

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 <i>Thomas E. & Karen M. Arinelis</i>		PHONE (HM) —	
PHONE (WK) —	CELL —		FAX —
ADDRESS <i>38615 Densmore Rd.</i>			
CITY <i>Jefferson</i>	STATE <i>OR</i>	ZIP <i>97352</i>	E-MAIL* —

Organization Information

NAME <i>Quiet Meadows Farm</i>		PHONE —		FAX —
ADDRESS <i>38615 Densmore Rd.</i>			CELL —	
CITY <i>Jefferson</i>	STATE <i>OR</i>	ZIP <i>97352</i>	E-MAIL* —	

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

AGENT / BUSINESS NAME <i>Eric Pond / AgriCare</i>		PHONE <i>(541) 327-7853</i>		FAX <i>(541) 327-7964</i>
ADDRESS <i>P.O. Box 717</i>			CELL <i>(503) 550-1677</i>	
CITY <i>Jefferson</i>	STATE <i>OR</i>	ZIP <i>97352</i>	E-MAIL* <i>ericpond@agricare.com</i>	

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.)

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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.

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

Applicant Signature

Eric Pond COO
Print Name and title if applicable

3/7/14
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <i>G-17788</i>	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.

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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
1	North Santiam River	3350'	13'
2	North Santiam River	3850'	14'
3	North Santiam River	3350'	12'
4	North Santiam River	2700'	13'
5	North Santiam River	3300'	18'
6	North Santiam River	3500'	19'

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*).

~~Wells 3 and 4 were constructed to code and we propose to bring wells 1 and 2 up to code, if cost effective, or drill new adjacent wells and submit GR Modification Applications.~~
Well 5 is our first choice and if insufficient water is found, then Well 6 will be drilled.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: ~~Gravel and Sand~~. Source unknown.

Total maximum rate requested: ^{0.85}~~2.42~~ (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).
CFS

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.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	GR-1858	<input type="checkbox"/>	10"				17' (1940)	Gravel and Sand	21'		
2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GR 1859	<input type="checkbox"/>	10"				3' (1944)	Gravel and Sand	21'		
3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Lim 4165	<input type="checkbox"/>	10"				14' (1962)	Gravel and Sand	27'		
4	<input type="checkbox"/>	<input checked="" type="checkbox"/>	110124	<input type="checkbox"/>	12"				5' (2013)	Gravel and Sand	59'		
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	12"								
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	12"								
	<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 and Temperature Control	March 1 to October 31	483.8 A.F. 170.6

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: ~~117.62~~ ^{68.22} Acres Supplemental: ~~45.7~~ ⁰ Acres

List the Permit or Certificate number of the underlying primary water right(s): ~~Certificate 33850~~

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: ~~483.8 A.F.~~ 170.6

- If the use is municipal or quasi-municipal, attach Form M N/A
 - 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): _____ ~~well #1 30 HP Submersible~~
~~well #2 30 HP Submersible~~ Submersible
~~well #3 20 HP Submersible~~ Well Pump
 Other means (describe): _____ ~~well #4 15 HP Submersible~~

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. ~~All wells will be connected by PVC mainline~~
 A submersible pump will deliver water from Well through buried P.V.C. mainline to fields.

B. Application Method

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

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. It is anticipated that a new high efficiency drip and/or Sprinkler System will be installed.

N/A 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: _____ Acreage inundated by reservoir: _____

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Use(s): _____

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Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____ **MAR 23 2015**

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.

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N/A 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: ~~Sept. 1, 2015~~ After permit is issued.

Date construction will be completed: ~~Dec. 31, 2016~~ Dec. 31, 2017

Date beneficial water use will begin: ~~In use now~~ Oct. 31, 2018

N/A 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).

____ (See attached Remarks sheet, Map and QQ sheets.)

Please also include Mr. McGill in all
correspondences.

Will McGill Surveying, LLC

Professional Land Surveyor
Certificate #00995PLS

Certified Water Right Examiner
Certificate #30680CWRE

15333 Pletzer Rd. SE
Turner, OR 97392

Home: 541-327-2798
Cell: 503-510-3026



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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

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:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all 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.

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SALEM, OREGON

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: Thomas E. & Karen M. Avinelis / Quiet Meadows Farm
First Last

Mailing Address: 38615 Densmore Rd.

