

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

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WATER RESOURCES DEPT
SALEM, OREGON

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$300.00 for the applicant and \$600.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- ☒ SECTION 1: applicant information and signature
- ☒ SECTION 2: property ownership
- ☒ SECTION 3: well development
- ☒ SECTION 4: water use
- ☒ SECTION 5: water management
- ☒ SECTION 6: storage of groundwater in a reservoir NOT APPLICABLE
- ☒ SECTION 7: use of stored groundwater from the reservoir NOT APPLICABLE
- ☒ SECTION 8: project schedule
- ☒ SECTION 9: within a district NOT APPLICABLE
- ☒ SECTION 10: remarks--**NONE**

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Attachments:

- ☒ Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: A copy of the deed, land sales contract or title insurance policy.
- ☒ Fees - Amount enclosed: **\$1250**
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- ☒ Permanent quality and drawn in ink
- ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☒ North Directional Symbol
- ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☒ Reference corner on map
- ☒ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☒ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- ☐ Other _____

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME WADE COX		PHONE (HM) SALEM, OREGON 541-926-8935	
PHONE (WK)	CELL 541-979-7999	FAX 541-928-3043	
ADDRESS 33927 BERRY DRIVE NE			
CITY ALBANY	STATE OR	ZIP 97322	E-MAIL* WCOXFARM@AOL.COM

Organization Information

NAME		PHONE		FAX
ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL*	

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

AGENT / BUSINESS NAME K&D ENGINEERING, INC. (ATTN: JACK BURRELL)		PHONE 541-928-2583		FAX 541-967-3458
ADDRESS 276 NW HICKORY ST.				CELL 541-974-5194
CITY ALBANY	STATE OR	ZIP 97321	E-MAIL* JBURRELL@KDENG.COM	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

By my signature below I confirm that I understand:

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

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


Applicant Signature

Wade A. Cox
Print Name and title if applicable

X 10-24-12
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use			
Revised 2/1/2011 App. No. G-17597	Permit No. Water/3	Date	WR

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*).

N/A

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
Well -Tag L-103574	Intermittent Crooks Creek	1,180'	Approx. 12'

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*).

See Attached Well Log

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SALEM, OREGON

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: **UNKNOWN**

Total maximum rate requested: **0.51 CFS (227 GPM)** (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.

										PROPOSED USE			
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)	SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
5260	☐	☒	L-103574	☐	6"	1.5 to 25; 45 to 60	25 to 45	0 to 18	8' - 5/31/12	UNKNOWN	60'	+/- 60 gpm	101.5 max

* 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.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation of Hazel Nuts	March 1 to Oct 31	Not more than 2.5 acre feet per acre; (Applicant prefers not to be limited in case he moves to row crops in the future.).

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: 40.6 Acres Supplemental: 0 Acres

List the Permit or Certificate number of the underlying primary water right(s): 0

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 101.5 max

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

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): 3 hp submersible

☐ Other means (describe): none

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Well and pump are the source. 2 1/2 inch PVC (Buried) pipe will convey irrigation water.

B. Application Method

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

DRIP

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.

DRIP LINE IRRIGATION WILL BE METHOD OF CONTROLLING THE AMOUNT OF WATER USED FOR THE HAZEL NUT TREES. The system will be monitored; volumes will be limited to 4 gallons per tree when each irrigation cycle occurs. Each tree will be irrigated by two (1/2 gallon per hour Humidifier type) drips. A drip cycle (set) will be performed once per week for duration of 8 hours. The amount of water will be

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affected by the heat conditions during the irrigation season. Less water will be required as the trees start to mature.

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*). **NOT APPLICABLE**

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*).

NOT APPLICABLE

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE
NOT APPLICABLE	

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SECTION 8: PROJECT SCHEDULE

Date construction will begin: **5/29/2012—well drilled**

Date construction will be completed: **5/31/2017**

Date beneficial water use will begin: **FIRST IRRIGATION SEASON AFTER PERIT IS ISSUED**

SECTION 9: WITHIN A DISTRICT

☐ Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name NOT APPLICABLE	Address	
City	State	Zip

SECTION 10: REMARKS

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

NONE



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Land Use Information Form



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WATER RESOURCES DEPT
SALEM, OREGON

Applicant: Wade Cox
First Last

Mailing Address: 33927 Berry Drive NE

Albany OR 97321 Daytime Phone: 541-979-7999 cell
City State Zip

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
10 S	3 W	22	SE-SW	1500	EFU	☐ Diverted ☒ Conveyed ☒ Used	Hazel Nut Trees
10 S	3 W	27	MUL TIPL E	1201	EFU	☒ Diverted ☒ Conveyed ☒ Used	Hazel Nut Trees

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

Linn County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

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

Estimated quantity of water needed: not more than 100 ac-ft ☐ 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:

The applicant plans to irrigate 41 acres for growing Hazel Nut trees.

