box 99			
CITY Lafayette	STATE OR	ZIP 97127	E-MAIL paul@creeksidevalleyfarms.com

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. *Each permit holder of record must sign this form.*

3. Permit or holder of record (this may, or may not, be the current property owner):

PERMIT HOLDER OF RECORD Same as above		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL PERMIT HOLDER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

27 OCT 2022

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Paul Kuehne	26 OCT 2022	Farmer
Parker Stanley	27 OCT 2022	Water Resources Manager for farm

6. County:

Linn

7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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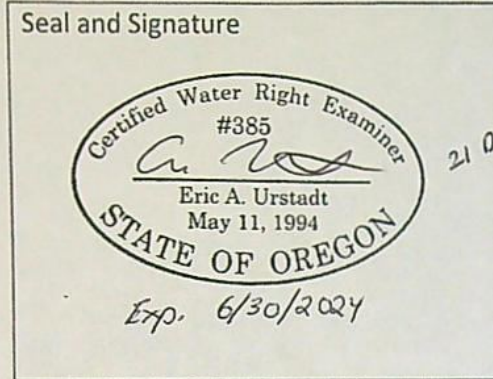
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**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Eric Urstadt, PE, PLS		PHONE NO. 971.250.1520	ADDITIONAL CONTACT NO. N/A
ADDRESS 39290 NW Murtaugh Road			
CITY North Plains	STATE OR	ZIP 97133	E-MAIL ericurstadt@hotmail.com

Permit Holder of Record Signature or Acknowledgement

Each permit holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Paul Kuehne	Agent, Willamette Valley Land, LLC	12-17-22

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**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.

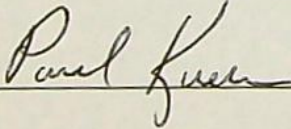
Seal and Signature

CWRE NAME Eric Urstadt, PE, PLS		PHONE NO. 971.250.1520	ADDITIONAL CONTACT NO. N/A
ADDRESS 39290 NW Murtaugh Road			
CITY North Plains	STATE OR	ZIP 97133	E-MAIL ericurstadt@hotmail.com

Permit Holder of Record Signature or Acknowledgement

Each permit holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Paul Kuehne	Agent, Willamette Valley Land, LLC	12-17-22

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**SECTION 3
CLAIM DESCRIPTION**

1. Point of diversion name or number:

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)
POD 1

2. Point of diversion source and tributary:

POD NAME OR NUMBER	SOURCE	TRIBUTARY
POD 1	Willamette Basin Project Reservoirs	Willamette River

3. Developed use(s), period of use, and rate for each use:

POD NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POD 1	Irrig	Hazelnuts	Irrigation Season	0.137 CFS
Total Quantity of Water Used				0.137 CFS

4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion to the place of use:

The system is a submersible pump in the river with a fish screen that pumps water via buried pipelines to drip lines.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

5. Variations:

Was the use developed differently from what was authorized by the permit, or permit amendment final order? If yes, describe below.

NO

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

N/A

6. Claim Summary:

POD NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD 1	N/A	3.92 CFS	N/A	Irrigation	165.2	165.2

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**SECTION 4
SYSTEM DESCRIPTION**

Are there multiple PODs?

NO

If "YES" you will need to copy and complete a separate Section 4 for each POD.

POD Name or Number this section describes (only needed if there is more than one):

POD 1

A. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
10S	3W	WM	19	NE-SE	-	55	Irrig	1.2	N/A
10S	3W	WM	19	SE-SE	-	55	Irrig	7.3	N/A
10S	3W	WM	20	SW-SE		46	Irrig	3.8	N/A
10S	3W	WM	20	SW-SE		55	Irrig	6.2	N/A
10S	3W	WM	20	SW-SE		58	Irrig	2.1	N/A
10S	3W	WM	20	NW-SW		55	Irrig	1.8	N/A
10S	3W	WM	20	SW-SW		55	Irrig	39.0	N/A
10S	3W	WM	20	SE-SW		55	Irrig	32.1	N/A
10S	3W	WM	29	NW-NE		55	Irrig	8.3	N/A
10S	3W	WM	29	NE-NW		55	Irrig	28.1	N/A
10S	3W	WM	29	NW-NW		55	Irrig	34.9	N/A
10S	3W	WM	29	SW-NW		55	Irrig	0.3	N/A
10S	3W	WM	30	NE-NE		55	Irrig	0.1	N/A
Total Acres Irrigated								165.2	N/A

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

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2. Pump Information:

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Berkeley	unknown	unknown	submersible	N/A	8"?

3. Motor Information:

MANUFACTURER	HORSEPOWER
Hitachi	75

4. Theoretical Pump Capacity:

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
75	40	0	20	3.92*

*Note this pump is also used for another water right.

5. Provide pump calculations:

See Attachment "E" - Pump Calculations.

6. Measured Pump Capacity (using meter if meter was present and system was operating):

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A			

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

If "NO" items 8 through item 13 may be deleted.

8. Mainline Information:

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
10 inch	5000 feet	PVC	buried

9. Lateral or Handline Information:

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
Variety of sizes* See F .below	unknown	PVC	buried

10. Sprinkler Information:

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
N/A					

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Drip Emitter Information:

SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)
Unknown	40 +/-	.00433	871 drippers per acre	All	0.137 CFS**

**See attachment F. The landowner uses Netafim DripNet PC drip lines. The system is designed to keep the emitter flow rate constant over a wide range of water pressures. Paul Kuehne quoted a designed rate of 3.7 gallons per hour per acre (GPM/ac). To verify, 3.78 GPM/ac was computed using Netafim DripNet PC specifications for the 20mm lines with 0.26 gallons per hour (GPH) flow rate per emitter; having 30" emitter spacing on 20' row spacing (871.2 emitters per ac); therefore, 3.78 GPM/ac was used in flow rate calculations.

12. Drip Tape Information:

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	ADDITIONAL INFORMATION
N/A					

13. Pivot Information:

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
N/A				

C. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)?

NO

If "NO", item 2 and 3 relating to this section may be deleted. **Items deleted**

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D. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

NO

*If "NO", items 2 through 4 relating to this section may be deleted. **Items Deleted***

E. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

*If "NO", items 2 through 4 relating to this section may be deleted. **Items Deleted***

F. Additional notes or comments related to the system:

A variety of lengths of a variety of diameter buried laterals serve the dripper lines. The PVC pipes are 6" and under in diameter.

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**SECTION 5
CONDITIONS**

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or permit extension of time:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	15 AUG 2017		
BEGIN CONSTRUCTION (A)	15 AUG 2022	Summer 2017	The POD, filtration, pipelines, and fish screen were being placed.
COMPLETE CONSTRUCTION (B)	N/A	N/A	N/A
COMPLETE APPLICATION OF WATER (C)	15 AUG 2022	Summer 2020	All lands were irrigated per the permit

* MUST BE WITHIN PERIOD BETWEEN PERMIT OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)? **NO**

*If "NO", items a and b relating to this section may be deleted. **Items Deleted***

3. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device? **YES**

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion.

b. Has a meter been installed? **YES**

c. Meter Information

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD 1	Netafim	6" WST	new	0	Fall 2022*

***This meter replaced a meter that broke some time in the 2022 irrigation season.**

*If a meter has been installed, items d through f relating to this section may be deleted. **Items deleted.***

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4. Recording and reporting conditions:

a. Is the water user required to report the water use to the Department? YES

If "NO", item b relating to this section may be deleted.

b. Have the reports been submitted? NO

If the reports have not been submitted, attach a copy of the reports if available. See attachment D.

5. Fish Screening:

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES

If "NO", items b through e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed? YES

c. When was the fish screening installed?

DATE	BY WHOM
Summer 2017*	Willamette Valley Land, LLC

*The original fish screen was placed in 2017, but a new one was installed in 2019.

Reminder: If the permit was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

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d. If the diversion involves a pump *and* the total diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? **N/A**

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx> complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does not involve a pump *or* the total diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? **N/A**

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

6. By-pass Devices:

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

YES

If "NO", items b and c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Have by-pass devices been installed?

NO

c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (E.G. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
No by-pass device is necessary because there is a direct diversion from the stream via a pump on the stream bank with foot valve descending directly into the river.	N/A	N/A

7. Other conditions required by permit, permit amendment final order, or extension final order:

- a. Was the water user required to restore the riparian area if it was disturbed? **YES**
- b. Was a fishway required? **NO**
- c. Was submittal of a water management and conservation plan required? **NO**
- d. Other conditions? **NO**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

7.a. If the riparian areas was disturbed by developing the POD, it appears to have been restored.

**SECTION 6
ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
A	COBU Map
B	Fish Screen letter (ODFW)
C	Willamette Valley Land, LLC Agent information
D	Water Use Reporting
E	Pump Calculations
F	Drip Line Calculations

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SALEM, OREGON**

SECTION 7

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

THE DLC AND SECTION CORNERS HAVE BEEN LOCATED PER LINN COUNTY GIS SYSTEM AS THIS METHOD MATCHED AERIAL PHOTO LOCATIONS. TAX LOT LINES ARE BASED ON TAX ASSESSOR MAPS FOR THE AREA. THE WILLAMETTE RIVER AND IRRIGATION LINES ARE BASED ON A 2022 AERIAL PHOTO VIA GOOGLE AND FIELD CONFIRMATION.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- Map on **polyester** film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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MAP FOR

Claim of Beneficial Use

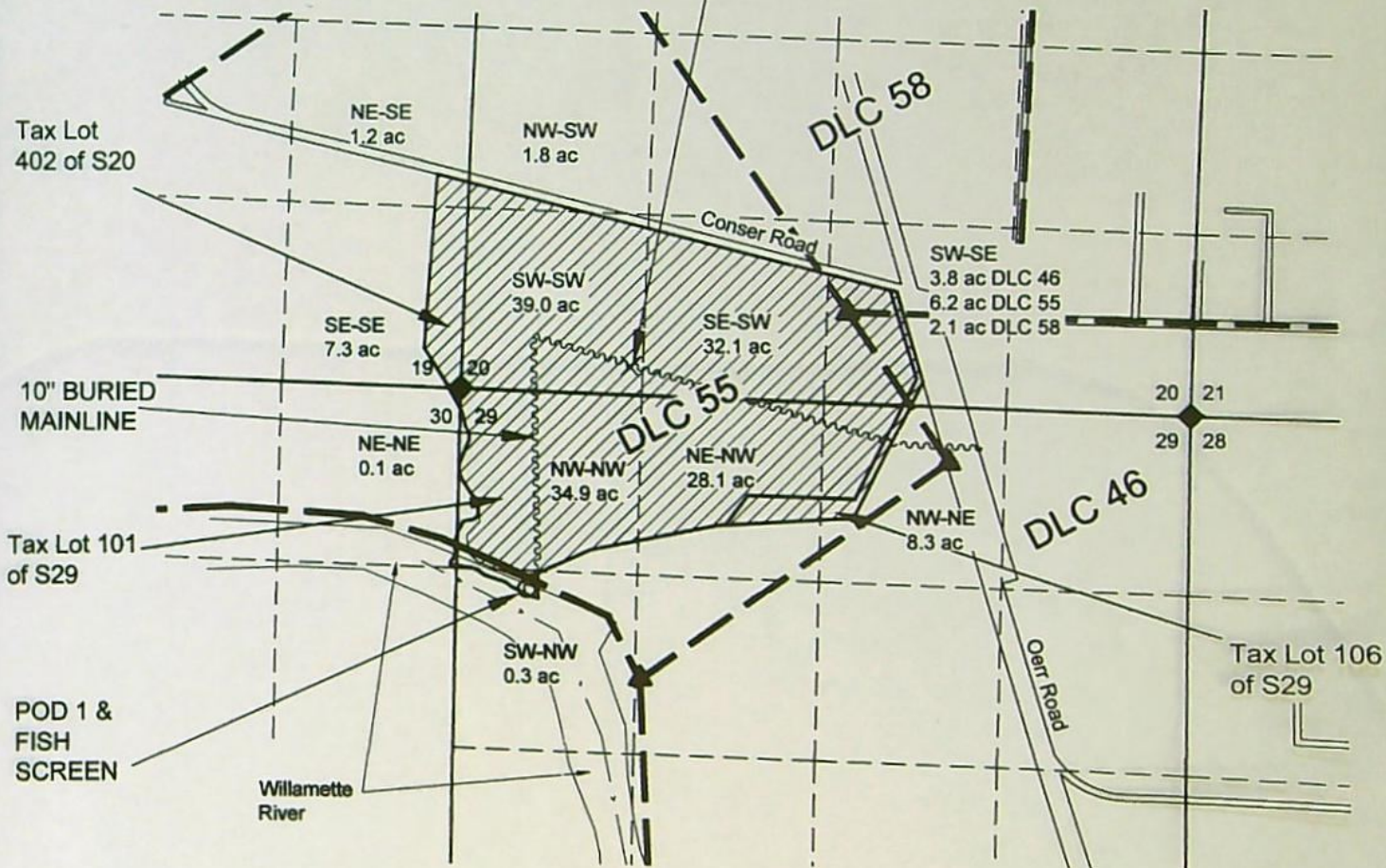
S20, 29, T10S, R3W, Linn County

Appl. S-88305, Permit S-55076



1 IN = 1320 FT
0 660 1320

METER AND
FILTRATION
SYSTEM



NOTES:

- THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.
- THE DLC AND SECTION CORNERS HAVE BEEN LOCATED PER LINN COUNTY GIS SYSTEM. TAX LOT LINES ARE BASED ON TAX ASSESSOR MAPS FOR THE AREA.
- THE WILLAMETTE RIVER AND IRRIGATION LINES ARE BASED ON A 2022 AERIAL PHOTO VIA GOOGLE AND FIELD CONFIRMATION.