Jefferson
City

OR
State

97352 Daytime Phone: (541) 327-7853
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:
105	2W	17	NENW NW NW	200	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
105	2W	17	SW NW SE NW	200	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
105	2W	17	NW NE NENW	203	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
105	2W	17	NW SW NESW	300	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation

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

<u>Linn Co.</u>	<h1 style="margin: 0;">RECEIVED</h1> <p style="margin: 0;">MAR 07 2014</p>
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B. Description of Proposed Use

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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: 2.42 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:

Application is being made to OWRD to connect four existing wells with PVC mainline. Two wells meet code and two wells will be improved to meet code. Additional water will be requested to irrigate areas that currently are not covered by water rights.

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): CC 933.310(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:	
		<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
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Farm use only.

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Name: Olivera Glantz Title: Planner Phone: 541 967-3816

Signature: [Signature] Date: 3/7/14

Government Entity: Linn Co.

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



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Ground Water Application (Avinelis Farm)

(Section 10: Remarks)

The intent of this application is to secure a new water right certificate for the primary irrigation of ~~147.82 acres, and supplemental irrigation of 45.7 acres (covered by certificate 33850). Irrigation is to be from any of 4 existing wells. Wells 3 (source for 33850) and 4 were constructed to code. We propose to bring wells 1 and 2 up to code, if cost effective, or drill new adjacent wells and submit GR modification applications. All wells will be connected with PVC mainline, so that any well could supply water to another well water right areas providing maximum flexibility. This application is intended to secure new water right certificates, but most of the lands are covered by preexisting groundwater registrations which are intended to be preserved for future certification.~~

68.22 acres. Irrigation will be from proposed well 5 unless insufficient water is found in well 5, then irrigation will be from well 6 or a combination of wells 5 and 6.

Note - In 10-2-17-NESW there is an 80± strip of land that has always been farmed as part of Quiet Meadows Farm. The County tax lot lines show this strip as not being part of the farm. We are in the process of getting this corrected, we propose to cover this strip with requested new water rights now and make any needed adjustments at the COBU.

Note - This amended application requests 68.22 acres of new water rights. The polygon as mapped on the "OWRD Mapping Tools" for Claim GR-917 on this farm shows 42± acres coverage but the certificate calls for 46.8 acres. If the mapping is incorrect, we could reduce our requested acres by 4± acres.

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Quiet Meadows New WR application

WR_acres	LOC_QQ	Taxlot
19.5	WM10.00S 2.00W17NENW	10S02W17 00203
8.5	WM10.00S 2.00W17SWNW	10S02W17 00200
1.25	WM10.00S 2.00W17SWNW	10S02W17 00200
2.9	WM10.00S 2.00W17NENW	10S02W17 00200
0.5	WM10.00S 2.00W17SWNE	10S02W17 00203
0.85	WM10.00S 2.00W17SEnw	10S02W17 00203
0.1	WM10.00S 2.00W18SENE	10S02W17 00200
0.5	WM10.00S 2.00W18NESE	10S02W17 00300
0.12	WM10.00S 2.00W17NESW	10S02W17 00200
0.3	WM10.00S 2.00W17NWSW	10S02W17 00200
0.15	WM10.00S 2.00W17NWSW	10S02W17 00200
0.1	WM10.00S 2.00W17NWSW	10S02W17 00200
7	WM10.00S 2.00W17SEnw	10S02W17 00200
0.3	WM10.00S 2.00W17SEnw	10S02W17 00200
12.8	WM10.00S 2.00W17NWNE	10S02W17 00203
1.3	WM10.00S 2.00W17NENW	10S02W17 00203
0.1	WM10.00S 2.00W17NWSW	10S02W17 00300
1.75	WM10.00S 2.00W17NWSW	10S02W17 00300
2.4	WM10.00S 2.00W17NWSW	10S02W17 00300
0.2	WM10.00S 2.00W17NWSW	10S02W17 00300
6.4	WM10.00S 2.00W17NESW	10S02W17 00300
1.2	WM10.00S 2.00W17NWSW	10S02W17 00300

Sum WR_acres 68.22

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Seller's Name and Address:
C & R Hart Farm, L.L.C.
36152 Jefferson-Scio Drive, SE
Jefferson, OR 97352

Purchaser's Name and Address:
Thomas E. Avinelis
Karen M. Avinelis
31757 Country Club Drive
Porterville, CA 93257

After Recording, Return To:
First American Title Insurance
Attn: Sue Creel
2405 14th Avenue, SE
Albany, OR 97322

Send tax statements to:
Thomas E. Avinelis
Karen M. Avinelis
31757 Country Club Drive
Porterville, CA 93257

Tax Account Nos.: 36224, 394631, and 425682



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



MEMORANDUM OF LAND SALE CONTRACT

DATED: December 5, 2013

BETWEEN: C & R Hart Farm, L.L.C. ("Seller")
c/o Rodney L. Hart and Charlene J. Hart, Managers
36152 Jefferson-Scio Drive, SE
Jefferson, OR 97352

AND: Thomas E. Avinelis and Karen M. Avinelis, husband and wife ("Purchaser")
31757 Country Club Drive
Porterville, CA 93257

Pursuant to a Land Sale Contract dated this same date, Seller sold to Purchaser all of Seller's right, title, and interest in that certain property located in Linn County, Oregon, more particularly described in the attached Exhibit A.