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 form must be completed with the local land-use plan. Do not include approval for activities such as building or grading permits.

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STATE OF OREGON

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 regulated by your comprehensive plan. Cite applicable ordinance section(s): LCC 928.310(B)(1)
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: DEBORAH J. PINKERTON Title: SENIOR PLANNER

Signature: Deborah J. Pinkerton Phone: 541-967-3816 x 2367 Date: June 21, 2012

Government Entity: LINN COUNTY

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-284-0210)

REVISED

WELL LABEL # 103574
WATER RESOURCES DEPT
SALEM, GREGGARD # 1016764

(1) LAND OWNER Owner Well ID. 5260

First Name Wade Last Name Cox
Company
Address 33927 Berry Dr, NE
City Albany State OR Zip 97322

(2) TYPE OF WORK ☒ New Well ☐ Deepening ☐ Conversion
☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other

(4) PROPOSED USE Domestic ☒ Irrigation ☐ Community
☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering
☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION Special Standard ☐ (Attach copy)
Depth of Completed Well 60 ft.

BORE HOLE			SEAL			section/ lbs
Dia	From	To	Material	From	To	
12	0	20	Benjontite	0	18	15
10	20	43				
8	43	60				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E

☒ Other Poured dry
Backfill placed from 18 ft. to 25 ft. Material 3/8 pea gravel
Filter pack from 25 ft. to 60 ft. Material Silica/pea or Size 10-20 3/8
Explosives used: ☐ Yes Type Amount

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Std	Plate	Wld	Thrd
☒	6		1.5	25	250	☒	☒	☒	☒
☐	6		45	60	250	☐	☐	☐	☐

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)
Temp casing ☒ Yes Dia 12 From 0 To 20

(7) PERFORATIONS/SCREENS

Perforations Method		Screens Type		Wire wrap		Material		Stainless stl.	
Perf/S origin	Casing/Screen Liner	Screen Dia	From	To	Scr/slot width	Slot length	# of slots	Tube/ pipe size	
Screen		6	25	45	.02				

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)
60 22 2

Temperature 54 °F Lab analysis ☐ Yes By
Water quality concerns? ☐ Yes (describe below)
From To Description Amount Units

(9) LOCATION OF WELL (legal description)

County LINN Twp 10 S N/S Range 3 W E/W WM
Sec 27 NW 1/4 of the NE 1/4 Tax Lot 1201
Tax Map Number Lot
Lat or DMS or DD
Long or DMS or DD
© Street address of well © Nearest address

Shady Bend Dr., Albany, OR 97322

(10) STATIC WATER LEVEL

Date 05-31-2012 SWL (psf) + SWL (ft)
Existing Well / Predeepening
Completed Well 05-31-2012
Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

SWL Date	From	To	Est Flow	SWL (psf)	+ SWL (ft)
05-31-2012	27	40	60		

(11) WELL LOG

Ground Elevation		Material		From	To
Topsoil				0	2
Brown clay				2	18
Brown sandy clay				18	27
Brown sand w/stone rock				27	40
Blue sticky blue clay				40	60

JONES DRILLING CO., INC.
39400 SANTIAM HWY.
LEBANON, OR 97355
541-367-2560 541-451-2686
1-800-915-8388

Date Started 05-29-2012 Completed 05-31-2012

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number 1411 Date 06-05-2012
Password: (if filing electronically)
Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1684 Date 06-05-2012
Password: (if filing electronically)
Signed
Contact Info (optional) jonesdrillingco@gmail.com

ORIGINAL - WATER RESOURCES DEPARTMENT
THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 60 DAYS OF COMPLETION OF WORK

Form Version: 0.95

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JUN-21-2012 04:24 FROM:WDRDCX

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✓ After recording return to:
Wade A. Cox
33927 Berry Drive NE
Albany, OR 97322

Until a change is requested all tax statements
shall be sent to the following address:
Wade A. Cox
33927 Berry Drive NE
Albany, OR 97322

File No.: 7091-777411 (VLB)
Date: May 01, 2006

THIS SPACE RESERVED FOR RECORDER'S USE

WATER RESOURCES DEPT
SALEM, OREGON

LINN COUNTY, OREGON
D-WD
Cnt=1 Stn=1 COUNTER
\$15.00 \$11.00 \$10.00
2006-11065
05/09/2006 03:40:16 PM
\$36.00



I, Steve Druckenmiller, County Clerk for Linn
County, Oregon, certify that the instrument
identified herein was recorded in the Clerk
records.