EXPIRES 30 JUN 2024

- LEGEND**
- ▲ DONATION LAND CLAIM (DLC) CORNER
 - ◆ SECTION OR QUARTER CORNER
 - POINT OF DIVERSION (POD 1)
 - - - QUARTER-QUARTER LINE
 - TAX LOT LINE
 - SECTION LINE
 - DLC LINE
 - STREAM
 - ~~~~~ CONVEYANCE PIPELINE
 - ▨ IRRIGATED AREA, ACRES BY Q-Q.

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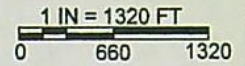
MAP BY:
ASPEN RURAL LAND CONSULTING
ERIC URSTADT, PE, PLS
971-250-1520
Jun 2017
WWL-MLRBRG-W-31

MAP FOR

Claim of Beneficial Use

S20, 29, T10S, R3W, Linn County

Appl. S-88305, Permit S-55076



METER AND
FILTRATION
SYSTEM

Tax Lot
402 of S20

NE-SE
1.2 ac

NW-SW
1.8 ac

DLC 58

SW-SE
3.8 ac DLC 46
6.2 ac DLC 55
2.1 ac DLC 58

10" BURIED
MAINLINE

SE-SE
7.3 ac

SW-SW
39.0 ac

SE-SW
32.1 ac

Tax Lot 101
of S29

NE-NE
0.1 ac

NW-NW
34.9 ac

NE-NW
28.1 ac

DLC 46

POD 1 &
FISH
SCREEN

Willamette
River

SW-NW
0.3 ac

NW-NE
8.3 ac

Tax Lot 106
of S29

NOTES:

- THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.
- THE DLC AND SECTION CORNERS HAVE BEEN LOCATED PER LINN COUNTY GIS SYSTEM. TAX LOT LINES ARE BASED ON TAX ASSESSOR MAPS FOR THE AREA.
- THE WILLAMETTE RIVER AND IRRIGATION LINES ARE BASED ON A 2022 AERIAL PHOTO VIA GOOGLE AND FIELD CONFIRMATION.



EXPIRES 30 JUN 2024

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SALEM, OREGON

MAP BY:
**ASPEN RURAL LAND
CONSULTING**

ERIC URSTADT, PE, PLS
971-250-1520
Jun 2017
WWL-MLRBRG-W-31

LEGEND

- ▲ DONATION LAND CLAIM (DLC) CORNER
- ◆ SECTION OR QUARTER CORNER
- POINT OF DIVERSION (POD 1)
- - - QUARTER-QUARTER LINE
- TAX LOT LINE
- SECTION LINE
- DLC LINE
- STREAM
- ~~~~~ CONVEYANCE PIPELINE



IRRIGATED AREA, ACRES BY Q-Q.

ATTACH B-1/1



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
Mid-Columbia District
3561 Klindt Dr.
The Dalles, OR 97058
(541) 296-4628
FAX (541) 296-7889



January 28, 2022

Creekside Valley Farms
c/o Parker Stanley
PO Box 99
Lafayette, OR 97127

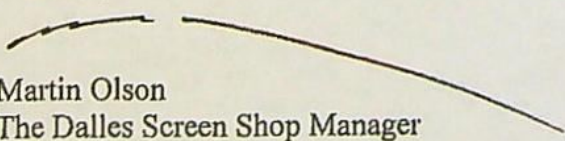
RE; OWRD surface water permit S-55033 & S-55076

To whom it may concern,

The Oregon Department of Fish and Wildlife has reviewed documentation submitted by Parker Stanley, acting on behalf of Creekside Valley Farms, that shows a Clemons, ST-12 self-cleaning fish screen was installed at the point of diversion that is associated with surface water permits S-55033 and S-55076. This documentation was submitted virtually, and consisted of photographs of the diversion site along with copies of invoices of when the screen was purchased from the vendor. This original screen was purchased installed in April of 2017 and meets criteria up to a water withdrawal rate of 750 gallons per minute, or 1.67 cfs.

In March of 2019 the pump and the screen were both changed to different models. The fish screen that is currently in use at this site is a self-cleaning Clemons CW-1700. When installed and maintained properly, this end of pipe fish screen meets current State and Federal fish screening criteria for all age classes of anadromous salmonids up to a rate of 3 cfs, or 1347 gallons per minute. A by-pass pipe is not required with either type of screen mentioned above as they are both end of pipe screens.

Sincerely


Martin Olson
The Dalles Screen Shop Manager

Cc; Bryce Macnab

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SALEM, OREGON

OREGON SECRETARY OF STATE
Corporation Division

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[uniform commercial code](#) [uniform commercial code search](#) [documents & data services](#)

Business Name Search

[New Search](#) [Printer Friendly](#) **Business Entity Data** 06-29-2022 10:39

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
564539-97	DLLC	ACT	OREGON	12-09-2008	12-09-2022	
Entity Name WILLAMETTE VALLEY LAND, LLC						
Foreign Name						

[New Search](#) [Printer Friendly](#) **Associated Names**

Type	PRINCIPAL PLACE OF BUSINESS					
Addr 1	4570 SE LAFAYETTE HWY					
Addr 2						
CSZ	DAYTON	OR	97114	Country	UNITED STATES OF AMERICA	

Please click [here](#) for general information about registered agents and service of process.

Type	REGISTERED AGENT		Start Date	Resign Date	
Name	PAUL	KUEHNE	01-24-2011		
Addr 1	4570 SE LAFAYETTE HWY				
Addr 2					
CSZ	DAYTON	OR	97114	Country	UNITED STATES OF AMERICA

Type	MAILING ADDRESS					
Addr 1	PO BOX 99					
Addr 2						
CSZ	LAFAYETTE	OR	97127	Country	UNITED STATES OF AMERICA	

Type	MEMBER		Resign Date		
Name	PAUL	KUEHNE			
Addr 1	4570 SE LAFAYETTE HWY				
Addr 2					
CSZ	DAYTON	OR	97114	Country	UNITED STATES OF AMERICA

[New Search](#) [Printer Friendly](#) **Name History**

Business Entity Name	Name Type	Name Status	Start Date	End Date
WILLAMETTE VALLEY LAND, LLC	EN	CUR	12-09-2008	

Please read before ordering Copies.

[New Search](#) [Printer Friendly](#) **Summary History**

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ANNUAL REPORT	02-10-2022		FI		
	ANNUAL REPORT PAYMENT	11-18-2020		SYS		
	ANNUAL REPORT PAYMENT	12-10-2019		SYS		
	ANNUAL REPORT PAYMENT	11-20-2018		SYS		
	AMENDED ANNUAL REPORT	11-06-2017		FI		
	ANNUAL REPORT	11-23-2016		FI		
	AMENDED ANNUAL REPORT	12-02-2015		FI		RECEIVED
	ANNUAL REPORT PAYMENT	11-19-2014		SYS		
	ANNUAL REPORT PAYMENT	11-06-2013		SYS		DEC 29 2022
	ANNUAL REPORT PAYMENT	10-31-2012		SYS		
	ANNUAL REPORT PAYMENT	11-08-2011		SYS		
	CHANGE OF REGISTERED AGENT/ADDRESS	01-24-2011		FI	Agent	OWRD SALEM, OREGON

	ANNUAL REPORT PAYMENT	11-03-2010	11-01-2010	SYS		
①	AMENDED ANNUAL REPORT	12-16-2009		FI		
②	ARTICLES OF ORGANIZATION	12-09-2008		FI	Agent	

C-2/2

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SALEM, OREGON

2020~~2~~ Water Use Recording and Reporting Form

2021~~2~~

Water Right Holder's Name <u>WILLAMETTE VALLEY LAND, LLC</u>		Water Right Holder's Business Name or Entity Name				User ID# <u>UNKNOWN</u>	
Water Right Holder's Email <u>PAUL@CRESTSIDEVALLEYFARMS.COM</u>		Water Right Holder's Complete Mailing Address <u>PO Box 99 LAFAYETTE, OR 97127</u>				Phone Number <u>503-864-4422</u>	
Well or POD name <u>POD 1</u>	<u>POD 1</u>	<u>EAST</u>	<u>POD 7</u>	<u>WEST</u>			
→ Report ID number	Permit: <u>S-55033</u> Other:	Permit: <u>S-55076</u> Other:	Permit: <u>-</u> Other:	Permit: <u>-</u> Other:			
Describe the units of measurement as AF (acre-feet), G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), or MCF (million cubic feet)							
OCTOBER	<u>2020</u> <u>21</u>	<u>∅</u>	<u>∅</u>				
NOVEMBER	<u>2020</u>	<u>∅</u>	<u>∅</u>				
DECEMBER	<u>2020</u> ↓	<u>∅</u>	<u>∅</u>				
JANUARY	<u>2021</u> <u>22</u>	<u>∅</u>	<u>∅</u>				
FEBRUARY	<u>2021</u>	<u>∅</u>	<u>∅</u>				
MARCH	<u>2021</u>	<u>∅</u>	<u>∅</u>				
APRIL	<u>2021</u>	<u>∅</u>	<u>∅</u>				
MAY	<u>2021</u>	<u>∅</u>	<u>∅</u>				
JUNE	<u>2021</u>	<u>∅</u>	<u>∅</u>				
JULY	<u>2021</u>	<u>14.3</u>	<u>5.9</u>				
AUGUST	<u>2021</u>	<u>14.3</u>	<u>5.9</u>				
SEPTEMBER	<u>2021</u>	<u>10.2</u>	<u>4.2</u>			RECEIVED	
OCTOBER	<u>2021</u>	<u>2.0</u>	<u>0.8</u>			DEC 29 2022	
NOVEMBER	<u>2021</u>	<u>∅</u>	<u>∅</u>			OWRD	
DECEMBER	<u>2021</u> ↓	<u>∅</u>	<u>∅</u>			SALEM, OREGON	
TOTAL							
Unit of Measurement (Volume)	<input type="checkbox"/> G <input checked="" type="checkbox"/> AF	<input type="checkbox"/> KG <input type="checkbox"/> CF	<input type="checkbox"/> MG <input type="checkbox"/> MCF	<input type="checkbox"/> G <input checked="" type="checkbox"/> AF	<input type="checkbox"/> KG <input type="checkbox"/> CF	<input type="checkbox"/> MG <input type="checkbox"/> MCF	
Measurement Method (meter, staff gage, rate x time, etc.)	<u>RATE X TIME</u>		<u>RATE X TIME</u>				
Number of acres irrigated from this well or POD, if applicable	<u>152.3</u>		<u>165.2</u>				

I certify this information is true and accurate to the best of my knowledge.

Signature x [Signature] Date 28 OCT 2022 Phone Number 971-250-1520
 Name and Title (print) ERIC URSTADT, PE/PLS Company ASPEN RURAL LAND CONSULTING

Please complete and mail to: OWRD: Water Use Reporting Program: 725 Summer Street NW, Ste A: Salem, OR 97301

ATTACH D-1/1

WVL-Milrsbrg West Pump Capacity Calculation Sheet

using Department designed formula:

$$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	<u>75</u>	
Efficiency =	<u>7.04</u>	
Lift =	<u>33</u>	= 202-169
PSI =	<u>40</u>	40 drip

Results Calculated

(hp)(efficiency) =	528
Head based on psi =	101.6
Total dynamic head = (head + lift)	134.6

Pump Capacity = 3.92 feet per second

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Dripper calculations

Paul Keuhne said 3.7 GPM per acre is how his drip system is designed, and the whole property (Millersberg-East) waters at the same time.

43560 Ft ² per acre	
20 foot hazelnut row spacing	0.26 GPH/emitter
2178 lineal feet of dripline per acre	60 minutes per hour
30 inch dripper spacing in drip line	0.004333 GPM
12 inches/foot	
2.5 feet dripper spacing in drip line	

871.2 drippers per acre

0.26 gal/hour/dripper*
226.512 gal/hour/ac

*Netafim DripNet PC specifications say 0.26 GPH (as quoted by Parker Stanley) is one of the systems flow rates, so that flow

60 min/hour

3.7752 gal/min/acre Same as Paul Keuhne's quote

Note: I will use **3.78 GPM/ac** instead of 3.7 as I believe there is a rounding error.

