

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

fees
\$1150
300
450
1900

Water-Use Permit Application Processing

1. Completeness Determination

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

2. Initial Review

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

3. Public Notice

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

4. Proposed Final Order Issued

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

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$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, limitations or conditions that the Department deems appropriate.

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME Nicholas Smith "Director"		PHONE (HM) SALEM, OR
PHONE (WK) 541-474-0571	CELL 541 218-3327	FAX 541-474-2485
ADDRESS "Greenleaf" 2970 Lower River Rd.		
CITY Grants Pass	STATE OR	ZIP 97526
E-MAIL* Nsmith@greenleafindustries.org		

Organization Information

NAME Green Leaf Industries Inc.		PHONE	FAX
ADDRESS Same		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*

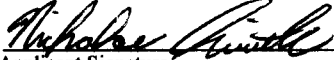
Note: Attach multiple copies as needed

* 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.)

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

Nicholas Smith Director
Print Name and title if applicable

10/8/14
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. G-17939	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
JOSE MIT	Rogue River	860'	0 elevation 880'

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*).

SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: _____ (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.

6-17-14

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)
JOSE 17714	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	6"	+2 to 98	60 to 70 90 to 96	cement 0-30 10"	10' 5-31-95		100'	23 gpm	5
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				30-60 6"					
	<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.

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STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

14 JOSE
17714

RECEIVED

JUN 23 1995

365/6W/14 da

(START CARD) # 74756

Instructions for completing this report are on the last page of this form WATER RESOURCES DEPT.

(1) OWNER: Well Number _____
Name Greenleaf Industries
Address 1200 SW Spruce
City Grants Pass State OR Zip 97526

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

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 100 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
10"	0	30	cement	0	30	22 sacks
6"	30	100				

How was seal placed: Method A B C D E
 Other
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6"	+2	98	0.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 98'

(7) PERFORATIONS/SCREENS:

Perforations Method air
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
60	70	1	20	1/8		<input checked="" type="checkbox"/>	<input type="checkbox"/>
90	96	1	15	1/8		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Pump Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
25		99	xx 1 hr.

Temperature of water 53 Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other
Depth of strata: _____

SALEM, OREGON
(9) LOCATION OF WELL by legal description:
County Josephine Latitude _____ Longitude _____
Township 36s N or S Range 6w E or W. WM. _____
Section 14 NE 1/4 SE 1/4
Tax Lot 2100 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) Lower River Rd

(10) STATIC WATER LEVEL:
10 ft. below land surface. Date 5-31-95
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 45

From	To	Estimated Flow Rate	SWL
45	100		10

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
sand & silt	± 0	12	10
gravel, granite, bwn clay	12	100	10

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Date started 5-31-95 Completed 6-1-95

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, 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.
WWC Number _____
Signed _____ Date _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, 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.
Coleman's Well Drilling Co WWC Number 1324
Signed James Sublette Date 6/7/95

6-1789

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Nursery	January - December	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: _____ 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: _____

- 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: _____

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): 1hp Sta rite pump
- Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Next to Well pumped into buried 2 inch line going to: 10 greenhouses, 9 coldframes, 2 propagation houses, 1 germination chamber, and sheltered outdoor growing area. Hose spouts

B. Application Method

used by means of hand watering.
 What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
99% hand watered through standard 5/8 hoses. One small Fogger in germination chamber. One 100' x 6" row of drip tape for gallon irrigation.

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. Well water will be metered. Water usage has been calculated given our average annual temps and needs.

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: _____

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Use(s): _____

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

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or 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): _____

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USE OF STORED GROUND WATER	PERIOD OF USE

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SECTION 8: PROJECT SCHEDULE

Date construction will begin: Potential greenhouse additions in ^{until} 2020 due to land usage agreement no permanent structures can be build in vacant field. All current 21 structures and outdoor watering facilities are in place.

Date construction will be completed: 2022

Date beneficial water use will begin: Currently in use see below

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).

G-1723F
Revised 3/4/2010
Ground Water/7
WR

Greenleaf Industries has been onsite since the purchase of land was made in 1999. Greenleaf is a nonprofit nursery hiring developmentally disabled adults growing bedding plants. Currently Greenleaf uses the pre-existing well for irrigation and has been made aware the 5,000 gallons a day ^(Groundwater) cannot be used for commercial plant production. This application is trying to rectify our water usage and establish our water right to become compliant. A BOR contract has been applied for as mitigation for new GW right.

CONTRACT WATER

An option for obtaining water for irrigation would be to contract with the Bureau of Reclamation for a water supply from the Lost Creek or Applegate Reservoirs.

