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

			RECEIVED	PHONE (HM)
HONE (WK)	CE		JUN 1 4 2011	FAX
		LL	WATER RESOURCES DEPT	1764
DDRESS			SALEM, OREGON	
TITY	STATE	ZIP	E-MAIL	
Organization Information				
AAME			PHONE	FAX
CHAPIN LIVING TRUST			(503) 393-6327	(503) 463-8003
ADDRESS				CELL
965 WHEATLAND ROAD N.				
CITY	STATE	ZIP	E-MAIL	
ALEM	OR	97303	CHAPIN@MERITEL.NET	
Agent Information – The agent is auth	norized to repre	esent the an	nlicant in all matters relation	ng to this application
AGENT / BUSINESS NAME	to repre	out ap	PHONE	FAX
GREG OR MALIA KUPILLAS / PACIFIC H	YDRO-GEOLOG	Y INC.	(503) 632-5016	(503) 632-5983
ADDRESS	320200		1,1,1	CELL
8487 S. VALLEY VISTA ROAD				(503) 939-3167
CITY	STATE	ZIP	E-MAIL	
MULINO	OR	97042	PHGGEK@BCTONLINE.CO	M
 I am asking to use water sp Evaluation of this application 				andiantian
 I cannot use water legally u Oregon law requires that a the use is exempt. Acceptar If I get a permit, I must not If development of the water The water use must be com Even if the Department issuer to get water to which they a 	ntil the Water permit be issu- nce of this app waste water. I use is not acc patible with loses a permit, I	ned before plication d cording to ocal comp	es Department issues a po- beginning construction of ones not guarantee a perm the terms of the permit, prehensive land-use plans	ermit. of any proposed well, unless nit will be issued. the permit can be cancelled s.
 I cannot use water legally u Oregon law requires that a the use is exempt. Acceptantif I get a permit, I must not If development of the water The water use must be com Even if the Department issues 	permit be issurate of this approach waste water. If use is not acceptable with least a permit, I are entitled.	ned before plication d cording to ocal comp may have	es Department issues a perbeginning construction of oes not guarantee a permete the terms of the permit, prehensive land-use plans to stop using water to a	ermit. of any proposed well, unless that will be issued. the permit can be cancelled the senior water-right hold
 I cannot use water legally u Oregon law requires that a the use is exempt. Acceptar If I get a permit, I must not If development of the water The water use must be com Even if the Department issuer to get water to which they a 	permit be issued the permit be issued of this approached water. It use is not acceptable with least a permit, I have entitled.	ned before plication d cording to ocal comp may have	es Department issues a per beginning construction of oes not guarantee a permet the terms of the permit, brehensive land-use plans to stop using water to a sapplication is true and	ermit. of any proposed well, unless that will be issued. the permit can be cancelled the senior water-right hold d accurate.
 I cannot use water legally u Oregon law requires that a the use is exempt. Acceptar If I get a permit, I must not If development of the water The water use must be com Even if the Department issuer to get water to which they a 	permit be issued the permit be issued of this approached water. It use is not acceptable with least a permit, I have entitled.	ned before plication d cording to ocal comp may have	es Department issues a perbeginning construction of oes not guarantee a permete the terms of the permit, prehensive land-use plans to stop using water to a	ermit. of any proposed well, unless that will be issued. the permit can be cancelled the senior water-right hold
 I cannot use water legally u Oregon law requires that a the use is exempt. Acceptanted If I get a permit, I must noted. If development of the water of the water use must be composed to get water to which they at I (we) affirm that the information. 	permit be issume of this approach waste water. The use is not acceptable with least a permit, I are entitled. Prince of this approach waste water.	cording to ocal complete may have ned in this R Chap I	es Department issues a per beginning construction of oes not guarantee a permet the terms of the permit, brehensive land-use plans to stop using water to a sapplication is true and	ermit. of any proposed well, unless that will be issued. the permit can be cancelled the senior water-right hold d accurate.
I cannot use water legally u Oregon law requires that a the use is exempt. Acceptar If I get a permit, I must not If development of the water The water use must be com Even if the Department issue to get water to which they a series of the compact of the water to get water to which they are series of the compact of the compact of the compact of the water of the water use must be compact of the water use must be compact. I water use must be compact of the water use must be compact of the water use must be compact of the water use must be compact. I water use must be compact of the water use must be compact of the water use must be compact. I water use must be compact of the water use must be compact of the water use must be compact. I water use must be compact of the water use must be compact. I water use must be compact of the water use must be comp	permit be issume of this approach waste water. The use is not acceptable with least a permit, I have entitled. Printed Printe	cording to ocal complete may have ned in this R Chap I	es Department issues a per beginning construction of beginning construction of ones not guarantee a perm of the terms of the permit, brehensive land-use plans et to stop using water to a sapplication is true and a sapplication is true and its if applicable	ermit. of any proposed well, unless at will be issued. the permit can be cancelled. illow senior water-right hold accurate. 6-/0-/1 Date

