

Application for a Permit to Use Ground 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 CARL CASALE		PHONE (HM) 704-928-8853	
PHONE (WK)	CELL 314-422-5619	FAX	
ADDRESS 1 WINDCASTLE DRIVE			
CITY St. CHARLES	STATE MO	ZIP 63304	E-MAIL

Organization Information

NAME		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 Jim Schuette. JMS ENGINEERING		PHONE 503-585-5578	FAX 503-585-1856
ADDRESS 3000 MARKET ST NE, #510			CELL 503-559-1146
CITY SALEM	STATE OR	ZIP 97301	E-MAIL jmsengineering@Quastoffice.net

Note: Attach multiple copies as needed

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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


Carl M. Casale
Applicant Signature

Carl M. Casale
Print Name and title if applicable

_____ Date

Applicant Signature

Print Name and title if applicable

_____ Date **AUG 10 2010**

For Department Use		
App. No. <u>G-17410</u>	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).

SEE ATTACHMENT # 1 - LEGAL DESCRIPTIONS
ATTACHMENT # 2 - TAX MAPS (2 pgs)

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
POA-WELL	Willamette River	± 2000'	WELL: ± 170 River: ± 60
	(SEE ATTACHMENT # 3)		

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (attach additional sheets if necessary).

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: SANDS & GRAVELS

Total maximum rate requested: _____ (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	10"	20'	10'	50'est.	50' EST.	GRAVEL & SAND	220'	200	100(est)
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
NURSERY OPERATIONS	YEAR AROUND	100 (Est.)

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:

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

Primary: 26⁰ Acres Supplemental: 101.5 Acres

List the Permit or Certificate number of the underlying primary water right(s): PERMIT G-8535
JOE LASALE & SON, INC.

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 100 (Est)

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

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): 40Hp (Est.) Submersible Turbine
- Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. 6" Above ground main line & handlines

B. Application Method

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

High Pressure Sprinkler & possibly drip AUG 10 2010

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

WATER ONLY WHEN NEEDED TO AVOID WASTE OF ENERGY

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: N/A Acreage inundated by reservoir: _____

Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE
N/A	

SECTION 8: PROJECT SCHEDULE

Date construction will begin: FALL 2010

Date construction will be completed: FALL 2012

Date beneficial water use will begin: SPRING 2013

SECTION 9: REMARKS

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

AUG 10 2010

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: LAEL First LASALG Last

Mailing Address: 1 WINDCASTLE DRIVE
St. CHARLES City MO State 63304 Zip Daytime Phone: _____

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:
35	1W	34	NWNE	200	Prime Ag/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

MAZON
CLACKAMAS

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: 448 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:

IRRIGATE BEANS, CORN, BLUEBERRIES, NURSERY STOCK
AUG 10 2010

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.

See bottom of Page 3. →

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): 17.136.020
- 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

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: David Erling Title: Senior Planner
 Signature: [Signature] Phone: 503-588-5038 Date: 8/10/10
 Government Entity: Marion 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: _____

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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.wrd.state.or.us

Applicant: LAEL CASALE
First Last

Mailing Address: 1 WINDCASTLE DRIVE
St. CHARLES MO 63304 Daytime Phone: _____
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	¼¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
35	1W	27	SW NE	1300	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
			NE NW SE NW			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
			NE SW NW SE	2800		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
			SE SW SW SE	2700	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		34	NW NE			<input type="checkbox"/> Diverted	<input checked="" 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:

CLACKAMAS COUNTY
MARION COUNTY

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: 448 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:

FRIGATE BEANS, CORN, BLUEBERRIES, NURSELY STOCK

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See bottom of Page 3. →

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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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): SUBSECTION 401.04(A) §(10)
- 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."

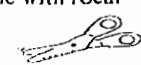
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <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

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.

PRIMARY USE IN CONJUNCTION WITH A FARM USE.