Landowners may apply for a Lost Creek or Applegate Reservoir Irrigation Water Service Contract by completing the Contract Data Sheet and mailing it to the Bureau of Reclamation (BOR) Office in Idaho. Assuming the contract requirements are met, BOR will prepare a water service contract which will be sent to you for review and signature. Landowners may apply to contract for an annual amount of water of up to a maximum 4.5 acre-feet per acre which is the current unit-duty established by the State for this area.

There is a \$100 fee for preparation of a new contract, which is not due until a contract is executed. Currently, the annual charge for storage water from the Rogue River Project is \$8 per acre-foot (\$50 minimum fee for 20 acre-feet or less).

If you should have any questions regarding the stored water, please contact Bill Parks at (208) 378-5344 or by E-mail at wparks@usbr.gov

8/15/10

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Updated 2/23/10 G-07939

CONTRACT DATA SHEET



U.S. Bureau of Reclamation
Attn: PN-3324
1150 North Curtis Road
Boise, ID 83706-1234
208-378-5344

RECLAMATION Managing Water in the West

1. Applicant Information:

A. Landowners

- 1) Name of landowner(s): Green Leaf Industries (Nicholas Smith Director)
- 2) Address: 2970 Lower River Rd Grants Pass, OR 97526
- 3) Mailing Address (if different): _____
- 4) Taxpayer Identification Number(s): _____
(Social Security Number or Employer Identification Number)¹
- 5) Do you own all of the land where you propose to divert and make use of water? _____

B. Water User Organizations (Such as Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: Green Leaf Industries Inc.
- 2) Name & Title of Applicant: Nicholas Smith Director
- 3) Mailing Address of Organization: 2970 Lower River Rd. Grants Pass, OR 97526
- 4) Taxpayer Identification Number: _____
(Social Security Number or Employer Identification Number)
- 5) Please provide the following information:
 - (a) A description of the area served by the organization (location, total acreage, # of water users, prominent crops, etc.)
 - (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

2. Source of Water (name of stream, river): Rogue River (Lost Creek reser.)
3. Proposed point of diversion: 1700 feet east and 2000 feet south of SE corner of Section 26, Township 33S, Range 1E

Willamette Meridian. Water is to be used for mitigation for new ground water right

4. A water right permit to divert storage water is required. Application or file number with OWRD if you have applied for a permit to divert storage water: water will be left in stream.

5. Include a map of lands and diversion points. [Same as required by Oregon Water Resources Department for application for surface/ground water permit].

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6. Do you currently hold a right to natural flows for irrigating the property described herein? through SPID
If yes, what is/are the priority date(s)? 9-29-1914

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7. Total quantity of water from storage requested: 5 acre-feet.

8. Location of land to be irrigated in each 40-acre tract: For Nursery use

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TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
36S	R6W	14	SWSE SESE	6	Nursery bedding plants

SALEM, OR

9. What is the present use of the land identified above? [*Farming; idle (fallow cultivated land); native (appears never to have been tilled); planted pasture or other (please specify)*].

Nursery

10. Is the land identified above currently being irrigated? _____ If yes, what is the source? (*natural flows, wells, etc.*) Nursery use with well

11. Diversion must be screened to prevent uptake of fish and other aquatic life.

Describe plan(s) to comply with State/Federal fish screen standards: Water will remain in stream

12. Telephone number where you can be reached during the day: (541) 474-0571

Before returning the completed Contract Data Sheet to the address provided on page 1, please check that you have done the following:

- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE², MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION

¹ Section 31001.(i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.

² The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be revised to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. In the event that the costs to the United States of evaluating the application are in excess of the minimum contract administration fee, an estimate of the reimbursable costs for which advance payment is required will be provided to the applicant.

JOSEPHINE COUNTY PLANNING

Name: Greenleaf Industries Date: 10/7/2014 Receipt #: 51127

Address: _____

Legal: T 36 R 06 Sec 14 D0 Tax Lots: 2100 Amount: \$ 125.⁰⁰

G-17989

ADMINISTRATIVE

- 38220 Conditional Use
- 38200 Development Permit
- 39801 Aggregate Mining Permit
- 38240 Farm Dwelling
- 38250 Forest Dwelling
- 38260 Medical Hardship
- 38210 Medical Hardship Renewal
- 38270 Home Occ / No Hearing
- 38271 Home Occ / Hearing
- 38272 Home Occ / Renewal
- 38280 Manufactured Dwelling Storage
- 38290 Non-Conforming Use-Verification
- 39810 Non-Conforming Use-Expansion
- 39803 Pre-App. Aggregate Mining
- 39804 Pre-App. Comp Plan/ZC

- 39100 Pre-App. - Other
- 39050 Pre-App. - PUD
- 39806 Pre-App. Subdivision
- 39250 Road Naming
- 39450 Variance w/o Hearing
- 39451 Variance w/Hearing
- 39813 Violation Surcharge

