

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME WAYNE AND AMANDA STAEHEL			PHONE (HM)
PHONE (WK)	CELL 503-320-3466 (AMANDA)		FAX
MAILING ADDRESS 2940 S JACKSON RD			
CITY CANBY	STATE OR	ZIP 97013	E-MAIL * AMANDA@COLUMBIA-NURSERY.COM

Organization

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

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

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

Note: Attach multiple copies as needed

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

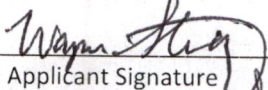
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By my signature below I confirm that I understand:

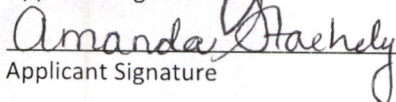
- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for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

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


Applicant Signature

Wayne Staehely
Print Name and Title if applicable

12-10-2024
Date


Applicant Signature

Amanda Staehely
Print Name and Title if applicable

12-11-2024
Date

SECTION 2: PROPERTY OWNERSHIP

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

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

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

NA

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

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: <u>Emma Rose – authorized under Certificate 95777</u>	Tributary to: <u>Bear Creek</u>
TRSQQ of POD: <u>T. 4S., R.1E., Section 34. SWNE</u>	
Source 2: <u>Luke Alan – authorized under Certificate 95755</u>	Tributary to: <u>Bear Creek</u>
TRSQQ of POD: <u>T. 4S., R.1E., Section 34. SWNE</u>	

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).

See Certificate 95755 & Certificate 95777

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B. Applications to Use Stored Water

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

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

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

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

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

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

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

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/

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

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

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

☐ Yes ☒ No

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

If yes,

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

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

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

☒ Yes ☐ No

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

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

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

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

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

NA

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

☒ Yes ☐ No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

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

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Emma Rose	Nursery	Year Round	2.53 ☐ cfs ☐ gpm ☒ af
Luke Alan	Nursery	Year Round	4.55 ☐ cfs ☐ gpm ☒ af
			☐ cfs ☐ gpm ☐ af

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

Primary: NA Acres

Supplemental: NA Acres

Nursery Use: 72.6 Acres

If supplemental acres are listed, provide 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: 7.08 AF

- 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

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

- ☒ Pump (give horsepower and type): Emma Rose POD uses a 50 Hp centrifugal pump
- ☒ Other means (describe): Luke Alan POD flows by gravity

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

Drain tiles in the field drain into Luke Alan and then flows down out of Luke Alan by gravity flow into Emma Rose. Water is then pumped from the Emma Rose POD using a 50 Hp submersible pump to convey water approximately 10 feet to the west where the discharge line connects to the 5-inch PVC buried mainline which can also be supplied by the groundwater wells. These mainlines connect laterals to the fields to supply an overhead impact sprinkler system.

B. Application Method

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

C. Conservation

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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.

The amount of water is needed to help supplement the amount of water we can produce from the existing well. Water will be applied to crops when needed. The most water efficient method of irrigation will be used for the crop being irrigated.

SECTION 7: RESOURCE PROTECTION

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

- ☒ Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.

Describe planned actions:

The certified reservoir water rights have determined fishscreens were not needed to develop the reservoirs. If ODFW determines a fish screen is needed to pump the water out of the reservoir, we will attached the screen to the pumps in the reservoir

- ☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation:

The location of the pump is on a graveled area reducing any damage to the riparian of streamside area.

- ☒ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.

Describe planned actions and additional permits required for project implementation:

The POD's are established and to not need any further work within the water body.

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

Describe planned actions:

Best management practices will be followed to prevent erosion and run-off of waste or chemical products.

