

# Oregon

John A. Kitzhaber, MD, Governor

**Water Resources Department**  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

Joel Plahn District 16 Watermaster helped complete this water right application. Please contact Joel Plahn before returning this water right application due to any missing information or discrepancies.

Thank you,

Joel Plahn  
503-986-0889 - office  
503-508-2394 - cell

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SEP 29 2014

WATER RESOURCES DEPT  
SALEM, OREGON

G-17932

# 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](http://www.wrd.state.or.us)

## 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](http://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](http://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 \$350.00 for the applicant and \$700.00 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, conditions or conditions that the Department deems appropriate.

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# 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
- SECTION 7: use of stored groundwater from the reservoir
- SECTION 8: project schedule
- SECTION 9: within a district
- SECTION 10: remarks

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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: **\$2,800**  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.

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### 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)
- 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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WATER RESOURCES DEPT  
SALEM, OREGON

# 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 WIGRICH FARM, INC. BY ROGER FITTS			PHONE (HM)
PHONE (WK) (503) 851-9601	CELL		FAX
ADDRESS 5835 WIGRICH ROAD			
CITY INDEPENDENCE	STATE OR	ZIP 97351	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			PHONE	FAX
ADDRESS			CELL	
CITY	STATE	ZIP	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.)

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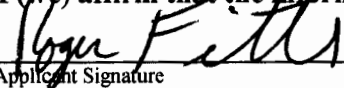
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SALEM, OREGON

### 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

Roger Fitts Pres  
Print Name and title if applicable

9-17-14  
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17932</u>	Permit No. _____	Date _____

**SECTION 2: PROPERTY OWNERSHIP**

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- Yes
  - There are no encumbrances.
  - This land is encumbered by easements, rights of way, roads or other encumbrances.
- No
  - I have a recorded easement or written authorization permitting access.
  - I do not currently have written authorization or easement permitting access.
  - Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
  - Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

\_\_\_\_\_

**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 SHF	Willamette River	Approximately 2580 ft	

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**

Total maximum rate requested: 3.3 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the 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 to obtain the necessary information.

6-17-12

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)
Well SHF	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	16	40					EST. 401		
	<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 are required to attach 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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 W/ SALEM, OREGON

**SECTION 4: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 <sup>st</sup> to October 31st	659.75

**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: 263.9 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: 659.75

- 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): 75 HP-100HP Turbine, Frequency Controlled

Other means (describe):       

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. All Piped

**B. Application Method**

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

Linear hand line gun

**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.

Linear meter

**SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR**

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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: N/A    Acreage inundated by reservoir: N/A

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Use(s): N/A

Volume of Reservoir (acre-feet): N/A Dam height (feet, if excavated, write "zero"): N/A

*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
N/A	N/A

**SECTION 8: PROJECT SCHEDULE**

Date construction will begin: Within 5 years of permit issuance

Date construction will be completed: Within 5 years of permit issuance

Date beneficial water use will begin: Within 5 years of permit issuance

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**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	
N/A		
City	State	Zip

**SECTION 10: REMARKS**

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

As a stipulation of this application, Certification 72943 will be counted as supplemental irrigation for its entire place of use.

G-57932



# 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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WR

# 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: Wigrich Farm, Inc . by Roger Fitts

First

Last

Mailing Address: 5835 Wigrich Road

Independence  
City

OR  
State

97351 Daytime Phone: (503) 851-9601  
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:
9S	4W	2	SE NE NW NE SW NW NE SE NE SW	100		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
9S	4W	2	NW SW	200		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
9S	4W	3	NE SE	100		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	

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

POLK COUNTY

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## 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: 3.3    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:

---

**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. →

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SALEM, OREGON

## For Local Government Use Only

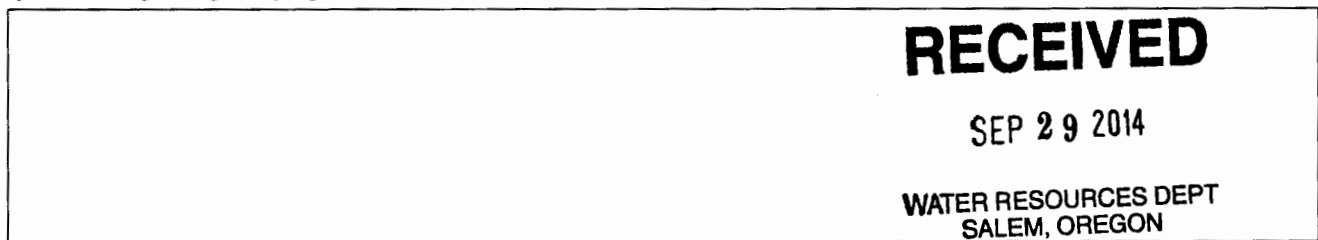
The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval 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): 126.030 (A)
- 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.