Name: GARY HEWITT Title: SR. PLANNER
 Signature: *Gary Hewitt* Phone: 503-742-4519 Date: 8-3-10
 Government Entity: CLACKAMAS COUNTY LAND USE & ZONING

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: _____

AUG 10 2010

4P
Clackamas County Official Records
Sherry Hall, County Clerk

2008-051894



\$46.00

01233426200800518940040049

07/22/2008 09:47:56 AM

D-D Cnt=1 Stn=16 JANISKEL
\$20.00 \$10.00 \$16.00

MAIL TAX STATEMENT TO:

No Change

AFTER RECORDING RETURN TO:

Robert J. Saalfeld, Attorney
PO Box 470
Salem, OR 97308

WARRANTY DEED

Carl M. Casale and Kim K. Casale, Trustees of the Casale Living Trust dated February 23, 2008, and any amendments thereto, Grantor, convey to *Carl M. Casale and Kim K. Casale*, each as to an undivided one-half interest as tenants in common, Grantees, the following described real property situated in the County of Clackamas, State of Oregon:

See Exhibit A attached hereto and made a part hereof.

Grantor covenants that Grantor is seized of an indefeasible estate in the real property described above in fee simple, that Grantor has good right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantor, provided that the foregoing covenants are limited to the extent of coverage available to Grantor under any applicable standard or extended policies of title insurance, it being the intention of the Grantor to preserve any existing title insurance coverage.

The true and actual consideration stated in terms of dollars is NONE. Other property or value is the whole of the consideration.

The following is the notice as required by Oregon law: "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 195.356 AND SECTIONS 5 TO 11 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

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ATTACHMENT #1
(15 PAGES)

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 195.356 AND SECTIONS 5 TO 11 CHAPTER 424, OREGON LAWS 2007."

WITNESS Grantor's hand this 30 day of June, 2008.

Carl M. Casale
Carl M. Casale, Trustee, under the Casale Living Trust dated February 23, 2008

Kim K. Casale
Kim K. Casale, Trustee, under the Casale Living Trust dated February 23, 2008

STATE OF Oregon)
) ss.
COUNTY OF Clackamas)

On this 30 day of June, 2008 personally appeared the above named **Carl M. Casale and Kim K. Casale, Trustees of the Casale Living Trust dated February 23, 2008**, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

KJ Sakata
Notary Public for Oregon
My Commission Expires: 2/22-11



EXHIBIT A

TL 2600

PARCEL I:

Beginning at a point which is 573.54 feet North 89° 51' East from the quarter section corner common to Sections 27 and 34, in T. 3 S., R. 1 W., of the W.M., in the County of Clackamas and State of Oregon; thence 366.91 feet North 89° 51' East to the West right of way line of the Oregon Electric Railroad at Wallace Station; thence 711.11 feet North 32°51' East along said right of way to an iron rod at the intersection of said right of way with the Southerly extension of the West line of the Jesse V. Boone D.L.C. No. 42; thence 66.44 feet North 0°1' East along said extension to the Southwest corner of said D.L.C. No. 42, an iron rod being set 25.00 feet South on the South boundary of the County Road; thence 753.7 feet North 89°50' West along the Westerly extension of the South line of said D.L.C. No. 42 to a point; thence 667.0 feet South 0°3' East to the point of beginning, an iron rod being set 25.00 feet from the D.L.C. line extension as a right of way marker for an extension of the County Road.

PARCEL II: TL 2700

A tract of land in the County of Clackamas and State of Oregon described as follows:

Beginning at the quarter section corner common to Sections 27 and 34, T. 3 S., R. 1 W., of the W.M., in the County of Clackamas and State of Oregon; thence 1061.26 feet South 89°54' West along the section line to the Southeast corner of that tract of land conveyed to Carl E. Lindell, et ux, by deed recorded in Book 625, page 516, Deed Records, an iron pipe at 535.26 feet being 0.31 feet South of said section line; thence 1656.91 feet, more or less, North 0°6' East along the East line of said Lindell Tract to the Northeast corner thereof; thence 852.00 feet North 89°54' East to an iron rod, an iron pipe being at 526.00 feet; thence 3135.97 feet North 0°3' West to the approximate centerline of the Butteville-Boones Ferry Road, an iron pipe being 30.00 feet back; thence continuing North 0°3' West 260.00 feet, more or less, to the Willamette River, an iron rod set at 29.92 feet for road right of way and an iron pipe at 3240.96 feet at the top of the high river bank; thence North-easterly along the river to a point on a line 25.00 feet East of the above described West line; thence 260.00 feet, more or less, South 0°3' East to the said centerline of said road, an iron rod being on the high bank 71.81 feet from said centerline and a rod 29.91 feet back of said centerline; thence 37.6 feet North 41°31' East along said centerline to a point on a line 50.00 feet East and parallel to above described West line; thence 2179.02 feet South 0°3' East along said line to an iron rod, a rod being 30.00 feet along said line from said centerline; thence 732.58 feet North 89°56' East to an iron rod; thence 2659.06 feet South 0°3' East to the south line of Section 27, an iron pipe being 0.71 feet North of the line; thence 573.54 feet South 89°51' West to the point of beginning;

