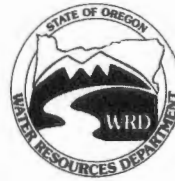


# Application for a Permit to Use Ground Water



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		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS			
CITY	STATE	ZIP	E-MAIL*

### Organization Information

NAME CROSBY LAND COMPANY, LLC % KEVIN CROSBY		PHONE 503-981-9088	FAX 503-981-2141
ADDRESS 8648 CROSBY ROAD NE			CELL
CITY WOODBURN	STATE OR	ZIP 97071	E-MAIL* KC16845@MSN.COM

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

AGENT / BUSINESS NAME JEANNE BOATWRIGHT		PHONE 503-363-9225	FAX 503-363-1050
ADDRESS BOATWRIGHT ENGINEERING, INC. 2613 12TH STREET SE			CELL
CITY SALEM	STATE OR	ZIP 97302	E-MAIL* JEANNE@BOATWRIGHTENGR.COM

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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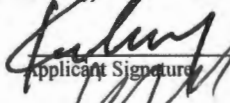
JUN 18 2015

### 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.

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SALEM, OREGON

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

  
Applicant Signature  
  
Applicant Signature

Kevin Crosby  
Print Name and title if applicable

Member, Crosby Land Co, LLC  
Print Name and title if applicable

6/8/15  
Date  
6/8/15  
Date

For Department Use		
App. No. <u>G-12105</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*).

Robyn L. Brant, Survivor's Trust 50%  
 Robert V. Brant Bypass Trust 50%  
 Robyn L. Brant, trustee  
 11014 Oak Meadow Land  
 Aurora, Oregon 97002

**SECTION 3: WELL DEVELOPMENT**

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
1	Unnamed Creek, trib to Ryan Ck	1240'	+27'
1	Ryan Ck	1250'	+45'

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*).

The well has not been constructed yet. It is proposed to be similar to others in the surrounding area and is expected to be constructed in the alluvium at a depth of 100-200 feet below the surface.

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 SALEM, OREGON

G-10105

**SECTION 3: WELL DEVELOPMENT, CONTINUED**

Source (aquifer), if known: Willamette Basin

Total maximum rate requested: 160 gpm (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. (*If a well log is available, please submit it in addition to completing the table.*) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

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 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	----	<input type="checkbox"/>	16"	250±	100-220±	---	---	Alluvial Sand & Gravels	250'±	280	125.3

\* 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)
IR	March 1 - Oct 31	125.3

**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: 50.1 Acres                      Supplemental: 0 Acres

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

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 125.3

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: \_\_\_\_\_

If the use is **mining**, describe what is being mined and the method(s) of extraction: \_\_\_\_\_

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**SECTION 5: WATER MANAGEMENT**

**A. Diversion and Conveyance**

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

Pump (give horsepower and type): 50 hp submersible, or as determined based on yield at time of well construction.

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

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be transported from the well to the field via a PVC pipeline

**B. Application Method**

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

Amount requested will provide sufficient quantity for any crop planted. Crops will be rotated. Water use will be metered. Waste, damage to aquatic life, erosion, and contamination will be avoided by applying water and fertilizers at rates and times that are appropriate for complete uptake by the crop. There is a riparian area between the Unnamed Creek that crosses the property and the adjacent fields. This area varies in width from approximately 65 feet to close to 180 feet. No damage will be done to this riparian area and no aquatic life will be impacted. There will be no impact to public uses of surface waters.

**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: Permit date + 1 year

Date construction will be completed: Permit date + 2 years

Date beneficial water use will begin: Permit date + 2 years

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SALEM, OREGON

**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-19105*

# 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(s): **Crosby Land Company, LLC**

Mailing Address: **PO Box 70**

City: **Woodburn**

State: **OR**

Zip Code: **97071**

Daytime Phone: **503-981-9088**

## 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:
_____	_____	_____	_____	_____	See Attached List	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	<i>EFU</i>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	'	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	"	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

**Marion County**

## 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: **280**     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:

**Obtain water right for 50.1 acres on an existing farm.**

**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. →

**RECEIVED**

JUN 18 2015

*G-12105*

# 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): 17.136
- 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
	<b>RECEIVED</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	JUN 18 2015	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	WATER RESOURCES DEPT SALEM, OREGON	<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: Patty Dove Title: Assistant Planner