SECTION 2: PROPERTY OWNERSHIP

	indicate if you own all the lands associated ed, and used.	with the project from which	h the water is to be diverted,
⊠ Yes	☑ There are no encumbrances.☐ This land is encumbered by easements,	, rights of way, roads or oth	er encumbrances.
□ No	 ☐ I have a recorded easement or written a ☐ I do not currently have written authoriz ☐ Written authorization or an easement is own are state-owned submersible land use only (ORS 274.040). ☐ Water is to be diverted, conveyed, and 	zation or easement permitting not necessary, because the s, and this application is fo	ng access. e only affected lands I do not r irrigation and/or domestic
List the	names and mailing addresses of all affecte	ed landowners (attach addit	ional sheets if necessary).
Not Ap	plicable		
SECTI	ON 3: WELL DEVELOPMENT	In 1 pag m	HAN I MILE
	NAME OF NEAREST	DISTANCE TO NEAREST	HAN 1 MILE: ELEVATION CHANGE
WELL	SURFACE WATER	SURFACE WATER	BETWEEN NEAREST SURFACE WATER AND WELL HEAD
1	Unnamed Willamette River Slough in Mission Bottom	~2 miles	~30 feet
		RECE	IVED
		JUN 1	4 2011
		WATER RES	OURCES DEPT OREGON
		SALEW	TORLEGOIN
your ap	provide any information for your existing of plication. For existing wells, describe any plication of the plication of the plication of the plication of the place of the plac	previous alteration(s) or rep	
	,		

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Alluvium

Total max in the tabl			requested: <u>1.0</u>	0 cfs_		(<u>each well</u> w	ill be evaluated	at the maxi	mum rate unle	ess you indicate <u>well-spe</u>	cific rat	es and ann	ual volumes
Complete in additional right examples	n to co	ble be omple	elow. If this is ting the table.,	an exi	isting well, t is is a propo	he following sed well, or	g information m well-modificati	ay be found ion, conside	d on the applicate consulting w	able well log. (If a well lith a licensed well drille	og is av r, geolog	<i>ailable, ple</i> gist, or cer	ease submit it tified water
										PRO	POSED	USE	
OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG	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)	SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
1	\boxtimes		Not Applicable		8"-10"	~40'	~40'-80'	0'-20'	Not Applicable	Alluvium	80'	TBD	60
										REC	EIV	ED	
										JUN	142	D11	
							_			WATER R SALE	ESOURC M, ORE		

