



Oregon Water Resources Department 725
Summer Street NE, Suite A
Salem Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

A. Individuals

Applicant: KEVIN KENT
First Last

Mailing Address: 10815 SE 362ND AVENUE

BORING OREGON 97009-8721
City State Zip

Phone: 503-663-4602 SAME 971-227-3965 KE
Home Work Other

*Fax: 503-663-2678 *Email Address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of Organization: _____

Name and Title of Person Applying: _____

Mailing Address or Organization: _____

City State Zip

Phone : _____
Day Evening

*Fax: _____ *Email Address: _____

*Optional

For Department Use

App. No. 6-17159

Permit No. _____ Date _____

Last Updated: 11/24/2008

Ground Water/1

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SALEM, OREGON

2. PROPERTY OWNERSHIP

☒ Yes (Please check appropriate box below then skip to section 3 'Ground Water Development')

- ☐ There are no encumbrances
- ☐ This land is encumbered by easements, rights of way, roads or other encumbrances
(please provide a copy of the recorded deed(s))

☐ No (Please check the appropriate box below)

- ☐ 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 irrigated and/or domestic use only (ORS 274.040).

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.

List the names and mailing addresses of all affected landowners.

3. GROUND WATER DEVELOPMENT**A. Well Information**

Number of well(s): 4

Name of nearest surface water body: CEDAR CREEK

Distance from well(s) to nearest stream or lake:

1) 1725+/- 2) 2025+/- 3) 1775+/- 4) 725+/-

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head:

1) 10+/- 2) 10+/- 3) 10+/- 4) 10+/-

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by:

WELL #1 COMPLETED BY GEORGE YOUNGBERG & HE WILL DO THE PROPOSED ADDITIONAL WELLS.

Mailing Address: 36263 SE KEMP ROAD (TEL: 503-630-6336)

ESTACADA

City

OREGON

State

97023

Zip

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Completion Date: _____

Please provide a description of your well development. (*Attach additional sheets if needed.*)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1	10	6"BLK STL	180'	202-242	180'	153'	153'	NONE	242'
2	10	8"BLK STL	150'	150-242	150'	153'	153'	3/4" IPT	250'
3	10	8"BLK STL	150'	150-242	150'	153'	153'	3/4" IPT	250'
4	10	8"BLK STL	150'	150-242	150'	153'	153'	3/4" IPT	250'

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

N/A

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: 1
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1		DOMESTIC/IRRIG	24	12,614,000	25+/-
2		IRRIGATION	225	118,260,000	225+/-
3		IRRIGATION	225	118,260,000	225+/-
4		IRRIGATION	225	118,260,000	225+/-

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 225 GPM

(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: GEN. NURSRY: MAR.1-OCT.31ST; GEN AG.REST YEAR

(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

E. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 28.0

(This number should be consistent with your application map.)

5. WATER MANAGEMENT**A. Diversion**

What method will you use to divert water from the source?

☒ Pump (give horsepower and pump type): 25HP SUBMERSIBLE WELLS 2,3,& 4.

☐ other means (describe): _____

B. Transport

How will you transport water to your place of use?

☐ Ditch or canal (give average width and depth):

Width _____ Depth _____

Is the ditch or canal to be lined? ☐ Yes ☐ No

☒ Pipe (give diameter and total length):

Diameter 4" & 2" Length 1,000' & 4,000'

☐ other, describe: _____

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C. Application/Distribution Method

What equipment will you use to apply water to your place of use?

4" & 2" BURIED PVC TRANSMISSION & DISTRIBUTION PIPELINES, RAINBIRD ROTATING SPRINKLERS, DRIP IRRIGATION & SOAKER HOSES.

