

# Application for a Permit to Use Ground Water



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 990-8900  
www.wrd.state.or.us

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## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

WATER RESOURCES DEPT  
SALEM, OREGON

|  |                     |                                   |
|--|---------------------|-----------------------------------|
| NAME<br><b>RIVER REFUGE SALES, LLC BY DAVID A. ROGERS, PRINCIPAL</b> |                     | PHONE (HM)<br><b>541-466-5309</b> |
| PHONE (WK)<br><b>541-451-1538</b>                                    | CELL                | FAX                               |
| ADDRESS<br><b>26366 GAP ROAD</b>                                     |                     |                                   |
| CITY<br><b>BROWNSVILLE</b>   | STATE<br><b>ORE</b> | ZIP<br><b>97327</b>               |
| E-MAIL*  |                     |                                   |

### Organization Information

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

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

|  |                     |                              |         |
|--|---------------------|------------------------------|---------|
| AGENT / BUSINESS NAME<br><b>DON KNAUER</b> |                     | PHONE<br><b>503-508-7862</b> | FAX     |
| ADDRESS<br><b>PO BOX 5416</b>              |                     | CELL                         |         |
| CITY<br><b>SALAM</b>                       | STATE<br><b>ORE</b> | ZIP<br><b>97304</b>          | E-MAIL* |


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.


RIVER REFUGE SALES LLC BY DAVID A. ROGERS PRINCIPAL      11-4-13  
 Applicant Signature      Print Name and title if applicable      Date  
 \_\_\_\_\_  
 Applicant Signature      Print Name and title if applicable      Date

|                         |                  |            |
|-------------------------|------------------|------------|
| For Department Use      |                  |            |
| App. No. <u>6-17734</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.

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Yes

There are no encumbrances.

This land is encumbered by easements, rights of way, roads or other encumbrances

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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*).

**You must 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.**

**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     | COURTNEY CR.                  | 1700' ±                           | 10' ±  |
|          |                               |                                   |  |
|          |                               |                                   |  |
|          |                               |                                   |  |
|          |                               |                                   |  |
|          |                               |                                   |  |
|          |                               |                                   |  |

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

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## SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: \_\_\_\_\_

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Total maximum rate requested: 0.59 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.

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| 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) |
| Well                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> | L-110988                                 | <input type="checkbox"/> | SEE             | WELL                       | LOG  |                          |   |                   | 265              | 140                      |
|                          | <input type="checkbox"/> | <input type="checkbox"/>            |  | <input type="checkbox"/> |                 |                            |  |                          |   |                   |                  |                          |
|                          | <input type="checkbox"/> | <input type="checkbox"/>            |  | <input type="checkbox"/> |                 |                            |  |                          |   |                   |                  |                          |
|                          | <input type="checkbox"/> | <input type="checkbox"/>            |  | <input type="checkbox"/> |                 |                            |  |                          |   |                   |                  |                          |
|                          | <input type="checkbox"/> | <input type="checkbox"/>            |  | <input type="checkbox"/> |                 |                            |  |                          |   |                   |                  |                          |
|                          | <input type="checkbox"/> | <input type="checkbox"/>            |  | <input type="checkbox"/> |                 |                            |  |                          |   |                   |                  |                          |
|                          | <input type="checkbox"/> | <input type="checkbox"/>            |  | <input type="checkbox"/> |                 |                            |  |                          |   |                   |                  |                          |
|                          | <input type="checkbox"/> | <input type="checkbox"/>            |  | <input type="checkbox"/> |                 |                            |  |                          |   |                   |                  |                          |

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

**SECTION 4: WATER USE**

| USE                   | PERIOD OF USE  | ANNUAL VOLUME (ACRE-FEET) |
|-----------------------|----------------|---------------------------|
| IRRIGATION            | MAR 1 - OCT 31 | 140                       |
| RESERVOIR MAINTENANCE | MAR 1 - OCT 31 | 47.7                      |
| (RES # 1-2-3-4-5)     |                |                           |
|                       |                |                           |

**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: 47.5 Acres Supplemental: \_\_\_\_\_ Acres

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

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 140

- 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: \_\_\_\_\_

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**SECTION 5: WATER MANAGEMENT**

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**A. Diversion and Conveyance**

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

Pump (give horsepower and type): 20 HP

Other means (describe): \_\_\_\_\_

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. A pump will be installed to divert water to a 6" mainline. There will be a system of 3" & 4" laterals with sprinklers to deliver the water to the crops.

**B. Application Method**

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

MAINLINE TO LATERALS TO 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 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. SOME CROPS WILL REQUIRE THE FULL RATE AND DUTY OF WATER DURING HOT AND DRY PERIODS. WATER WILL BE USED ONLY WHEN CROPS REQUIRE IT USING THE BEST MANAGEMENT PRACTICES. NO RIPARIAN HABITAT WILL BE DAMAGED. NO CONTAMINATED WATER WILL BE DISCHARGED TO A SURFACE STREAM.