Revised 3/4/2010 Ground Water/5 WR

^{*} 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)
Agricultural	September 1 through November 30	60
(Hazelnut washing)		
-		
	t 15,000 gallons per day for single or group do commercial purpose are exempt from permitti	
For irrigation use only: Please indicate the number of	primary and supplemental acres to be irrigated	(must match map).
Primary: <u>NA</u> Acres	Supplemental: <u>NA</u> Acres	
List the Permit or Certificate n	umber of the underlying primary water right(s):
Indicate the maximum total nu	imber of acre-feet you expect to use in an irrig	ation season: <u>NA</u>
• If the use is municipal or	quasi-municipal, attach Form M	
• If the use is domestic , ind	icate the number of households:	
If the use is mining , descri	ibe what is being mined and the method(s) of	extraction:
SECTION 5: WATER MAN	AGEMENT	RECEIVED
A. Diversion and Conveyan	ce use to pump water from your well(s)?	JUN 1 4 2011
	• • • • • • • • • • • • • • • • • • • •	WATER RESOURCES DEPT SALEM, OREGON
☑ Pump (give horsepower	r and type): 30 Hp (estimated) submersible	——————————————————————————————————————
☐ Other means (describe)	: <u>-</u>	
	e proposed means of diversion, construction, a water. Water will be pumped from one well	
shed for washing of hazelr	nuts.	
	od of application will be used? (e.g., drip, who	
waste; measure the amoun the discharge of contamina surface waters.	nount of water requested is needed and measure t of water diverted; prevent damage to aquatic ated water to a surface stream; prevent adverse	life and riparian habitat; prevent impact to public uses of affected
•	necessary for efficient and effective washing on the mut washing operations will be diverted to a second	
The man off farmer than be a like		

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

Reservoir name: Not Applicable 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 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): Not Applicable USE OF STORED GROUND WATER PERIOD OF USE Not Applicable RECEIVED JUN 1 4 2011 WATER RESOURCES DEPT SALEM, OREGON
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 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): Not Applicable USE OF STORED GROUND WATER PERIOD OF USE Not Applicable RECEIVED JUN 14 2011
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 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): _Not Applicable USE OF STORED GROUND WATER PERIOD OF USE Not Applicable RECEIVED JUN 1 4 2011 WATER RESOURCES DEPT SALEM, OREGON
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): _Not Applicable
reproduce this section for each reservoir). Annual volume (acre-feet): Not Applicable USE OF STORED GROUND WATER PERIOD OF USE Not Applicable RECEIVED JUN 1 4 2011 WATER RESOURCES DEPT SALEM, OREGON
USE OF STORED GROUND WATER PERIOD OF USE RECEIVED JUN 1 4 2011 WATER RESOURCES DEPT SALEM, OREGON
Not Applicable RECEIVED JUN 1 4 2011 WATER RESOURCES DEPT SALEM, OREGON
RECEIVED JUN 1 4 2011 WATER RESOURCES DEPT SALEM, OREGON
RECEIVED JUN 1 4 2011 WATER RESOURCES DEPT SALEM, OREGON
JUN 1 4 2011 WATER RESOURCES DEPT SALEM, OREGON
SALEM, OREGON
SALENI, ONEGON
SECTION 8: PROJECT SCHEDULE
Date construction will begin: Construction of new well (Proposed Well 1) in August 2011.
Date construction will be completed: September 2011.
Date beneficial water use will begin: September 2011.
SECTION 9: REMARKS
Use this space to clarify any information you have provided in the application (attach additional sheets if necessary
The well construction specifications given above in Section 3 for Proposed Well 1 are estimates only,
subject to change depending on actual conditions encountered in the field. The objective is to construct a
well that obtains water from the shallow alluvial aquifer.

Land Use Information Form



NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

JUN 14 2011

1) Water is to be diverted, conveyed, and/or used only on federal lands; OR

WATER RESOURCES DEPT SALEM, OREGON

- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and <u>all</u> of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Revised 2/8/2010 G-17469

Land Use Information Form



Applicant(s): Chapin Orchards LLC

Mailing Address: 9965 Wheatland Road N.

City: Salem

State: OR

Zip Code: <u>97303</u>

Daytime Phone: (503) 393-6327

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	1/4 1/4	Tax Lot#	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
<u>6S</u>	<u>3W</u>	<u>11</u>	NW SE	6 3W 11 1100	PRIMARY A4/ EFU	☑ Diverted	□ Conveyed	⊠ Used	<u>Agricultural</u>
						☐ Diverted	☐ Conveyed	Used	
				·		☐ Diverted	☐ Conveyed	Used	
						Diverted	☐ Conveyed	Used	
List all cou	List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:								
Marion County RECEIVED JUN 1 4 2011									
B. Description of Proposed Use WATER RESOURCES DEPT SALEM, OREGON									
Type of application to be filed with the Water Resources Department: ☐ Permit to Use or Store Water ☐ Water Right Transfer ☐ 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: 500									
Intended use of water: Irrigation									
Briefly des	Briefly describe:								
Ground hazelnu		l be with	drawn fro	m a well, c	onveyed to a washi	ng shed, a	nd used to v	wash har	vested

