

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 Ivan Barsukoff		PHONE (HM) 503 634-2749	
PHONE (WK)	CELL 503 9897289	FAX	
ADDRESS 4634 S. Timber Trail Dr			
CITY Woodburn	STATE OR	ZIP 97071	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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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 use. 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.

Ivan Barsukoff
Applicant Signature

Ivan Barsukoff
Print Name and title if applicable

3-11-15
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. G-18012	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
prop	Rock Creek	3445'	0

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: .11 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.

										PROPOSED USE			
OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
PROP	☒	☐		☐	8"	10'					300'		
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
on berries	June - September	190

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: 76 Acres Supplemental: 0 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

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A. Diversion and Conveyance

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

- ☐ Pump (give horsepower and type): 30 hp Berkeley
- ☐ Other means (describe): _____

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

B. Application Method

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

Hand Line Sprinklers

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

To grow crops and move from hand line to drip.

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: _____

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): _____

USE OF STORED GROUND WATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: 2-5-15

Date construction will be completed: ?

Date beneficial water use will begin: When Approved

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

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SECTION 10: REMARKS

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

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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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Land Use

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Information Form

WATER RESOURCES DEPARTMENT
SALEM, OREGON

Applicant: Ivan Barsukoff
First Last

Mailing Address: 4634 S. Timber trail Dr
Woodburn OR 97071 Daytime Phone: 503 9897289
City State Zip

A. Land and Location

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

Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
55	1E	5		01903		☐ Diverted	☐ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

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: _____ ☐ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☒ Domestic for 1 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. →

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): _____.
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

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Name: Rebecca Eniga Title: Planner

Signature: Rebecca Eniga Phone: 503 741 4505 Date: 3/11/15

Government Entity: Clackamas County



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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Date _____

(For staff use only)



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
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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: _____
- ☐ SECTION 10: _____
- ☐ 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, etc.)
- ☐ North Directional Symbol
- ☐ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☐ Reference corner on map
- ☐ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☐ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☐ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- ☐ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- ☐ Other:

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After recording return to:
Ivan Barsukoff
4634 South Timber Trail
Woodburn, OR 97071

Until a change is requested all tax
statements shall be sent to the
following address:

Ivan Barsukoff
4634 South Timber Trail
Woodburn, OR 97071

File No.: NCS-697961-OR1 (ch)

THIS SPACE RESERVED FOR RECORDER'S USE

Clackamas County Official Records
Sherry Hall, County Clerk

2014-058453

11/13/2014 09:58:48 AM

D-D Cnt=1 Stn=8 CINDY
\$25.00 \$16.00 \$10.00 \$22.00

\$73.00

STATUTORY SPECIAL WARRANTY DEED

RLF Willamette Tree Farms, LLC, a Colorado limited liability company, Grantor, conveys and specially warrants to **Ivan Barsukoff**, Grantee, the following described real property free of liens and encumbrances created or suffered by the Grantor, except as specifically set forth herein:

This property is free from liens and encumbrances, EXCEPT: See Exhibit B attached hereto and by reference made a part hereof.

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

The true consideration for this conveyance is **\$625,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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

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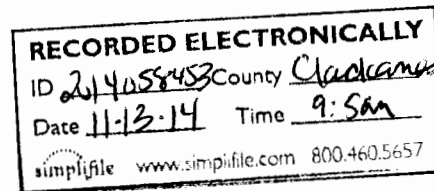
THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
Ivan Barsukoff
4634 South Timber Trail
Woodburn, OR 97071

Until a change is requested all tax
statements shall be sent to the
following address:

Ivan Barsukoff
4634 South Timber Trail
Woodburn, OR 97071

File No.: NCS-697961-OR1 (ch)



STATUTORY SPECIAL WARRANTY DEED

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This property is free from liens and encumbrances, EXCEPT: See Exhibit B attached hereto and by reference made a part hereof.

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

The true consideration for this conveyance is **\$625,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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

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AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 10th day of November, 2014.

RLF Willamette Tree Farms, LLC

By: Resource Land Fund IV, LLC, a Colorado limited liability company, As Managing Member

By: Resource Land Holdings, LP, a Colorado limited partnership, as Managing Member

By: Resource Land Holdings, L.L.C., a Colorado Limited Liability Company, As General Partner

By: B. Joseph Leininger Authorized Representative

STATE OF Colorado)
County of Denver)ss.
)

This instrument was acknowledged before me on this 10th day of November, 2014 by B. Joseph Leininger as Authorized Representative of Resource Land Holdings, L.L.C., a Colorado limited liability company, as General Partner of Resource Land Holdings, LP, a Colorado limited partnership, as Managing Member of Resource Land Fund IV, LLC, a Colorado limited liability company, as Managing Member of RLF Willamette Tree Farms, LLC, a Colorado limited liability company on behalf of said entity.

