

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME MONTE WOOD		PHONE (HM) 503-868-7330	
PHONE (WK) ---	CELL ---	FAX ---	
ADDRESS 12945 SE FAIRVIEW ROAD			
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL ---

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MAR 08 2011

WATER RESOURCES DEPARTMENT
SALEM, OREGON

Organization Information

NAME NA		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.

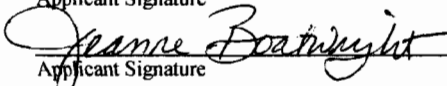
AGENT / BUSINESS NAME JEANNE BOATWRIGHT		PHONE 503-363-9225	FAX 503-363-1051
ADDRESS BOATWRIGHT ENGINEERING, INC 2613 12 TH STREET SE			CELL ---
CITY SALEM	STATE OR	ZIP 97302	E-MAIL JEANNE@BOATWRIGHTENGR.COM

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.
- Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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

Applicant Signature

Applicant Signature

Monte Wood
Print Name and title if applicable
Date
Jeanne Boatwright, Agent March 8, 2011
Print Name and title if applicable
Date

App. No. <u>S-87703</u>	For Department Use Permit No. _____	Date _____
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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*).

MAR 08 2011

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:

- Source 1: Wood Reservoir Tributary to: Unnamed Stream
- Source 2: _____ Tributary to: _____
- Source 3: _____ Tributary to: _____
- Source 4: _____ Tributary to: _____

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

B. Applications to Use Stored Water

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

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

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

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

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

SECTION 4: WATER USE

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

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

SOURCE	USE	PERIOD OF USE	AMOUNT
Wood Reservoir	Irrigation	March 1 – October 31	20 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 5.2 Acres

Supplemental: 63.3 Acres

List the Permit or Certificate number of the underlying primary water right(s): Certificate 21965 and Certificate 31656

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 27.0

- 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:

MAY 08 2011

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): 25 hp

Other means (describe): _____

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

The pump, serving the existing water rights on the property is located on the north side of the reservoir. A XX" main extends west and then crosses the draw to the south portion of the property and the main fields. A XX" main extends back to the east in the south fields. The big gun operates off of this main and irrigates the south field. Standard Rainbird sprinklers will irrigate the fields north of the reservoir.

B. Application Method

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

Big Gun & Rainbird sprinklers

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 adverse impact to public uses of affected surface waters.

The amount of water requested, together with the underlying water rights only provides for 4.68" of irrigation on the entire proposed area. I will not be wasting ANY of this water. I rotate my crops and include higher water demand ones with lower, or zero, demand ones. The diverted water can be measured with a flow meter or a dedicated electrical meter. This channel is dry in the summer months and does not even have an intermittent stream line on the USGS maps. Therefore, no adverse impact to public use of the surface water is anticipated.

SECTION 6: RESOURCE PROTECTION

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

- Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions: If fish or other aquatic life are present, fish screens will be installed. It is not anticipated because of the limited size of the draw and the lack of both upstream and downstream waters during most of the year.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: All areas disturbed areas for the construction of the dam and reservoir pool will be as proposed on the engineered drawings. All disturbed surfaces will be replanted with grass seed and/or native plant material. The dam face will be planted with grass seed, only. Construction will occur during the dry late summer-early fall to minimize erosion and potential for run-off.
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: Construction of the new dam will occur in dry season of late summer-early fall when there is no water in this draw.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: The farm ground is fairly flat but does fall gently to the southwest and away from the reservoir. No waste products are used in the vicinity of the reservoir. Chemical products, when applied, are done so with care and in accordance with manufacturer's requirements to maximize plant uptake and minimize run-off.

SECTION 7: PROJECT SCHEDULE

Date construction will begin: Permit date + 1 year

MAR 08 2011

Date construction will be completed: Permit date + 2 years

Date beneficial water use will begin: Permit date + 3 years

SECTION 8: REMARKS

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

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(s): Monte Wood

Mailing Address: 12945 SE Fairview Road

City: Dayton

State: Oregon Zip Code: 97114

Daytime Phone: 503-868-7330

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:
			SEE	ATTACHED	LIST	<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	
						<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:

Yamhill County

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OREGON WATER RESOURCES DEPT
 SALEM, OREGON

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: 20 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:

Water from a reservoir will be used to irrigate crops on the surrounding farm ownership.