Name: Samuel A. Thomas Title: Assistant Planner

Signature:  Phone: 503 623-9237 Date: 9/18/2014

Government Entity: Polk County Community Development

**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: \_\_\_\_\_

Date \_\_\_\_\_

(For staff use only)



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

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- SECTION 1: \_\_\_\_\_
- SECTION 2: \_\_\_\_\_
- SECTION 3: \_\_\_\_\_
- SECTION 4: \_\_\_\_\_
- SECTION 5: \_\_\_\_\_
- SECTION 6: \_\_\_\_\_
- SECTION 7: \_\_\_\_\_
- SECTION 8: \_\_\_\_\_
- SECTION 9: \_\_\_\_\_
- Land Use Information Form \_\_\_\_\_
- 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.
- Fees \_\_\_\_\_

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**MAP**

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft)
- 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 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Wigrich Farm, Inc. Legal Description

## PARCEL 1:

Beginning at the Northwest corner of the John Thorp Donation Land Claim No. 57, in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; and running thence East 55.14 chains; thence South 14.33 chains; thence East 7.24 chains; thence North 40.31 chains to a point on the South line of Section 2, in said Township and Range; thence East 20.13 chains to the Southeast corner of said Section 2; thence North 0°29' West 79.50 chains to a point on the Bank of the Willamette River; thence Southwesterly along said bank to the intersection of the North line of Section 2, Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon and the bank of said river; thence West along said North line 900.00 feet, more or less, to a point which is North 2022.0 feet from the Southerly Southeast corner of a tract of land conveyed to Wigrich Farm, Inc., an Oregon corporation, by deed recorded FEBRUARY 27, 1979, in Volume 136, Page 2443, Book of Records for Polk County, Oregon; thence South 2022.0 feet to the Southerly Southeast corner of said Wigrich Farm, Inc. tract; thence West 1029.70 feet to a point which is 19.10 chains East of the Northwest corner of the David Johnson Donation Land Claim No. 41; thence South 24.50 chains; thence East 8.61 chains; thence South 24.87 chains to a point which is 25.76 chains North of the North line of said Thorp Donation Land Claim No. 57; thence West 27.60 chains to a point on the West line of said Johnson Donation Land Claim; thence South 17.76 chains to the Southeast corner of the Fielden M. Thorp Donation Land Claim No. 40; thence West 10.00 chains to the Northeast corner of the Hezekiah Davidson Donation Land Claim No. 42; thence South 80.50 chains to the Southeast corner of said Davidson Donation Land Claim; thence South 3.13 chains; thence East 2.65 chains to the Southwest corner of said John Thorp Donation Land Claim; thence North 14°15' East along the West line of said Thorp Donation Land Claim, 77.62 chains to the place of beginning.

**SAVE AND EXCEPT:** Beginning at a point on the North boundary of County Road, Independence to Buena Vista, at 20 links North 14°15' East from the Southwest corner of the John Thorp Donation Land Claim, Notification No. 1655, Claim No. 57, in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence North 14°15' East along the West boundary of said Claim No. 57, 20.60 chains to the Northwest corner of the land of W. L. Newton; thence West 7.30 chains to an iron pin on the East boundary of said County Road; thence South 17.75 chains to a fence at curve of said road; thence along fence following the curve of the road 3.25 chains to the place of beginning.

**ALSO SAVE AND EXCEPT:** Beginning at a point 22 chains East and 10 chains South of the Northeast corner of the John Thorp Donation Land Claim No. 57, in Section 11, Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence East 7.24 chains; thence South 285 feet; thence West 7.24 chains; thence North 285 feet to the place of beginning.

**ALSO SAVE AND EXCEPT:** Beginning at the Northwest corner of the John Thorp Donation Land Claim No. 57 in Section 10, Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; and running thence Westerly along the center of the County Road 240.00 feet; thence Southerly parallel with the Westerly line of said Donation Land Claim 3763.50 feet, more or less, to the North line of the parcel of land described as Parcel 2, in Deed to Paul D. Young, et al, recorded DECEMBER 28, 1972, in Volume 38, Page 155, Book of Records for Polk County, Oregon; thence Easterly along said line 240.0 feet to the said Westerly Donation Land Claim line; thence North 14°15' East 3763.50 feet along said line to the point of beginning.