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. \rightarrow

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	<u>ow and provide the requested info</u>	<u>rmation</u>	
Land uses to be served by the proposed water your comprehensive plan. Cite applicable ord			t or are not regulated by
Land uses to be served by the proposed water listed in the table below. (Please attach docum Record of Action/land-use decision and accomperiods have not ended, check "Being purs	nentation of applicable land-use approvals w mpanying findings are sufficient.) If approve	hich have alrea	dy been obtained.
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Lan	d-Use Approval:
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	RECEIVED	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	JUN 1 4 2011	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	WATEH RESOURCES DEPT SALEM, OREGON	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
Local governments are invited to express special regarding this proposed use of water below, or or No land use applicant a darm operation Name: LISA MILLIMAN Signature: MARION COUN Note to local government representative: Pleasign the receipt, you will have 30 days from the Vision or WRD may presume the land use associal	n a separate sheet. and if only hange nuts processed in this of the processed in this of the processed in this of the processed in the proces	ow and return it return the combible with local	ANNER (6-14-11) t to the applicant. If you pleted Land Use Information
Applicant name:	or Request for Land Use Inform	<u>ation</u>	
City or County: Staff contact: _ Signature:	Phone: Date	·	
		·	

SEND TAX STATEMENTS TO:

Unchanged

AFTER RECORDING, RETURN TO:

Evans, Freeby & Jennings, LLP

280 Court St. NE, Suite One Salem, OR 97301

The true and actual consideration for this transfer is nonmonetary.

WARRANTY DEED

Bruce R. Chapin and Velan E. Chapin, Grantors

Convey and warrant to

BRUCE R. CHAPIN and VELAN E. CHAPIN, Trustees, or their successors in trust, under the CHAPIN LIVING TRUST, dated December 11, 2000, and any amendments thereto, Grantee

All of their interest in the following described real property situated in Marion County, State of Oregon, and more specifically described on Exhibit "A" attached hereto and made a part hereof, free from encumbrances except those of record. The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantor under any policy of title insurance issued to Grantor at the time Grantor acquired the property. The limitations contained herein expressly do not relieve Grantor of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

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.

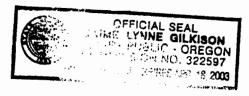
Dated: Effective December 31, 2000

Grantors _____

Bruce R. Chapin

Velan E Chaper Velan E. Chapin

State of Oregon, County of Marion) ss.



12.20.0 12:37/10:44:22 Charminardeed for



Notary Public for Oregon

My Commission Expires on: 4-18-03

RECEIVED

JUN 1 4 2011

WATER RESOURCES DEPT SALEM, OREGON

EXHIBIT "A"

9965 Wheatland Rd. NE, Salem, OR 97303 Tax Account No. R19477

Beginning at a point marking the intersection of the center line of Russell Road (County Road No. 603), with the center line of Salem Wheatland Road (Market Road No. 24), which point bears South 08°40'23" East 166.10 feet from a railroad spike marking the Southwest corner of the Alanson Beer's Donation Land Claim No. 38, in Township 6 South, Range 3 West of the Willamette Meridian, in Marion County, Oregon; thence South 89°52'36" West along the center line of said Russell Road, 390.62 feet to an iron rod; thence South 35.64 feet to an iron rod marking an angle corner in the center line of said Russell Road, said iron rod also marks an angle in the North boundary of the John Durbin Donation Land Claim No. 60; thence North 87°30' West along the North boundary of said Claim, 72.78 feet; thence North 05°41'08" East 517.38 feet; thence North 80°03'18" East 308.19 feet to a point in the center of said Salem Wheatland Road; thence southeasterly along the center line of said road on the arc of 00°18' curve to the left (the chord of which bears South 11°28'14" East 545.68 feet), a distance of 545.70 feet to the point of beginning, and containing 4.52 acres of land, more or less.

SUBJECT TO:

(1) The rights of the public in and to that portion included in existing public roads.