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): 402 of the Yamhill Co. Zoning Ordinance
- 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
MAR 08 2011		<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: Kenneth J. Friday Title: P. D. M.
 Signature: [Signature] Phone: 503 434-7516 Date: 3/3/2011
 Government Entity: Yamhill Co.

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: **Monte Wood**
 City or County: **Yamhill** Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

MAR 08 2010

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that MONTE C. WOOD, hereinafter referred to as "GRANTOR," for the consideration hereinafter stated, does hereby GRANT, BARGAIN, SELL and CONVEY unto MONTE C. WOOD and TERRI L. WOOD, Co-Trustees of the WOOD FAMILY TRUST DATED APRIL 5, 2010, by and between Monte C. Wood and Terri L. Wood, as Trustors, and Monte C. Wood and Terri L. Wood, as initial Trustee, and successor Trustees, hereinafter referred to as "GRANTEE," and unto Grantee's successors and assigns, all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Yamhill, State of Oregon, described as follows, to-wit:

See attached Exhibit A.

SUBJECT TO: All liens, encumbrances, easements and restrictions of record.

To have and to hold the same unto the said Grantee and Grantee's successors and assigns forever.

The true and actual consideration for this transfer stated in terms of dollars is none; however, the actual consideration consists of or includes other property or value given or promised, which is the whole consideration.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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

After Recording Return to:
Peterson & Prause L.L.P.
P.O. Box 827
McMinnville, Oregon 97128

Until a change is requested, all tax statements shall be sent to the following address:
No change results from this transfer.

PAGE 1/4 BARGAIN AND SALE DEED

4

S-87703

OFFICIAL YAMHILL COUNTY RECORDS
REBEKAH STERN DOLL, COUNTY CLERK

201004510



\$56.00

00345830201000045100040048

04/08/2010 11:00:15 AM

DMR-DDMR Cnt=1 Stn=2 ANITA
\$20.00 \$10.00 \$11.00 \$15.00

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

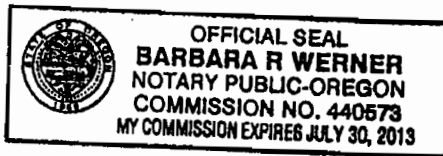
IN WITNESS WHEREOF, the Grantor has executed this instrument on this 5th day of April, 2010.

Monte C Wood
Monte C. Wood

STATE OF OREGON)
) ss.
County of Yamhill)

The above and foregoing BARGAIN AND SALE DEED was acknowledged before me by **MONTE C. WOOD** this 5th day of April, 2010.

(SEAL)



Barbara R. Werner
NOTARY PUBLIC FOR OREGON
My Commission Expires: 7/30/2013

MAR 08 2011

PARCEL 1:

12140 SE Fairview Road, Dayton, OR 97114
Yamhill County Tax Lot #R5319 00600

The West one-half of the following described real premises.

Beginning at a large stone at the Southwest corner of the Woodson Jeffries Donation Land Claim, Notification No. 1841, Claim No. 46 in Township 5 South of Range 3 West of the Willamette Meridian in Yamhill County, Oregon; said stone being the angle corner on the North line of the John Richardson Donation Land Claim thence West on North line of said Richardson claim 11.97 1/2 chains to stake at NE corner of Lot 1; thence South 11° 53' East along line between Lots 1 and 2, 26.52 1/2 chains to stake at Southeast corner of Lot 1; thence North 78° 07' East 23.02 1/2 chains to stake at Southeast corner of Lot 2; thence North 11° 53' West 24.87 chains to stake set in center of county road on North line of said Richardson claim; thence South 74° West along North line of said Richardson Claim, 11.32 1/2 chains to place of beginning, containing 57.279 acres, more or less.

EXCEPTING the following described tracts.