FROM				
ACAD				
16.2 ac	3.78 GPM/ac	1 CFS	=	0.136688 CFS
		448 GPM		

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Aspen

Rural Land Consulting

Water Resources, Water Rights, Land
Surveying, Engineering, Land Use Planning

ERICURSTADT@HOTMAIL.COM
971-250-1520 (MOBILE)

Water Resources Department
Attn: Certificate Section
725 Summer Street NE, Ste. A
Salem, OR, 97301

5 DEC 2022

Subject: Claim of Beneficial Use (COBU) for permit S-55076

To Whom It May Concern,

Enclosed is an COBU for permit S-55076 together with the following attachments:

- A. Application Map
- B. Fish-Screen document
- C. Willamette Valley Land, LLC agent information
- D. Water Use Reporting
- E. Pump Calculation
- F. Drip Line Calculation
- G. A check made out to "Oregon Water Resources Department" for \$230.00.

Please let me know if there are any concerns or you need any more information.

Respectfully,
Aspen Rural Land Consulting

Eric Urstadt, PE, PLS

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SALEM, OREGON

Mailing List for FO

Scheduled Mailing Date:

Application: S-88305

Permit: S-55076

Original mailed to Applicant with CBU form:

WILLAMETTE VALLEY LAND LLC
PO BOX 99
LAFAYETTE OR 97127

Copies of FO sent to:

1. File S-88305
2. Water Availability - Hydrographics

Copies of FO sent to other interested persons (CWRE, Agent, Commenter, etc.):

1. Agent: Aspen Rural Land Consulting, C/O Eric Urstadt; 39290 NW Murtaugh Rd; North Plains OR 97133

Copies of Map sent to (remember to reduce copy margins):

1. Watermaster District 16
2. Watermaster District 2

<p style="text-align: center;">Copies Mailed</p> <p>by: <u>SP</u> (STAFF)</p> <p>on: <u>8-15-17</u> (DATE)</p>

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE STATE OF OREGON

In the Matter of Water Rights Application)
S-88305, Linn County)

FINAL ORDER
APPROVING THE USE OF
STORED WATER

Authority

ORS 537.147 establishes the process by which an application to use stored water exclusively may be submitted. OAR Chapter 690, Divisions 310 and 340 implement the statute, and provide the Department's procedures and criteria for evaluating applications to use stored water exclusively.

Findings of Fact

1. On October 19, 2016, WILLAMETTE VALLEY LAND LLC submitted an application for a water-use permit pursuant to ORS 537.147.
2. The Department provided public notice of the application in the Department's weekly public notice on NOVEMBER 1, 2016. A 30-day comment period followed.
3. The Department has evaluated the application and any comments received, and finds that no public interest in ORS 537.170(8) would be affected adversely by the proposed use.

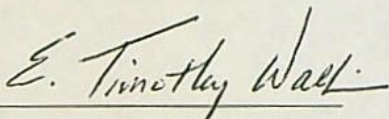
Conclusions of Law

Application S-88305 is consistent with the requirements of ORS 537.147, and OAR Chapter 690.

Now Therefore, it is Ordered:

Application S-88305 is approved, and Permit S-55076 is issued as limited by the conditions contained therein.

Dated at Salem, Oregon on August 15 2017.



E. Timothy Wallin, Water Rights Program Manager
for Thomas M. Byler, Director

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This order was produced by Lisa Graham. If you have any questions about any of the statements contained in this document, I can be reached at 503-986-0808 or Elisabeth.A.Graham@Oregon.gov.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE, Suite A, Salem OR 97301-1266, Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

WILLAMETTE VALLEY LAND LLC
 PO BOX 99
 LAFAYETTE OR 97127

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-88305

SOURCE OF WATER: WILAMETTE BASIN PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMITS R-1625 AND R-5363, TRIBUTARY TO WILLAMETTE RIVER

PURPOSE OR USE: IRRIGATION OF 165.2 ACRES

MAXIMUM VOLUME: 413.0 ACRE-FEET (OR AS FURTHER LIMITED BY CONTRACT)

DATE OF PRIORITY: OCTOBER 19, 2016

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

Authorized Point of Re-Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	29	SW NW	1490 FEET SOUTH AND 535 FEET EAST FROM NW CORNER, SECTION 29

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	19	NE SE	1.10
10 S	3 W	WM	19	SE SE	6.10
10 S	3 W	WM	20	NW SW	2.40
10 S	3 W	WM	20	SW SW	39.90
10 S	3 W	WM	20	SE SW	32.90
10 S	3 W	WM	20	SW SE	12.60
10 S	3 W	WM	29	NW NE	8.30
10 S	3 W	WM	29	NE NW	28.20
10 S	3 W	WM	29	NW NW	33.60
10 S	3 W	WM	30	NE NE	0.10

Measurement Devices, and Recording/Reporting of Annual Water Use Conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion. The permittee shall maintain the device in good working order.

- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The water user shall install, maintain, and operate fish screening and fish passage devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion, while passage devices provide adequate upstream and downstream passage for fish. The required screen and passage devices are to be in place and functional, and approved in writing by ODFW prior to diversion of water. The water user may submit evidence in writing that ODFW has determined screens and/or passage devices are not necessary.

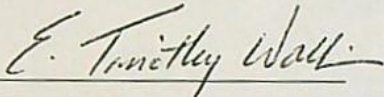
The use of water under this right is subject to the terms and conditions of contract No. 159E101876, or a satisfactory replacement, between the Bureau of Reclamation and the permittee, a copy of which must be on file in the records of the Water Resources Department.

STANDARD CONDITIONS

1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
2. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
3. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
4. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.
5. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.
6. If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, shall be followed.

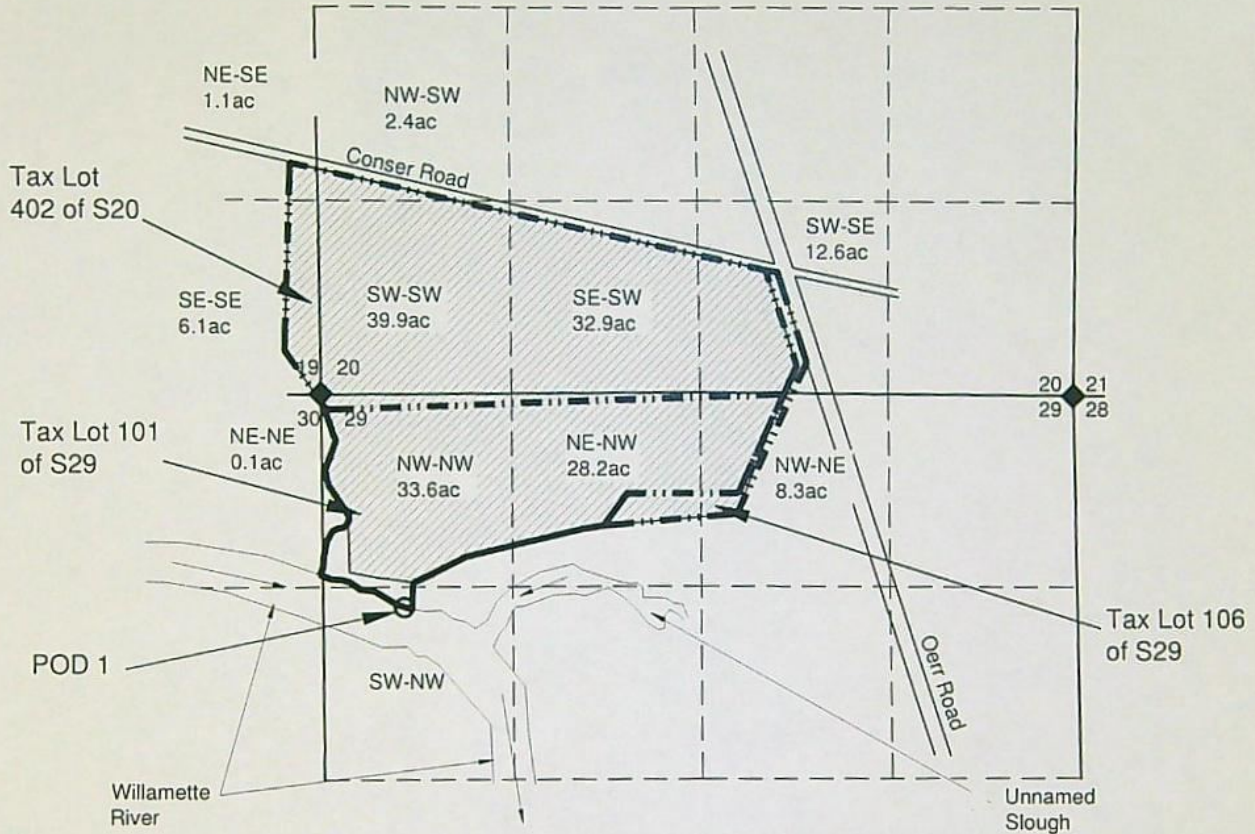
7. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
8. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
9. Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued August 15 2017.



E. Timothy Wallin, Water Rights Program Manager
for Thomas M. Byler, Director

MAP FOR
Water Right Application Map
 Sections 20 & 29, T10S, R3W, LINN COUNTY



NOTES:
 -THE POINT OF DIVERSION (POD 1) IS 535' E & 1490' S of NW S29.
 -ALTHOUGH I BELIEVE THAT THE TRUE QUARTER-QUARTER (Q-Q) LINES MAY VARY FROM THE MAP FOR PERMIT S-54958, THIS MAP IS BASED ON THAT MAP BECAUSE IT WAS FOUND THAT THE BUREAU OF RECLAMATION (BOR) CONTRACT FOR THAT PERMIT HAS IRRIGATION BY Q-Q BASED ON THAT MAP, AND THAT BOR CONTRACT WILL ALSO BE USED FOR THIS APPLICATION. MY JUDGEMENT IS THAT THE MAP IS SATISFACTORY FOR THE INTENDED USE AND IT WOULD BE GOOD IF THE CONTRACT MATCHED THE APPLICATION MAP, IF POSSIBLE.



- LEGEND**
- ◆ SECTION OR QUARTER CORNER
 - POINT OF DIVERSION (POD 1)
 - QUARTER-QUARTER LINE
 - - - - TAX LOT LINE
 - SECTION LINE
 - ▨ IRRIGATED AREA, ACRES BY Q-Q.



1 IN = 1320 FT
 0 660 1320

MAP BY:
ASPEN RURAL LAND CONSULTING
 ERIC URSTADT, PE, PLS
 971-250-1520
 Jun 2017
 WV-L-CONSER-RD-1E

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

S-88305 7-20-2017

Expedited Secondary Final Order Checklist

Application #: S-88305 Applicant: WILLAMETTE VALLEY LAND LLC

Requested Use/Rate/Season IR / 413.0 AF @ 165.2ac / 3.1-10.31

Allowed Use/Rate/Season IR / 413.0 AF @ 165.2ac / 3.1-10.31 Duty 2.5

Noticed on 11.1.2016 Comment Deadline 12.1.2016

Electronic/written comments? No Yes _____ Comment eval? N/A No Yes

Were there any comments that raise a public interest described in ORS 537.170(8)? No Yes; issue a PFO

Conditions Medium Totalizing < 100 AF Large Totalizing ≥ 100 AF
Use "Large" for temp control (including NU), or when the applicant is a government entity

Other Conditions: _____

Is water available and legally stored? No Yes Permit #: R-1625 @ R-5363

Reservoir Name BOR (cont 72756)

Storage contract NA BOR Doug Co Corp of Eng needed obtained # 159E101876

Land use allowed outright not allowed being pursued county notified NA

POU conflict NA No No, different sources No, make up a deficiency in rate No, existing not at max. rate
 Yes _____

Use is supplemental, checked for primary rights w/ diff source NA Yes limits _____

App w/in a District boundary No Yes, cc: _____

MU or QM NA will complete construction within 20 years
 Lisa reviewed recommendations _____

Authorized agent specified NA Yes Aspen Rural Land Consulting of Eric Urstadt
39290 NW Murtaugh Rd North Plains OR 97133

Copy to SWR WM # 2:16 a.l.o. _____
 NCR agent a.l.o. _____
 CWRE a.l.o. _____

city _____
(w/in 5-mile muni wells)

Application #: S-88305 Applicant: WILLAMETTE VALLEY LAND LLC

Fees

<u>Base Fee</u>	<u>Water Amount (Q)</u>			
\$450	<u>20</u> AF up to 20 AF @ \$30/af	=	<u>600</u> ^Q	
	<u>393</u> AF at \$1 each	=	<u>393</u> ^Q	
<hr/>				
<u>450</u> ^Q		+	<u>993</u> ^Q	= <u>1443</u> ^Q
(base)			(Q)	(total exam fee)

EXAM FEE REQUIRED	<u>1443</u>	RECORDING FEE REQUIRED	\$450
EXAM FEE PAID	<u>1443</u>	RECORDING FEE PAID	<u>450</u>
STILL OWED	<u>0</u>	STILL OWED	<u>0</u>

App/map meet min. req Yes No ALO info map legal
(If no, don't do an FO yet; send a certified letter.)

FO w/ permit # 8-55076 FO w/ draft permit; still needed:
 fees
 easement
 contract
 land use

Name: Lisa Graham Date: 5/24/2017 Peer Reviewer: bp

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.