Steve Druckenmiller - County Clerk



STATUTORY WARRANTY DEED

Louise Cox, Trustee under the R. Delbert and Louise Cox Revocable Living Trust dated February 6, 1995, Grantor, conveys and warrants to Wade A. Cox, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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

This property is free from liens and encumbrances, EXCEPT:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$125,000.00**. (Here comply with requirements of ORS 93.030)

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 AND 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.

Dated this 4th day of May, 20 06.

G-17597

10-3W-27/1201

10-3W-22/1500;

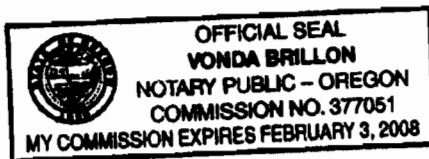
First American Title 777411

Louise Cox, Trustee under the R. Delbert and Louise Cox Revocable Living Trust dated February 6, 1995

Louise Cox
Louise Cox, Trustee

STATE OF Oregon)
)ss.
County of Linn)

This instrument was acknowledged before me on this 4th day of May, 20 06
by as of Louise Cox, Trustee under the R. Delbert and Louise Cox Revocable Living Trust dated February
6, 1995 .



Wanda Biello
Notary Public for Oregon
My commission expires: 2-3-08

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**WATER RESOURCES DEPT
SALEM, OREGON**

G-17597

RECEIVED**EXHIBIT A**

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LEGAL DESCRIPTION:**WATER RESOURCES DEPT
SALEM, OREGON****TRACT I:**

Parcel 1, PARTITION PLAT NO. 2002-12, Record of Partition Plats, Linn County, Oregon, more particularly described as follows:

Beginning on the North boundary line of and East 25.25 chains distant from the Northwest corner of the Donation Land Claim of Isaac D. Miller Not. No. 1692 and claim No. 53 in Township 10 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; thence East 78.60 chains to the Northeast corner of said claim No. 53; thence South 20.02 chains to a Southeast corner of said claim No. 53; thence South 85° 22' West 34.16 chains to an angle corner of said claim No. 53; thence South 4° 6' East to a Southeast corner of said claim No. 53; thence West 2.14 chains; thence South 88° 45' West along the South boundary line of said claim No. 53 a distance of 26.37 chains to a point which is North 85° 45' East 42.00 chains distant from the Southwest corner of said claim No. 53; thence North 25° West 38.85 chains to the place of beginning. Also Lot No. 5 of Section 22, in Township 10 South, Range 3 West of the Willamette Meridian, Linn County, Oregon.

Excepting therefrom that portion conveyed to the City of Millersburg described as follows:

Beginning at the Easterly Southeast corner of the Isaac D. Miller Donation Land Claim No. 53; thence South 85°22' West, 250 feet along the South line the above described parcel to the true point of beginning; thence continuing South 85°22' West, 585 feet; thence North, 300 feet; thence North 45° East, 592.89 feet; thence East, 164.76 feet; thence South, 685 feet more or less to the true point of beginning.

TRACT II:

Beginning on the East line of the John Louderback Donation Land Claim No. 47 and North 0°30' West, 738.86 feet from the Northwest corner of the Jonathan Crow Donation Land Claim No. 49, in Township 10 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; and running thence North 0°30' West along the East line of said Donation Land Claim 47 a distance of 1,521.98 feet to a 1-1/4" axle at the Northwest corner of Government Lot 1 of Section 27; thence South 89°30' East, 195.80 feet to the Northeast corner of said Lot 1; thence South 4°04' East along the West line of the Granville H. Baber Donation Land Claim No. 50, a distance of 821.04 feet to a 3/4' Iron rod; thence North 85°53' East 1,895.70 feet; thence South 0°30' East parallel to the East line of said Donation Land Claim No. 47, a distance of 672.22 feet to a point which bears North 85°34' East 2,143.56 feet from the point of beginning; thence South 85°34' West parallel to the South line of said Donation Land Claim No. 50, a distance of 2,143.56 feet to the point of beginning.

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