Irrigation or land application method (check all that apply):

- | | | |
|--|---|---|
| ☐ Flood | ☒ High pressure sprinkler | ☐ Low pressure sprinkler |
| ☒ Drip | ☐ Water Cannons | ☐ Center pivot system |
| ☒ Hand Lines | ☐ Wheel Lines | |
| ☐ Siphon tubes or gated pipe with furrows | | |
| ☐ other, describe: _____ | | |

Distribution method

- | | | |
|---|--|-------------------------------------|
| ☒ Direct pipe from source | ☒ In-line storage (tank or pond) | ☐ Open Canal |
|---|--|-------------------------------------|

E. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

IRRIGATE AT NIGHT/EARLY MORNING; USE AUTOMATIC IRRIGATION CONTROLLER TO REDUCE OVER-WATERING, USE 1" TUNA CAN TO MEASURE AMOUNT OF WATER APPLIED.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: WELL #1 DONE, OTHERS: MAR. 1 2010

Proposed date construction will be completed: WELL #1 MAR. 1 2009

Proposed date beneficial water use will begin: WELL #1, MAR. 1, 2012

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

SEE COPY OF AERIAL PHOTOGRAPH FOR PROBABLE LOCATION OF HOUSE & BARN.
WELL #1 HAS CASING ONLY, NO PUMP HAS BEEN INSTALLED.

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8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- 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 canceled.
- 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 swear that all information provided in this application is true and correct to the best of my knowledge:

Kevin L. Kent Marian L. Kent 12/31/08
 Signature of Applicant (If more than one applicant, all must sign.) Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

WRD on the web:
www.wrd.state.or.us

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Oregon Water Resources Department

FORM I FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

☒ **Primary** ☐ **Supplemental**

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 28.00 Acres

Secondary: 0.0 Acres

List the permit or certificate number of the primary water right: No. APPLYING FOR NOW

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

1. GENERAL NURSERY USES ☐ Full season ☒ Partial season (from: MAR.1 to OCT.31)

2. GENERAL AGRICULTURAL USE ☐ Full season ☒ Partial season (from: NOV.1 to END FEB.)

3. _____ ☐ Full season ☐ Partial season (from: _____ to _____)

4. _____ ☐ Full season ☐ Partial season (from: _____ to _____)

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

242.50 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

☐ Daily during daytime hours

☐ Daily during nighttime hours

☐ Two or three times weekly during daytime

☒ Two or three times weekly during nighttime

☐ Weekly, during daytime hours

☐ Weekly, during nighttime hours

☐ Other, explain: _____

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6-17159

Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: KEVIN and MARIAN KENT
Mailing Address: 10815 SE 362ND AVENUE
City: BORING State: OR Zip: 97009-8721 Day Phone: 971-227-3965 KEVIN

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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:
2S	5E	21		200	E.F.U. #	☒ Diverted ☒ Conveyed ☐ Used	NURSERY
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. _____
CLACKAMAS COUNTY ONLY

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 ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

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

Estimated quantity of water needed: 0.500 ☒ 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: SUBMERSIBLE PUMPS, BURIED PVC TRANSMISSION & DISTRIBUTION PIPELINES, RAINBIRD ROTATING SPRINKLERS, DRIP-IRRIGATION, TWO OUT OF STREAM PONDS (EXEMPT), SOAKER HOSES ETC.

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

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

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

200 § 401.04A Farm uses as defined in ORS 358.480

- ☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ 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 Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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Name: Steve Kaper Title: Planner
Signature: Steve Kaper Phone: 503/772-4551 Date: 12-29-20
Government Entity: Clackamas County

Note to local government representative: Please complete 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 proposed 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: _____

APN: 00694163

Statutory Warranty Deed
- continuedFile No.: 7074-1257955 (sb)
Date: 07/10/2008**EXHIBIT A****LEGAL DESCRIPTION:**