Point of Diversion Characteristics

Right:	App: S 88305 *
Name:	WILLAMETTE VALLEY LAND LLC

TRSQQ: 10.00S-03.00W-29-SWNW

County: Benton, Linn
 Basin: Willamette
 WM District: 2, 16
 WM Region: NW
 Withdrawn Area:
 WAB: WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000 (183)
 Priority WAB: WILLAMETTE R @ 14191000 (OWRD: Poor, ODFW: Poor) (14191000)
 Rule 4D: Rules apply
 Groundwater Restricted Area:
 Scenic Water Way:
 Division 33: LOWER COLUMBIA
 Water Quality Limited: Yes

EZ

TRSQQ: 16.00S-04.00E-16-SESE

County: Lane
 Basin: Willamette
 WM District: 2
 WM Region: NW
 Withdrawn Area:
 WAB: BLUE R > MCKENZIE R - AT MOUTH (530)
 Priority WAB: BLUE R @ mouth (OWRD: Poor, ODFW: Poor) (530)
 Rule 4D: Rules apply
 Groundwater Restricted Area:
 Scenic Water Way:
 Division 33: LOWER COLUMBIA
 Water Quality Limited: Yes

TRSQQ: 16.00S-05.00E-31-SESE

County: Lane
 Basin: Willamette
 WM District: 2
 WM Region: NW
 Withdrawn Area:
 WAB: S FK MCKENZIE R > MCKENZIE R - AT MOUTH (531)
 Priority WAB: S FK MCKENZIE R @ mouth (OWRD: Poor, ODFW: Moderate) (531)
 Rule 4D: Rules apply
 Groundwater Restricted Area:
 Scenic Water Way: ABOVE The McKenzie Scenic Waterway
 Division 33: LOWER COLUMBIA
 Water Quality Limited: Yes

TRSQQ: 17.00S-05.00W-04-NESW

County: Lane
 Basin: Willamette
 WM District: 2
 WM Region: NW
 Withdrawn Area:
 WAB: LONG TOM R > WILLAMETTE R - AB MOUTH (114)
 Priority WAB: LONG TOM R @ 14170000 (OWRD: Good, ODFW: Moderate) (14170000)
 Rule 4D: Rules apply
 Groundwater Restricted Area:
 Scenic Water Way:
 Division 33: LOWER COLUMBIA
 Water Quality Limited: Yes

TRSQQ: 19.00S-01.00W-01-NESW

County: Lane
 Basin: Willamette
 WM District: 2
 WM Region: NW
 Withdrawn Area:
 WAB: FALL CR > M FK WILLAMETTE R - AT MOUTH (537)

Priority WAB: FALL CR @ mouth (OWRD: Fair, ODFW: Moderate) (537)
 Rule 4D: Rules apply
 Groundwater Restricted Area:
 Scenic Water Way:
 Division 33: LOWER COLUMBIA
 Water Quality Limited: Yes

TRSQQ: 19.00S-01.00W-13-NWSE

County: Lane
 Basin: Willamette
 WM District: 2
 WM Region: NW
 Withdrawn Area:
 WAB: M FK WILLAMETTE R > WILLAMETTE R - AT MOUTH (535)
 Priority WAB: M FK WILLAMETTE R @ mouth (OWRD: Fair, ODFW: Poor) (535)
 Rule 4D:
 Groundwater Restricted Area:
 Scenic Water Way:
 Division 33: LOWER COLUMBIA
 Water Quality Limited: Yes

TRSQQ: 20.00S-02.00W-32-NWSE

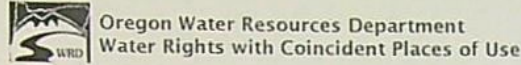
County: Lane
 Basin: Willamette
 WM District: 2
 WM Region: NW
 Withdrawn Area:
 WAB: ROW R > COAST FK WILLAMETTE R - AT MOUTH (534)
 Priority WAB: ROW R @ mouth (OWRD: Poor, ODFW: High) (534)
 Rule 4D: Rules apply
 Groundwater Restricted Area:
 Scenic Water Way:
 Division 33: LOWER COLUMBIA
 Water Quality Limited: Yes

TRSQQ: 21.00S-03.00E-35-NENW

County: Lane
 Basin: Willamette
 WM District: 2
 WM Region: NW
 Withdrawn Area:
 WAB: M FK WILLAMETTE R > WILLAMETTE R - AB N FK M FK WILLAMETTE R (536)
 Priority WAB: M FK WILLAMETTE R ab N FK M FK WILLAMETTE R (OWRD: Poor, ODFW: Poor) (536)
 Rule 4D:
 Groundwater Restricted Area:
 Scenic Water Way:
 Division 33: LOWER COLUMBIA
 Water Quality Limited: Yes

TRSQQ: 21.00S-03.00W-28-SENE

County: Lane
 Basin: Willamette
 WM District: 2
 WM Region: NW
 Withdrawn Area:
 WAB: COAST FK WILLAMETTE R > WILLAMETTE R - AB ROW R (533)
 Priority WAB: C FK WILLAMETTE R ab ROW R (OWRD: Poor, ODFW: Moderate) (533)
 Rule 4D: Rules apply
 Groundwater Restricted Area:
 Scenic Water Way:
 Division 33: LOWER COLUMBIA
 Water Quality Limited: Yes



- # Main
- Help
- Return
- Contact Us


Place of Use Conflict Report


The following rights have acreage in the same quarter-quarter as App: S 88305 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acres
CLAIM:SW 354 *	CITY OF EUGENE; WATER AND ELECTRIC BOARD					11/3/1886	NC	F4	10.00S-03.00W-30-NENE	<input type="checkbox"/>		0.0000
APP: G 18190 *	PAUL KUEHNE		G-18190			1/26/2016	NC	IR	10.00S-03.00W-30-NENE	<input type="checkbox"/>		0.1000
								IR	10.00S-03.00W-29-NWNW	<input type="checkbox"/>		33.6000
								IR	10.00S-03.00W-29-NENW	<input type="checkbox"/>		28.2000
								IR	10.00S-03.00W-29-NWNE	<input type="checkbox"/>		8.3000
								IR	10.00S-03.00W-20-SWSW	<input type="checkbox"/>		39.9000
								IR	10.00S-03.00W-20-NWSW	<input type="checkbox"/>		2.4000
								IR	10.00S-03.00W-20-SESW	<input type="checkbox"/>		32.9000
								IR	10.00S-03.00W-20-SWSE	<input type="checkbox"/>		12.6000
								IR	10.00S-03.00W-19-SESE	<input type="checkbox"/>		6.1000
								IR	10.00S-03.00W-19-NESE	<input type="checkbox"/>		1.1000
APP: G 18416 *	JACKASS MOUNTAIN RANCH		G-18416			12/12/2016	NC	IR	10.00S-03.00W-19-NESE	<input type="checkbox"/>		0.7000
								IR	10.00S-03.00W-20-NWSW	<input type="checkbox"/>		2.3000
CERT: 89606 CF *	INTERNATIONAL PAPER CO.		S-18443	S-14106	89606	11/2/1979	NC	IM	10.00S-03.00W-29-NENW	<input type="checkbox"/>	46	
								IM	10.00S-03.00W-29-NENW	<input type="checkbox"/>	55	
								IM	10.00S-03.00W-29-NWNE	<input type="checkbox"/>	46	
								IM	10.00S-03.00W-29-NWNE	<input type="checkbox"/>	55	
								IM	10.00S-03.00W-29-NWNW	<input type="checkbox"/>	55	
CERT: 89604 CF *	INTERNATIONAL PAPER CO.		S-19945	S-20469	89604	6/11/1943	NC	IM	10.00S-03.00W-29-NWNW	<input type="checkbox"/>	55	
								IM	10.00S-03.00W-29-NENW	<input type="checkbox"/>	46	
								IM	10.00S-03.00W-29-NENW	<input type="checkbox"/>	55	
								IM	10.00S-03.00W-29-NWNE	<input type="checkbox"/>	46	
								IM	10.00S-03.00W-29-NWNE	<input type="checkbox"/>	55	
CERT: 89605 CF *	FMWMP LLC		S-25590	S-20514	89605	1/23/1951	NC	IM	10.00S-03.00W-29-NWNE	<input type="checkbox"/>	55	
								IM	10.00S-03.00W-29-NWNE	<input type="checkbox"/>	46	
								IM	10.00S-03.00W-29-NWNE	<input type="checkbox"/>	55	
								IM	10.00S-03.00W-29-NENW	<input type="checkbox"/>	55	

						IM	10.00S-03.00W-29-NWNW		55		
						IM	10.00S-03.00W-20-SWSE		46		
						IM	10.00S-03.00W-20-SWSE		55		
						IM	10.00S-03.00W-20-SWSE		58		
						IM	10.00S-03.00W-20-SWSE		46		
						IM	10.00S-03.00W-20-SWSE		55		
						IM	10.00S-03.00W-20-SESW		55		
						IM	10.00S-03.00W-19-NESE		55		
						IM	10.00S-03.00W-19-SESE		55		
						IM	10.00S-03.00W-20-NWSW		55		
						IM	10.00S-03.00W-20-SWSW		55		
<u>CERT:32474 OR *</u>		S-34010	S-26828	32474	6/10/1960	NC	IR	10.00S-03.00W-30-NENE		55	14.1000
							IR	10.00S-03.00W-29-NWNW		55	7.0000
<u>CERT:91193 RR *</u>	INTERNATIONAL PAPER COMPANY	S-64514	S-47184	91193	10/29/1982	NC	IM	10.00S-03.00W-29-NWNE		46	
							IM	10.00S-03.00W-29-NWNE		55	
							IM	10.00S-03.00W-29-NENW		46	
							IM	10.00S-03.00W-29-NENW		55	
							IM	10.00S-03.00W-29-NWNW		55	
<u>PERMIT: S 53400 *</u>	GRAY LIVING TRUST	S-73275	S-53400		3/10/1993	NC	IR	10.00S-03.00W-19-SESE			35.0000
							IR	10.00S-03.00W-19-NESE			8.0000
							IR	10.00S-03.00W-29-NWNW			0.9000
							IR	10.00S-03.00W-30-NENE			19.0000
							IS	10.00S-03.00W-30-NENE			14.1000
							IS	10.00S-03.00W-29-NWNW			7.0000
<u>CERT:91492 RR *</u>	INTERNATIONAL PAPER CO.	S-84780	S-54030	91492	6/7/2001	NC	IR	10.00S-03.00W-29-NWNW		55	4.3000
							IR	10.00S-03.00W-29-NENW		55	11.9000
							IR	10.00S-03.00W-29-NENW		46	1.4000
							IR	10.00S-03.00W-20-SWSE		46	1.1000
							IR	10.00S-03.00W-20-SWSE		55	0.2000
							IR	10.00S-03.00W-29-NWNE		46	21.2000
							IR	10.00S-03.00W-29-NWNE		55	2.4000
							IR	10.00S-03.00W-29-NWNE		46	3.3000
							IR	10.00S-03.00W-29-NWNE		55	0.6000


CERT: 91189 OR * ATI MILLERSBURG


S-87046 S-54459 91189 11/28/2007 NC FI 10.00S-03.00W-29-NENW  55


WI 10.00S-03.00W-29-NENW  55


PERMIT: S 54958 * PAUL KUEHNE

S-88027 S-54958 10/30/2014 NC IS 10.00S-03.00W-29-NENW  55 28.2000


IS 10.00S-03.00W-29-NWNE  55 8.3000


IS 10.00S-03.00W-29-NWNW  55 33.6000


IS 10.00S-03.00W-30-NENE  55 0.1000


IS 10.00S-03.00W-20-SESW  55 32.8000


IS 10.00S-03.00W-20-SESW  58 0.1000


IS 10.00S-03.00W-20-SWSE  46 4.0000


IS 10.00S-03.00W-20-SWSE  55 6.0000

IS 10.00S-03.00W-20-SWSE  58 2.6000

IS 10.00S-03.00W-20-SWSW  55 39.8000


IS 10.00S-03.00W-20-NWSW  55 2.4000

IS 10.00S-03.00W-19-NESE  55 1.1000

IS 10.00S-03.00W-19-SESE  55 4.9000

PERMIT: S 55033 * WILLAMETTE VALLEY LAND LLC

S-88194 S-55033 3/4/2016 NC IR 10.00S-03.00W-20-SWSE  55 5.9000

IR 10.00S-03.00W-29-NWNE  2.3000

General:

TRSQQ:	WM10.00S3.00W29SWNW
DLC:	-
Latitude:	44.6753617995
Longitude:	-123.0895725714
Buffer (ft):	1
Elevation (ft):	174
Basin Name:	Willamette
Basin Plan:	2B (5)-Middle Willamette (Santiam)
County:	Linn
WM District:	2
WM Region:	NORTHWEST
ODFW Region, District:	Northwest Region, Mid Willamette District
Irrigation District AOI:	-
Irrigation District, Other:	-
Dams (Permit):	-
Water Rights:	Platcard for WM10.00S3.00W29
Well Logs:	Logs for WM10.00S3.00W29
Rules:	
Withdrawn Authority:	-
Groundwater Retriected:	-
GW Retriected Subunit:	-
GW ODEQ Management Area:	-
GW Umatilla Muni Wells (5mile):	-
Rule 4D:	Rules apply
Division 33 (Area, Watershed, species):	LOWER COLUMBIA , <i>Muddy Creek-Willamette River</i> , Oregon Chub, Bull Trout, Pacific Lamprey, Western Brook Lamprey, Chinook Salmon, Steelhead
Irrigation Season of Use:	(unadjudicated, west side) Adj. Status: Unadjudicated Subarea: undefined Irr. Season: Mar 1 to Oct 31 Duty: 2.5 Rate: 1/80
Water Quality Limited Pollutant 2012:	-
Fish Habitat 2014:	-
Is in Deschutes Study Area:	-
Deschutes Zone Impact:	-
Deschutes Zone Overlay:	-
Scenic Water Way:	-

Hydrography:

OWRD Streamcode:	-
Waterbody Name:	-
HUC 10:	1709000306
HUC Watershed:	Muddy Creek-Willamette River
WAB Wshed Order:	7
WAB Analysis:	<u>WILLAMETTE R > COLUMBIA R - AB MILL CR AT GAGE 14191000</u>
Streamflow:	OWRD Opportunities: Poor ODFW Needs: Poor Combined Priority: Not a priority
Gaging Station Data:	-

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

INTERNATIONAL PAPER CO.
3251 OLD SALEM ROAD NE
ALBANY OR 97321

FMWMP, LLC
121 SW MORRISON ST. STE 1500
PORTLAND, OR 97204

WILLAMETTE VALLEY LAND, LLC
PO BOX 99
LAYFAYETTE, OR 97127

confirms the right to use **WASTE WATER** for **IRRIGATION** of **254.6 ACRES**.