ALSO - a roadway described as follows:

Beginning at a point on the South line of Section 27, T. 3 S., R. 1 W., of the W.M., in the County of Clackamas and State of Oregon, 573.54 feet North 89°51' East of the quarter section corner common to Sections 27 and 34; an iron pipe being 0.71 feet North of the point; thence 366.91 feet North 89°51' East along said section line to an iron rod on the West right of way line for the Oregon Electric Railroad at Wallace Station; thence 23.81 feet North 32°51' East along said right of way line; thence 379.81 feet South 89°51' West to a point; thence 20.00 feet South 0°3' East to the point of beginning.

PARCEL III:

XV 2900

An irregular tract situated in Lot 4, Section 27. T. 3 S., R. 1 W., of the W.M., in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point where the North line of said Lot 4 intersects a line drawn parallel to and 25.00 feet Westerly, when measured at right angles from the centerline of the Oregon Electric Railway, which point is also the Northeast corner of that certain tract conveyed by G. W. Yergen to the Oregon Electric Railway Company by Quitclaim Deed recorded August 5, 1908 in Volume 104, page 347, Deed Records, and running thence from said beginning point Westerly 130.66 feet to the Northwest corner of said Lot 4; thence Southerly, along the West line of said Lot 4 to a point that is 100.00 feet Westerly, when measured at right angles from the centerline of the Oregon Electric Railway; thence Northeasterly, parallel to and 100.00 feet from said Railway centerline, to a point that is 30.00 feet South when measured at right angles from the North line of said Lot 4; thence Easterly, parallel to and 30.00 feet from the North line of said Lot 4 to a point that is 25.00 feet Westerly when measured at right angles from said Railway centerline; thence Northeasterly, parallel with said centerline to the point of beginning.

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T.L. 1300 ✓

EXHIBIT "A"

File No.: **06-1091457**

Policy No.: **2061-7972280**

Real property in the City of Aurora, County of Clackamas, State of Oregon, described as follows:

PART OF THE EAST HALF OF THE WEST HALF OF SECTION 27, IN TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS:

BEGINNING AT THE QUARTER SECTION CORNER ON THE SOUTH LINE OF SECTION 27, IN TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN; THENCE WEST ON SECTION LINE 535.26 FEET; THENCE NORTH 1655.94 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE NORTH ON THE WEST BOUNDARY OF LAND CONVEYED TO CHRISTOPHER MILLER BY DEED RECORDED MAY 18, 1871, IN BOOK "H", PAGE 505, RECORDS OF CLACKAMAS COUNTY, OREGON, A DISTANCE OF 3151.23 FEET, MORE OR LESS, TO THE WILLAMETTE RIVER; (A POINT MARKED BY AN IRON PIPE BEARS SOUTH ON THE WEST LINE OF THE LAND IN BOOK "H" PAGE 505, A DISTANCE OF 259.41 FEET); THENCE FOLLOWING THE WILLAMETTE RIVER DOWN STREAM NORTH 52° EAST 413.7 FEET TO A POINT; THENCE SOUTH AND PARALLEL WITH THE WEST LINE OF LAND DESCRIBED IN BOOK "H" PAGE 505, DEED RECORDS 3405.93 FEET TO A POINT; THENCE WEST 326.00 FEET TO THE PLACE OF BEGINNING.

NOTE: This legal description was created prior to January 1, 2008.