HEARING REQUESTS

- 38000 Appeal after Hearing
- 38010 Appeal w/o Hearing
- 39200 Remand Hearing
- 39650 Re-noticing Fee

LAND DIVISION

- 38300 Final Plat
- 39000 Partition/Tentative Approval
- 39001 Partition/Easement/Public Usage Access

- 39802 PUD / Tentative Approval
- 39150 Property Line Adjustment
- 39700 Replat (Less than 4 lots)
- 39701 Replat (Pre-App Review involving more than 3 lots)
- 39702 Replat (More than 3 lots)
- 39400 Subdivision/Tentative Approval

ORDINANCE CHANGES

- 38100 Comp Plan/Zone Change
- 39002 Comp Plan/Zone Change w/exception to Statewide Goals
- 39800 Text Amendment

SITE REVIEW

- 39350 Half Acre or Less
- 39360 Half Acre → Two Acres
- 39380 Over Two Acres
- 39340 Standards Only

ANALYSIS

- 38050 Auth. Lot/Dwelling Determination
- 38235 Determination of Dvlp/Extension
- 38350 Flood Review/FEMA Map Info
- 39805 Flood Review - Substantial Improvement
- 39809 Flood Review - Elevation Determination
- 39550 Land Use Statement
- 39807 Technical Plan Review/Flood, Fire, Erosion, etc.

MISCELLANEOUS

- 39600 Copies/Maps/Ordinances
- 39750 Transcript Deposit
- 39808 Preparation of LUBA Record

PUBLIC WORKS

- (201-33100-343400)
- 11763 Subdivision Pre-App.
- 11764 Subdivision Application
- 11765 Partition Pre-App.
- 11766 Partition Application
- 11767 Site Plan Pre-App.
- 11768 Site Plan Application

CASH _____ CHECK # 09767 BY: MS

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**JOSEPHINE
COUNTY
TITLE**

118 N.E. "C" Street • P.O. Box 71
Grants Pass, Oregon 97526
(541) 476-6884 • Fax: (541) 479-4437

INSTRUMENT **99-21333**
Date: **10/4/99** # Pages: **2**

INSTRUMENT **99-21198**
Date: **9/30/99** # Pages: **2**

①
①

Order # 99112928NS

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That **TOM POTTBERG and JOANN POTTBERG**, Grantor, conveys and warrants to **GREEN LEAF INDUSTRIES OF GRANTS PASS INC.**, Grantee, the following described real property, together with appurtenances, free of encumbrances except as specifically set forth herein, situated in **Josephine County, State of Oregon**, described as follows,

See Exhibit A attached hereto and made a part hereof.

This document is being rerecorded to correct legal description

SUBJECT TO:

Real Property and/or Mobile Homes taxes for 1999-00 are now a lien but not yet payable. For tax purposes, the herein described property has been classified as farm land and assessed at a lower valuation by the County Assessor pursuant to ORS 308.345 to 308.407. If the land becomes disqualified for the special assessment under the statute, an additional tax and interest thereon may be levied, which the grantees herein agree to assume and pay. Levies, assessments, water and irrigation rights, easements and regulations of Grants Pass Irrigation District. Rights of the public within the limits of public roadways, and/or rights of private parties within existing roadways or driveways. Rights of way of record. Easements of record.

The true consideration paid for this conveyance is **Eighty-Three Thousand And 00/100 DOLLARS \$83,000.00.**

However, the whole consideration includes other value given or promised (check if other consideration statement applies).

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate City or County Planning Department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

Dated this 23rd day of September, 1999.

TOM POTTBERG

JOANN POTTBERG

RECEIVED BY OWRD

STATE OF OREGON)
) ss.
County of Josephine)

OCT 10 2014

SALEM, OR

This instrument was acknowledged before me on the 28th day of September, 1999 by **TOM POTTBERG and JOANN POTTBERG.**

(seal)

Notary Public for Oregon

My commission expires: Nov. 12, 2002

G-07929

Until a change is requested,
send all tax statements to:
Grantee at:
2970 Lower River Road
Grants Pass OR 97526

Return document to:
Josephine County Title Company
118 N.E. "C" Street, P.O. Box 71
Grants Pass, OR 97526