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

NA

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: within three years after the permit is issued
b) Date construction will be completed: within five years after the permit is issued
c) Date beneficial water use will begin: within five years after the permit is issued

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SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name NA	Address	
City	State	Zip

SECTION 10: REMARKS

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

None

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- ☒ SECTION 1: Applicant Information and Signature
- ☒ SECTION 2: Property Ownership
- ☒ SECTION 3: Source of Water
- ☒ SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- ☒ SECTION 5: Water Use
- ☒ SECTION 6: Water Management
- ☒ SECTION 7: Resource Protection
- ☒ SECTION 8: Project Schedule
- ☐ SECTION 9: Within a District
- ☒ SECTION 10: Remarks

Include the following additional items:

- ☒ Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☒ Fees - Amount enclosed: \$ **938.00**
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ Permanent quality and drawn in ink
 - ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - ☒ North Directional Symbol
 - ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
 - ☒ Reference corner on map
 - ☒ Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Land Use Information Form



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

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NAME Wayne and Amanda Staehely				PHONE 503-320-3466
MAILING ADDRESS 29490 S. Jackson Rd				
CITY Canby	STATE OR	ZIP 97013	EMAIL Amanda@columbia-nursery.com	

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
4S	1E	34		1100	EFU	☒ Diverted	☒ Conveyed	☒ Used	Nursery
4S	1E	34		1101	EFU	☐ Diverted	☒ Conveyed	☒ Used	Nursery
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Clackamas County

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

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 7.08 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet

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

Briefly describe:

A new surface water right application that proposes to use water from two existing reservoirs permitted under water rights Certificate 95755 and 95777.

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

See Page 4 →

For Local Government Use Only

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

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Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): ORS 215.203 G

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

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

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

Name: Max del Hierro Title: Planner 1

Signature: Max del Hierro Digitally signed by Max del Hierro Date: 2025.01.15 14:18:30 -08'00' Date: 1/15/2025

Governmental Entity: Clackamas County Phone: 503-742-4500

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

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

Applicant Name: _____

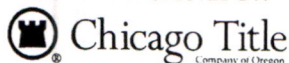
Staff Name: _____ Title: _____

Staff Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____

CHICAGO TITLE 472518001576-42

RECORDING REQUESTED BY:



1433 SW 6th Avenue
Portland, OR 97201

AFTER RECORDING RETURN TO:

Order No.: 472518001576-MJM
Wayne A. Staehely and Amanda R. Staehely
29490 S. Jackson Road
Canby, OR 97013

SEND TAX STATEMENTS TO:

Wayne A. Staehely and Amanda R. Staehely
29490 S. Jackson Road
Canby, OR 97013

APN: 01351799 & 01020362

Map: 01100 & 01101

29490 S. Jackson Road, Canby, OR 97013

Clackamas County Official Records
Sherry Hall, County Clerk

2018-023059

04/16/2018 11:11:00 AM

D-D Cnt=1 Stn=76 JANIS
\$15.00 \$16.00 \$10.00 \$20.00 \$22.00

\$83.00

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Donald E. Staehely and Shirleen A. Staehely,

Grantor, conveys and warrants to **Wayne A. Staehely and Amanda R. Staehely, as tenants by the entirety,**

Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

PARCEL I:

Beginning at a point 18 chains West of the Southeast corner of the Donation Land Claim No of H. L. Dibble in Section 34, Township 4 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon; running, thence North 40 chains; thence West 22 chains; thence South to intersection with Public County Road; thence in a Southeasterly direction along said County Road to the South line of said claim; thence East tracing said claim line to the place of beginning.

EXCEPT THEREFROM, a strip of land 1 rod wide and 16 rods long, commencing at the Northwest corner and running along the North line of said tract for road purposes heretofore conveyed to W. H. Cochran.

ALSO EXCEPTING THEREFROM the following described Tract:

Beginning at a 5/8" iron rod with a yellow plastic cap marked "DK & Assoc.", said point bears North 00°11'22" West 1317.24 feet and North 89°49'31" West 1204.86 feet from the Southeast corner of Section 34, Township 4 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, said point being the Southwest corner of the Kober Tract, said point also being the Southeast corner of the Germany Tract, said point being the Point of Beginning; thence along the common boundary North 00°43'35" East 1070.91 feet to a point, said point being a 5/8" iron rod with a yellow plastic cap marked "DK & Assoc."; thence South 00°10'33" East 1070.88 feet to a point, said point being located along the Northerly boundary of a tract of land recorded in Deed Document No. 97-102048 of the Clackamas County Deed Records; thence along said Northerly boundary line North 89°49'31" West 16.86 feet to the point of beginning.

