

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		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS			
CITY	STATE	ZIP	E-MAIL

Organization Information

NAME JACKSON CREEK PROPERTIES LLC ATTN: JAMES R. MEANS, JR.		PHONE (503) 543-7405	FAX (503) 543-4762
ADDRESS 33499 KAMMEYER ROAD			CELL
CITY SCAPOOSE	STATE OR	ZIP 97056	E-MAIL JMEANS@MEANSNURSERY.COM

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

AGENT / BUSINESS NAME STEVEN SHROPSHIRE JORDAN SCHRADER RAMIS PC		PHONE (503) 598-5583	FAX (503) 598-7373
ADDRESS P.O. BOX 230669			CELL
CITY PORTLAND	STATE OR	ZIP 97281	E-MAIL STEVE.SHROPSHIRE@JORDANSCHRADER.COM

Note: Attach multiple copies as needed

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By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot 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.

APR 21 2011

WATER RESOURCES DEPT
SALEM, OREGON

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

Applicant Signature

James R Means, Jr.
Print Name and title if applicable

4-12-11
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17462</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*).

James R. Means, Jr. 33499 Kammeyer Road Scappoose, OR 97056

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
1	Joy Creek	30 ft	5 ft (estimated)
2	Joy Creek	120 ft	10 ft (estimated)
3	Unnamed drainage (nearby reservoir is lined)	30 ft	5 ft (estimated)

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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*).

The wells are expected to be in hydraulic connection with surface water. The District 18 Watermaster (Darrell Hedin) indicated to Steven R. Bruce, RG, CWRE, on March 22, 2011 that surface water on the east side of Highway 30 in the site area will likely be considered part of the Multnomah Channel and that water from that source is available for new appropriations.

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Columbia River sediment

Total maximum rate requested: 4.57 cfs (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.

G-17462

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)
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	<input type="checkbox"/>	16 in.	+2 to 120	120 to 150	0 to 20	--	Alluvial sediment	150+/-		
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	<input type="checkbox"/>	"	"	"	"	--	"	"		
3	<input checked="" 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"/>									

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* 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	Year Round	471.5

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: 94.3 Acres Supplemental: NA Acres

List the Permit or Certificate number of the underlying primary water right(s): See Section 9 Remarks

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 471.5

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

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SALEM, OREGON

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): Submersible. Pump hp to be selected at time of construction

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be conveyed using buried and above-ground mainlines with valves and turnouts.

B. Application Method

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

A combination of drip, high and low-pressure sprinklers, and hand lines will be used for irrigation.

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.

The nursery stock includes containerized plants. A flowmeter will be installed at each well. The irrigation methods are intended to conserve water (such as drip irrigation), and areas of the nursery will be lined to allow irrigation water to be captured and reused.

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: NA Acreage inundated by reservoir: _____

Use(s): NA

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): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	

SECTION 8: PROJECT SCHEDULE

Date construction will begin: As soon as permit is issued.

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Date construction will be completed: October 1, 2015

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Date beneficial water use will begin: October 1, 2016

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SECTION 9: REMARKS

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

The intent of this application is to have groundwater as the primary nursery water source. If the groundwater permit will be issued, the surface-water use under Permit S-54252 (Application S-86312) would be diminished to supplemental use.

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: Jackson Creek Properties LLC Attn: Jim Means

First

Last

Mailing Address: 33499 Kammeyer Road

Scappoose
City

OR
State

97056
Zip

Daytime Phone: (503) 543-7405

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 Attachment						<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:

Columbia County

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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: 4.57 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

Groundwater will be pumped from as many as three wells for nursery use and the irrigation of containerized and in-ground nursery stock.

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): PA-80 zone authorizes farm related uses.
- 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
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		<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.

proposal is consistent with uses identified in PA-80 zone.

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WATER RESOURCES DEPT
SALEM, OREGON

Name: Debbie Jacob Title: planner II

Signature: Debbie S. Jacob Phone: 503-377-7260 Date: 4/18/11

Government Entity: Columbia County OR

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



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Land Use Information Form



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

LWS # 11-43
 3224-00-00200
 1700
 800

Applicant: Jackson Creek Properties LLC Attn: Jim Means
First Last

Mailing Address: 33499 Kammeyer Road

Scappoose OR 97056 Daytime Phone: (503) 543-7405
City State Zip

A. Land and Location

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Columbia County

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B. Description of Proposed Use

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 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
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Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) _____

Estimated quantity of water needed: 4.57
 cubic feet per second
 gallons per minute
 acre-feet

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

Briefly describe:

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		<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
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SALEM, OREGON

Name: Debbie Jacob Title: planner II

Signature: Debbie S. Jacob Phone: 503-397-7260 Date: 4/18/11

Government Entity: Columbia County OR

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Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: DS 3850 4-1811 6104

Signature: _____ Phone: _____ Date: _____

ATTACHMENT TO:

Oregon Water Resources Department
Land Use Information Form

Applicant Name: Jackson Creek Properties LLC

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.