If not earlier paid, all amounts owed under the Contract of Sale shall be due and payable on October 15, 2021.

The true and actual consideration for this conveyance is \$1,200,000, plus the value given for consideration.

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Gr-7788

10502W17-00-000001001
2175921
First American Title

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DESCRIBED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

IN WITNESS WHEREOF, the parties have caused this memorandum to be executed as of the day and year first above written.

SELLER:

C&R HART FARM, L.L.C., an Oregon limited liability company

By: Rodney L. Hart
Rodney L. Hart, Co-Trustee of the Rodney L. Hart and Charlene J. Hart Revocable Trust, dated June 20, 2006, Member and Manager

By: Charlene J. Hart
Charlene J. Hart, Co-Trustee of the Rodney L. Hart and Charlene J. Hart Revocable Trust, dated June 20, 2006, Member and Manager

PURCHASER:

Thomas E. Avinelis
Thomas E. Avinelis

Karen M. Avinelis
Karen M. Avinelis

[NOTARY SIGNATURES ON FOLLOWING PAGES]

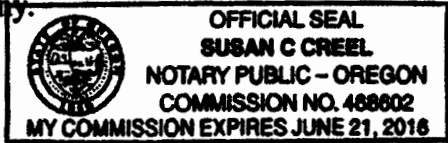
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SALEM, OREGON

STATE OF OREGON)
) ss:
County of Linn)

This instrument was acknowledged before me on December 5, 2013, by Rodney L. Hart, Co-Trustee of the Rodney L. Hart and Charlene J. Hart Revocable Trust, dated June 20, 2006, and individually, as the Manager of C&R Hart Farm, L.L.C., an Oregon limited liability company.



[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires: 6-21-2016

STATE OF OREGON)
) ss:
County of Linn)

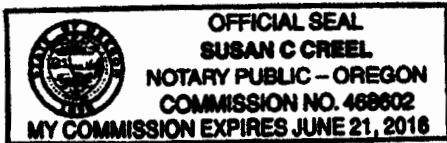
This instrument was acknowledged before me on December 5, 2013, by Charlene J. Hart, Co-Trustee of the Rodney L. Hart and Charlene J. Hart Revocable Trust, dated June 20, 2006, and individually, as the Manger of C&R Hart Farm, L.L.C., an Oregon limited liability company.



[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires: 6-21-2016

STATE OF OREGON)
) ss:
County of Linn)

This instrument was acknowledged before me on December 5, 2013, by Thomas E. Avinelis.



[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires: 6-21-2016

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STATE OF OREGON)
) ss:
County of Linn)

MAR 07 2014

This instrument was acknowledged before me on December 5, 2013, by Karch M. Avinelis.



[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires: 6-21-2016

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SALEM, OREGON

EXHIBIT A

PARCEL I:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 17 IN TOWNSHIP 10 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; THENCE EAST ALONG THE NORTH LINE OF SAID SECTION 27.50 CHAINS; THENCE SOUTH 20.14 CHAINS TO A 6" X 8" X 18" STONE MARKED CS; THENCE WEST 2.75 CHAINS TO A STONE 3" X 4" X 8" MARKED CS; THENCE SOUTH 20.01 CHAINS TO A STONE 5" X 6" X 10" MARKED CS WHICH IS ON THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION; THENCE WEST 24.71 CHAINS TO THE WEST LINE OF SAID SECTION; THENCE NORTH 40.06 CHAINS TO THE PLACE OF BEGINNING; EXCEPT PORTIONS THEREOF LYING AND BEING SITUATED IN PUBLIC ROADS.