This right was perfected under Permit S-54030. The date of priority is JUNE 7, 2001. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.18 CUBIC FEET PER SECOND measured at the point of diversion.

The period of use is March 1st through October 31st.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	3 W	WM	29	NE SE	46	1830 FEET NORTH AND 775 FEET WEST FROM SE CORNER, SECTION 29

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Water User
10 S	3 W	WM	19	NE SE	55	2.6	Willamette Valley Land, LLC.
10 S	3 W	WM	19	SE SE	55	4.9	Willamette Valley Land, LLC.
10 S	3 W	WM	20	NE SW	55	1.6	Willamette Valley Land, LLC.
10 S	3 W	WM	20	NW SW	55	10.4	Willamette Valley Land, LLC.
10 S	3 W	WM	20	SW SW	55	39.8	Willamette Valley Land, LLC.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Water User
10 S	3 W	WM	20	SE SW	55	39.0	Willamette Valley Land, LLC.
10 S	3 W	WM	20	SE SW	58	0.1	Willamette Valley Land, LLC.
10 S	3 W	WM	20	SW SE	58	4.0	Willamette Valley Land, LLC.
10 S	3 W	WM	20	SW SE	46	4.7	Willamette Valley Land, LLC.
10 S	3 W	WM	20	SW SE	55	9.2	Willamette Valley Land, LLC.
10 S	3 W	WM	29	NW NW	55	25.7	Willamette Valley Land, LLC.
10 S	3 W	WM	29	NE NW	55	19.8	Willamette Valley Land, LLC.
10 S	3 W	WM	29	NW NE	55	6.5	Willamette Valley Land, LLC.
10 S	3 W	WM	20	SW SE	46	1.1	FMWMP, LLC
10 S	3 W	WM	20	SW SE	55	0.2	FMWMP, LLC
10 S	3 W	WM	29	NW NE	46	21.2	FMWMP, LLC
10 S	3 W	WM	29	NW NE	55	2.4	FMWMP, LLC
10 S	3 W	WM	29	SW NE	46	21.0	FMWMP, LLC
10 S	3 W	WM	29	SE NE	46	6.8	FMWMP, LLC
10 S	3 W	WM	29	NE SE	46	8.1	FMWMP, LLC
10 S	3 W	WM	29	NW SE	46	3.1	FMWMP, LLC
10 S	3 W	WM	29	NW NE	46	3.3	International Paper
10 S	3 W	WM	29	NW NE	55	0.6	International Paper
10 S	3 W	WM	29	NE NW	55	11.9	International Paper
10 S	3 W	WM	29	NE NW	46	1.4	International Paper
10 S	3 W	WM	29	NW NW	55	4.3	International Paper
10 S	3 W	WM	29	SW NE	46	0.1	International Paper
10 S	3 W	WM	29	NE SE	46	0.7	International Paper
10 S	3 W	WM	29	NW SE	46	0.1	International Paper

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet the existing state and federal water quality standards due to reduced flows.

The use of water shall be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water.

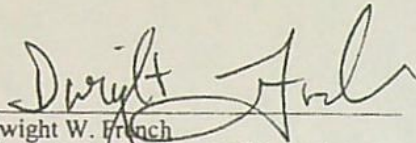
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued NOV 06 2014



Dwight W. French
Water Right Services Division Administrator, *for*
Thomas M. Byler, Director
Oregon Water Resources Department

Claim of Beneficial Use Place of Use Map (Acreage Shown by Tax Lot within each QQ within each DLC)

Permit S- 54030 (Application S-84780)

Township 10 South, Range 3 West (W.M.)



Certified Water Rights Examiner Stamp

Certified Water Rights Examiner
#78185WRE
Theodore R. Ressler
Theodore R. Ressler
June 29, 2007
STATE OF OREGON
EXPIRES: 12/31/2014

Document Path: P:\Portland\523-Hazen O'Connell\001-FMWP-Will Valley Land\Project_GIS\Projected_mxd\TCOBU_Permit_Map_TL_QQ_DLC.mxd

LEGEND

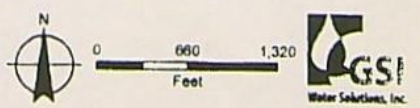
- Portion of Permit in the Name of Willamette Valley Land, LLC.
- Portion of Permit in the Name of FMWP, LLC.
- Portion of Permit in the Name of International Paper
- Tax Lot
- Donation Land Claim (DLC)
- Watercourse
- Waterbody

Disclaimer

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Map Notes

Date: April 25, 2014
Data Sources: B.L.M. City of Albany; USGS
Prepared By: GSI Water Solutions, Inc



STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

WILLAMETTE VALLEY LAND LLC

PAUL KUEHNE, MBR

PO BOX 99

LAYFAYETTE OR 97127

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-88027

SOURCE OF WATER: **WILLAMETTE PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMITS R-1625 AND R-5363**

PURPOSE OR USE: **SUPPLEMENTAL IRRIGATION OF 163.9 ACRES**

MAXIMUM VOLUME: 409.75 ACRE FEET PER YEAR (OR AS FURTHER LIMITED BY CONTRACT)

DATE OF PRIORITY: OCTOBER 30, 2014

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

Authorized Point of Re-Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	3 W	WM	29	SW NW	55	1490 FEET SOUTH AND 535 FEET EAST FROM NW CORNER, SECTION 29

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
10 S	3 W	WM	19	NE SE	55	1.1
10 S	3 W	WM	19	SE SE	55	4.9
10 S	3 W	WM	20	NW SW	55	2.4
10 S	3 W	WM	20	SW SW	55	39.8
10 S	3 W	WM	20	SE SW	55	32.8
10 S	3 W	WM	20	SE SW	58	0.1
10 S	3 W	WM	20	SW SE	46	4.0
10 S	3 W	WM	20	SW SE	55	6.0
10 S	3 W	WM	20	SW SE	58	2.6
10 S	3 W	WM	29	NW NE	55	8.3
10 S	3 W	WM	29	NE NW	55	28.2
10 S	3 W	WM	29	NW NW	55	33.6
10 S	3 W	WM	30	NE NE	55	0.1

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of re-diversion. The permittee shall maintain the device in good working order. The permittee shall allow the watermaster access to the meter; where a meter is located within a private structure, the watermaster shall request access upon reasonable notice.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water used each month, and shall submit a report which includes water-use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The use of water under this right is subject to the terms and conditions of contract No. 159E101876, or a satisfactory replacement, between the Bureau of Reclamation and the permittee, a copy of which must be on file in the records of the Water Resources Department.

STANDARD CONDITIONS

1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
2. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
3. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
4. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.
5. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.
6. If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, shall be followed.
7. Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the

permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

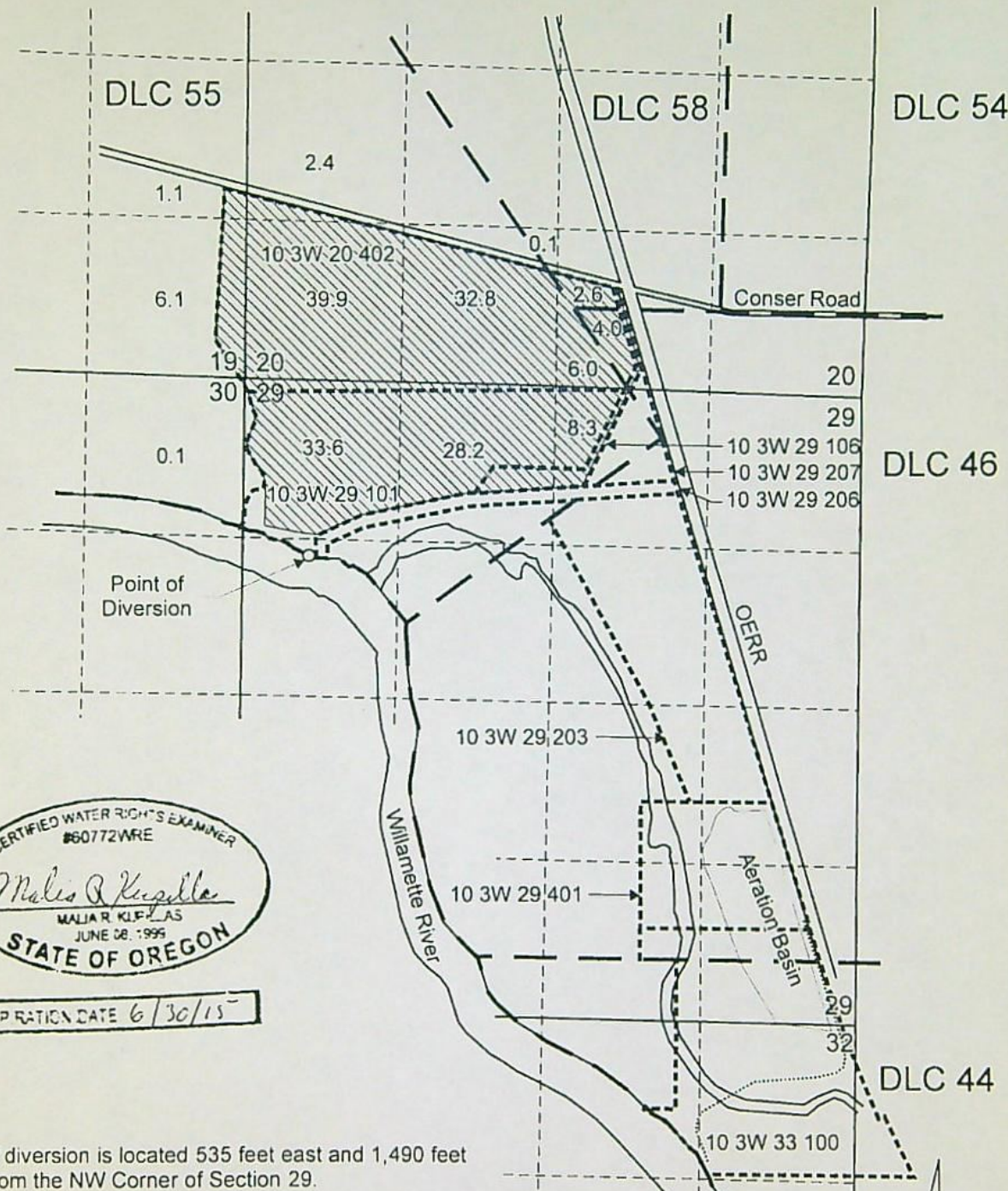
8. Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued August 28 2015

E. Timothy Wallin

E. Timothy Wallin, Water Rights Program Manager
for Thomas M. Byler, Director

T.10S. R.3W. Sec. 19, 20, 29, & 30, W.M.



CERTIFIED WATER RIGHTS EXAMINER
#60772WRE
Melissa K. Kuppelle
MALISSA K. KUPPELLE
JUNE 28, 1995
STATE OF OREGON

EXPIRATION DATE 6/30/15

Point of diversion is located 535 feet east and 1,490 feet south from the NW Corner of Section 29.

Area (165.2 Acres) proposed for supplemental irrigation use; (Primary irrigation under Certificate 72755 and Certificate 72756).

Tax Lot Boundary

Scale: 1" = 1,320'



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OCT 30 2014



Water Right Application Map
WATER RESOURCES DEPT
SALEM, OREGON

Willamette Valley Land LLC
T.10S. R.3W. Sec. 19, 20, 29, & 30, W.M.

Pacific Hydro-Geology Inc.