(1) Those certain premises described in deed dated December 28, 1909, recorded January 29, 1910 in Vol. 57, page 565, Deed Records, Yamhill County, Oregon, from H. C. Wood and R. M. Wood, his wife, to J. T. Wood and described as follows: Being a part of the John Richardson Donation Land claim, Notification No. 1842, Claim No. 47, Township 5 South, Range 3 West of the Willamette Meridian, and more particularly described as beginning at a point 11.97 1/2 chains West from the Southwest corner of the Woodson Jeffries D.L.C., and running thence South 11° 53' East, 26.52 1/2 chains; thence North 78.7' East 1.89 chains; thence North 11° 53' West, 26.12 1/2 chains; thence West 1.93 chains to the place of beginning, containing 5 acres, more or less.

(2) Those certain premises described in deed dated September 10, 1955, recorded December 13, 1955, in Vol. 179, page 212 Deed Records, Yamhill County, Oregon, from Rose Wood, surviving widow of H. C. Wood, deceased, to Yamhill County, a political subdivision, said premises described as follows; a strip of land 25.0 feet in width off the North side of that certain tract of land described in Probate "A" 306, being part of the John Richardson D.L.C., Notification No. 1842, Claim No. 47, Township 5 South, Range 3 West of the Willamette Meridian, Oregon, and beginning at stone in the South corner of the Woodson Jeffries claim and angle corner of the Richardson Claim; thence North 89° 46' West along North line of claim and center of road 663.0 feet, to the Northwest corner of said tract; thence South 11° 53' East 25.5 feet, thence south 89° 46' East parallel with North line of claim 657.4 feet to point opposite and 25.0 feet from Station 14 + 15.4; thence Easterly with curve having central angle of 16° 31' feet, having a distance of 187.5 feet with long chord of which bears North 82° 13' East 167.4 feet to point opposite Station 139 + 55.4; thence North 74° 11' East 655.0 feet to East line of property; thence North 11° 53' West 25.0 feet to the North line of claim and center of road; thence South 74° 11' West along claim line 747.45 feet to beginning, containing .81 of an acre, more or less, of which .65 of an acre is within present right of way and .16 of an acre of new right of way.

Subject to rights of the public in streets, roads and highways.

EXHIBIT A
PAGE 1 of 2

3/4

S-87703

PARCEL 2:

1988 08 200

Yamhill County Tax Lot #R5319 00500

The East one-half of the following described real premises.

Beginning at a large stone at the Southwest corner of the Woodson Jeffries Donation Land Claim, Notification No. 1841, Claim No. 46 in Township 5 South of Range 3 West of the Willamette Meridian in Yamhill County, Oregon; said stone being the angle corner on the North line of the John Richardson Donation Land Claim thence West on North line of said Richardson claim 11.97 ½ chains to stake at Northeast corner of Lot 1; thence South 11° 53' East along line between Lots 1 and 2, 26.52 ½ chains to stake at Southeast corner of Lot 1; thence North 78° 07' East 23.02 ½ chains to stake at Southeast corner of Lot 2; thence North 11° 53' West 24.87 chains to stake set in center of county road on North line of said Richardson claim; thence South 74° West along North line of said Richardson Claim, 11.32 ½ chains to place of beginning.

EXCEPTING the following described tracts.

(1) Those certain premises described in deed dated December 28, 1909, recorded January 29, 1910 in Vol. 57, page 565, Deed Records, Yamhill County, Oregon, from H. C. Wood and R. M. Wood, his wife, to J. T. Wood and described as follows: Being a part of the John Richardson Donation Land claim, Notification No. 1842, Claim No. 47, Township 5 South, Range 3 West of the Willamette Meridian, and more particularly described as beginning at a point 11.97 ½ chains West from the Southwest corner of the Woodson Jeffries D.L.C., and running thence South 11° 53' East, 26.52 ½ chains; thence North 78.7° East 1.89 chains; thence North 11° 53' West, 26.12 ½ chains; thence West 1.93 chains to the place of beginning.