AVS 10 2008

G-77410

Tax Lot 1300
T3S. R1W. SEC 27

MAIL TAX STATEMENT TO:
No Change

✓ AFTER RECORDING RETURN TO:
Robert J. Saalfeld, Attorney
PO Box 470
Salem, OR 97308

WARRANTY DEED

Carl M. Casale and Kim K. Casale, Trustees of the Casale Living Trust dated February 23, 2008, and any amendments thereto, Grantor, convey to *Carl M. Casale and Kim K. Casale*, each as to an undivided one-half interest as tenants in common, Grantees, the following described real property situated in the County of Marion, State of Oregon:

Beginning at a steel railroad rail at the quarter section corner on the North line of Section 34 in T. 3 S., R. 1 W., of the W. M., in the County of Marion and State of Oregon; thence South 0°05' East along the West line of the Northwest quarter of the Northeast quarter of said Section 34, 1317.93 feet to a stone at the Southwest corner of the Northwest quarter of the Northeast quarter; thence South 89°48' East along the South line thereof 170.38 feet to a point 25.00 feet when measured at right angles from the center of the Oregon Electric Railroad tract; thence North 33°05' East parallel to said railroad center line 1573.65 feet to the intersection of the Westerly right of way of the Oregon Electric Railroad and the North line of said Section 34; thence West along said North line 1031.33 feet to the point of beginning.

TL 200 ✓

Subject to covenants, conditions, and encumbrances of record.

Grantor covenants that Grantor is seized of an indefeasible estate in the real property described above in fee simple, that Grantor has good right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantor, provided that the foregoing covenants are limited to the extent of coverage available to Grantor under any applicable standard or extended policies of title insurance, it being the intention of the Grantor to preserve any existing title insurance coverage.

The true and actual consideration stated in terms of dollars is NONE. Other property or value is the whole of the consideration.

The following is the notice as required by Oregon law: "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 195.356 AND SECTIONS 5 TO 11 CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION

G-17410

AUG 10 2010

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 195.356 AND SECTIONS 5 TO 11 CHAPTER 424, OREGON LAWS 2007."

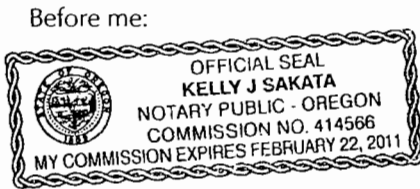
WITNESS Grantor's hand this 30 day of June, 2008.

Carl M. Casale
Carl M. Casale, Trustee, under the Casale Living Trust dated February 23, 2008

Kim K. Casale
Kim K. Casale, Trustee, under the Casale Living Trust dated February 23, 2008

STATE OF Oregon)
COUNTY OF Clackamas) ss.

On this 30 day of June, 2008 personally appeared the above named **Carl M. Casale and Kim K. Casale, Trustees of the Casale Living Trust dated February 23, 2008**, and acknowledged the foregoing instrument to be their voluntary act and deed.



K. Sakata
Notary Public for Oregon
My Commission Expires: 2/22-2011

AUG 10 2010

G-17410

REEL:2972

PAGE: 261

July 08, 2008, 03:31 pm.

CONTROL #: 227502

State of Oregon
County of Marion

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

FEE: \$ 31.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

AUG 10 2008

G-17410

MAIL TAX STATEMENT TO:

Casale AG, LLC
1 Windcastle Dr.
St. Charles, MO 63304



AFTER RECORDING RETURN TO:

Robert J. Saalfeld, Attorney
PO Box 470
Salem, OR 97308

WARRANTY DEED

Carl M. Casale and Kim K. Casale, Grantors, convey to **Casale AG, LLC**, an Oregon limited liability company, Grantee, the following described real property situated in the County of Marion, State of Oregon:

Beginning at a steel railroad rail at the quarter section corner on the North line of Section 34 in T. 3 S., R. 1 W., of the W. M., in the County of Marion and State of Oregon; thence South 0°05' East along the West line of the Northwest quarter of the Northeast quarter of said Section 34, 1317.93 feet to a stone at the Southwest corner of the Northwest quarter of the Northeast quarter; thence South 89°48' East along the South line thereof 170.38 feet to a point 25.00 feet when measured at right angles from the center of the Oregon Electric Railroad tract; thence North 33°05' East parallel to said railroad center line 1573.65 feet to the intersection of the Westerly right of way of the Oregon Electric Railroad and the North line of said Section 34; thence West along said North line 1031.33 feet to the point of beginning.

Subject to covenants, conditions, and encumbrances of record.