2014-bgp

Willamette_Valley_Land_LLC.cdr

8-88027

E-2

Yes No

Standard Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

This is the checklist used by WRD staff

Application S-88305 County LINN Priority Date 10/19/2016

Township 10S Range SW 5N Section 20/29

Amount 413 AF Use IRRIGATION WM Dist. # 2

Applicant Name WILLAMETTE VALLEY LANDS, LLC

Receipt No. 121649 Caseworker Assigned: Barbe Kim Lisa

Contact info: Applicant/Organization Name and Mailing Address

Signature (in ink) of all applicants or the applicant's authorized agent (include title or authority if for an organization or corporation).

Property ownership: Does the applicant own all the land for the proposed project? Y / N

If No:

- The affected landowner's name and mailing address must be listed
- A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

For a SW Application: Source of water must be indicated.

If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)

NOTE: A surface water application cannot be filed at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application, Exp. Secondary (E2).

If for stored water not under contract, is the source authorized under a permit, certificate, or decree? Permit or Certificate issued? Y / N Permit or Certificate # _____

N/A

For a GW Application: Well Development Tables completed and/or a well log report included (if existing)

Proposed water use

- Amount of water from each source in GPM, CFS, or AF
- Period of use indicated
- If for supplemental irrigation, primary acreage or underlying permit or certificate number listed (Primary and Supplemental Irrigation counts as 2 uses)

Water Management Section (Estimates if the water system has not been designed)

Resource Protection Section (N/A for Groundwater)

For all standard reservoir applications: Preliminary plans and specification crest width and surface area for each reservoir.

Project schedule (If system is already completed, indicate "existing.")

Paired transaction w/ Cert 89603

- Supplemental data sheets enclosed (if needed)
 - Form M (Municipal or Quasi-Municipal)
 - Spring Description Sheet (if source is a spring)

A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.*

A **Legal Description** of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable.

The proposed source IS / IS NOT (circle one) restricted or withdrawn from further appropriation. *NOTE: If it is withdrawn under ORS 538, then return application and fees. If it is withdrawn by other means, accept the application and a negative IR will be issued.*

The **map** must meet all the minimum requirements of OAR 690-310-0050.

- Township, Range, Section
- Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
- Place of use, 1/4-1/4's and tax lot clearly identified
- Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
- Location of *each* diversion point, well or dam by reference to a recognized public land survey corner. Multiple wells shall be uniquely labeled, and identified on well logs if existing.
- Reference corner on map
- North Directional Symbol
- Number of acres per 1/4-1/4 if for irrigation, nursery, or agriculture
- For a standard reservoir application to store ≥ 9.2 acre feet AND having a dam height ≥ 10 feet, map must be prepared by a CWRE

Fees:

Base Fee	\$ <u>450</u>	Permit Recording Fees	\$ <u>450</u>
1 st CFS @ \$300	\$ _____	Mitigation Fee	\$ _____
___ add'l CFS @ \$300 ea	\$ _____	Rec Fee Total	\$ _____
___ AF up to 20 AF @ \$30 ea	\$ <u>993</u>	Rec Fee Paid	\$ _____
___ add'l AF @ \$1 ea	\$ _____		
___ add'l <input type="checkbox"/> pod/poa <input type="checkbox"/> use @ _____ ea	\$ _____		
___ add'l res @ \$125 ea	\$ _____		
Exam Fee Total	\$ <u>1443</u>	Total Fees	\$ <u>1893</u>
Exam Fee Paid	\$ _____	Paid	\$ <u>1893</u>
		Amount Due	\$ <u>0</u>

Reviewed by: _____ Date: _____

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **121649**

INVOICE # _____

RECEIVED FROM: Willamette Valley Land, LLC
 BY: _____

APPLICATION	S-88305
PERMIT	
TRANSFER	

CASH: CHECK # X1095 OTHER: (IDENTIFY)

TOTAL REC'D \$ **1,893.00**

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
 OTHER: (IDENTIFY) \$ _____
 0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

0407 COPY & TAPE FEES \$ _____
 0410 RESEARCH FEES \$ _____
 0408 MISC REVENUE: (IDENTIFY) \$ _____
 TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
 0240 EXTENSION OF TIME \$ _____

EXAM FEE	
\$ 1443.00	0202
\$	0204
\$	

RECORD FEE	
\$ 450.00	
\$	

WATER RIGHTS:

0201 SURFACE WATER \$ _____
 0203 GROUND WATER \$ _____
 0205 TRANSFER \$ _____

EXAM FEE	
\$	0219
\$	0220

LICENSE FEE	
\$	
\$	

0218 WELL CONSTRUCTION
 WELL DRILL CONSTRUCTOR \$ _____
 LANDOWNER'S PERMIT \$ _____
 OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
 0210 MONITORING WELLS \$ _____ CARD # _____
 OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
 0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
 HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$ _____

RECEIPT: **121649**

DATED: 10-19-10 BY: Felicia B

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME WILLAMETTE VALLEY LAND, LLC		PHONE (HM) NA=NOT APPLICABLE	
PHONE (WK) 503.437.4833	CELL 503.864.4422	FAX NA= NOT APPLICABLE	
ADDRESS PO BOX 99			
CITY LAFAYETTE	STATE OR	ZIP 97127	E-MAIL *

Organization Information

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

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

AGENT / BUSINESS NAME ASPEN RURAL LAND CONSULTING C/O ERIC URSTADT		PHONE 971.250.1520	FAX NA
ADDRESS 39290 NW MURTAUGH ROAD			CELL SAME
CITY NORTH PLANS	STATE OR	ZIP 97133	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 final order documents will also be mailed.)

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By my signature below I confirm that I understand:

OCT 19 2016

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



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

Paul Kuehne
Applicant Signature

Paul Kuehne, Member
Print Name and title if applicable

9-29-16
Date

Applicant Signature

Print Name and title if applicable

Date

Revised

App. No. S-88305

For Department Use
Permit No. _____

Date _____

SECTION 2: PROPERTY OWNERSHIP

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

Yes

There are no encumbrances.

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

No

I have a recorded easement or written authorization permitting access.

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

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).

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

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

No other landowners are known to be affected.

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.

See Attachment 1: Legal Description for property

SECTION 3: SOURCE OF WATER

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A. Proposed Source of Water

OCT 19 2016

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:

SALEM, OR

Source 1: Stored water**

Tributary to: Willamette River

**The source, stored water is Bureau Of Reclamation (BOR) water per Certificate 72756. See Attachment 2: BOR Contract

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

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

Yes.

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

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

- By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:
- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
 - A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Stored Water **	Irrigation	Mar. 1 to Oct. 31	413.0 <input checked="" type="checkbox"/> af

**See Attachment 2: BOR Contract

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated.
 Primary: 165.2 Acres Supplemental: NA 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: 165 for current crops

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

NA

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SALEM, OR

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): A 100 HP centrifugal pump is currently planned

Other means (describe): _____

S-88305

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

The diversion will be a pump placed in the Willamette River connected to the same system of pipes as was used in the irrigation system used for this Place Of Use (POU) as was used when Certificate 89603 was non-cancelled. The mainlines are buried and are believed to be 10" diameter.

B. Application Method

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

A variety of application methods will be used depending on the crops be grown which will change over time. The current plan is for Big Guns, and drip irrigation on for much of the property.

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.

Willamette Valley Land, LLC is an experienced farm operator and monitors water use and need carefully to prevent water waste.

SECTION 6: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions: A fish screen that meets ODFW requirements will be utilized.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: An existing Point Of Diversion (POD) exists and it will be utilized for this right, so no riparian disturbance will be needed.
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: An existing POD exists and it will be utilized for this right, so no riparian disturbance will be needed.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: No waste or chemical products will be placed where they can get into run-off and enter waters of the state. Erosion will be minimized by utilizing sound farm practices.

SECTION 7: PROJECT SCHEDULE

Date construction will begin: Some of the work is already completed. The final work will start soon after an acceptable water right permit for this application has been finalized.

Date construction will be completed: Within 5 years of permit issuance.

Date beneficial water use will begin: Within 5 years of permit issuance.

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SALEM, OR

SECTION 8: WITHIN A DISTRICT

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

Irrigation District Name None Known	Address	
City	State	Zip

SECTION 9: REMARKS

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

This application is being done to replace water that is no longer available from Certificate 89603 because a portion of the irrigation of that right has been cancelled.

The owner currently has a permit for a supplemental right for the same water on the same POU, and that permit will be cancelled if a new permit from this application is finalized and that permit is suitable to the owner. Note that the contract for that supplemental right will be the identical contract for water as this new right, and that contract is attached in Attachment 2 – BOR contract.

My mapping indicates that quarter-quarter lines may be different than those used as a basis for permit S-54958. However, because the BOR contract specifies irrigation area by quarter-quarter based on that map, the total number of irrigated areas appears correct, and the location of quarter-quarter lines is not clearly identifiable with my current information, the map for this application was based on the map for permit S-54958.

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OCT 19 2016

SALEM, OR

Land Use Information Form



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

Applicant: Willamette Valley Land, LLC
First Last

Mailing Address: PO Box 99

Lafayette OR 97127 Daytime Phone: 503.437.4833
City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
10 S	3 W	20	NA	402*	Ag*	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRRIG
10 S	3 W	29	NA	101*	Ag*	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRRIG
10 S	3 W	29	NA	106**	Gen. Indust.**	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRRIG
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

* LINN COUNTY
 ** CITY OF MILLERSBERG

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OCT 19 2016

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 Ground Water Right Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

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

Estimated quantity of water needed: 413 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)

Municipal Quasi-Municipal Instream Other _____

Briefly describe:

The owner wishes to irrigate farm crops using Bureau of Reclamation water.

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.

5-88305

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): LCC 928.310(B)(12)

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

PD16-0250

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.

Irrigation reservoirs, ~~are~~ canals, delivery lines are an outright use in the EFU zoning district pursuant to LCC 928.310(B)(12)

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OCT 19 2016
SALEM, OR

Name: Jennifer Cepello Title: Assistant Planner

Signature: [Signature] Phone: 541-967-3816 Date: 9/30/16

Government Entity: Linn County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Land Use Information Form



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

Applicant: Willamette Valley Land, LLC _____
First Last

Mailing Address: PO Box 99 _____

Lafayette _____ OR _____ 97127 _____ Daytime Phone: 503.437.4833
City State Zip

A. Land and Location

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

Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
10 S	3 W	20	NA	402*	Ag*	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRRIG
10 S	3 W	29	NA	101*	Ag*	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRRIG
10 S	3 W	29	NA	106**	Gen. Indust.**	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRRIG
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

* LINN COUNTY
** CITY OF MILLERSBERG

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 413 _____ cubic feet per second gallons per minute acre-feet

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

Briefly describe:

The owner wishes to irrigate farm crops using Bureau of Reclamation water.
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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): 6.410 Agriculture Use Standards
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Name: BARBARA CASTILLO Title: CITY ADMINISTRATOR / RECORDER
 Signature: Barbara Castillo Phone: 541-928-4523 Date: 9/26/16
 Government Entity: CITY OF MILLERSBURG

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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: _____

S-88705



United States Department of the Interior

BUREAU OF RECLAMATION
Pacific Northwest Regional Office
1150 North Curtis Road, Suite 100
Boise, ID 83706-1234

IN REPLY REFER TO:

PN-3324
WTR-4.00

JUN 08 2015

Willamette Valley Land, LLC
Attn: Mr. Paul Kuhne
P.O. Box 99
Lafayette, OR 97321

Subject: Water Service Contract No. 159E101876, Willamette River Basin Project, Oregon

Dear Mr. Kuhne:

Enclosed for your records is a fully executed original of the subject contract, which provides Willamette Valley Land, LLC, irrigation use of up to 413 acre-feet of stored water from the Willamette River Basin Project for use on 165.2 acres.

It is important to note that this contract will become operable only upon completion of a fish screen assessment at the diversion point identified in Article 9 of the subject contract and associated findings of compliance with National Marine Fisheries Service fish screen criteria.

Please note that if less water is used during any irrigation season, information on the amount delivered must be received in writing by this office no later than December 1, of the subject season, to receive a credit as set forth in Article 5 of the contract.

If you have any questions, please contact Mr. Bill Parks, Economist, at the above address or telephone 208-378-5344.

Sincerely,

Ryan M. Patterson
Program Manager
Repayment and Acreage Limitation

Enclosure

cc: Water Rights Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
(w/copy of contract)

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S-88705

Contract No. 159E101876

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Willamette River Basin Project, Oregon

CONTRACT FOR WATER SERVICE

Contents

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SALEM, OR

S-88305

Contract No. 159E101876

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Willamette River Basin Project, Oregon

CONTRACT FOR WATER SERVICE

THIS CONTRACT, made this 8th day of June, 2015, pursuant to section 9(e) of the Act of August 4, 1939 (53 Stat. 1187), and section 8 of the Act of December 22, 1944 (58 Stat. 887, 891), (which acts are commonly known and referred to as the Reclamation Laws), the Flood Control Act of 1938 (52 Stat. 1222), and the Flood Control Act of 1950 (64 Stat. 170), between the UNITED STATES OF AMERICA, hereinafter referred to as the United States, represented by the Contracting Officer executing this contract, and Willamette Valley Land, LLC, hereinafter referred to as the Contractor;

WITNESSETH, THAT:

EXPLANATORY RECITALS

2. WHEREAS, The United States has constructed and operates a system of multipurpose reservoirs in the Willamette River Basin, Oregon, herein styled the Willamette River Basin Project, from which there is a flow of stored water that can be used for irrigation of land and other beneficial uses, which flow, as it has been developed or as it will be augmented, was appropriated by the United States pursuant to the laws of Oregon for beneficial use under the Federal Reclamation Laws; and

3. WHEREAS, Reclamation has met all environmental compliance requirements for the execution of this contract through preparation and issuance of Categorical Exclusion Checklist, 2015-CCAO-25C, approved on March 18, 2015.