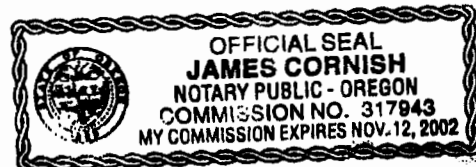


Exhibit A

Beginning 712.8 feet West and 502.56 feet North of the Southeast corner of Section 14, Township 36 South, Range 6 West of the Willamette Meridian, Josephine County, Oregon; thence North 89° West along the centerline of a concrete irrigation lateral, 176 feet; thence North 45° West along the centerline of a concrete-lined irrigation lateral, 575 feet; thence continue North 45° West, 491 feet to an iron pipe on the East and West fence line; thence East 930 feet to an iron stake; thence South 762 feet, more or less, to the true point of beginning. EXCEPTING THEREFROM the following: A parcel of land in Government Lot 1 in Section 14, Township 36 South, Range 6 West of the Willamette Meridian, Josephine County, Oregon, more particularly described as follows: Beginning at a point in the centerline of a concrete ditch which bears North 61°20'30" West 1007.20 feet from the Southeast corner of said Section 14; thence South 89°00' East 176.80 feet to an iron rod; thence North 170.00 feet to an iron rod; thence West 342.90 feet to the centerline of a concrete ditch; thence along the centerline of said ditch South 45°00' East 236.07 feet to the point of beginning. ALSO EXCEPTING THEREFROM the following: A parcel of land in Government Lot 1 in Section 14, Township 36 South, Range 6 West of the Willamette Meridian, Josephine County, Oregon, and more particularly described as follows: Commencing at a point in the centerline of a concrete ditch, which bears North 61°20'30" West 1007.20 feet from the Southeast corner of said Section 14; thence North 45°00' West 236.07 feet along the centerline of said ditch to the true point of beginning; thence East 342.90 feet to an iron rod; thence North 99.00 feet to an iron rod; thence West 441.90 feet to the centerline of said ditch; thence along the centerline of said ditch, South 45°00' East 140.01 feet to the true point of beginning. TOGETHER WITH an easement for roadway, 20 feet wide, as set forth in Volume 274, Page 206, Josephine County Deed Records.

ALSO TOGETHER WITH an easement, 25 feet in width, as set forth in Volume 279, Page 377, and in Volume 282, Page 480, Josephine County Deed Records. Reserving therefrom an exclusive easement described as Commencing at the Southeast corner of Section 14, Township 36 South, Range 6 West of the Willamette Meridian, Josephine County, Oregon; thence West 881.76 feet; thence North 498.5 feet; thence North 45° West 170 feet to the true point of beginning; thence North 44° 26'00" East 100 feet; thence North 45° West 170 feet; thence South 44°26'00" West 100 feet; thence South 45° East 100 feet to the true point of beginning. Seller their heirs and assigns, agree not to place any permanent structures upon said easement.


Purchaser further agrees to the following covenant and restriction: No purpose other than agricultural, i.e. the planting, growing and harvesting of a crop. No Structures shall be placed upon said portion of the property or other improvements made unless Seller first agrees in writing. Said portion being described as follows Beginning 881.76 feet West and 498.5 feet North of the Southeast corner of Section 14, Township 36 South, Range 6 West of the Willamette Meridian, Josephine County, Oregon; thence North 45° West, 700 feet; thence North 44° 26'00" East 100 feet to the true point of beginning; thence continue North 44° 26'00" East to the North line of the South Half of the Southeast Quarter of said Section 14; thence West along said North line 790 feet, more or less, to the Northeast corner of the land described in Volume 159, Page 1, Josephine county Deed Records; thence South 45° East 206.41 feet; thence North 44° 26'00" East, 100 feet; thence South 45° East 170.00 feet to the true point of beginning.

The reserved easement and restrictive covenant shall expire and terminate upon Seller selling his adjoining property, described as follows: Commencing at the Southeast corner of Section 14, Township 36 South, Range 6 West, of the Willamette Meridian, Josephine County, Oregon; thence West 881.76 feet; thence North 498.5 feet; thence North 45° West 700 feet to the true point of beginning of land to be described; thence North 45° West 170 feet; thence South 44° 26'00" West 242.38 feet, more or less, to the Northerly meander line of Rogue River; thence Southeasterly along said meander line to a point which bears South 44° 26'00" West from the point of beginning; thence North 44° 26'00" East 242.38 feet to the point of beginning. LESS AND EXCEPT that portion lying within the boundaries of Lower River Road, or 20 years from the date of conveyance of the subject property to Purchaser, whichever occurs first.

RECEIVED

NOV 24 2014

WATER RESOURCES DEPT
SALEM, OREGON

INSTRUMENT 99-21198
STATE OF OREGON
COUNTY OF JOSEPHINE
I, County Clerk and ex-officio Recorder of Conveyances, in and for said County, do hereby certify that the within instrument was received for record and recorded at
Date: 9/30/99 Time: 3:06 PM
in the Josephine County Book of Records.
GEORGETTE BROWN, COUNTY CLERK
By Deputy: 
Pages: 2 Fee: \$30.00
Hand Returned Mailed Hold