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3 N	2 W	24	SW NE	200, 1800		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
3 N	2 W	24	SE NE	1700, 1800		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
3 N	2 W	24	NW SE	1800		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
3 N	2 W	24	NE SE	1700, 1800		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
3 N	1 W	19	SW NW	1700		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
3 N	1 W	19	NW SW	1700		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change

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WATER RESOURCES DEPT
 SALEM, OREGON

G-17462

ATTACHMENT TO:

Oregon Water Resources Department
Land Use Information Form

Applicant Name: Jackson Creek Properties LLC

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3 N	2 W	24	NW SE	1800 -		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
3 N	2 W	24	NE SE	1700, 1800 -		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
3 N	1 W	19	SW NW	1700 -		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
3 N	1 W	19	NW SW	1700 -		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change

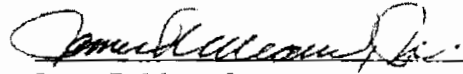
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 SALEM, OREGON

G-17462

CONSENT TO WATER RIGHT APPLICATION

I, James R. Means, Jr. am the record owner of Tax Lot 200, located in T.3N., R.2W., Section 24, W.M., Columbia County Oregon, which property is included as a place of use in Application No. G-17462 filed by Jackson Creek Properties LLC. I hereby consent to the inclusion of my property as a place of use in that application.

Dated April 22, 2011



James R. Means Jr.

APR 26 2011

Title Order No. 0500186
Escrow No. 10-0502149

After recording return to:
JACKSON CREEK PROPERTIES, LLC
33449 KAMMEYER ROAD
SCAPPOOSE OR 97056

NAME, ADDRESS, ZIP

Until a change is requested tax statements
shall be sent to the following address.
SAME AS ABOVE

NAME, ADDRESS, ZIP

COLUMBIA COUNTY, OREGON 2005-003216
DEED-D
Doc# 51160 \$1000
03/10/2005 10:18:52 AM
Total: \$36.00



Elizabeth E. Huse - County Clerk

STATUTORY WARRANTY DEED

DALE E. JOHNSON AND E'STELLA JEAN JOHNSON, as co-Trustees of the DALE E. JOHNSON TRUST, under Agreement dated July 21, 2000; and DALE E. JOHNSON AND E'STELLA JEAN JOHNSON, as co-Trustees of the E. JEAN JOHNSON TRUST under Agreement dated July 21, 2000, Grantor, conveys and warrants to JACKSON CREEK PROPERTIES, LLC, an Oregon Limited Liability Company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE
TAX ACCOUNT #3224-000-01700/01800

This property is free of liens and encumbrances, EXCEPT:

EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD, IF ANY.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$ 525,000.00
(Here comply with the requirements of ORS 93.030)

DATED this 9 day of March, 2005.

DALE E. JOHNSON TRUST
By: [Signature] TRUSTEE
DALE E. JOHNSON

By: [Signature] TRUSTEE
E'STELLA JEAN JOHNSON

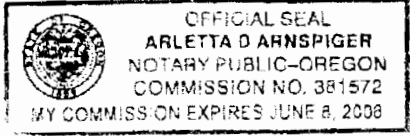
E'STELLA JOHNSON TRUST
By: [Signature] TRUSTEE

COLUMBIA COUNTY TITLE 0500186

APR 26 2005

STATE OF OREGON }
COUNTY OF COLUMBIA } SS.

The foregoing instrument was acknowledged on this 9th day of MARCH, 2005, before me, a Notary Public in and for said County and State, by DALE E. JOHNSON, TRUSTEE AND E'STELLA JEAN JOHNSON, TRUSTEE FOR THE DALE E. JOHNSON TRUST UNDER AGREEMENT DATED JULY 21, 2000, on behalf of the Trust.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Arletta D Arnspiger
Notary Public in and for the State of Oregon
My commission expires: June 8, 2008

STATE OF OREGON }
COUNTY OF COLUMBIA } SS.

The foregoing instrument was acknowledged on this 9th day of MARCH, 2005, before me, a Notary Public in and for said County and State, by DALE E. JOHNSON, TRUSTEE AND E'STELLA JEAN JOHNSON, TRUSTEE FOR E. JEAN JOHNSON TRUST UNDER AGREEMENT DATED JULY 21, 2000, on behalf of the Trust.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Arletta D Arnspiger
Notary Public in and for the State of Oregon
My commission expires: June 8, 2008

ADD PAGE 1001

EXHIBIT A

LEGAL DESCRIPTION

A tract of land lying within Section 24, Township 3 North, Range 2 West, Willamette Meridian, and lying within Section 19, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon, more particularly described, of public record, as the following two parcels:

PARCEL 1:

BEGINNING at a point in the center of County Road where the same is intersected, by the East line of the T.J. Jackson Donation Land Claim, said point being South 20° 20 1/2' West 1985.4 feet from the Northeast corner of said Donation Land Claim, located in Section 18, Township 3 North, Range 1 West of the Willamette Meridian, Columbia County, Oregon; Thence, from this place of beginning and following the center line of County Road, North 73° 29 1/2' East 480.90 feet; Thence South 79° 52' East 301.40 feet to a point over the center of the district drainage ditch; Thence leaving road and following center line of said district drainage ditch South 02° 44 1/2' West 2481.40 feet to legal subdivision line of Section 19; Thence, along legal subdivision line, West 1525 feet, more or less, to an intersection with the East line of the above said T.J. Jackson Donation Land Claim; Thence, along said East line, North 20° 20 1/2' East 2535 feet, more or less, to the PLACE OF BEGINNING; EXCEPTING THEREFROM County Roads.