**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*).

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Reservoir name: \_\_\_\_\_ Acreage inundated by reservoir: \_\_\_\_\_ NOV 08 2013

Use(s): \_\_\_\_\_ WATER RESOURCES DEPT  
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Volume of Reservoir (acre-feet): \_\_\_\_\_ Dam height (feet, if excavated, write "zero"): \_\_\_\_\_

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

**SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR**

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

Annual volume (acre-feet): \_\_\_\_\_

| USE OF STORED GROUND WATER | PERIOD OF USE |
|----------------------------|---------------|
|                            |               |
|                            |               |
|                            |               |
|                            |               |
|                            |               |
|                            |               |

**SECTION 8: PROJECT SCHEDULE**

Date construction will begin:   HAS BEGUN  

Date construction will be completed:   5 YEARS AFTER PERMIT ISSUANCE  

Date beneficial water use will begin:   SAME AS ABOVE  

**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 | 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*).

THE TYPES OF CROPS TO BE IRRIGATED WILL BENEFIT BY A FULL IRRIGATION SEASON. IF A FULL SEASON IS NOT ALLOWED, CONSIDER THIS APPLICATION FOR THE PERIOD OF TIME AS A MAXIMUM THAT CAN BE ALLOWED. THE CROPS GROWN WILL BE ABLE TO MAKE BENEFICIAL USE OF THE GROUND WATER DURING A TIME PERIOD OF LESS THAN A FULL IRRIGATION SEASON. THE SAME IS THE CASE WITH RESERVOIR MAINTENANCE.

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WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(as required by ORS 537.765 & OAR 690-205-0210)

LINN 60530

WELL I.D. LABEL # L110988

START CARD # 1020829

ORIGINAL LOG #

9/8/2013

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SALEM, OREGON

(1) LAND OWNER

Owner Well I.D. \_\_\_\_\_  
First Name DAVID Last Name ROGERS  
Company \_\_\_\_\_  
Address 26366 GAP ROAD  
City BROWNSVILLE State OR Zip 97327

(2) TYPE OF WORK

New Well  Deepening  Conversion  
 Alteration (complete 2a & 10)  Abandonment (complete 5a)

(2a) PRE-ALTERATION

Casing: Dia + From To Gauge Stl Plstc Wld Thrd  
Material From To Amt sacks/lbs  
Seal: \_\_\_\_\_

(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 179.00 ft.

| BORE HOLE |      |     | SEAL     |      |    | sacks/  |
|-----------|------|-----|----------|------|----|---------|
| Dia       | From | To  | Material | From | To | Amt lbs |
| 14        | 0    | 18  | Cemnt    | 0    | 40 | 24 S    |
| 12        | 18   | 40  |          |      |    |         |
| 9.5       | 40   | 179 |          |      |    |         |

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_

Filter pack from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_ Size \_\_\_\_\_

Explosives used:  Yes Type \_\_\_\_\_ Amount \_\_\_\_\_

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount \_\_\_\_\_ Actual Amount \_\_\_\_\_

(6) CASING/LINER

Casing/Liner Dia + From To Gauge Stl Plstc Wld Thrd  
Shoe  Inside  Outside  Other Location of shoe(s) 179  
Temp casing  Yes Dia 12 From 0 To 40

(7) PERFORATIONS/SCREENS

Perforations Method Hlote

| Screens Type |        | Material |      | Perf/ | Casing/ | Screen | Scrn/slot | Slot      | # of | Tele/ |
|--------------|--------|----------|------|-------|---------|--------|-----------|-----------|------|-------|
| Perf         | Casing | Dia      | From | To    | width   | length | slots     | pipe size |      |       |
|              |        | 8        | 156  | 176   | .2      | 1      | 800       |           |      |       |

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

Pump  Bailer  Air  Flowing Artesian  
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)  
300 \_\_\_\_\_ 179 6

Temperature 54 °F Lab analysis  Yes By \_\_\_\_\_

Water quality concerns?  Yes (describe below) TDS amount  
From To Description Amount Units

| From | To | Description | Amount | Units |
|------|----|-------------|--------|-------|
|      |    |             |        |       |

(9) LOCATION OF WELL (legal description)

County LINN Twp 14.00 S N/S Range 3.00 W 6th WM  
Sec 12 1/4 of the 1/4 Tax Lot 100

Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_  
Lat \_\_\_\_\_ " or 44.37216667  
Long \_\_\_\_\_ " or -122.98560556  
 Street address of well  Nearest address

NONE - ON THE SW CORNER OF GAP ROAD AND LAKE CREEK ROAD  
BROWNSVILLE, OREGON

(10) STATIC WATER LEVEL

| Existing Well / Pre-Alteration | Date     | SWL(psi) | + SWL(ft) |
|--------------------------------|----------|----------|-----------|
| Completed Well                 | 9/5/2013 |          | 33        |

Flowing Artesian?  Dry Hole?