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S-88305

4. WHEREAS, the Contractor owns or serves land hereinafter described, for which a water supply is desired to be secured from the United States;

NOW, THEREFORE, in consideration of the premises and payments by the Contractor to the United States in the manner hereinafter provided, it is agreed:

LANDS FOR WHICH WATER IS DIVERTED: LIMITATIONS ON RELEASES

5. Upon completion of an assessment and corresponding finding that the fish screen at the diversion described in subarticle 9(b) of this contract is in compliance with National Marine Fisheries Service Criteria, for a period not to exceed 40 years from the date first above written, the United States shall release each year to the Contractor during the irrigation season from March 1 to October 31, inclusive, stored water from the Willamette River Basin Project for the irrigation of land owned or served by the Contractor as described as follows:

- 1.1 acres, NE1/4 SE1/4, Section 19, T. 10 S., R. 3 W., W.M.
- 6.1 acres, SE1/4 SE1/4, Section 19, T. 10 S., R. 3 W., W.M.
- 2.4 acres, NW1/4 SW1/4, Section 20, T. 10 S., R. 3 W., W.M.
- 39.9 acres, SW1/4 SW1/4, Section 20, T. 10 S., R. 3 W., W.M.
- 32.9 acres, SE1/4 SW1/4, Section 20, T. 10 S., R. 3 W., W.M.
- 12.6 acres, SW1/4 SE1/4, Section 20, T. 10 S., R. 3 W., W.M.
- 8.3 acres, NW1/4 NE1/4, Section 29, T. 10 S., R. 3 W., W.M.
- 28.2 acres, NE1/4 NW1/4, Section 29, T. 10 S., R. 3 W., W.M.
- 33.6 acres, NW1/4 NW1/4, Section 29, T. 10 S., R. 3 W., W.M.
- 0.1 acres, NE1/4 NE1/4, Section 30, T. 10 S., R. 3 W., W.M.

Of the land described, not more than 165.2 acres are to be irrigated. The amount of stored water to be made available hereunder shall be that quantity which may be applied beneficially in accordance with good usage in the irrigation of the land above described, but not to exceed a maximum diversion of 413 acre-feet of stored water annually, measured at the point of delivery of said water.

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PAYMENTS FOR WATER

6. (a) An annual payment of \$3,304 for the first irrigation season shall be made to the United States at the time of executing this contract, and subsequent annual payments of \$3,304 will be due on or before March 1 of each succeeding irrigation season in advance of water use. This payment will entitle the Contractor to receive up to a maximum of 413 acre-feet of stored water for irrigation of the lands described above. The Contracting Officer will consider adjusting the water service payment downward based on information received from the Contractor, the State of Oregon, or other reliable sources as to the actual amount of stored water diverted each month by the Contractor during the irrigation season and on other factors in addition to the amount of stored water actually released, as deemed appropriate by the Contracting Officer. Any such adjustment will be determined and subtracted from the payment for the next year, or refunded if the contract is no longer in effect, by the Contracting Officer; Provided, that in order for an adjustment to be made, information on the amounts of stored water diverted each month must be received in writing by the Contracting Officer by December 1 of that year.

(b) The annual payment set forth in (a) above is based on an initial rate of \$ 8 per acre-foot of stored water; Provided, that such annual payment shall at a minimum be the greater of either the product of \$ 2 multiplied by the number of acres described in Article 5 of this contract or \$50. From time to time, but not less often than once every 5 years, the rate per acre-foot of stored water and the minimum payment shall be reviewed by the Contracting Officer and revised, if necessary, by the Contracting Officer for the irrigation water marketing program of the Willamette River Basin Project. Any revision by the Contracting Officer will apply only to future payments and shall be announced by written notice to the Contractor at least 3 months prior to the beginning of the irrigation season to which the new rate would be applicable.

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S-88305~

(c) All payments from the Contractor to the United States under this contract shall be made by the medium requested by the United States. The required medium of payment may include checks, wire transfers, or other types of payment specified by the United States. Except when otherwise specified by the United States, all payments shall be made by check.

(d) Upon execution of the contract, the Contractor shall furnish the Contracting Officer with the Contractor's taxpayer's identification number (TIN). The purpose for requiring the Contractor's TIN is for collecting and reporting any delinquent amounts arising out of the Contractor's relationship with the United States.

(e) Payments required hereunder shall be made to the Bureau of Reclamation at the location described in Article 17 of this contract.

CONTRACT ADMINISTRATION FEES

7. The Contractor shall incur a fee for all future contract and inspection actions, including but not limited to new contracts, contract amendments, supplements, assignments and inspection of Contractor diversions. Prior to any future action and/or inspection, the fee will be determined by the Contracting Officer and shall be sufficient to cover such costs incurred by the United States and cost of contractors of the United States in the performance of the above activities.

CHARGES FOR DELINQUENT PAYMENTS

8. (a) The Contractor shall be subject to interest and administrative and penalty charges on delinquent payments. If a payment is not received by the due date, the Contractor shall pay an interest charge on the delinquent payment for each day the payment is delinquent beyond the due date. If a payment becomes 60 days delinquent, in addition to the interest charge, the Contractor shall pay an administrative charge to cover additional costs of billing and processing the delinquent payment. If a payment is delinquent 90 days or more, in addition to the interest and administrative charges, the Contractor shall pay a penalty charge for each day the payment is delinquent beyond the due date, based on the remaining balance of the payment due, at the rate of 6 percent per year. The Contractor shall also pay any fees incurred for debt collection services associated with a delinquent payment.

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ATT #1 1/4

LINN COUNTY, OREGON 2014-01001
0-WD
Sm=2 S WILSON 01/29/2014 01:09:28 PM
\$20.00 \$11.00 \$10.00 \$19.00 \$20.00 \$80.00
I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Steve Druckenmiller - County Clerk

RECORDING REQUESTED BY:
Ticor Title Company

GRANTOR:
Millersburg Power LLC

GRANTEE:
Willamette Valley Land, LLC

SEND TAX STATEMENTS AND RECORDING TO:
Willamette Valley Land, LLC
13140 NE Kuehne Road
Carlton, OR 97111

Escrow No: 471813028237-TTMDWIL20

Tax Lots 101 & 106 Sec 29; & 402 Sec 20
Millersburg, OR

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Millersburg Power LLC, an Oregon limited liability company, Grantor, conveys and warrants to

Willamette Valley Land, LLC, an Oregon limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Linn, State of Oregon:

See EXHIBIT 'A' attached hereto and made a part hereof

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$1,150,000.00.
(See ORS 93.030)

Subject to and excepting: See EXHIBIT 'A' attached hereto and made a part hereof

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 195.335 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 865, 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: January 28, 2014

Millersburg Power LLC
By: *[Signature]*
Charles A. Sides, Member

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State of OREGON, County of Marion

This instrument was acknowledged before me on January 28, 2014, by Charles A. Sides, as Member of Millersburg Power LLC, on behalf of the limited liability company.

[Signature]
Notary Public - State of Oregon
My commission expires: 6-13-2015



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WATER RESOURCES DEPT
SALEM, OREGON

471813028237-TTMDWIL20
Deed (Warranty-Statutory)

TICOR TITLE 471813028237

P-89027

#1 2/4

EXHIBIT 'A'
Legal Description

PARCEL 1:

The following described real property situated in the County of Linn and State of Oregon:

Beginning at a stone on the Southeasterly boundary line of the Donation Land Claim of Silas Haight, et ux, Claim No. 55 in Township 10 South and Range 3 West of the Willamette Meridian, Linn County, Oregon, said stone being South 52° 50' West, 897.60 feet distant from the most Easterly corner of said Claim No. 55 and from thence running South 52° 50' West, 1777.60 feet to the Willamette River, thence down said Willamette River the following courses and distances: North 41° 06' West, 542.86 feet; thence North 51° 42' West, 132 feet; thence North 79° 08' West, 57.58 feet to a point South 1° 9' West of a 1 1/2-inch pipe, said pipe being West, 2660.50 feet and South 1093.81 feet distant from the said most Easterly corner of said Donation Land Claim No. 55; thence North 1° 09' East, 40 feet, more or less to said first above mentioned 1 1/2-inch pipe; thence North 1° 09' East, 332.55 feet to a 5/8-inch bolt; thence North 75° 29' East, 1119.77 feet to a 5/8-inch bolt; thence North 34° 30' East, 232.36 feet to a 1 inch x 40 inch pipe, thence South 89° 46' East, 771.83 feet to a 5/8-inch bolt, thence North 25° 00' East, 973.54 feet to a 1 inch x 60 inch pipe, thence North 18° 28' West, 671.68 feet to a 3/4-inch pipe, thence South 77° 33' East, 46.62 feet; thence South 18° 28' East, 677.33 feet to a 1 inch x 50 inch pipe; thence South 24° 27' West, 1227.10 feet to the place of beginning.

SAVE AND EXCEPT that portion conveyed to City of Millersburg, a municipal corporation of the State of Oregon, by deed recorded May 8, 1990 in Volume 530, Page 769, Microfilm Records for Linn County, Oregon, described as follows:

Beginning at the Southwest corner of Isaac Miller Donation Land Claim No. 46 in Township 10 South, Range 3 West, Willamette Meridian, Linn County, Oregon; thence North 88° 38' 30" East, 1108.80 feet; thence North 1° 13' 30" West, 1320.00 feet; thence North 88° 38' 30" East, 1101.08 feet; thence North 18° 34' West, 2739.29 feet along the West right-of-way line of the Burlington Northern Railroad to the true point of beginning; thence South 84° 28' 35" West, 1798.57 feet; thence South 76° 12' 25" West, 898.88 feet; thence South 63° 23' 34" West, 326.66 feet; thence South 3° 30' East 119.51 feet; thence South 86° 30' West, 100.00 feet; thence North 3° 30' West, 185.55 feet; thence North 63° 23' 34" East, 403.94 feet; thence North 76° 12' 25" East, 917.33 feet; thence North 84° 28' 35" East, 1782.63 feet; thence South 18° 34' East, 102.65 feet to the true point of beginning.

ALSO SAVE AND EXCEPT that portion of the above described property lying South of the Southerly line of the above referenced City of Millersburg tract.

APN - 10S03W2900 00106

PARCEL 2:

Part of Sections 19, 20, 29 and 30 in Township 10 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, and described as follows:

Beginning in the centerline of Linn County Market Road No. 34, at a point South 89° 55' East 137.08 feet, South 889.89 feet, and South 77° 32' East 1001.67 feet from the most Westerly Southwest corner of the George Miller, Sr., Donation Land Claim No. 58 in Section 19, Township 10 South, Range 3 West, said Donation Land Claim corner being on the Northwesterly line of the Silas Haight Donation Land Claim No. 55; and running thence South 1° 18' West, along the center line of a ditch, 1319.24 feet to the intersection of said ditch with a second ditch; thence Southerly, along the center line of the last mentioned ditch, following the meanders thereof, approximately 1750 feet to the right bank of the Willamette River; thence, following the meanders of said right bank Easterly upstream approximately 1150 feet to a point South 1° 09' West of a 1-1/2 inch iron pipe, said pipe being West 2660.50 feet and South 1093.81 feet from the most Easterly corner of said Silas Haight Donation Land Claim No. 55; thence North 1° 09' East 40 feet, more or less, to said 1-1/2 inch iron pipe; thence, continuing North 1° 09' East 322.05 feet, to a 5/8 inch iron bolt; thence North 75° 29' East 1119.77 feet to a 5/8 inch iron bolt; thence North 34° 30' East 232.36 feet to a 1 inch iron pipe; thence South 89° 46' East 771.83 feet to a 5/8 inch iron bolt; thence North 25° 00' East 973.54 feet to a 1 inch iron pipe; thence North 18° 28' West 706.65 feet to the center line of the aforementioned Linn County Market Road No. 34; thence North 77° 32' West, along said centerline, to the point of beginning.

SAVE AND EXCEPT that portion conveyed to City of Millersburg, a municipal corporation of the State of Oregon, by deed recorded May 8, 1990 in Volume 530, Page 769, Microfilm Records for Linn County, Oregon, described as follows:

471813028237-TTMD/WL20
Deed (Warranty-Statutory)

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SALEM, OREGON

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Beginning at the Southwest corner of Isaac Miller Donation Land Claim No. 46 in Township 10 South, Range 3 West, Willamette Meridian, Linn County, Oregon; thence North 88° 38' 30" East, 1106.80 feet; thence North 1° 13' 30" West, 1320.00 feet; thence North 88° 38' 30" East, 1101.08 feet; thence North 18° 34' West, 2739.29 feet along the West right-of-way line of the Burlington Northern Railroad to the true point of beginning; thence South 84° 28' 35" West, 1798.57 feet; thence South 76° 12' 25" West, 898.88 feet; thence South 63° 23' 34" West, 326.66 feet; thence South 3° 30' East 119.51 feet; thence South 86° 30' West, 100.00 feet; thence North 3° 30' West, 185.56 feet; thence North 63° 23' 34" East, 403.94 feet; thence North 76° 12' 25" East, 917.33 feet; thence North 84° 28' 35" East, 1782.63 feet; thence South 18° 34' East, 102.65 feet to the true point of beginning.