(2) Those certain premises described in deed dated September 10, 1955, recorded December 13, 1955, in Vol. 179, page 212 Deed Records, Yamhill County, Oregon, from Rose Wood, surviving widow of H. C. Wood, deceased, to Yamhill County, a political subdivision, said premises described as follows; a strip of land 25.0 feet in width off the North side of that certain tract of land described in Probate "A" 306, being part of the John Richardson D.L.C., Notification No. 1842, Claim No. 47, Township 5 South, Range 3 West of the Willamette Meridian, Oregon, and beginning at stone in the South corner of the Woodson Jeffries claim and angle corner of the Richardson Claim; thence North 89° 46' West along North line of claim and center of road 663.0 feet, to the Northwest corner of said tract; thence South 11° 53' East 25.5 feet, thence south 89° 46' East parallel with North line of claim 657.4 feet to point opposite and 25.0 feet from Station 14 + 15.4; thence Easterly with curve having central angle of 16° 31' radius of 598.0 feet, having a distance of 187.5 feet with long chord of which bears North 82° 13' East 167.4 feet to point opposite Station 139 + 55.4; thence North 74° 11' East 655.0 feet to East line of property; thence North 11° 53' West 25.0 feet to the North line of claim and center of road; thence South 74° 11' West along claim line 747.45 feet to beginning.

SAVE AND EXCEPTING all gas, oil and mineral rights reserved to John Wood and Iris Wood, as more particularly set forth in Deed recorded 12-15-86 in FV 209, Pages 896 and 897, Deed and Mortgage Records of Yamhill County, Oregon.

4/4

EXHIBIT A
PAGE 272

BARGAIN AND SALE DEED

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See attached Exhibit A.

SUBJECT TO: All liens, encumbrances, easements and restrictions of record.

To have and to hold the same unto the said Grantee and Grantee's successors and assigns forever.

The true and actual consideration for this transfer stated in terms of dollars is none; however, the actual consideration consists of or includes other property or value given or promised, which is the whole consideration.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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

After Recording Return to:
Peterson & Prause L.L.P.
P.O. Box 827
McMinnville, Oregon 97128

APR 08 2010
11:00:04 AM

Until a change is requested, all tax statements shall be sent to the following address:
No change results from this transfer.

OFFICIAL YAMHILL COUNTY RECORDS
REBEKAH STERN DOLL, COUNTY CLERK

201004509

PAGE 1 / 3 BARGAIN AND SALE DEED



\$51.00

DMR-DDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00 \$15.00

04/08/2010 11:00:04 AM

S-87703

EXHIBIT A

PARCEL 1:

All that portion of the Woodson Jeffries Donation Land Claim #46, in Sections 18 and 19, Township 5 South, Range 3 West of the Willamette Meridian, in the County of Yamhill and State of Oregon beginning on the South line of said Donation Land Claim at a point North 74°00'00" East 1792.59 feet from the Southwest corner of said Donation Land Claim; thence North 09°14'23" West 798.51 feet; thence North 74°00'00" East 498.83 feet; thence South 00°02'24" East 825.08 feet to the South line of said Claim; thence South 74°00'00" West 364.85 feet along the South line of said Claim to the point of beginning.

EXCEPTING THEREFROM that portion lying within the Roadway conveyed to Yamhill County by Deed recorded in Book 179, Page 0228, Records of Yamhill County, Oregon.

PARCEL 2:

Beginning at the Northwest corner of the John Richardson Donation Land Claim No. 56, Notification No. 1842, in Township 5 South, Range 4 West and Claim No. 47 in Township 5 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon; thence South 00°38' West along West line of said Claim, 28.86 chains; thence North 75°57' East 14.30 chains to a stone in center of County road; thence South 12°20' East along center of said road 2.71 chains to a stone at Smith Stephens corner; thence North 78°07' East 10.03½ chains to stake set for Southeast corner of Lot No. 1; thence North 11°53' West 26.52½ chains to stake set in center of County Road on North line of Richardson Claim; thence West on North line of said Claim, 18.50½ chains to place of beginning.