WATER BEARING ZONES

Depth water was first found 4.00

| SWL Date  | From | To  | Est Flow | SWL(psi) | + SWL(ft) |
|-----------|------|-----|----------|----------|-----------|
| 8/22/2013 | 4    | 14  | 40       |          | 4         |
| 9/5/2013  | 95   | 179 | 300      |          | 33        |

(11) WELL LOG

Ground Elevation \_\_\_\_\_

| Material                                 | From | To  |
|--|------|-----|
| Soil                                     | 0    | 1   |
| Brown clay and gravel                    | 1    | 4   |
| Medium large gravel and blue clay        | 4    | 14  |
| Sandy blue clay and gravel               | 14   | 16  |
| Seni-loose medium to large gravel w/sand | 16   | 33  |
| Blue gray and tan clay with some sand    | 33   | 95  |
| Medium to fine sand with some gravel     | 95   | 150 |
| loose sand and gravel                    | 150  | 176 |
| Sand and gravel with gray claystone      | 176  | 179 |

Date Started 8/22/2013 Complete 9/5/2013

(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 1629 Date 9/6/2013

Signed JAMES GUNN (E-filed)

(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 1273 Date 9/8/2013

Signed FLOYD G SIPPET (E-filed)

Contact Info (optional) \_\_\_\_\_

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Land Use

Information Form

WATER RESOURCES DEPT SALEM, OREGON



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

Applicant: RIVER REFUGE S220, LLC BY: DAVID A. ROWLES, PRINCIPLE

Mailing Address: 26366 GAP ROAD

Brownsville OR 97327 Daytime Phone: 541-466-5309

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.

Table with 8 columns: Township, Range, Section, 1/4, Tax Lot #, Plan Designation (e.g., Rural Residential/RR-5), Water to be: (Diverted, Conveyed, Used), Proposed Land Use. Row 1: 14S, 3W, 7 1/2, NE, 100 1/2, 300, EFU, [X] Diverted, [X] Conveyed, [X] Used, EFU.

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

LINN Co.

B. Description of Proposed Use

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

- [X] 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 [X] Ground Water [ ] Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 0.59 [X] cubic feet per second [ ] gallons per minute [ ] acre-feet

Intended use of water: [X] Irrigation [ ] Commercial [ ] Industrial [ ] Domestic for \_\_\_\_\_ household(s) [ ] Municipal [ ] Quasi-Municipal [ ] Instream [ ] Other \_\_\_\_\_

Briefly describe:

I WELL WILL BE USED TO IRRIGATE THE AGRICULTURAL AREAS AND GROW CROPS SUCH AS PIONEER GRASS, ETC.

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): LCC 928.310
- 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<br>(e.g., plan amendments, rezones,<br>conditional-use permits, etc.) | Cite Most Significant, Applicable Plan<br>Policies & Ordinance Section References | Land-Use Approval:   |  |
|--|---|--|--|
|  |   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|  |   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|  |   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|  |   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|  |   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|  |   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><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: Alyssa Boles Title: Planner  
 Signature: Alyssa Boles Phone: 541-967-3816 Date: 11/1/2013  
 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: \_\_\_\_\_

Exhibit "A" with Exceptions

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**PARCEL I:**

Beginning at the most Northerly Northeast corner of the Samuel Johnson Donation Land Claim No. 38 in Section 7, Township 14 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence West 118 rods; thence South 130 rods; thence East 118 rods; thence North 130 rods to the place of beginning.

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EXCEPTING THEREFROM that portion thereof conveyed by John C. Kettlewell and wife to C. W. Coroutte by deed recorded September 1, 1909 in Book 90, Page 115, Deed Records.

FURTHER EXCEPTING THEREFROM, any portion of the above described premises lying within the limits of Linn County Road No. 508, (aka Lake Creek Drive), or Linn County Road No. 770.

**PARCEL II:**

Beginning at a point 118 rods West and 62 rods South of the most Northerly Northeast corner of the Samuel Johnson Donation Land Claim No. 38 in Section 7, Township 14 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence South 14 chains to the North line of that tract conveyed to C. W. Coroutte by deed recorded September 4, 1909 in Book 90, Page 115, Deed Records; thence West 8.4 chains to the East boundary of a tract conveyed to Charles C. Dougherty by deed recorded May 15, 1952 in Book 227, Page 33, Deed Records; thence North 14 chains to the most Easterly Northeast corner of said Dougherty tract; thence East 8.4 chains to the point of beginning.

Subject to:

**SPECIAL EXCEPTIONS:**

1. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Muddy Creek
2. Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 to 274.940.
3. Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of Muddy Creek.
4. Any right, interest or claim which may exist or arise by reason of the fact that a road, walk, trail, path or other means of access extends over a portion of the subject land and is used by the public for access to and from Muddy Creek.
5. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.  
Tax Identification : 0309795 & 0311338
5. The subject property lies within the boundaries of Linn Soil and Water Conservation District and is subject to the levies and assessments thereof.

G-17734

GROUND WATER PERMIT APPLICATION  
IN THE NAME OF RIVER REFUGE SEED, LLC

Tabulation of irrigation acreage  
T14S R2W section 7  
T14S R3W section 12

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NWNW        4.7  
SWNW        8.2  
As projected within DLC 38  
Section 7  
T14S R2W

NENE        13.5  
NWNE        4.6  
SWNE        8.6  
SENE        7.9  
As projected within DLC 52  
Section 12  
T14S R3W