A TRACT OF LAND BEING A PORTION OF THE LANDS DESCRIBED IN DEED DOCUMENT NO. 2002-035219 AND IN DEED DOCUMENT NO. 2002-035220, LOCATED IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, STATE OF OREGON AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "K W COX ASSOC INC", LOCATED AT THE SOUTHEAST PROPERTY CORNER OF THE TRACT OF LAND DESCRIBED IN DEED DOCUMENT NO. 2002-035220 AND BEING LOCATED NORTH 89°19'50" WEST A DISTANCE OF 20.00 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION 21 AND BEING FURTHER LOCATED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE NORTH 89°19'50" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 21 A DISTANCE OF 330.00 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "K W COX ASSOC INC." AND THE TRUE POINT OF BEGINNING; THENCE NORTH 89°19'50" WEST ALONG SAID SOUTH LINE A DISTANCE OF 951.67 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID NORTHEAST QUARTER; THENCE NORTH 1°26'00" EAST ALONG WEST LINE OF THE SOUTHEAST QUARTER OF SAID NORTHEAST QUARTER A DISTANCE OF 1300.20 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COALMAN ROAD (40.00 FEET WIDE, RD. NO. 391) BEING 20.00 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID NORTHEAST QUARTER FROM WHICH A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "REPPETO PLS 657" IS LOCATED SOUTH 53°31'25" WEST A DISTANCE OF 2.63 FEET; THENCE SOUTH 89°19'04" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE AND 20.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID NORTHEAST QUARTER, A DISTANCE OF 641.35 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NO. 2002-067922; THENCE SOUTH 1°25'30" WEST ALONG THE WEST LINE OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER 2002-067922 A DISTANCE OF 310.06 FEET TO A POINT FROM WHICH A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "MARX ASSOCS" IS LOCATED SOUTH 18°05'27" WEST A DISTANCE OF 0.55 FEET AND TO THE SOUTHWEST CORNER OF THAT LAND DESCRIBED IN DEED DOCUMENT NO. 2002-067922; THENCE SOUTH 89°19'04" EAST ALONG SOUTH LINE OF LAST SAID TRACT A DISTANCE OF 640.12 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID COALMAN ROAD AND TO A POINT THAT IS 20.00 FEET WEST OF THE EAST LINE OF SAID NORTHEAST QUARTER AND TO THE SOUTHEAST CORNER OF THE LAST DESCRIBED SAID TRACT, FROM WHICH A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MARX ASSOCS" BEARS NORTH 70°00'58" WEST A DISTANCE OF 0.27 FEET; THENCE SOUTH 1°25'30" WEST ALONG SAID WEST RIGHT-OF-WAY LINE AND 20.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 329.85 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "K W COX ASSOC INC"; THENCE SOUTH 89°19'50" WEST A DISTANCE OF 330.00 FEET AND PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP MARKED "K W COX ASSOC INC"; THENCE SOUTH 1°25'30" WEST A DISTANCE OF 660.00 FEET AND PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER TO THE ABOVE REFERENCED TRUE POINT OF BEGINNING.

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SALEM, OREGON

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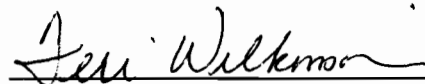
APN: 00694163

Statutory Warranty Deed
- continuedFile No.: 7074-1257955 (sb)
Date: 07/10/2008

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, OF CHAPTER 424, OREGON LAWS 2007. 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, OF CHAPTER 424, OREGON LAWS 2007.

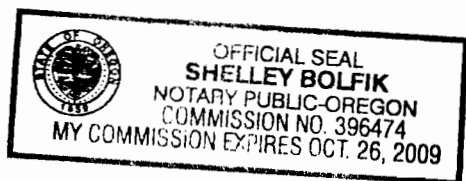
Dated this 11 day of July, 2008.