Signature: Patty Dove Phone: 503-588-5038 Date: 3/23/15

Government Entity: Marion County Planning Division

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





WHEN RECORDED MAIL TO:

HAMERS & OKAWA  
Attorneys at Law  
1761 Liberty Street SE  
Salem, OR 97302

Reel  
3262

Page  
379

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SEND TAX STATEMENTS TO:

Robyn L. Brant, Trustee  
11014 Oak Meadow Ln. NE  
Aurora, OR 97002

WATER RESOURCES DEPT  
SALEM, OREGON

WARRANTY DEED

Robyn L. Brant Trustee of the Robert V. and Robyn L. Brant Family Trust dated March 10, 1992, Grantor, does hereby convey and warrant to Robyn L. Brant Trustee of the Robyn L. Brant Survivor's Trust under the Robert V. and Robyn L. Brant Family Trust dated March 10, 1992, an undivided one-half interest, and to Robyn L. Brant Trustee of the Robert V. Brant Bypass Trust under the Robert V. and Robyn L. Brant Family Trust dated March 10, 1992, an undivided one-half interest, Grantees, all of the Grantor's right, title and interest in the following described real property free of encumbrances except as specifically set forth herein, situated in Marion County, Oregon to wit:

LEGAL DESCRIPTION AS PER ATTACHED EXHIBIT "A"

The true and actual consideration paid for this transfer, stated in terms of dollars, is NONE (estate planning purposes).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS 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 197.352.

DATED April 22, 2009.

*Robyn L. Brant, Trustee*  
Robyn L. Brant Trustee of the Robert V. and  
Robyn L. Brant Family Trust dated March  
10, 1992

STATE OF OREGON, County of Clackamas ) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED before me on April 22, 2009, by Robyn L. Brant Trustee of the Robert V. and Robyn L. Brant Family Trust dated March 10, 1992.



*Glenn J. Okawa*  
NOTARY PUBLIC for Oregon  
My Commission expires: 8-8-2010

G-1805

EXHIBIT "A"

Parcel 1. 10577 Matthieu Lane NE, Aurora, Marion County, Oregon

Tract I.

Beginning at a point on the North line and 57.53 chains South 85°15' West from 3796.90'

the Northeast corner of the Donation Land Claim of F. X. Matthieu and wife, in Township 4 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; said point being the Northeast corner of the West half of the F. X. Matthieu and wife claim; thence South 10°15' East 24.765 chains along the East 1634.49'

line of the West half of the F. X. Matthieu and wife Claim to the South line of the County Road, if extended Westerly; thence South 84°15' West 9.44 chains to the 623.04'

West line of the F. X. Matthieu's land; thence North 10°15' West 24.873 chains 1641.62'

71.26' 82°15' East 1.08 chains to an angle in said Claim; thence North 85°15' East 8.36 551.76'

chains to the place of beginning.

Tract II

Beginning on the North line and 38.66 chains North 82°15' East from the 2551.56'

Northwest corner of the Donation Land Claim of F. X. Matthieu and wife, in Township 4 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; and running thence North 82°15' East 9.46 chains along the North line of 624.36'

the F. X. Matthieu and wife Donation Land Claim; thence South 10°15' East 30.80 chains to the North line of Lot 1, of the Division of the West half of the 2032.00'

Donation Land Claim of F. X. Matthieu and wife; thence South 84°15' West 9.48 625.48'

chains along the North line of Lots 1 and 2, of said Division; thence North 10°15' West 30.48 chains along the East line of Lot 9, of said Division to the place of 2011.68'

beginning, and being Lot 10 of said Division of the West half of the Donation Land Claim of F. X. Matthieu and wife, situated in Marion County, Oregon.

SAVE AND EXCEPT: Beginning on the North line and 38.66 chains North 2551.56'

82°15' East from the Northwest corner of the Donation Land Claim of F. X. Matthieu and wife, in Township 4 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; and running thence 82°15' East 9.46 chains 624.36'

along the North line of the F. X. Matthieu and wife Donation Land Claim; thence South 10°15' East 30.80 chains to the North line of Lot 1, of the Division of the 2032.00'

West ½ of the Donation Land Claim of F. X. Matthieu and wife; thence South 84°15' West 9.48 chains along the North line of Lots 1 and 2 of said Division to 625.48'

the true point of beginning; thence North 84°15' East 150.00 feet; thence North 10°15' West 580.80 feet; thence South 84°15' West 150 feet to a point on the Westerly line of that parcel described in Volume 665, Page 242, Marion County, Oregon Deed Records; thence South 10°15' East along said Westerly line 580.80 feet to the true point of beginning.