PARCEL 2:

BEGINNING at a point on the East line of the Thomas J. Jackson Donation Land Claim, said point being North 21° 00' East 1550.15 feet from the Southeast corner of said Thomas J. Jackson Donation Land Claim in Section 24, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon; said point also being the Northeast corner of a tract of land as described in Book 104, Page 438, Columbia County Deed Records; Thence continuing along the East line of said Jackson Donation Land Claim, North 21° 00' East a distance of 1800.32 feet to the Southerly right of way line of a County Road; Thence along the said Southerly right-of-way of said road, South 73° 43' West a distance of 1094.26 feet; Thence North 76° 19' West a distance of 183.66 feet; Thence North 67° 43 1/2' West a distance of 135.00 feet to the Easterly right-of-way line of the Spokane, Portland & Seattle Railroad; Thence along said Easterly right-of-way line of the said S.P. & S. Railroad, South 03° 25' East a distance of 1346.35 feet to the Northwest corner of a tract of land as described in deed in said Book 104, Page 438, Columbia County Deed Records; Thence along the Northerly line of said tract, South 81° 01' East a distance of 646.5 feet to the POINT OF BEGINNING; EXCEPTING THEREFROM that certain tract conveyed to Dale Edward Johnson, et ux, by deed recorded September 22, 1971 in Book 183, Page 648, Deed Records of Columbia County, Oregon.

APR 26 2007

COLUMBIA COUNTY, OREGON 2007-000072

DEED ID 01/04/2007 11:40:09 AM

Doc Fee: \$11.00 (\$10.00) Total: \$31.00



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Elizabeth E. Huser, County Clerk for Columbia County, Oregon, certify that this instrument identified herein was recorded in the Clerk's records.

Elizabeth E. Huser - County Clerk

SPACE ABOVE RESERVED FOR RECORDER'S USE

After recording return to: (Name, Address, Zip)

James R. Means, Jr.
33499 Kammeyer Road
Scappoose, Oregon 97056

Until requested otherwise, send all tax statements to: (Name, Address, Zip)

Same as above

**SPECIAL WARRANTY DEED
(Individual Grantor)**

Dale E. Johnson and E'Stella Jean Johnson, as co-trustees of Dale E. Johnson Trust, under Agreement dated July 21, 2000 and Dale E. Johnson and E'Stella Jean Johnson, as co-trustees of the E. Jean Johnson Trust under Agreement dated July 21, 2000, Grantor, conveys and specially warrants to James R. Means Jr., Grantee, the following described real property free of encumbrances created or suffered by the Grantor, except as specifically set forth herein: situated in Columbia County, Oregon, to-wit:

See Legal Description attached hereto as Exhibit 'A'

Subject to and excepting: Easements, Restrictions and Reservations of record, if any

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.

The true and actual consideration for this conveyance is \$435,000.00. (Here, comply with the requirements of ORS 93.030.)

Dated this 3rd day of January, 2007.

Dale E. Johnson, Trustee

E'Stella Jean Johnson, Trustee

STATE OF Oregon }
 } SS.
County of Columbia }

This instrument was acknowledged before me on this 3rd day of January, 2007 by Dale E. Johnson and E'Stella Jean Johnson, as co-trustees of Dale E. Johnson Trust, under Agreement dated July 21, 2000 and Dale E. Johnson and E'Stella Jean Johnson, as co-trustees of the E. Jean Johnson Trust under Agreement dated July 21, 2000

COLUMBIA COUNTY TITLE 2006-01408

APR 26 2011
10:04 AM

EXHIBIT "A"

BEGINNING at a point on the East line of the Thomas J. Jackson Donation Land Claim, said point being North 21° 00' East 1550.15 feet from the Southeast corner of said Thomas J. Jackson Donation Land Claim in Section 24, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, said point also being the Northeast corner of a tract of land as described in Book 104, page 438, Deed Records;

Thence continuing along the East line of said Jackson Donation Land Claim North 21° 00' East a distance of 1800.32 feet to the Southerly right of way line of said road, South 73° 43' West a distance of 1094.26 feet;

Thence North 76° 19' West a distance of 183.66 feet;

Thence North 67° 48 ½' West a distance of 135.0 feet to the Easterly right of way line of the Spokane, Portland & Seattle Railroad and the true point of beginning of the tract herein described;

Thence South 67° 48' 30" East along the Southerly line of said County Road, 135.0 feet;

Thence South 76° 19' East continuing along the Southerly line of said County Road 130.0 feet;

Thence South 3° 25' East parallel to the Easterly right of way line of said railroad a distance of 480.0 feet;

Thence South 86° 35' West 265.0 feet, more or less, to the Easterly right of way line of said railroad;

Thence North 3° 25' West along the Easterly right of way line of said railroad to the TRUE POINT OF BEGINNING.