ALSO a five acre tract being a part of the John Richardson Donation Land Claim No. 47, Notification No. 1842, in Township 5 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon and more particularly described as follows:

Beginning at a point 11.97½ chains West from the Southwest corner of the Woodson Jeffries Donation Land Claim and running thence South 11°53' East 26.52½ chains; thence North 78°07' East 1.89 chains; thence North 11°53' West 26.12½ chains; thence West 1.93 chains to place of beginning.

SAVE AND EXCEPT that portion West of Oregon State Highway No. 152.

3/3

S-87703

EXHIBIT

A

PAGE

1 of 1

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

This Is to Certify, That CARL WOOD

of Route 1, Dayton, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of unnamed stream & reservoir constructed under App. No. R-21037, Permit No. R-823 a tributary of Yamhill River for the purpose of irrigation under Permit No. 16484 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 31, 1945

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.49 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Richardson DLC 47, Section 19, Township 5 South, Range 3 West, W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eighth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall

conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

8.8 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Richardson DLC 47
30.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Richardson DLC 47
0.5 acre in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Richardson DLC 47
Section 19
Township 5 South, Range 3 West, W. M.

Land on which water is to be used is part of that described as follows: Beginning at a large stone at the SW corner of the Woodson Jeffries DLC, Notification # 1841, Claim #46 in T. 5 S., R. 3 W., W. M., in Yamhill County, Oregon, said stone being the angle corner on N. line of the John Richardson DLC; thence W. on N. line of said Richardson Claim 10.045 chains; thence S. 11°53' E. 26.525 chains; thence N. 78°07' E. 21.135 chains to stake at SE corner of Lot 2; thence N. 11°53' W. 24.87 chains to stake set in center of County Road on N. line of said Richardson Claim; thence S. 74° W. along N. line of said Richardson Claim 11.325 chains to the place of beginning and containing 52.279 acres.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 7th day of February, 19 57.

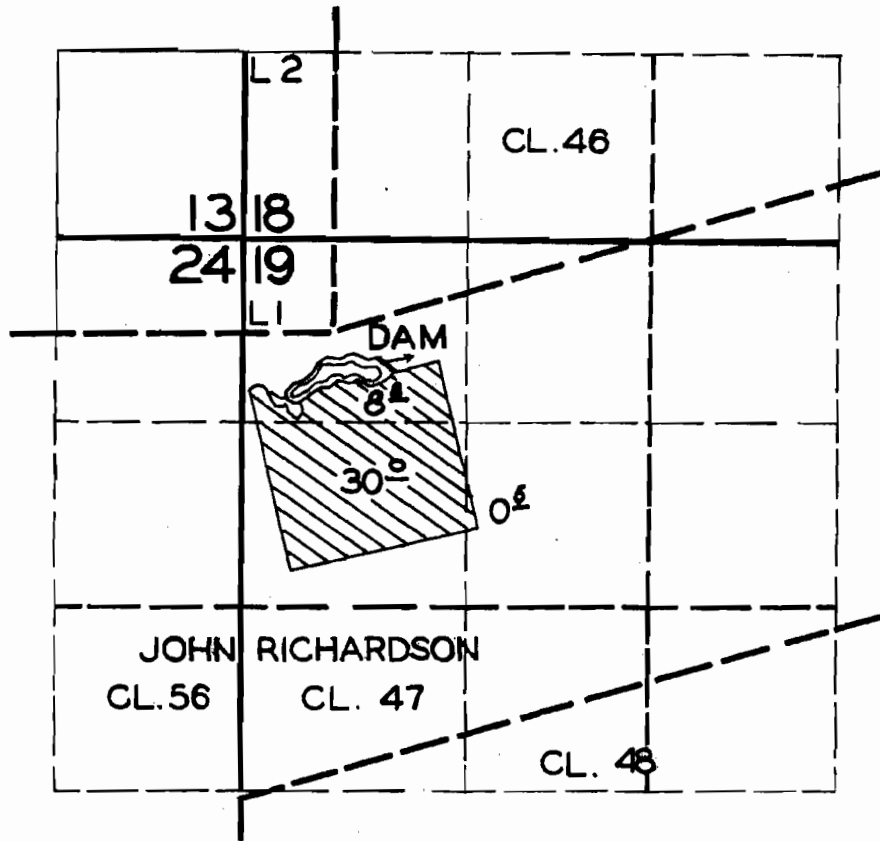
LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 16, page 21965.