PARCEL II:

THE WESTERLY 175 FEET OF EVEN WIDTH OF THE FOLLOWING DESCRIBED REAL PROPERTY:

BEGINNING AT A STONE MARKED "CS" WHICH IS ON THE NORTH LINE OF AND EAST 50.40 CHAINS DISTANT FROM THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 10 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; AND RUNNING THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID SECTION 310 FEET, TO A 3/4 BY 30 INCH IRON PIPE, THENCE WEST, PARALLEL WITH THE NORTH LINE OF SAID SECTION, 425 FEET TO A 3/4 BY 30 INCH IRON PIPE; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID SECTION, 310 FEET TO THE NORTH LINE OF SAID SECTION; THENCE EAST 425 FEET, TO THE PLACE OF BEGINNING.

PARCEL III:

BEGINNING AT A STONE MARKED "CS", WHICH IS ON THE NORTH LINE OF AND EAST 50.40 CHAINS DISTANT FROM THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 10 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; AND RUNNING THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID SECTION 20.24 CHAINS TO A 1- 1/4 BY 14 INCH IRON PIPE; THENCE WEST, PARALLEL WITH THE NORTH LINE OF SAID SECTION 23.01 CHAINS TO A 6 BY 8 BY 18 INCH STONE MARKED "CS"; THENCE NORTH PARALLEL WITH THE WEST LINE OF SECTION 17, 20.14 CHAINS TO A STONE 6 BY 6 BY 10 INCHES MARKED "CS" AND THENCE EAST ALONG THE NORTH LINE OF SECTION 17, 22.90 CHAINS TO THE POINT OF BEGINNING.

SAVE AND EXCEPT:

BEGINNING AT A STONE MARKED "CS" WHICH IS ON THE NORTH LINE OF AND EAST 50.40 CHAINS DISTANT FROM THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 10 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; AND RUNNING THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID SECTION 310 FEET, TO A 3/4 BY 30 INCH IRON PIPE, THENCE WEST, PARALLEL WITH THE NORTH LINE OF SAID SECTION, 425 FEET TO A 3/4 BY 30 INCH IRON PIPE; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID SECTION 17, 310 FEET TO THE NORTH LINE OF SAID SECTION; THENCE EAST 425 FEET, TO THE PLACE OF BEGINNING.

NOTE: This legal description was created prior to January 1, 2008.

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WATER RESOURCES DEPT
SALEM, OREGON

G-7788

SUBJECT TO:

1. **The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.**
2. **Statutory powers and regulations, including levies, assessments, drainage rights and easements of Santiam Water Control District.**
3. **Regulations, including levies, liens, assessments, rights of way and easements of the Linn Soil and Water Conservation District.
(Assessments, when levied, will be included in the Ad Valorem taxes.)**
4. **The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.**
5. **Easement, including terms and provisions contained therein:
Recording Information: April 20, 1946 in Book 178, Page 719, Deed Records
In Favor of: Mountain States Power Company, a Delaware corporation
For: electric transmission and distribution lines**
6. **Easement, including terms and provisions contained therein:
Recording Information: October 06, 1961 in Book 279, Page 11, Deed Records
In Favor of: Pacific Power & Light Company, a corporation
For: electric transmission and distribution lines**
7. **Easement, including terms and provisions contained therein:
Recording Information: October 06, 1969 in Book 343, Page 336, Deed Records
In Favor of: United States of America
For: Electric power transmission structures and appurtenant signal lines**

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WATER RESOURCES DEPT
SALEM, OREGON

6-17700

STATE OF OREGON
 COUNTY OF **LINN**
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **MRS. TESSA WATKINS**
 c/o Rodney Hart
 of Route 1, Box 324, Jefferson, State of Oregon, has made proof
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
 Watkins Well No. 3

a tributary of **North Santiam River (Santiam River)** for the purpose of
 irrigation of **45.7 acres**

under Permit No. **G-2084** of the State Engineer, and that said right to the use of said waters
 has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
 confirmed dates from **March 28, 1962**

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

or its equivalent in case of rotation, measured at the point of diversion from the stream.
 The point of diversion is located in the **NW $\frac{1}{4}$ NW $\frac{1}{4}$** , Section 17, T. 10 S., R. 2 W., W. M.
 Well located **410 feet South and 770 feet East** from the NW Corner, Section 17.

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

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

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

4.4 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
 38.6 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
 2.4 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
 0.3 acre SE $\frac{1}{4}$ NW $\frac{1}{4}$
 Section 17
 T. 10 S., R. 2 W., W. M.

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WATER RESOURCES DEPT
 SALEM, OREGON

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

WITNESS the signature of the State Engineer, affixed

this date. **April 26, 1967**

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume **25**, page **33850**

G-17788