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SAVE AND EXCEPT those portions lying within the boundaries of public roads and highways.

PARCEL 2:

Lot Numbered Five (5), in Section 35, and Lot Numbered Eight (8), in Section 34, in Township 8 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon.

ALSO the Northwest one-quarter (NW 1/4) of the Northwest one-quarter (NW 1/4) and Lot 4 of Section 2 and Lots 1 and 2 of Section 3, in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon.

ALSO a parcel of land described as beginning at the Southeast corner of Lot 3 in said Section 3 of Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; and running thence West 14.71 chains to the Southeast corner of a tract of land sold to Roy D. Cass as shown by a deed recorded in Volume 52, Page 75 of the Polk County Deed Records; thence North 28.23 chains to the Willamette River; thence in a Southeasterly direction along said river to the Northeast corner of Lot 7 in Section 34, in Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; and thence South to the place of beginning .

SAVE AND EXCEPT any portion of the above described tracts of land lying within the boundaries of public roads and highways.

FURTHER SAVE AND EXCEPT: Beginning at a 3/4" iron pipe which is 30.0 feet South 89°53' East of the Northwest corner of the David Johnson Donation Land Claim No. 41, in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, running thence the following bearings and distances; thence North 420.0 feet to a 5/8" x 30" iron rod; thence North 13°30'02" East 445.26 feet to a 5/8" x 30" iron rod; thence South 76°29'48" East 1187.24 feet to a 1/2" iron rod; thence South 0°23'50" West 578.37 feet to a 3/4" iron pipe, which is South 89°53' East from the point of beginning; thence North 89°53' West 1254.36 feet to the point of beginning.

PARCEL 3:

Beginning at the Northeast corner of the Fielden M. Thorp Donation Land Claim, Notification No. 1583, Claim 40, being parts of Sections 3 and 4 in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence running South with the East line of said Thorp Donation Land Claim 510 feet to the center of the County Road, which point is 410 feet North from a rock corner in the center of the said County Road in division line between the Charles Matsuda and the Dr. Ketchum farms; thence following the center of the said County Road in a Northwesterly direction to where said County Road intersects the North boundary line of the said Thorp Donation Land Claim and the South line of the F.W. Schilling's land, which point is 2510 feet West of the Northeast corner of the Thorp Donation Land Claim; thence East along the North line of the Thorp Donation Land Claim 2510 feet to the place of beginning.

SAVE AND EXCEPT that portion within the boundaries of public roads and highways.

ALSO SAVE AND EXCEPT: Beginning at a point on the South line of Lot Numbered Three (3), in Section 3 in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, which is 14.71 chains West of the Southeast corner of said Lot Numbered Three (3); thence South to the center of the County Road; thence following the center of said County Road in a Northwesterly direction to the North boundary of

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the Fielden M. Thorp Donation Land Claim No. 40 in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, which point is 2510 feet West of the Northeast corner of said Thorp Donation Land Claim; thence East to the place of beginning.

FURTHER SAVE AND EXCEPT: Beginning at an iron rod which is 478.20 feet North of the Northwest corner of David Johnson Donation Land Claim No. 41, in Township 9 South, Range 4 West of the Willamette Meridian Polk County, Oregon; thence South  $87^{\circ}18'18''$  West 49.50 feet to an iron rod, said iron rod being on the Northerly line of said County Road No. M-17; running thence along the Northerly line of said County Road, the following bearings and distances; thence North  $54^{\circ}15'38''$  West 163.11 feet; thence North  $78^{\circ}11'12''$  West 153.77 feet; thence South  $82^{\circ}28'06''$  West 696.71 feet; thence South  $89^{\circ}12'58''$  West 317.26 feet to a point on the Easterly line of the land described in deed to Frank Kauger, recorded MARCH 27, 1972, in Volume 28, Page 163, Book of Records for Polk County, Oregon; thence North along the East line of said Kauger land, 70 feet to an iron rod; thence North  $85^{\circ}33'05''$  East 948.66 feet to an iron rod; thence North  $78^{\circ}39'29''$  East 402.52 feet to an iron rod which lies North of the place of beginning; thence South 251.5 feet to the place of beginning. -----

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