S-87703

T. 5 S. R. 3 & 4 W. W. M.



FINAL PROOF SURVEY

UNDER

R-21038

R-823

Application No. 21037... Permit No. 16484.

IN NAME OF

CARL WOOD

Surveyed 20 MAY. 1955, by T. JONES.

S-07703

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

This Is to Certify, That CARL WOOD .

of Route 1, Dayton , State of Oregon , has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of unnamed stream and reservoir constructed under Permit No. R-823

a tributary of Yamhill River for the purpose of irrigation of 24.0 acres

under Permit No. 26528 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 18, 1960,

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.30 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Richardson DIC 47, Section 19, T. 5 S., R. 3 W., W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

0.8 acre NW $\frac{1}{4}$ NW $\frac{1}{4}$
5.2 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
both as projected within Richardson DIC 47
Section 19
T. 5 S., R. 3 W., W. M.
6.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
11.8 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
both as projected within Richardson DIC 56
Section 21
T. 5 S., R. 4 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. JUNE 15 1964

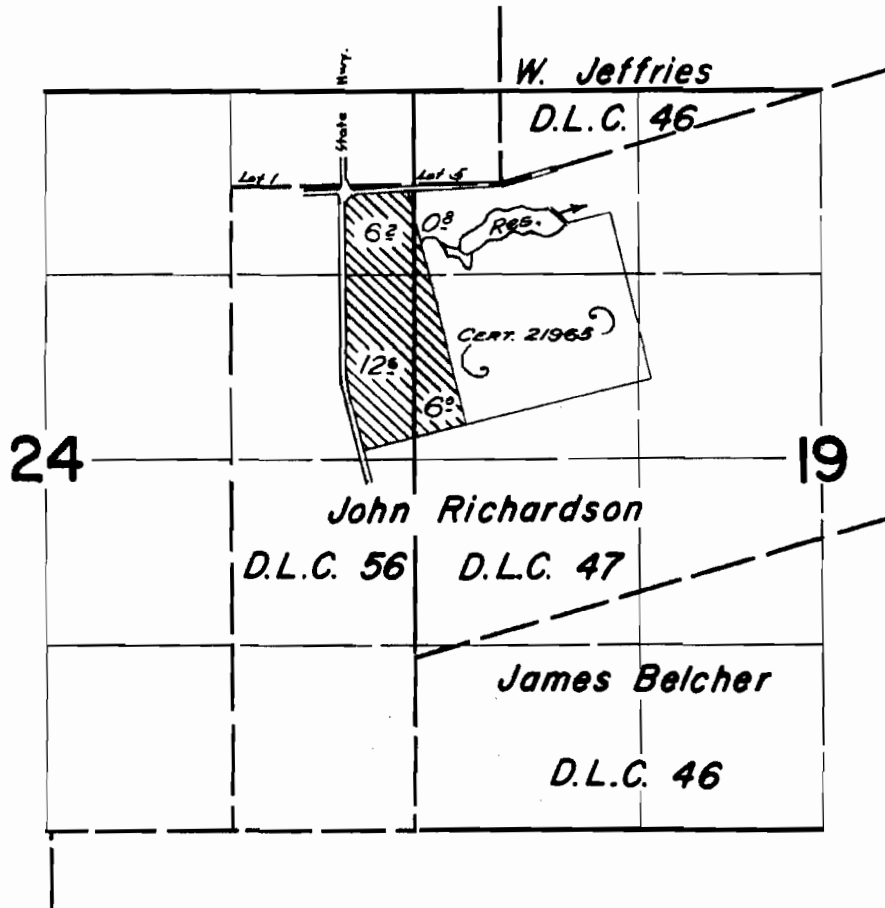
CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 23 , page 31656

S-87703

T.5S.R.3&4W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. 33546 Permit No. 26528
IN NAME OF

CARL WOOD

Surveyed July 1, 1963, by [Signature]

S-87703