Susan Jend

Notary Public for Colorado

My commission expires: Nov. 7, 2016

SUSAN JEND
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20124071314
MY COMMISSION EXPIRES NOVEMBER 07, 2016

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

A TRACT OF LAND IN SECTION 5, TOWNSHIP 5 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 5;
THENCE NORTH FOLLOWING THE WEST SECTION LINE, A DISTANCE OF 267 FEET TO A POINT;
THENCE EAST PARALLEL WITH THE EAST-WEST CENTER LINE OF SAID SECTION 5, A DISTANCE OF 675 FEET TO A POINT;
THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 400 FEET TO A POINT;
THENCE WEST PARALLEL WITH THE EAST-WEST CENTERLINE OF SAID SECTION 5, A DISTANCE OF 20 FEET TO A POINT;
THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID SECTION, A DISTANCE OF 200 FEET TO A POINT;
THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 5, A DISTANCE OF 655 FEET TO THE WEST LINE OF SAID SECTION 5;
THENCE NORTH FOLLOWING THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 453 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 5;
THENCE EAST FOLLOWING THE SOUTH LINE OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER TO THE SOUTHEAST CORNER THEREOF;
THENCE CONTINUING EAST ON THE SOUTH LINE OF THE NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER TO THE CENTER LINE OF COUNTY ROAD 847;
THENCE SOUTHWESTERLY FOLLOWING THE CENTER LINE OF SAID COUNTY ROAD 847 TO A POINT THAT IS NORTH 0° 09' EAST, A DISTANCE OF 776.71 FEET AND SOUTH 89° 47' EAST, A DISTANCE OF 889.11 FEET FROM THE CENTER OF SAID SECTION 5;
THENCE NORTH 89° 47' WEST, A DISTANCE OF 30 FEET TO THE MOST EASTERLY CORNER OF A TRACT OF LAND CONVEYED TO EUGENE O. JOHNSON AND ARDENE M. JOHNSON, BY DEED RECORDED JANUARY 21, 1972, FEE NO. 72001707;
THENCE CONTINUING NORTH 89° 47' WEST FOLLOWING THE NORTH LINE OF SAID JOHNSON TRACT, A DISTANCE OF 859.11 FEET TO THE NORTH-SOUTH CENTER LINE OF SAID SECTION 5;
THENCE SOUTH 0° 09' WEST FOLLOWING THE NORTH-SOUTH CENTER LINE OF SAID SECTION 5, A DISTANCE OF 776.71 FEET TO THE CENTER OF SAID SECTION 5;
THENCE WEST FOLLOWING THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 5, A DISTANCE OF 2,640 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND:

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A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 5 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 5;

THENCE NORTH FOLLOWING THE WEST SECTION LINE A DISTANCE OF 267.0 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN CONTRACT OF SALE TO JACK K. AGAN, ET UX, RECORDED OCTOBER 14, 1975, FEE NO. 75030015, CLACKAMAS COUNTY DEED RECORDS;

THENCE EAST ALONG THE SOUTH LINE OF SAID AGAN TRACT AND EXTENSION THEREOF, A DISTANCE OF 1,303.27 FEET, MORE OR LESS, TO A POINT ON THE NORTH-SOUTH CENTER LINE OF SAID SECTION 5;

THENCE SOUTH ON SAID NORTH-SOUTH CENTER LINE OF SECTION 5, A DISTANCE OF 267.0 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THAT PARCEL OF LAND DEEDED TO EFIM ZYRYANOFF, ET UX, BY DEED RECORDED NOVEMBER 03, 1983, FEE NO. 83037158 IN THE CLACKAMAS COUNTY DEED RECORDS;

THENCE WEST ALONG THE NORTH LINE OF SAID ZYRYANOFF PARCEL A DISTANCE OF 1,303.27 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008

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SALEM, OREGON

G-18012

EXHIBIT B

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. Terms and provisions of an unrecorded lease dated September 30, 2004, by and between Yule Tree Farms, LLC, an Oregon limited liability company as lessor and Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications as lessee, as disclosed by a Memorandum of Lease Agreement recorded July 19, 2006 as Recording No. 2006-065882 of Official Records.

Document(s) declaring modifications thereof recorded February 15, 2008 as Recording No. 2008-010720 of Official Records.

The terms and provisions contained in the document entitled "Assignment and assumption of Ground Lease" recorded October 10, 2008 as Recording No. 2008-072240 of Official Records.

The terms and provisions contained in the document entitled "Assignment of Communications Site Lease" recorded November 5, 2014 as Instrument No. 2014-056972 of Official Records.

3. The terms and provisions contained in the document entitled "Wireless Communication Easement and Assignment Agreement" recorded May 27, 2011 as Recording No. 2011-031215 of Official Records.
4. A financing statement recorded August 9, 2012 as Recording No. 2012-050973 of Official Records.
Debtor: Yule Tree Farms LLC
Secured Party: Bridgewell Resources LLC

(Covers More Property)

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MAR 11 2015

**WATER RESOURCES DEPT
SALEM, OREGON**