Parcel 2. 10751 Main Street, Donald, Marion County, Oregon

All that certain plot or parcel of land situated in Town of Donald, Marion County, Oregon, and being more particularly described as follows:

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SALEM, OREGON

Lots 13 and 14, Block 2, according to the unrecorded plat thereof, in Volume 350, Page 537, on file in the office of the County Recorder for Marion County, State of Oregon.

Parcel 3. 21105 Ehlen St NE, Donald, Marion County, Oregon

Beginning at the Southwest Corner of Lot Three (3), Block One (1), of Fellers Addition to the City of Donald; thence North 32°50' East 84.59 feet; thence South 71°25' East 111.63 feet; thence South 18°35' West 82.00 feet; thence North 71°25' West 132.4 feet to the point of beginning, being the Southwest corner of Lot 3, Block 1 of Fellers Addition to Donald, Marion County, Oregon.

Parcel 4. 11633 Teal Lane NE, Aurora, Marion County, Oregon:

Lot 1, Block 10, CENTURY MEADOWS NO. 3, MARION COUNTY, OREGON.

ALSO: That portion of Common F, Block 10, CENTURY MEADOWS NO. 3, a plat of record in the Northwest quarter of the Southwest quarter of Section 33, Township 3 South, Range 1 West of the Willamette Meridian, Marion County, Oregon being described as follows:

Beginning at the Northeast corner of Lot 1; thence 66°54'04" West along the Northerly line of said Lot 1, 66.34 feet; thence South 27°36'12" West continuing along said Northwesterly line 16.00 feet to a point on the Northeasterly line of a private road right of way, said right of way line is on a curve whose radius point bears South 27°37'55" West 103.16 feet; thence Northwesterly along the arc of said curve 17.85 feet (the long chord bears North 67°19'27" West 17.82 feet); thence along the arc of a 10 foot radius curve to the right 15.39 feet (the radius point of which bears North 28°08'01" West 13.92 feet); thence North 74°48'09" East 76.42 feet; thence North 53°13'22" East 17.75 feet; thence South 19°53'54" East 10.21 feet to the point of beginning.

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SALEM, OREGON

**REEL: 3262**

**PAGE: 379**

**February 24, 2011, 10:11 am.**

CONTROL #: 289190

State of Oregon  
County of Marion

I hereby certify that the attached  
instrument was received and duly  
recorded by me in Marion County  
records:

FEE: \$ 51.00

BILL BURGESS  
COUNTY CLERK

THIS IS NOT AN INVOICE.

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WATER RESOURCES DEPT  
SALEM, OREGON

Oregon Water Resources Department  
725 Summer Street Ne, Suite A  
Salem, Oregon 97301

Re: **APPLICATION FOR A PERMIT TO USE GROUNDWATER  
CROSBY LAND COMPANY, LLC**

I am the owner of the property identified as Tax Lots 100 and 300 on the Marion County Assessor's Map 4 1W 07, located at 10577 Matthieu Lane NE, Aurora, OR.

My deed, conveyed to *Robyn L. Brant Trustee of the Robyn L. Brant Survivor's Trust under the Robert V. and Robyn L. Brant Family Trust dated March 10, 1992, an undivided one-half interest* and to *Robyn L. Brant Trustee of the Robert V. Brant Bypass Trust under the Robert V. and Robyn L. Brant Family Trust dated March 10, 1992, an undivided one-half interest*, is recorded in Reel 3262, Page 379 of the Marion County Deed Records.

I am aware that Kevin Crosby, and the Crosby Land Company, LLC, is making application for a water right permit that will affect my property, and I support his application.

Robyn L. Brant, Trustee  
Robyn L. Brant, Trustee  
Robyn L. Brant Survivor's Trust under the  
Robert V. and Robyn L. Brant Family Trust  
dated March 10, 1992

5-18-2015  
Date

Robyn L. Brant, Trustee  
Robyn L. Brant, Trustee  
Robyn L. Brant Bypass Trust under the  
Robert V. and Robyn L. Brant Family Trust  
dated March 10, 1992

5-18-2015  
Date

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SALEM, OREGON

G-18105