ALSO SAVE AND EXCEPT that portion of the above described property lying South of the Southerly line of the above referenced City of Millersburg tract.

APN 10S03W2000 00402 and 10S03W2000 00101

Subject to and excepting:

Unpaid Property Taxes, if any

The Land has been classified as Farm Use, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.
Affects: Parcel 2

Any rights, liens, claims or equities, if any, in favor of Linn Soil and Water Conservation District.

Rights of the public to any portion of the Land lying within streets, roads and highways.

Any adverse claim based upon the assertion that:

- a) Said Land or any part thereof is now or at any time has been below the highest of the high watermarks of Willamette River and Murder Creek (Powell Creek) in the event the boundary of said Willamette River and Murder Creek (Powell Creek) has been artificially raised or is now or at any time has been below the high watermark, if said Willamette River and Murder Creek (Powell Creek) is in its natural state.
- b) Some portion of said Land has been created by artificial means or has accreted to such portion so created.
- c) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of Willamette River and Murder Creek (Powell Creek), or has been formed by accretion to any such portion.

Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of the Willamette River and Murder Creek (Powell Creek).

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Mountain States Power Company
Purpose: Anchors, wires and fixtures
Recording Date: February 6, 1937
Recording No: Book 145, Page 403
Affects: Parcel 2

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Mountain States Power Company
Purpose: Electric transmission or distribution lines
Recording Date: March 2, 1937
Recording No: Book 145, Page 470
Affects: Exact location not specified

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Mountain States Power Company
Purpose: Electric transmission and distribution lines
Recording Date: October 3, 1947
Recording No: Book 196, Page 166
Affects: Parcel 2 - exact location not disclosed of record

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Western Kraft Corporation, an Oregon corporation
Purpose: Pipe lines
Recording Date: December 2, 1954
Recording No: Book 240, Page 507
Affects: Various parcels - see document for specifics

471813028237-TTMIDWIL20
Deed (Warranty-Statutory)

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SALEM, OREGON

5-88027

47 4/4

Road Relocation Agreement, including the terms and provisions thereof,
Recording Date: August 9, 1960
Recording No.: Book 272, Page 536

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: City of Millersburg
Purpose: Water and sewer pipelines
Recording Date: May 19, 1967
Recording No: Volume 442, Page 738
Affects: Parcels 1 and 2

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: PacifiCorp
Purpose: Electric transmission lines, distribution lines, and communication lines
Recording Date: October 10, 1996
Recording No: Volume 830, Page 628
Affects: Parcel 2

Easement(s) for the purpose(s) shown below and rights incidental thereto as condemned by an instrument,
Entitled: Notice of Supplemental Final Order and Judgment
Court: U.S. District Court for the Southern District of Indiana
Case No.: 1:02-cv-7004-DFH-TAB
In favor of: AT&T Corp. and AT&T Communications-East, Inc.
Purpose: Cable, conduits, power and replacement technology
Recording Date: November 14, 2008
Recording No: 2008-21446
Affects: Portions adjacent to railroad corridor

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WATER RESOURCES DEPT
SALEM, OREGON

471813028237-TTMDWL20
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5-88087

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ATT#4 1/1



Oregon Water Resources Department
Permit to Appropriate Only Stored Water – Expedited Secondary

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

Today's Date: Monday, September 26, 2016

Base Application Fee.		\$450.00
Acre feet of Stored Water to be diverted.	413	\$993.00
Permit Recording Fee. ***		\$450.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,893.00

[OWRD Fee Schedule](#)

Fee Calculator Version: B20130709

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SALEM, OR

S-88305



Oregon Water Resources Department
Permit to Appropriate Only Stored Water - Expedited Secondary

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

Today's Date: Wednesday, October 19, 2016

Base Application Fee.		\$450.00
Acre feet of Stored Water to be diverted.	413	\$993.00
Permit Recording Fee. ***		\$450.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,893.00

OWRD Fee Schedule

Fee Calculator Version: B20130709

50888-5

Aspen

Rural Land Consulting

Water Resources, Water Rights, Land
Surveying, Engineering, Land Use Planning

ERICURSTADT@HOTMAIL.COM
971-250-1520 (MOBILE)

Water Resources Department
Attn: New Water Right Applications
725 Summer Street NE, Ste. A
Salem, OR, 97301

13 October, 2016

Subject: New Application for use of Surface Water

To Whom It May Concern,

Enclosed I san application for the use of stored water along with the following attachments:

Attachments:

1. Property deed for subject property,
2. Bureau of Reclamation Contract for water, (FIRST 6 PAGES)
3. Land Use Compatibility Statements from both the City of Millersberg and Linin County,
4. Water Resources fee calculator output,
5. Application Map
6. A check out to Oregon Water Resources Department for \$1893.00.

Please let me know if there is any concerns or you need any more information.

Respectfully,
Aspen Rural Land Consulting

Eric Urstadt, PE, PLS

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SALEM, OR

5-88705

Aspen

Rural Land Consulting

Water Resources, Water Rights, Land
Surveying, Engineering, Land Use Planning

ERICURSTADT@HOTMAIL.COM
971-250-1520 (MOBILE)

Water Resources Department
Attn: Jerry Sauter
725 Summer Street NE, Ste. A
Salem, OR, 97301

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MAR 29 2017

20 March 2017

SALEM, OR

Subject: Declaration of new agent for water rights

To Whom It May Concern,

This letter is written to officially inform the Oregon Water Resources Department that Paul Kuehne, the owner of certain water rights, wishes Eric Urstadt, PE, PLS of Aspen Rural Land Consulting to act as agent for all of the rights on lands owned by him. Some rights have had another agent in the past, but the owner wishes to have the prior agents removed and instead have Eric Urstadt as my agent.

I, Paul Kuehne, am the owner of all of the following properties and related water rights via Willamette Valley Lands, Creekside Valley Farms, Spring Lake Farms, or South Santiam River Farm. It is my understanding that this letter can serve as notice to change my agent for these files.

The water rights involved are: (organized by property):

1. Durham; T-12100, Certs. 48103, 48511, 48512
2. Hans Hengden; T-12099, Certs. 16677, Permit G-17491
3. Klotz; T-12204 (land being currently watered is owned by Paul Kuehne)
4. Lebanon McDowell; Certs. 26595, 42307
5. Millersberg East; Appl. S-88194
6. Millersberg West; Appl. S-88305, G-18190, Permit S-54958
7. Spring Lake Farms; Millersberg West; Cert 34964, 86134, T-9638,
8. Wheatland Road; Permit G-15984

The contact information for my new agent, Eric Urstadt, is:

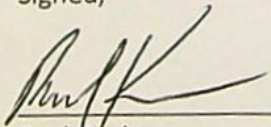
Mailing address: 39290 NW Murtaugh Road, North Plains, OR 97133
Email: ericurstadt@hotmail.com
Phone: (971) 250-1520

Please also continue to send copies of documentation to me:

Mailing address: Paul Kuehne, PO Box 99, Lafayette, OR 97127
Email: paul@creeksidevalleyfarms.com
Phone: (503) ~~864-3131~~

864-4242

Signed,



Paul Kuehne

3-26-17
Date

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.

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: source of water requested
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: resource protection
- SECTION 7: project schedule
- SECTION 8: within a district
- SECTION 9: remarks

Attachments:

-
- Land Use Information Form with approval and signature (*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: \$ 1893.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

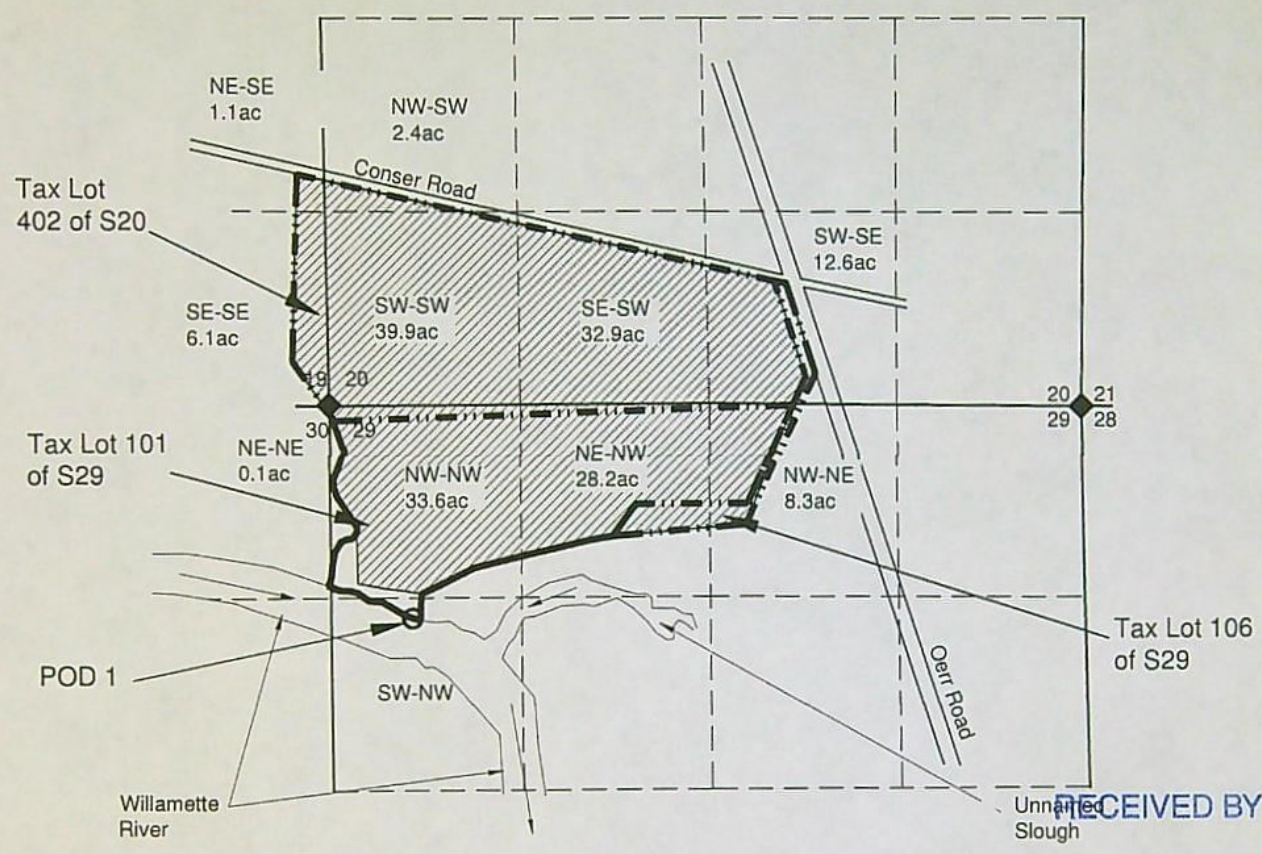
-
- Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot clearly identified
 - 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)
 - Other:

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SALEM, OR

MAP FOR Water Right Application Map Sections 20 & 29, T10S, R5W, LINN COUNTY



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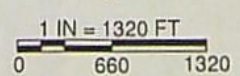
OCT 19 2016

SALEM, OR

NOTES:
 -THE POINT OF DIVERSION (POD 1) IS 535' E & 1490' S of NW S29.
 -ALTHOUGH I BELIEVE THAT THE TRUE QUARTER-QUARTER (Q-Q) LINES MAY VARY FROM THE MAP FOR PERMIT S-54958, THIS MAP IS BASED ON THAT MAP BECAUSE IT WAS FOUND THAT THE BUREAU OF RECLAMATION (BOR) CONTRACT FOR THAT PERMIT HAS IRRIGATION BY Q-Q BASED ON THAT MAP, AND THAT BOR CONTRACT WILL ALSO BE USED FOR THIS APPLICATION. MY JUDGEMENT IS THAT THE MAP IS SATISFACTORY FOR THE INTENDED USE AND IT WOULD BE GOOD IF THE CONTRACT MATCHED THE APPLICATION MAP, IF POSSIBLE.



- LEGEND**
- ◆ SECTION OR QUARTER CORNER
 - POINT OF DIVERSION (POD 1)
 - QUARTER-QUARTER LINE
 - - - - TAX LOT LINE
 - SECTION LINE
 - ▨ IRRIGATED AREA, ACRES BY Q-Q.



MAP BY:
ASPEN RURAL LAND CONSULTING
 ERIC URSTADT, PE, PLS
 971-250-1520
 Sep 2016
 WVLC-CONSER-RD-1D

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

5-88305 Sup. 7.20.2017