Grantors covenant that Grantors are seized of an indefeasible estate in the real property described above in fee simple, that Grantors have good right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantors warrant and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantors, provided that the foregoing covenants are limited to the extent of coverage available to Grantors under any applicable standard or extended policies of title insurance, it being the intention of the Grantors to preserve any existing title insurance coverage.

The true and actual consideration stated in terms of dollars is NONE. Other property or value is the whole of the consideration.

The following is the notice as required by Oregon law: "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 195.356 AND SECTIONS 5 TO 11 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

WARRANTY DEED (CASALE AG, LLC) (FARM LAND -AURORA, MARION COUNTY, OR)

H:\Docs\16500-16999\16771\Warranty Deed - Aurora Farm - Marion County.doc 05/22/08 (RJS:kld)

ALL RIGHTS RESERVED

G-17410

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 195.356 AND SECTIONS 5 TO 11 CHAPTER 424, OREGON LAWS 2007."

WITNESS Grantor's hand this 30 day of June, 2008.

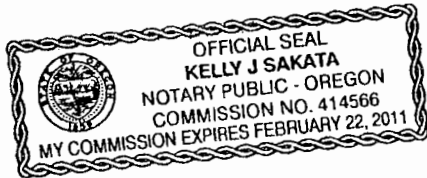
Carl M. Casale
Carl M. Casale

Kim K. Casale
Kim K. Casale

STATE OF Oregon)
COUNTY OF Clackamas) ss.

On this 30 day of June, 2008 personally appeared the above named Carl M. Casale and Kim K. Casale and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



K. Sakata
Notary Public for Oregon
My Commission Expires: 2/22-11

REEL:2972

PAGE: 262

July 08, 2008, 03:31 pm.

CONTROL #: 227502

State of Oregon
County of Marion

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

FEE: \$ 31.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

2008 07 08

G-17410

4P

Clackamas County Official Records
Sherry Hall, County Clerk

2008-051895



\$46.00

01233427200800518950040045

07/22/2008 09:47:56 AM

D-D Cnt=1 Stn=16 JANISKEL
\$20.00 \$10.00 \$18.00

MAIL TAX STATEMENT TO:

Casale AG, LLC
1 Windcastle Drive
St. Charles, MO 63304

AFTER RECORDING RETURN TO:

Robert J. Saalfeld, Attorney
PO Box 470
Salem, OR 97308

WARRANTY DEED

Carl M. Casale and Kim K. Casale, Grantors, convey to *Casale AG, LLC*, an Oregon limited liability company, Grantee, the following described real property situated in the County of Clackamas, State of Oregon:

See *Exhibit A* attached hereto and made a part hereof.

Grantors covenant that Grantors are seized of an indefeasible estate in the real property described above in fee simple, that Grantors have good right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantors warrant and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantors, provided that the foregoing covenants are limited to the extent of coverage available to Grantors under any applicable standard or extended policies of title insurance, it being the intention of the Grantors to preserve any existing title insurance coverage.

The true and actual consideration stated in terms of dollars is NONE. Other property or value is the whole of the consideration.

The following is the notice as required by Oregon law: "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 195.356 AND SECTIONS 5 TO 11 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

WARRANTY DEED (CASALE AG, LLC) (FARM LAND -AURORA, CLACKAMAS COUNTY, OR)

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H:\Docs\16560-16999\16771\Warranty Deed - Aurora Farm - Clackamas County.doc 05/22/08 (RJS:kjd)

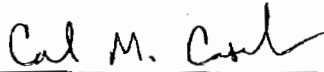
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REC-10-008

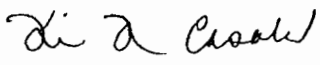
G-17410

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 195.356 AND SECTIONS 5 TO 11 CHAPTER 424, OREGON LAWS 2007."

WITNESS Grantor's hand this 30 day of June, 2008.