ALSO EXCEPTING THEREFROM that certain parcel previously conveyed to Stephen J. Germany by Special Warranty Deed dated November 23, 1987 and recorded November 23, 1987 as Recorder's Fee No. 87-052350, and which is specifically described as follows:

Beginning at a point 1967.55 feet West and 1188.93 feet North of the Southeast corner of the Donation Land Claim of H.L. Dibble in Section 34, Township 4 South, Range 1 West of the Willamette Meridian, in the County of Clackamas and State of Oregon; thence running North 200.00 feet to a point; thence West 280.00 feet; thence South 90.00 feet; thence West 470.00 feet to the center of the Molalla-Canby Road (County Road No. 95); thence Southwesterly along the center of said road, 21.92 feet; thence East 461.02 feet; thence South 90.00 feet; thence West 280.00 feet to the place of beginning.

PARCEL II::

Beginning at a point 155 rods, 6 1/2 feet South of the one-quarter section corner between Sections 34 and 27, Township 4 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon; running thence South 16 rods to the center of the Molalla-Canby Road; thence Northwesterly along the center of said road 17 rods 9 1/2 feet; thence East 7 rods, 3 feet to the place of beginning.

EXCEPT THEREFROM that portion lying within County Road No. 95.

STATUTORY WARRANTY DEED

(continued)

ALSO EXCEPTING THEREFROM any portion lying within the boundaries of the following described tract:

Beginning at a point 1967.55 feet West and 1188.93 feet North of the Southeast corner of the Donation Land Claim of H.L. Dibble in Section 34, Township 4 South, Range 1 West of the Willamette Meridian, in the County of Clackamas and State of Oregon; thence running North 200.00 feet to a point; thence West 280.00 feet; thence South 90.00 feet; thence West 470.00 feet to the center of the Molalla-Canby Road (County Road No. 95); thence Southwesterly along the center of said road, 21.92 feet; thence East 461.02 feet; thence South 90.00 feet; thence West 280.00 feet to the place of beginning.

PARCEL III:

Commencing at a 5/8" iron rod with a yellow plastic cap marked "DK & Assoc.", said point bears North 00°11'22" West 1317.24 feet and North 89°49'31" West 1204.86 feet from the Southeast corner of Section 34, Township 4 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, said point being the Southwest corner of the Kober Tract, said point also being the Southeast corner of the Germany Tract; thence along the common boundary North 00°43'35" East 1070.91 feet to a point, said point being a 5/8" iron rod with a yellow plastic cap marked "DK & Assoc.", said point being the True Point of Beginning; thence along said common boundary line North 10°17'24" East 1559.92 feet to a point, said point being a 5/8" iron rod with a yellow plastic cap marked "DK & Assoc.", said point also being located along the southerly in the City of Tualatin, County of Clackamas and State of Oregon boundary of a tract of land Deed Parcel II of Deed Document No. 2005-077596 of Clackamas County Deed Records, said point also being the Northwest corner of said Kober Tract and also the Northeast corner of said Germany Tract; thence along said Southerly boundary North 89°51'26" West 12.68 feet to a point; thence South 00°10'33" East 1559.94 feet to the True Point of Beginning.

PARCEL IV:

Beginning at a point 1967.55 feet West and 1188.93 feet North of the Southeast corner of the Donation Land Claim of H.L. Dibble in Section 34, Township 4 South, Range 1 West of the Willamette Meridian, in the County of Clackamas and State of Oregon; thence running North 200.00 feet to a point; thence West 280.00 feet; thence South 90.00 feet; thence West 470.00 feet to the center of the Molalla-Canby Road (County Road No. 95); thence Southwesterly along the center of said road, 21.92 feet; thence East 461.02 feet; thence South 90.00 feet; thence West 280.00 feet to the place of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS NINE HUNDRED THOUSAND AND NO/100 DOLLARS (\$900,000.00). (See ORS 93.030).

Subject to:

The Land has been classified as Farmland, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

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

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FEB 24 2025

OWRD

STATUTORY WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 4-11-18

Donald E. Staehely
Donald E. Staehely

Shirleen A. Staehely
Shirleen A. Staehely

State of OREGON
County of CLACKAMAS

This instrument was acknowledged before me on 4-11-18 by Donald E. Staehely and Shirleen A. Staehely.

[Signature]
Notary Public - State of Oregon

My Commission Expires: 3-8-22



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FEB 24 2025
OWRD