 Mark Wilkinson


 Teri Wilkinson

 STATE OF Oregon)
)ss.
 County of Clackamas)

 This instrument was acknowledged before me on this 11 day of July, 2008
 by **Mark Wilkinson and Teri Wilkinson.**

 Notary Public for Oregon
 My commission expires:
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 WATER RESOURCES DEPT
 SALEM, OREGON

6-7-159

20
26
46

4P



After recording return to:
Kevin Kent and Marian Kent
10815 SE 362nd Avenue
Boring, OR 97009

Until a change is requested all tax statements
shall be sent to the following address:
Kevin Kent and Marian Kent
10815 SE 362nd Avenue
Boring, OR 97009

File No.: 7074-1257955 (sb)
Date: July 10, 2008

Clackamas County Official Records
Sherry Hall, County Clerk

2008-050235



\$46.00

01231502200800502350040047

07/14/2008 03:47:03 PM

D-D Cnt=1 Stn=6 KARLYNWUN
\$20.00 \$10.00 \$16.00

Recorded By
First American Title Insurance Company of Oregon
No. 1257955- PH

STATUTORY WARRANTY DEED

Mark Wilkinson and Teri Wilkinson, Grantor, conveys and warrants to **Kevin Kent and Marian Kent, husband and wife**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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

Subject to:

1. Fiscal year real property taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.
3. Trust Deed recorded May 9, 2008 as Fee No. 2008-034362 which trust deed the grantee herein agrees to assume and pay according to the terms and provisions therein.

The true consideration for this conveyance is **\$355,000.00**. (Here comply with requirements of ORS 93.030)

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SALEM, OREGON

Monday, January 05, 2009

To Whom it may concern.

Good afternoon Herb, as per our phone conversation this afternoon reference #G17159 at this time per application the one existing well, is the only well to be examined. the three other proposed well's on the application are to be removed from application.

Thank You:
Kevin Kent

To Summarize:

only "well 1" should
be reviewed - all other wells
have been removed from
application.

EDWARD A. CRANE
13755 SE 119th Drive, Clackamas, OR 97015
Tel: 503-698-3890; Fax: 503-698-3861
Cell: 503-679-3253; E-Mail: eces@verizon.net

December 17, 2008

Manager Application & Permit Section
 Oregon Water Resources Department
 725 Summer Street NE, Suite "A"
 Salem, OR 97301-1271

SUBJECT: K & K Nursery; Site: 46230 SE Coalman Rd, Sandy, OR 97055
Groundwater Application - 3 Irrigation Wells on 28.98 Acre Gross
 Well #1 (Existing): Tax Lot 200, SE NE Sec. 21, T2S, R5E WM
 Well #2 (Proposed): Tax Lot 200, SE NE Sec. 21, T2S, R5E WM
 Well #3 (Proposed): Tax Lot 200, SE NE Sec. 21, T2S, R5E WM
 Well #4 (Proposed): Tax Lot 200, SE NE Sec. 21, T2S, R5E WM
 All in Clackamas County, State of Oregon
 For 0.50-cfs (225-gpm) on 28.0 acres

D:\CRANE ENGR & SURVEY\PROJECTS\552-001\552-001_OWRD1.DOC

Dear Sir/Madam:

The K & K Nursery have a non-permitted Well #1 that was recently drilled but does not have a submersible pump installed in it yet. The proposed second, third and fourth wells are needed as the first well has been air tested by the driller George Youngblood at 24 gallons per minute (gpm), less than the requested permit amount of 225 gpm).

Because of the low capacity of the first well, two exempt ponds will be constructed as "bulges-in-the-pipe". Water in ponds will be used for fire protection, wildlife enhancement, fish propagation, recreation. Water will be pumped out of the ponds for sprinklers, drip irrigation and other General Nursery Uses.

I personally inspected on December 9, 2008 the nursery site and the completed Well #1 and Proposed Wells #2, #3 & #4. Attached are: Ground Water Application and Application Map. Please contact Kevin Kent on his Cell (971-227-3965) if you have any questions about his existing well or proposed irrigation system.

RECEIVED

Sincerely:


 Edward A. Crane, CWRE
 Attachments

JAN 02 2009

WATER RESOURCES DEPT
 SALEM, OREGON

cc: Kevin and Marian Kent
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