 Carl M. Casale




 Kim K. Casale

STATE OF Oregon)
) ss.
COUNTY OF Clackamas)

On this 30 day of June, 2008, personally appeared the above named **Carl M. Casale** and **Kim K. Casale** and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:





 Notary Public for Oregon
 My Commission Expires: 2/22-11

EXHIBIT A

PARCEL I:

Beginning at a point which is 573.54 feet North 89° 51' East from the quarter section corner common to Sections 27 and 34, in T. 3 S., R. 1 W., of the W.M., in the County of Clackamas and State of Oregon; thence 366.91 feet North 89° 51' East to the West right of way line of the Oregon Electric Railroad at Wallace Station; thence 711.11 feet North 32°51' East along said right of way to an iron rod at the intersection of said right of way with the Southerly extension of the West line of the Jesse V. Boone D.L.C. No. 42; thence 66.44 feet North 0°1' East along said extension to the Southwest corner of said D.L.C. No. 42, an iron rod being set 25.00 feet South on the South boundary of the County Road; thence 753.7 feet North 89°50' West along the Westerly extension of the South line of said D.L.C. No. 42 to a point; thence 667.0 feet South 0°3' East to the point of beginning, an iron rod being set 25.00 feet from the D.L.C. line extension as a right of way marker for an extension of the County Road.

PARCEL II:

A tract of land in the County of Clackamas and State of Oregon described as follows:

Beginning at the quarter section corner common to Sections 27 and 34, T. 3 S., R. 1 W., of the W.M., in the County of Clackamas and State of Oregon; thence 1061.26 feet South 89°54' West along the section line to the Southeast corner of that tract of land conveyed to Carl E. Lindell, et ux, by deed recorded in Book 625, page 516, Deed Records, an iron pipe at 535.26 feet being 0.31 feet South of said section line; thence 1656.91 feet, more or less, North 0°6' East along the East line of said Lindell Tract to the Northeast corner thereof; thence 852.00 feet North 89°54' East to an iron rod, an iron pipe being at 526.00 feet; thence 3135.97 feet North 0°3' West to the approximate centerline of the Butteville-Boones Ferry Road, an iron pipe being 30.00 feet back; thence continuing North 0°3' West 260.00 feet, more or less, to the Willamette River, an iron rod set at 29.92 feet for road right of way and an iron pipe at 3240.96 feet at the top of the high river bank; thence North-easterly along the river to a point on a line 25.00 feet East of the above described West line; thence 260.00 feet, more or less, South 0°3' East to the said centerline of said road, an iron rod being on the high bank 71.81 feet from said centerline and a rod 29.91 feet back of said centerline; thence 37.6 feet North 41°31' East along said centerline to a point on a line 50.00 feet East and parallel to above described West line; thence 2179.02 feet South 0°3' East along said line to an iron rod, a rod being 30.00 feet along said line from said centerline; thence 732.58 feet North 89°56' East to an iron rod; thence 2659.06 feet South 0°3' East to the south line of Section 27, an iron pipe being 0.71 feet North of the line; thence 573.54 feet South 89°51' West to the point of beginning;

ALSO - a roadway described as follows:

Beginning at a point on the South line of Section 27, T. 3 S., R. 1 W., of the W.M., in the County of Clackamas and State of Oregon, 573.54 feet North 89°51' East of the quarter section corner common to Sections 27 and 34; an iron pipe being 0.71 feet North of the point; thence 366.91 feet North 89°51' East along said section line to an iron rod on the West right of way line for the Oregon Electric Railroad at Wallace Station; thence 23.81 feet North 32°51' East along said right

of way line; thence 379.81 feet South 89°51' West to a point; thence 20.00 feet South 0°3' East to the point of beginning.

PARCEL III:

An irregular tract situated in Lot 4, Section 27. T. 3 S., R. 1 W., of the W.M., in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point where the North line of said Lot 4 intersects a line drawn parallel to and 25.00 feet Westerly, when measured at right angles from the centerline of the Oregon Electric Railway, which point is also the Northeast corner of that certain tract conveyed by G. W. Yergen to the Oregon Electric Railway Company by Quitclaim Deed recorded August 5, 1908 in Volume 104, page 347, Deed Records, and running thence from said beginning point Westerly 130.66 feet to the Northwest corner of said Lot 4; thence Southerly, along the West line of said Lot 4 to a point that is 100.00 feet Westerly, when measured at right angles from the centerline of the Oregon Electric Railway; thence Northeasterly, parallel to and 100.00 feet from said Railway centerline, to a point that is 30.00 feet South when measured at right angles from the North line of said Lot 4; thence Easterly, parallel to and 30.00 feet from the North line of said Lot 4 to a point that is 25.00 feet Westerly when measured at right angles from said Railway centerline; thence Northeasterly, parallel with said centerline to the point of beginning.

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05/22/08