(2) A restrictive agreement of even date herewith executed by the parties hereto pertaining to the subsequent conveyance of the property.

RECEIVED

JUN 14 2011

WATER RESOURCES DEPT SALEM, OREGON

RECEIVED

JUN 14 2011

WATER RESOURCES DEPT SALEM, OREGON

AGREEMENT

By the terms of Marion County, Oregon Minor Partitioning Case No. (P) 81-75, JACK R. CHAPIN and MARY L. CHAPIN, husband and wife, are permitted to convey to BRUCE R. CHAPIN and VELAN E. CHAPIN, his wife, a 4.52 acre parcel of land described as follows:

Beginning at a point marking the intersection of the center line of Russell Road (County Road No. 603), with the center line of Salem Wheatland Road (Market Road No. 24), which point bears South 08°40'23" East 166.10 feet from a railroad spike marking the Southwest corner of the Alanson Beer's Donation Land Claim No. 38, in Township 6 South, Range 3 West of the Willamette Meridian, in Marion County, Oregon; thence South 89°52'36" West along the center line of said Russell Road, 390.62 feet to an iron rod; thence South 35.64 feet to an iron rod marking an angle corner in the center line of said Russell Road, said iron rod also marks an angle in the North boundary of the John Durbin Donation Land Claim No. 60; thence North 87°30' West along the North boundary of said Claim, 72.78 feet; thence North 05°41'08" East 517.38 feet; thence North 80°03'18" East 308.19 feet to a point in the center of said Salem Wheatland Road; thence southeasterly along the center line of said road on the arc of 00°18' curve to the left (the chord of which bears South 11°28'14" East 545.68 feet), a distance of 545.70 feet to the point of beginning, and containing 4.52 acres of land, more or less.

As part of the consideration for said conveyance, for as long as the said property is zoned exclusive farm use, said parcel shall not henceforth be separately conveyed other than to the owner of a parcel adjoining said 4.52 acre parcel, or as an adjunct to the Bruce R. Chapin and Velan E. Chapin farm parcels described in Reel 24, Page 207; Reel 152, Page 1855; Reel 159, Page 841; Reel 251, Page 1342, Marion County, Oregon Records; and Volume 764, Page 134, Marion County, Oregon Deed Records. The only exception to this condition is if a foreclosure occurs on the 4.52 acre parcel, in which case this agreement shall not apply.

The terms and provisions of this agreement shall not be modified without prior approval of the Marion County Planning Department.

DATED this 29 day of March, 1982.

Jack R. Chapin

Mary L. Chapin

Mary L. Chapin

Welan E. Chapin

Velan E. Chapin

SHERMAN, BRYAN & SHERMAN ATTORNEYS AT LAW Post Office Box 2247 687 Court Street N.E. SALEM, OREGON 97308-2247

503/364-2281

276

RECEIVED

JUN 14 2011

STATE OF OREGON)
) ss.:
County of Marion)

WATER RESOURCES DEPT SALEM, OREGON

On this day of 1982, personally appeared the within-named JACK R. CHAPIN and MARY L. CHAPIN, husband and wife, and acknowledged the foregoing instrument to be their voluntary

act and deed.

Before me:

Notary Public for Oregon
My Commission Expires: 5/5/85

STATE OF OREGON

ss.:

County of Marion)

On this day of Macon, 1982, personally appeared the within-named BRUCE R. CHAPIN and VELAN E. CHAPIN, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Notary Public for Oregon

My Commission Expires: 5/5/85

PUBLIC OF ON STATE OF ON STATE OF O

Taxes + Return

Bruce R& Velan E Chapin

9965 Wheatland Rd. N

SAlem, OregON 97303

STATE OF OREGON

06381

County of Marion

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

Mar 29 11 09 AM '82

EDWIN P. MORGAN MARION COUNTY CLERK

BY ______ DEPUTY

Reel 276 Page 1793

900

SHERMAN, BRYAN & SHERMAN
ATTORNEYS AT LAW

Post Office Box 2247
687 Court Street N.E.
SALEM, OREGON 97308-2247

503/364-2281

PAGE 2. Agreement Chapin/Chapin